

Date: 20130213

File: 585-18-51

Citation: 2013 PSLRB 14



*Public Service
Labour Relations Act*

Before the Chairperson of the Public
Service Labour Relations Board

IN THE MATTER OF
THE *PUBLIC SERVICE LABOUR RELATIONS ACT*
and a dispute affecting
the Public Service Alliance of Canada, as bargaining agent,
and the Staff of the Non-Public Funds, Canadian Forces, as employer,
in respect of the bargaining unit composed of all employees of the Employer in the
Administrative Support Category employed at the Canadian Forces Base, Gagetown,
New Brunswick

Indexed as
Public Service Alliance of Canada v. Staff of the Non-Public Funds, Canadian Forces

TERMS OF REFERENCE

To: Richard Brown, chairperson of the arbitration board;
Mike Tynes and Lynn Harnden, arbitration board members

Before: David P. Olsen, B.A., LL.M., Acting Chairperson of the Public Service Labour
Relations Board

For the Bargaining Agent: Larry Gagnon, Public Service Alliance of Canada

For the Employer: Sonja Gonsalves, Staff of the Non-Public Funds, Canadian
Forces

Issued on the basis of written submissions,
dated December 18, 2012, January 2, 2013, and January 9, 2013.

TERMS OF REFERENCE

[1] By letter of December 18, 2012, the Public Service Alliance of Canada (“the bargaining agent”) requested arbitration in respect of the bargaining unit composed of all employees of the Employer in the Administrative Support Category employed at the Canadian Forces Base, Gagetown, New Brunswick (“the bargaining unit”). Along with its request, the bargaining agent provided a list of the terms and conditions of employment that it wished to refer to arbitration. Those terms and conditions of employment and supporting material are attached as schedule 1.

[2] By letter of January 2, 2013, the Staff of the Non-Public Funds, Canadian Forces (“the employer”) provided its position on the terms and conditions of employment that the bargaining agent wished to refer to arbitration. The employer also provided a list of additional terms and conditions of employment it wished to refer to arbitration. That letter and supporting material are attached as schedule 2.

[3] By letter of January 9, 2013, the bargaining agent provided its position on the additional terms and conditions of employment that the employer wished to refer to arbitration. That letter is attached as schedule 3.

[4] Accordingly, pursuant to section 144 of the *Public Service Labour Relations Act* (the “*Act*”), the matters in dispute on which the arbitration board shall make an arbitral award are those set out in schedules 1 to 3 inclusive, which are attached to this decision.

[5] Should any jurisdictional question arise during the course of the hearing as to the inclusion of a matter in these terms of reference, that question must be submitted without delay to the Acting Chairperson of the Public Service Labour Relations Board, who is, according to subsection 144(1) of the *Act*, the only person authorized to make such a determination.

Dated February 13, 2013.

**David P. Olsen, B.A., LL.M.,
Acting Chairperson of the
Public Service Labour Relations Board**