

Date: 20130118

File: 585-02-49

Citation: 2013 PSLRB 5



*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 Association of Canadian Financial Officers, as bargaining agent,
and the Treasury Board of Canada, as employer,
in respect of the bargaining unit comprised of all employees of the employer in the
Financial Management Group as defined in Part I of the Canada Gazette of
March 27, 1999.

Indexed as
Association of Canadian Financial Officers v. Treasury Board of Canada

TERMS OF REFERENCE

To: Michel Picher, chairperson of the arbitration board;
Phillip Hunt and Anthony Boettger, arbitration board members

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

For the Bargaining Agent: Scott Chamberlain, Association of Canadian Financial
Officers

For the Employer: Ted Leindecker, Treasury Board of Canada

Issued on the basis of written submissions,
dated October 19, 24, 25 and November 1, 2012.

TERMS OF REFERENCE

[1] By letter of October 19, 2012, the Treasury Board of Canada (“the employer”) requested arbitration in respect of the bargaining unit comprised of all employees of the employer in the Financial Management Group as defined in Part I of the Canada Gazette of March 27, 1999. Along with its request, the employer 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 October 24, 2012, the Association of Canadian Financial Officers (“the bargaining agent”) provided its position on the terms and conditions of employment that the employer wished to refer to arbitration. The bargaining agent 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 e-mail of October 25, 2012, the bargaining agent provided the Board with revised pages 18 and 19 of their form 9 relating to Article 40. That letter is attached as schedule 3.

[4] By letter of November 1, 2012, the employer provided its position on the additional terms and conditions of employment that the bargaining agent wished to refer to arbitration. That letter is attached as schedule 4.

[5] 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 4 inclusive, which are attached to this decision.

[6] 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 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.

January 18, 2013.

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