

**Date:** 20130124

**File:** 485-HC-52

**Citation:** 2013 PSLRB 7



*Parliamentary Employment  
and Staff Relations Act*

Before a panel of the Public  
Service Labour Relations Board

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IN THE MATTER OF  
THE *PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT*  
and a dispute affecting  
the Public Service Alliance of Canada, as bargaining agent,  
and the House of Commons, as employer,  
in respect of the Postal Services Sub-Group in the Administrative Support Group  
bargaining unit

Indexed as  
*Public Service Alliance of Canada v. House of Commons*

**TERMS OF REFERENCE**

**To:** Joseph Potter, Joe Herbert and Kathryn Butler Malette, deemed to form the  
Public Service Labour Relations Board

**Before:** David Paul Olsen, B.A., LL.M., Acting Chairperson, a panel of the Public Service  
Labour Relations Board

**For the Bargaining Agent:** Morgan Gay, Public Service Alliance of Canada

**For the Employer:** Carole Piette, Counsel

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Issued on the basis of written submissions,  
dated November 23, 29 and December 3, 2012.

## TERMS OF REFERENCE

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[1] By letter of November 23, 2012, the Public Service Alliance of Canada (“the bargaining agent”) requested arbitration in respect of the Postal Services Sub-Group in the Administrative Support Group 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 November 29, 2012, the House of Commons (“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. As well, the employer objected to the referral to arbitration of the bargaining agent proposals at Article 6 Recognition pursuant to article 5(3) of the *Parliamentary Employment and Staff Relations Act* (“PESRA”) and Article 35 Job Security pursuant to articles 5(3) and 55(2) of PESRA. That letter and supporting material are attached as schedule 2.

[3] By electronic mail of December 3, 2012, the bargaining agent stated that it was their position to renew language contained in the parties’ current agreement and that its proposal for Article 6 are entirely within the Board’s jurisdiction and consequently maintains its position. That mail is attached as schedule 3.

[4] Accordingly, pursuant to section 52 of the *Parliamentary Employment and Staff Relations Act*, the matters in dispute on which the Public Service Labour Relations Board shall make an arbitral award are those set out in schedules 1 to 3 inclusive, which are attached to this decision, including any objections contained therein.

January 24, 2013.

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