

Public Service Staff
Relations Act



Before the Public Service
Staff Relations Board

BETWEEN

DAVID SHAW

Grievor

and

TREASURY BOARD
(National Revenue - Customs & Excise Canada)

Employer

Before: Donald MacLean, Adjudicator and Board Member

For the Grievor: Michael Tynes, Public Service Alliance of Canada

For the Employer: Jock Climie, Counsel

Heard at Sydney, Nova Scotia,
May 6, 1998

DECISION

These grievances were referred to adjudication on May 17, 1996. The bargaining agent initially proposed that they be dealt with through the expedited process. However, this did not occur. After a few requests for postponement, the parties finally agreed to have the grievances heard in May 1998.

At the beginning of the hearing in these cases counsel for the employer announced that the employer would not present any evidence to substantiate its decisions to impose discipline in these matters.

Accordingly, I hereby allow these grievances. I order the employer to remove all references to such discipline, and incidents from which it arose, from the grievor's file. I also order the employer to reinstate to Mr. Shaw any pay and benefits that the employer withheld from the grievor as a result of the employer's actions in May 1995, when it suspended him for two days, and three days respectively.

In the result, I allow these grievances in the terms noted in the preceding paragraph.

Donald MacLean,
Adjudicator and Board Member

MONCTON, December 14, 1998.