

Public Service Staff  
Relations Act



Before the Public Service  
Staff Relations Board

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BETWEEN

**COLLEEN CARTY**

Grievor

and

**TREASURY BOARD  
Industry Canada**

Employer

***Before:*** [Y. Tarte](#)

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Decided without an oral hearing

## DECISION

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This reference to adjudication was filed with the Board on December 16, 1997 by the Public Service Alliance of Canada, the bargaining agent on behalf of the grievor, Ms. Colleen Carty. This grievance concerns a 12-hour financial penalty.

This matter was scheduled for hearing on March 11, 1998 in Ottawa, Ontario. On March 4, 1998, the bargaining agent and the employer, in a joint application, requested a postponement on the grounds that they had reached a potential settlement. Consequently, the request for a postponement was granted. This matter was held in abeyance pending the finalization of the settlement.

The Board wrote to the Public Service Alliance of Canada on June 11, 1998 to obtain an update of the status of this matter by June 29, 1998. The bargaining agent advised the Board that the parties had failed to reach a settlement.

Further to a request by the parties, this matter proceeded to mediation on April 13, 1999. The parties were unable to come to an agreement.

On September 14, 1999, the bargaining agent advised the Board that it was no longer representing the grievor. The Board wrote to the grievor on September 16, 1999 advising her that the bargaining agent was no longer representing her in this matter and requesting that she inform the Board of her intentions by no later than September 29, 1999. No response to the September 16, 1999 letter was received, nor was it returned to the Board as unclaimed or otherwise. The Board communicated with the bargaining agent who advised that the grievor had moved. The Board again wrote to Ms. Carty at her new address on October 4, 1999, requesting her to inform the Board of her intentions by October 18, 1999. No response to the October 4, 1999 letter was received, nor was it returned to the Board as unclaimed or otherwise.

The Board wrote to the grievor on October 25, 1999, advising her that failure to reply by November 9, 1999 might result in the termination of the proceeding and the closure of her file. No response to the October 25, 1999 letter was received, nor was it returned to the Board as unclaimed or otherwise.

Finally, the Board wrote to Ms. Carty on November 24, 1999 advising her that failure to respond by December 8, 1999 would result in the termination of the proceeding and the closing of her file. No response has been received as of the date of this decision.

Under the circumstances, I am satisfied that the grievor does not wish to pursue her grievance. Accordingly, I direct that the proceeding be terminated and that the file be closed.

**Y. Tarte**  
**Chairperson**

**OTTAWA, December 16, 1999.**