

*Rich.*  
Date: 20031016

Files: 166-34-31184 and 31185  
166-34-31188 to 31190  
166-34-31192 to 31194  
166-34-31207  
166-34-32524 and 32525

Citation: 2003 PSSRB 92



Public Service Staff  
Relations Act

Before the Public Service  
Staff Relations Board

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BETWEEN

**DONNA GAUDETTE, SHIRLEY HALL, JOHN KOSIBA, JANICE KOWALUK,  
KEVIN MCNAMARA, VALÉRIE VOJNOVIC, CHRISTINA BABIJ (BELAND)  
AND JO-ANNE DESJARDINS**

Grievors

and

**CANADA CUSTOMS AND REVENUE AGENCY**

Employer

***Before:*** Ian Mackenzie, Board Member

***For the Grievors:*** Edith Bramwell, Public Service Alliance of Canada

***For the Employer:*** Jennifer Champagne, Counsel

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Heard at Sudbury, Ontario,  
October 7, 2003.

## DECISION

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[1] At the commencement of the hearing of these grievances, both representatives advised me that they were requesting the issuance of a consent order. The representative for the grievors also advised me that the grievances of Christina Babij (Beland) and Jo-Anne Desjardins (Board files 166-34-32524 and 32525) were withdrawn.

[2] The order, on consent, is as follows:

*In 1999, a dispute arose between the parties as to the appropriate application of Article 14.07 of the Master Agreement (signed between Treasury Board and the Public Service Alliance of Canada - expiry date June 20, 1999) in circumstances where a grievance has not yet been filed. All of the grievors were, at that time, employees of Revenue Canada, and are currently employed by the Canada Customs and Revenue Agency. The above-noted grievances arose during circumstances where local CCRA management and PSAC Local 042 had different interpretations of the application of Article 14.07. Each of the above-noted grievors was denied leave requested under Article 14.07 to discuss a prospective but unfiled grievance with a Union representative. The grievors above had requested leave variously as grievors and as Alliance representatives.*

*The parties have a common understanding that reasonable leave will be granted to discuss the filing of a prospective grievance or the presentation of a filed grievance, provided that operational requirements permit, as per the relevant collective agreement. This interpretation has been the accepted practice of the parties since December 20, 1999. This common understanding does not limit or preclude any proposal which either of the parties may wish to introduce in the context of collective bargaining, and is limited in its application to the collective agreement to specific circumstances of the kind encountered in the grievances above.*

**Ian Mackenzie,  
Board Member**

OTTAWA, October 16, 2003.