



Public Service Staff
Relations Act

Before the Public Service
Staff Relations Board

BETWEEN

THE PROFESSIONAL INSTITUTE OF THE PUBLIC SERVICE OF CANADA

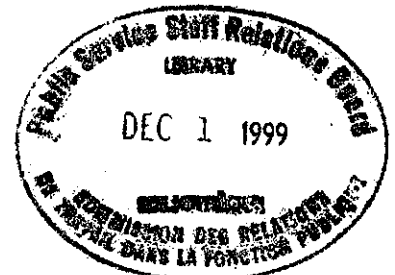
Bargaining Agent

and

TREASURY BOARD

Employer

RE: Research Group



**RECORD OF SPECIFICATION OF PROCESS
FOR THE RESOLUTION OF DISPUTES**

1. In its decision of June 16, 1999, the Board confirmed that the Professional Institute of the Public Service of Canada is the bargaining agent for the following bargaining unit:

All employees of the Employer in the Research Group as defined in Part I of the Canada Gazette of March 27, 1999.

2. Subsequently, on July 6, 1999, the bargaining agent filed with the Board, in accordance with section 61 of the *P.S.S.R.B. Regulations and Rules of Procedure, 1993*, a specification which stated that the process for resolution of any dispute to which it may be a party, in respect of the bargaining unit described in paragraph 1, shall be by referral of the dispute to arbitration.

3. Pursuant to subsection 38(1) of the *Public Service Staff Relations Act*, the Board records as part of the certification of the Professional Institute of the Public Service of Canada for the bargaining unit described in paragraph 1, hereof, that the process for the resolution of any dispute to which the bargaining agent may henceforth be a party, in respect of such bargaining unit, shall be by referral of the dispute to arbitration.

4. The process so recorded shall be the process applicable to the bargaining unit described in paragraph 1 for the resolution of all disputes, from the time on which any notice to bargain collectively is given next following July 6, 1999 and, thereafter, until the process is further altered in accordance with section 39 of the *Act*.

**P. Chodos,
for the Board**

OTTAWA, July 26, 1999



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BETWEEN

PROFESSIONAL INSTITUTE OF THE PUBLIC SERVICE OF CANADA

Bargaining Agent

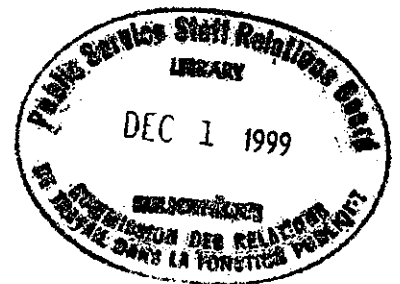
and

TREASURY BOARD

Employer

RE: Amalgamation of Bargaining Units under Subsection 103(2)
of the Public Service Reform Act - Research Group

Before: Yvon Tarte, Chairperson



(Decided without a hearing)

DECISION

1. This is a proceeding relating to the obligations of the Board under subsection 103(2) of the *Public Service Reform Act (PSRA)*, S.C. 1992, c. 54, with respect to the following bargaining units, for which the Professional Institute of the Public Service of Canada (PIPSC) was certified as the bargaining agent, and for which the Treasury Board is the employer: Defence Scientific Service Group, July 11, 1975 (Board File No. 142-2-152), as amended on December 13, 1977 (Board File No. 142-2-152); Historical Research Group, June 19, 1968 (Board File No. 142-2-56), as amended on December 13, 1977 (Board File No. 142-2-56); Mathematics Group, September 20, 1968 (Board File No. 142-2-105), as amended on December 13, 1977 (Board File No. 142-2-105); Scientific Research Group, December 20, 1968 (Board File No. 142-2-48), as amended on December 13, 1977 (Board File No. 142-2-48).

2. The following are the relevant provisions of the *PSRA*:

...

100. *In sections 101 to 107,*

"effective date", in respect of an occupational group, means the date on which the group was specified and defined as set out in a notice published pursuant to subsection 101(4);

"occupational group" means a group of employees specified and defined as set out in a notice published pursuant to subsection 101(4) and includes a subgroup of such employees.

101. (1) *The Treasury Board shall, before the sixth anniversary of the coming into force of this section, specify and define groups of employees in such manner as to include therein all employees employed in those portions of the Public Service specified in Part I of Schedule I of the Public Service Staff Relations Act and no other employees.*

(2) *Groups of employees shall be specified and defined according to the duties and responsibilities of positions.*

(3) *Groups of employees may be divided into subgroups.*

(4) *Forthwith after specifying and defining a group of employees, the Treasury Board shall cause notice of the group and of the date on which the group was specified and defined to be published in the Canada Gazette.*

...

103. (1) *Subject to subsection (2), an employee organization that, immediately before the effective date for an occupational group, was certified under the Public Service Staff Relations Act as the bargaining agent for a bargaining unit consisting of any or all employees in that group continues thereafter to be so certified, unless the certification is revoked under that Act.*

(2) Where the certification of a bargaining agent is continued by subsection (1), the Board shall amend the description, in the certification of the agent, of the employees represented by the agent to accord with the specification and definition of the occupational group under section 101 and, where the agent represents more than one bargaining unit in the occupational group, the Board shall amalgamate those units into one bargaining unit.

...

3. The Treasury Board, pursuant to section 101 of the *PSRA*, specified and defined the occupational group known as the Research Group, effective March 18, 1999.
4. On March 27, 1999, the Treasury Board, in accordance with subsection 101(4) of the *PSRA*, caused to be published in the *Canada Gazette*, Part I, Volume 133, No. 13, notice that the Research Group had been so specified and defined.
5. The Table of Concordance contained in the March 27, 1999 publication of Part I of the *Canada Gazette* indicates that the Research Group is comprised of the four bargaining units referred to in paragraph 1. Accordingly, pursuant to subsection 103(2) of the *PSRA*, the Board hereby amalgamates the four bargaining units referred to in paragraph 1 into one bargaining unit, namely the Research Group bargaining unit.
6. PIPSC is the employee organization that, immediately before the effective date for the Research Group, was certified as the bargaining agent for the bargaining units referred to in paragraph 1.

7. The certification of PIPSC for the bargaining units referred to in paragraph 1 has not been revoked under the *Public Service Staff Relations Act* and has been continued by virtue of subsection 103(1) of the *PSRA*.

8. As a result of the amalgamation of the four bargaining units referred to in paragraph 1, the Board hereby confirms that PIPSC is the bargaining agent for a bargaining unit described as follows:

All employees of the Employer in the Research Group as defined in Part I of the Canada Gazette of March 27, 1999.

9. The certificates issued in relation to the bargaining units referred to in paragraph 1 are revoked and a new certificate will be issued.

**Yvon Tarte,
for the Board**

OTTAWA, June 16, 1999