



Public Service Staff
Relations Act

Before the Public Service
Staff Relations Board

BETWEEN

PROFESSIONAL INSTITUTE OF THE PUBLIC SERVICE OF CANADA

Bargaining Agent

and

TREASURY BOARD

Employer

RE: Amalgamation of Bargaining Unit under Subsection 103(2) of the
Public Service Reform Act - Applied Science and Engineering 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: Actuarial Science Group, July 5, 1968 (Board File No. 142-3-103), as amended on December 13, 1977 (Board File No. 142-2-103); Agriculture Group, June 10, 1968 (Board File No. 142-2-79), as amended on December 13, 1977 (Board File No. 142-2-79); Architecture and Town Planning Group, December 15, 1967 (Board File No. 142-2-74), as amended on December 13, 1977 (Board File No. 142-2-74); Biological Sciences Group, June 10, 1968 (Board File No. 142-2-52), as amended on December 13, 1977 (Board File No. 142-2-52); Chemistry Group, December 15, 1967 (Board File No. 142-2-72), as amended on December 13, 1977 (Board File No. 142-2-72); Engineering and Land Survey Group, March 19, 1969 (Board File No. 142-2-95), as amended on December 13, 1977 (Board File No. 142-2-95); Forestry Group, November 15, 1967 (Board File No. 142-2-55), as amended on December 13, 1977 (Board File No. 142-2-55); Meteorology Group, December 1, 1967 (Board File No. 142-2-58), as amended on December 13, 1977 (Board File No. 142-2-58); Physical Sciences Group, November 28, 1967 (Board File No. 142-2-77), as amended on December 13, 1977 (Board File No. 142-2-77); Scientific Regulation Group (except for employees in the Patent sub-group), August 30, 1968 (Board File No. 142-2-47), as amended on December 13, 1977 (Board File No. 142-2-47), January 8, 1988 (Board File No. 142-2-274), and March 29, 1989 (Board File No. 125-2-47); Patent sub-group of the Scientific Regulation Group, January 8, 1988 (Board File No. 142-2-274), as amended on March 29, 1989 (Board File No. 125-2-47).

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 Applied Science and Engineering 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 Applied Science and Engineering 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 Applied Science and Engineering Group is comprised of the eleven bargaining units referred to in paragraph 1. Accordingly, pursuant to subsection 103(2) of the *PSRA*, the Board hereby amalgamates the eleven bargaining units referred to in paragraph 1 into one bargaining unit, namely the Applied Science and Engineering Group bargaining unit.

6. PIPSC is the employee organization that, immediately before the effective date for the Applied Science and Engineering 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 eleven 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 Applied Science and Engineering 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 3, 1999