



Public Service Staff
Relations Act

Before the Public Service
Staff Relations Board

BETWEEN

THE PUBLIC SERVICE ALLIANCE OF CANADA

Bargaining Agent

and

TREASURY BOARD

Employer

RE: Designated Positions -
Heating, Power and Stationary Plant Operations Group
(Non-supervisory and Supervisory)

Before: [Yvon Tarte, Chairperson](#)

(Decided without an oral hearing)

DETERMINATION DESIGNATING POSITIONS

A determination was issued by the Board on September 17, 1997, pursuant to subsection 78.1(6) of the *Public Service Staff Relations Act*, designating the positions in the Heating, Power and Stationary Plant Operations Group (Supervisory and Non-Supervisory) bargaining units contained in diskettes HP1.xls, HP2.xls and HP3.xls, which the parties had agreed have safety or security duties.

By letters dated June 22, 1998 and July 6, 1998 the employer advised the Board that the parties had agreed to amend the list of designated positions identified in the above diskettes. As a result of these agreements twelve positions were added to the list and one position was abolished. Enclosed with the employer's letter of July 6, 1998 was a diskette bearing identification HP1-3.xls. The bargaining agent by letters dated June 25, 1998 and July 8, 1998 agreed with the changes proposed by the employer. The employer also advised that no changes were made to diskettes HP2.xls and HP3.xls contained in the determination of September 17, 1997. Diskettes HP1 .xls, HP2.xls and HP3.xls contain all of the positions which the parties now agree have safety or security duties. These diskettes are contained in the Board file and are accepted as an amendment by the parties of the diskettes referred to in the Board's determination of September 17, 1997.

On the basis of the agreements of the parties, the Board hereby revokes the designation of the position designated by its decision of September 17, 1997 and which does not appear on the list of positions contained in the diskette enclosed with the employer's letter of July 6, 1998. The Board also revokes the Form 13 issued for that position and directs the employer to return forthwith the Form 13 for that position if it is in its possession. The designation of the remaining positions designated in the Board's determination of September 17, 1997 is confirmed and the notification of the persons who occupy those positions shall continue as set out in that determination.

On the agreement of the parties, the Board designates the twelve positions listed in the diskette enclosed with the employer's letter July 6, 1998 that were not designated by the Board's determination of September 17, 1997.

Furthermore, pursuant to section 60 of the *P.S.S.R.B. Regulations and Rules of Procedure, 1993* (the Regulations), the persons who occupy those twelve positions are to be so informed no later than the thirtieth day after the date of this decision. Thereafter future occupants of these positions shall be notified within thirty days of the date on which they first occupy the positions.

Pursuant to section 78.5 of the *Act*, the Board hereby authorizes the employer to inform the employees occupying the twelve positions designated above. For this purpose, the Board will provide the employer with a Form 13 for each of the additional designated positions containing all the information required, with the exception of the name of the employee occupying the designated position and the "Dated at..." portion of the Form, which is to be completed by the employer prior to notification.

The Board draws the employer's attention to its responsibility under subsection 60(2) of the Regulations that, on the notification of an employee who occupies a designated position, it is to provide forthwith a copy of the notice referred to in subsection 60(1) of the Regulations to the bargaining agent.

**Yvon Tarte
Chairperson**

OTTAWA, July 28, 1998