



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 -
Firefighters Group (Supervisory and Non-Supervisory)

Before: [Yvon Tarte, Chairperson](#)

(Decided without an oral hearing)

DECISION DESIGNATING POSITIONS

A decision was issued by the Board on August 25, 1998, pursuant to subsection 78.1(6) of the *Public Service Staff Relations Act*, designating the positions in the Firefighters Group (Supervisory and Non-Supervisory) bargaining unit. Diskette FR1-3.xls (the “old diskette”) contains the list of all of the positions which the parties agreed have safety or security duties as of that date.

By letter dated December 14, 1998 the employer advised the Board that the parties agreed to amend the list of designated positions identified in the old diskette. As a result of this agreement certain positions were deleted from the list and eighty-four additional positions were added to the list. Enclosed with the employer’s letter was a letter dated November 10, 1998 signed by the bargaining agent in which it agreed with the changes proposed by the employer, together with a diskette bearing identification FR1-6.XLS (the “new diskette”). This new diskette is accepted by the Board as an amendment to the old diskette and is contained in the Board file. Accordingly, this new diskette contains the list of all of the positions which the parties now agree have safety or security duties.

On the basis of the agreement of the parties, the Board hereby revokes the designation of those positions referred to above, that appeared on the old diskette and that do not appear on the new diskette. The Board also revokes the Forms 13 issued for those positions and directs the employer to return forthwith the Forms 13 that have not been distributed to the employees in those positions. Furthermore, the employer is to make every reasonable effort to obtain any Forms 13 that have been so distributed. The bargaining agent is to cooperate in this regard. The Board will destroy the Forms 13 when returned by the employer.

Also on the basis of the agreement of the parties, the Board designates the eighty-four additional positions referred to above, that appear on the new diskette and that did not appear on the old diskette.

Furthermore, the persons who occupy those eighty-four additional positions are to be so informed within the time limits and pursuant to the procedure specified in subsection 60(1) of the *P.S.S.R.B. Regulations and Rules of Procedure, 1993*. 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 eighty-four additional positions designated above. For this purpose, the Board will provide the employer with a Form 13 for each of the eighty-four 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, December 16, 1998.