

Public Service Staff
Relations Act



Before the Public Service
Staff Relations Board

BETWEEN

THE PUBLIC SERVICE ALLIANCE OF CANADA

Bargaining Agent

and

COMMUNICATIONS SECURITY ESTABLISHMENT
DEPARTMENT OF NATIONAL DEFENCE

Employer

RE: Designated Positions -
Administrative and Foreign Service Category

Before: [Yvon Tarte, Chairperson](#)

(Decided without an oral hearing)

DECISION DESIGNATING POSITIONS

A decision was issued by the Board on June 22, 1998, pursuant to subsection 78.1(6) of the *Public Service Staff Relations Act*, designating positions in the Administrative and Foreign Service Category bargaining unit. Diskette AS.xls, CP.xls, CS.xls (the “old diskette”) contains the list of all of the positions which the parties agreed had safety or security duties as of that date.

By letter dated February 8, 1999, the parties advised the Board that they 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 sixteen positions were added to the list. Enclosed with the letter of the parties were three diskettes bearing identification AS Group, CP Group and CS Group (the “new diskettes”). These new diskettes are accepted by the Board as an amendment to the old diskette and are contained in the Board file. Accordingly, these new diskettes contain 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 diskettes. The Board also revokes the Forms 13 issued for those positions. Thirty Forms 13 have been returned to the Board and will be destroyed. Furthermore, the employer is to make every reasonable effort to obtain the Form 13 that has not been returned to the Board. The bargaining agent is to cooperate in this regard. The Board will destroy the Form 13 when returned by the employer.

Also on the basis of the agreement of the parties, and pursuant to subsection 78.1(6), the Board designates the sixteen additional positions referred to above, that appear on the new diskettes and that did not appear on the old diskette.

Pursuant to section 78.5 of the *Act*, the Board hereby authorizes the employer to inform the employees occupying the sixteen additional positions designated above. For this purpose, the Board will provide the employer with a Form 13 for each of the sixteen 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.

Furthermore, the persons who occupy those sixteen additional positions are to be so informed within the time limit 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 incumbents of these positions shall be notified within thirty days of the date on which they first occupy the positions.

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, February 11, 1999.