

Date: 20000127

File: 125-24-94

Citation: 2000 PSSRB 7



Public Service Staff  
Relations Act

Before the Public Service  
Staff Relations Board

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BETWEEN

PUBLIC SERVICE ALLIANCE OF CANADA

Applicant

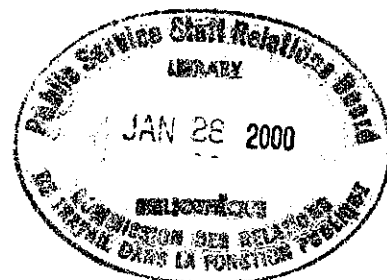
and

STATISTICS SURVEY OPERATIONS

Employer

RE: Application for Review under Section 27  
of the Public Service Staff Relations Act

*Before:* Yvon Tarte, Chairperson



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Decided without an oral hearing

## DECISION

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[1] On June 27, 1988, the Public Service Staff Relations Board certified the Public Service Alliance of Canada as bargaining agent for all employees of the Statistics Survey Operations "who are engaged in the carrying out of business surveys". (Board file 144-24-282)

[2] By letter of December 14, 1999, the Public Service Alliance of Canada stated that, because of the bargaining unit description, there are employees doing social surveys who work in the same location as the people doing business surveys but who are not included in the bargaining unit. The Alliance requested the Board to review its decision under section 27 of the *Public Service Staff Relations Act (PSSRA)* and specifically to amend the definition of the bargaining unit contained therein to read as follows:

*...all employees of Statistics Survey Operations engaged in the carrying out of survey activities primarily in the Statistics Canada Regional Offices.*

[3] Section 27 of the PSSRA provides:

*27. (1) Subject to subsection (2), the Board may review, rescind, amend, alter or vary any decision or order made by it, or may re-hear any application before making an order in respect thereof.*

*(2) Any rights acquired by virtue of any decision or order that is reviewed, rescinded, amended, altered or varied pursuant to subsection (1) shall not be altered or extinguished with effect from a day earlier than the day on which the review, rescission, amendment, alteration or variation is made.*

[4] The Alliance also submitted a letter dated December 14, 1999, wherein the employer provided a list indicating that it employed eighty-one employees working on social surveys in its regional offices. In addition, the employer indicated by letter of December 30, 1999, that it would not oppose the Alliance's application.

[5] Subsequently, the Board notified the parties that an appropriate number of copies of the NOTICE TO EMPLOYEES OF APPLICATION FOR REQUEST FOR REVIEW in specified form should be posted where they would most likely come to the attention of the employees affected by the application. The terminal date fixed by the Secretary was January 19, 2000. The employer posted the specified number of copies. The NOTICE, among other things, stated that any employee or group of employees affected by the

application and intending to make representations in opposition to the application was required to file, in writing, with the Board by the terminal date a concise statement of opposition signed by the employee or each of a group of employees. No statements expressing opposition to the application were filed with the Board.

[6] In the circumstances, the Board is satisfied that the amended bargaining unit proposed by the Alliance is appropriate for collective bargaining. Accordingly, pursuant to section 27 of the *PSSRA*, the Board amends the description of the bargaining unit contained in the last paragraph of its decision of June 27, 1988 to read as follows:

*The Board hereby certifies the applicant as the bargaining agent for a bargaining unit comprised of all employees of the employer engaged in the carrying out of survey activities primarily in the Statistics Canada Regional Offices.*

[7] The Board will issue a new certificate for the bargaining unit described above.

**Y. Tarte**  
**Chairperson**

OTTAWA, January 27, 2000.