

Date: 20190212

File: 485-LP-39624

Citation: 2019 FPSLREB 21

*Parliamentary Employment and
Staff Relations Act*



Before the Federal Public Sector
Labour Relations and Employment
Board

IN THE MATTER OF
THE *PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT*
and a dispute affecting
the Public Service Alliance of Canada, as bargaining agent,
and the Library of Parliament, as employer,
in respect of the Library Technician Sub-group in the Research and Library Services
Group and all employees in the Clerical and General Services bargaining unit

Indexed as
Public Service Alliance of Canada v. Library of Parliament

Before: Ian Mackenzie, Joe Herbert and Katherine Butler Malette, deemed to form the
Federal Public Sector Labour Relations and Employment Board

For the Bargaining Agent: Morgan Gay, Public Service Alliance of Canada

For the Employer: Carole Piette, Counsel

Issued on the basis of written submissions,
dated January 14, 22 and 23, 2019.

TERMS OF REFERENCE

[1] By letter of January 14, 2019, the Public Service Alliance of Canada (“the bargaining agent”) requested arbitration pursuant to section 50 of the *Parliamentary Employment and Staff Relations Act* (the “Act”), in respect of all employees of the Employer in the Library Technician Sub-group in the Research and Library Services Group and all employees in Clerical and General Services. Along with its request, the bargaining agent provided a list of the terms and conditions of employment that it wished to refer to arbitration. Those terms and conditions of employment and supporting material are attached as schedule 1.

[2] By letter of January 22, 2019, the Library of Parliament (“the employer”) provided its position on the terms and conditions of employment that the bargaining agent wished to refer to arbitration. The employer also provided a list of additional terms and conditions of employment it wished to refer to arbitration. The employer objected pursuant to sections 5(3) and 55(2) of the Act, to the following bargaining agent proposals: Article 35 – Job Security; and Article XX – Contracting Out and Appendix XX Memorandum of Agreement concerning Job Postings. That letter and supporting material are attached as schedule 2.

[3] By letter of January 23, 2019, the bargaining agent provided its position with respect to the additional matters referred to arbitration by the employer. That letter is attached as schedule 3. With respect to the objections raised by the employer, the bargaining agent provided no comment.

[4] Accordingly, pursuant to section 52 of the Act, the matters in dispute on which the Federal Public Sector Labour Relations and Employment Board shall make an arbitral award are those set out in schedules 1 to 3 inclusive, which are attached to these terms of reference.

February 12, 2019.

**Catherine Ebbs,
Chairperson of the Federal Public
Sector Labour Relations
and Employment Board**