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**File:** 525-02-39661

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**Citation:** 2019 FPSLREB 25

*Federal Public Sector  
Labour Relations and  
Employment Board Act and  
Federal Public Sector  
Labour Relations Act*



Before a panel of the  
Federal Public Sector  
Labour Relations and  
Employment Board

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BETWEEN

**ASSOCIATION OF JUSTICE COUNSEL**

Bargaining Agent

and

**TREASURY BOARD**

Employer

Indexed as

*Association of Justice Counsel v. Treasury Board*

In the matter of a decision review under section 43 of the *Federal Public Sector Labour Relations Act*

**Before:** Catherine Ebbs, a panel of the Federal Public Sector Labour Relations and Employment Board

**For the Bargaining Agent:** Kathleen Terroux, counsel

**For the Employer:** Drew Heavens

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Decided on the basis of written submissions,  
filed January 17 and 22, 2019.

### **Proceeding before the Board**

[1] This is a proceeding initiated by the Federal Public Sector Labour Relations and Employment Board (“the Board”) under section 43 of the *Federal Public Sector Labour Relations Act* to review its predecessor board’s decision in 2007 PSLRB 84 in order to amend the description of the bargaining unit for which the Association of Justice Counsel (AJC) was certified as the bargaining agent on April 28, 2006, as amended on August 14, 2007.

### **Summary of the evidence**

[2] The most recent decision pertaining to the certification of the AJC was 2007 PSLRB 84. In that decision, the former Public Service Labour Relations Board amended the certification of the AJC as the bargaining agent for the bargaining unit to read as follows:

*... all employees in the LA Group as defined in Part I of the Canada Gazette of March 27, 1999, for which the Treasury Board is the employer who are not excluded from collective bargaining by law or determination of the Board.*

[3] The *Canada Gazette* published on July 26, 2014 (“the *Gazette*”), reported the notice provided by the Treasury Board to apply a new occupational group name and definition to what was formerly known as the Law Group. Part I of the *Gazette* sets out at page 1943 as follows:

*The definition of the Law Group effective March 18, 1999, as published in Part I of the Canada Gazette on March 27, 1999, is replaced by the following definitions of the Law Management and Law Practitioner Groups effective December 9, 2010.*

[4] As a result of the change to the name of the occupational group and its definition, as published in the *Gazette* in 2014, the Board proposed to the parties to amend accordingly its decision in 2007 PSLRB 84. The parties each wrote to the Board indicating their agreement.

### **Reasons**

[5] For all of the above reasons, the Board makes the following order:

*(The Order appears on the next page)*

**Order**

[6] The description in the certification of the AJC for the LA Group, set out in 2007 PSLRB 87, is amended to read as follows:

*All employees of the Employer in the Law Practitioner Group,  
as defined in Part I of the Canada Gazette of July 26, 2014.*

*Tous les fonctionnaires de l'employeur compris dans le  
groupe Praticien du droit tel que défini à la Partie I de la  
Gazette du Canada du 26 juillet 2014.*

[7] A new certificate will be issued.

February 20, 2019.

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