

**Date:** 20200218

**File:** 561-33-39406

**Citation:** 2020 FPSLREB 16

*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

BETWEEN

**PUBLIC SERVICE ALLIANCE OF CANADA**

Complainant

and

**PARKS CANADA**

Respondent

Indexed as

*Public Service Alliance of Canada v. Parks Canada*

In the matter of a complaint made under section 190 of the *Federal Public Sector Labour Relations Act*

**Before:** James R. Knopp, a panel of the Federal Public Sector Labour Relations and Employment Board

**For the Complainant:** Andrew Raven, counsel

**For the Respondent:** Karl Chemsí, counsel

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Ottawa, Ontario.

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**PRELIMINARY ORDER**

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[1] The following is the content of a preliminary order issued on consent pursuant to a case-management conference held on January 13, 2020:

**WHEREAS** the bargaining agent, the Public Service Alliance of Canada (“the complainant”), on November 9, 2018, filed a complaint pursuant to s. 190(1)(e) of the *Federal Public Sector Labour Relations Act*, S.C. 2003, c. 22, s. 2 (“the Act”) alleging that Parks Canada (“the respondent” or “the employer”), has failed to implement the provisions of a collective agreement between the employer and the complainant within the period specified in the collective agreement, contrary to section 117 of the *Act*;

**AND WHEREAS** the respondent has admitted to the panel of the Board that it has violated section 117 of the *Act* by failing to comply with the timelines therein for implementation of the new collective agreement and has consented to the issuance of a declaration to that effect by the Board.

**THEREFORE**, it is hereby declared that the respondent, having failed to implement the collective agreement within the 150-day deadline identified in the terms of the collective agreement, as prescribed in section 117 of the *Act*, is in violation of the *Act*.

In order to effectively manage the determination of the outstanding issues in this complaint, the Board will remain seized of the issue as to whether or not the violation of section 117 in these circumstances constituted an unfair labour practice pursuant to section 190 of the *Act* and to determine the appropriate remedy based on the facts of this case.

The parties are encouraged to meet in the meantime to resolve all outstanding issues and to come to a mutually agreeable resolution in this matter.

Case-management conference calls will be held to provide the Board with a status report concerning the progress made by the parties.

February 18, 2020.

**James R. Knopp,**

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