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File: 485-HC-41951

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



Before a panel of 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 Unifor, as bargaining agent,
and the House of Commons, as employer,
in respect of the Technical Group bargaining unit

Indexed as
Unifor and House of Commons

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

To: David Orfald, Nycole Turmel and Katherine Butler Malette, deemed to form the Federal Public Sector Labour Relations and Employment Board

For the Bargaining Agent: Megan Reid, Counsel

For the Employer: Carole Piette, Counsel

Issued on the basis of written submissions,
dated August 5, 17 and 27, and September 2, 2020.

TERMS OF REFERENCE

[1] By email of August 5, 2020, the Unifor (“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 Technical Group bargaining unit. 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 August 17, 2020, the House of Commons (“the employer”) provided its position on the terms and conditions of employment that the bargaining agent wished to refer to arbitration. The employer relied on sections 5(3) and 55(2) of the *Act* in support of its objections to the following bargaining agent proposals: Article 2.2 - Recognition; Article 8.1.4 - Posting; Article 10.1.2 - Technological Change; and Article XX (New) - Seniority. The employer also provided a list of additional terms and conditions of employment it wished to refer to arbitration. That letter and supporting material are attached as schedule 2.

[3] By letter of August 27, 2020, the bargaining agent provided its position with respect to the additional matters referred to arbitration by the employer and to the objections raised by the employer. That letter is attached as schedule 3.

[4] By email of September 2, 2020, the employer amended and supplemented its letter of August 17, 2020. That email is attached as schedule 4.

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

September 28, 2020.

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