

Date: 20201013

File: 525-18-41843

XR: 146-18-187

Citation: 2020 FPSLREB 92

*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

**UNITED FOOD AND COMMERCIAL WORKERS (UFCW) CANADA LOCAL 832
(MANITOBA FOOD AND COMMERCIAL WORKERS, LOCAL 832 CHARTERED BY THE
UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION(AFL-
CIO/CLC))**

Applicant

and

**STAFF OF THE
NON-PUBLIC FUNDS, CANADIAN FORCES**

Employer

Indexed as

*United Food and Commercial Workers (UFCW) Canada Local 832 v. Staff of the Non-
Public Funds, Canadian Forces*

In the matter of a request for the Board to exercise its powers under section 43 of the
Federal Public Sector Labour Relations Act

Before: David P. Olsen, a panel of the Federal Public Sector Labour Relations and
Employment Board

For the Applicant: Garry Bergeron, counsel

For the Employer: Amy Lecompte, senior labour relations officer

Decided on the basis of written submissions,
filed June 18, 2020.

REASONS FOR DECISION

I. Request before the Board

[1] On June 18, 2020, United Food and Commercial Workers (UFCW) Canada Local 832 (Manitoba Food and Commercial Workers, Local 832 chartered by the United Food and Commercial Workers International Union (AFL-CIO/CLC)) (“the applicant”), applied to the Federal Public Sector Labour Relations and Employment Board (“the Board”) to review and amend the bargaining unit certificate issued by the Board’s predecessor, the Public Service Staff Relations Board (PSSRB), on May 14, 1981, in PSSRB File No. 146-18-187, by changing the name of the bargaining agent.

[2] In that decision, the PSSRB certified the applicant as the bargaining agent for all employees of the employer (Her Majesty in right of Canada as represented by the Staff of the Non-Public Funds, Canadian Forces; “the employer”) in the Operational category employed at the Canadian Forces Base in Shilo, Manitoba.

II. Summary of the evidence

[3] The applicant made written submissions in support of its application stating that the amendment applied to changing its name to United Food and Commercial Workers (UFCW) Canada Local 832.

[4] The request was made because the local was chartered and is doing business as United Food and Commercial Workers (UFCW) Canada Local 832. Supporting the application was a letter from the International President of the United Food and Commercial Workers International Union, sworn before a notary public, stating that the local was chartered and is currently doing business as UFCW Canada Local 832.

[5] On September 15, 2020, the employer’s senior labour relations officer advised the Board that the employer had no objection to and that it agreed with the name change.

III. Reasons

[6] The applicant requests that on consent, the Board amend the current certificate by changing the applicant’s name as the bargaining agent for the employees in the Operational category employed by the employer in Shilo.

[7] Section 43(1) of the *Federal Public Sector Labour Relations Act* reads as follows: “Subject to subsection (2), the Board may review, rescind or amend any of its orders or decisions, or may re-hear any application before making an order in respect of the application.”

[8] The PSSRB and its successors are continued by statute under the name of the Board.

[9] After reviewing the documentation presented by the applicant, considering the employer’s consent, and in light of the fact that the applicant is currently chartered and doing business as UFCW Canada Local 832, the Board grants the application.

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

(The Order appears on the next page)

IV. Order

[11] The application is allowed.

[12] I order that the PSSRB decision issued on May 14, 1981, in PSSRB File No. 146-18-187, between Manitoba Food and Commercial Workers, Local 832 chartered by the United Food and Commercial Workers International Union (AFL-CIO/CLC), and her Majesty in right of Canada as represented by the Staff of the Non-Public Funds, Canadian Forces, be amended to reflect the bargaining agent's name change as follows:

United Food and Commercial Workers (UFCW) Canada Local 832

[13] A new certificate will be issued.

October 13, 2020.

**David P. Olsen,
a panel of the Federal Public Sector
Labour Relations and Employment Board**