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*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

GARETH JONES

Grievor

and

**TREASURY BOARD
(Department of Industry)**

Employer

Indexed as

Jones v. Treasury Board (Department of Industry)

In the matter of an individual grievance referred to adjudication

Before: Brian Russell, a panel of the Federal Public Sector Labour Relations and
Employment Board

For the Grievor: Christopher Schulz, counsel

For the Employer: Vicky Champagne

Decided on the basis of written submissions,
filed May 12 and 26, June 9, and November 17 and 21, 2025.

REASONS FOR DECISION

I. Individual grievance referred to adjudication

[1] This decision is about the timeliness of a grievance.

[2] Gareth Jones (“the grievor”) filed a grievance against Innovation, Science and Economic Development Canada (“the employer”) alleging it did not properly pay him overtime during employment contracts that began in the summer of 2021 and ran to November 29, 2021.

[3] The employer denied the grievance at the final level of its grievance procedure, alleging that it was filed outside the deadline in the grievor’s collective agreement, which was between the Treasury Board and the Professional Institute of the Public Service of Canada for the Audit, Commerce and Purchasing group and expired on June 21, 2022 (“the collective agreement”). The parties agreed to bypass the first and second levels of the grievance process.

[4] The grievor referred the grievance to adjudication on February 26, 2025, and subsequently amended the reference to adjudication to include the correct grievance form on April 3, 2025. On May 12, 2025, the employer filed an objection with the Federal Public Sector Labour Relations and Employment Board (“the Board”), claiming that the grievance was filed outside the time limit provided in the collective agreement.

[5] The parties engaged in a settlement conference on November 7, 2025. Unfortunately, it did not resolve the matter, so I met with the parties on November 10, 2025, to discuss the employer’s objection.

[6] Under s. 22 of the *Federal Public Sector Labour Relations and Employment Board Act* (S.C. 2013, c. 40, s. 365) the Board may decide any matter before it without holding an oral hearing. The information in the parties’ written submissions allows me to decide the issue without a hearing.

[7] For the reasons that follow, I allow the employer’s objection and deny the grievance.

II. Summary of the submissions

[8] The grievor was hired as a casual EX-03 employee from May to August 2021. After that contract, he was hired as a CO-04 in November 2021 for a term until September 2024.

[9] The employer began an investigation into the grievor's conduct some time in the spring of 2024. On July 3, 2024, the grievor discovered that he had not been paid overtime for lengthy periods in 2021.

[10] He filed this grievance on August 2, 2024.

III. Summary of the arguments

[11] The employer argues that the grievance was filed beyond the 25-day time limit outlined in the collective agreement. It argues that the grievance was denied because it was filed late and that I am without jurisdiction to hear this matter because the grievance is untimely.

[12] The employer argues that the grievor ought to have known about the circumstances that gave rise to the grievance during the summer of 2021 to November 29, 2021, when he received his pay stubs. It argues that the grievor is sophisticated enough to read and understand a pay stub, and it requests that I deny the grievance without a hearing.

[13] The grievor argues that the grievance was filed on time. He argues that he became aware of the circumstances that gave rise to the grievance on July 3, 2024, while preparing for a meeting with the investigator. He contends that he filed his grievance on August 2, 2024, which was within the 25-day time limit outlined in the collective agreement.

[14] During the case management conference with the parties, the grievor conceded that the grievance was late but argued that the events that led to filing it were unusual.

[15] Specifically, he was hired as a lead negotiator for a priority identified by the Canadian federal government. He worked in the private sector and did not question the amount that he was paid. When he joined the public sector, the employer had issues trying to figure out how to pay him, but he continued to work.

IV. Reasons

[16] I find that the grievance is untimely. The grievor conceded that his grievance was filed outside the 25-day time limit outlined in the collective agreement.

[17] I find that he ought to have known about the issues with his pay between the summer of 2021 and November 2021, after he received his pay stubs.

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

(The Order appears on the next page)

V. Order

[19] The objection based on timeliness is allowed.

[20] The grievance is denied.

January 21, 2026.

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