

The Board's operations in light of COVID-19

The Federal Public Sector Labour Relations and Employment Board (the Board) is closely monitoring the COVID-19 situation, which is evolving quickly. As such, the Board Chairperson is suspending all regulatory timeframes for complaints, grievances and board matters between **March 20, 2020, and May 31, 2020, inclusively**. In other words, the days during this period will **NOT** count for the purpose of calculating regulatory deadlines. The calculation of time limits will resume on **June 1, 2020**.

Please note that the timelines set out in the *Federal Public Sector Labour Relations Act (FPSLRA)* itself cannot be suspended (for instance, to file complaints under s. 190 of the *Act* – such as duty of fair representation complaints or complaints under s.133 of the *Canada Labour Code*). However, with the recent amendments to the *Federal Public Sector Labour Relations Regulations*, which enable filing by email, it is now easier for parties to present such complaints to the Board.

The following examples illustrate how to calculate timeframes during this period:

Example 1 (staffing complaint – Public Service Employment Act (PSEA))

The complainant's allegations involving a staffing complaint are received on **March 6, 2020**, thus triggering the 15-day period for the deputy head's reply. Since day 13 of the 15-day period is March 19, day 14 falls on the day following the suspension of time period, June 1, 2020. Therefore, the deputy head's reply will be due on **June 2, 2020** (day 15).

March 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					6	7 Day 1
8 Day 2	9 Day 3	10 Day 4	11 Day 5	12 Day 6	13 Day 7	14 Day 8
15 Day 9	16 Day 10	17 Day 11	18 Day 12	19 Day 13	20 X	21 X
22 X	23 X	24 X	25 X	26 X	27 X	28 X
29 X	30 X	31 X				
April 2020						
May 2020						
June 2020						
	1 Day 14	2 Day 15	3	4	5	6

Example 2 (reference to adjudication of an individual grievance - FPSLRA)

A copy of the notice of a reference to adjudication of an individual grievance is provided to the respondent on March 12, 2020, triggering the 30-day period for the respondent to file with the Board a copy of the decision that was made in respect of the grievance at each level of the applicable grievance process. Since day 7 is March 19, day 8 falls on the day following the suspension of time period, June 1, 2020. Therefore, the filing of the respondent's documents would be due on **June 23, 2020** (day 30).

March 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				12	13 Day 1	14 Day 2
15 Day 3	16 Day 4	17 Day 5	18 Day 6	19 Day 7	20 X	21 X
22 X	23 X	24 X	25 X	26 X	27 X	28 X
29 X	30 X	31 X				
April 2020						
May 2020						
June 2020						
	1 Day 8	2 Day 9	3 Day 10	4 Day 11	5 Day 12	6 Day 13
7 Day 14	8 Day 15	9 Day 16	10 Day 17	11 Day 18	12 Day 19	13 Day 20
14 Day 21	15 Day 22	16 Day 23	17 Day 24	18 Day 25	19 Day 26	20 Day 27
21 Day 28	22 Day 29	23 Day 30				

Example 3 – Staffing (PSEA)

A Notification of Appointment or Proposal of Appointment has a notification date of March 12, 2020, and a complaint closing date of March 27, 2020. Since day 7 is March 19, day 8 falls on the day following the suspension of time period, June 1, 2020. Therefore, the complainant would have until **June 8, 2020** (day 15) to file his or her staffing complaint.

March 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				12	13 Day 1	14 Day 2
15 Day 3	16 Day 4	17 Day 5	18 Day 6	19 Day 7	20 X	21 X
22	23	24	25	26	27	28

X	X	X	X	X	X	X
29	30	31				
X	X	X				
April 2020						
May 2020						
June 2020						
	1 Day 8	2 Day 9	3 Day 10	4 Day 11	5 Day 12	6 Day 13
7 Day 14	8 Day 15	9	10	11	12	13

