

Annual Report 2017-2018

YUKON PUBLIC SERVICE LABOUR RELATIONS BOARD



COMPOSITION OF THE BOARD

Chairperson: Catherine Ebbs

Vice-Chairpersons: David Paul Olsen
Margaret Shannon

Members: Stephan J. Bertrand
Nathalie Daigle
Bryan Gray
Chantal Homier-Nehmé
John G. Jaworski
Steven B. Katkin
Michael F. McNamara (until May 31, 2017)
Marie-Claire Perrault

Adjudicators: Ian R. Mackenzie
Dan Quigley

**REPORT ON THE ADMINISTRATION
OF THE YUKON PUBLIC SERVICE LABOUR RELATIONS ACT
FOR THE FISCAL YEAR ENDING
MARCH 31, 2018**

INTRODUCTION

Under an agreement with the Yukon government, the Federal Public Sector Labour Relations and Employment Board (FPSLREB or the “the Board”) administers the collective bargaining and grievance adjudication systems for the Yukon public service under the *Yukon Public Service Labour Relations Act* (“the Act”), which includes the determination of grievances arising from the application or interpretation of collective agreements or arbitral awards or from major disciplinary actions or terminations. The FPSLREB may also assist the parties in resolving any issue in dispute at any stage of a proceeding by any means that the Board considers appropriate, without prejudice to its power to determine issues that have not been settled. When performing those functions, the FPSLREB acts as the Yukon Public Service Labour Relations Board.¹

The FPSLREB is an independent quasi-judicial statutory tribunal established by the *Federal Public Sector Labour Relations and Employment Board Act (FPSLREBA)* and is responsible for administering the collective bargaining and grievance adjudication systems in the federal public service and in Parliament. It is also responsible for the resolution of staffing complaints related to internal appointments and layoffs in the federal public service under the federal *Public Service Employment Act*. It can also receive complaints about appointments that were made to comply with an order in a previous FPSLREB decision, as well as revocations of internal appointments. The FPSLREB is also responsible for dealing with pay equity complaints filed by, or on behalf of, groups of employees pursuant to the *Canadian Human Rights Act*.

FPSLREB members hold hearings throughout Canada in relation to grievances (including those that raise human rights issues), adjudication and complaints. The FPSLREB also provides mediation and conflict resolution services to help parties resolve differences without resorting to a formal hearing.

In addition to administering the *Yukon Public Service Labour Relations Act* and the *Yukon Education Labour Relations Act*, the FPSLREB administers several labour relations and employment related statutes at the federal level, including the following:

- *Federal Public Sector Labour Relations Act*
- *Parliamentary Employment and Staff Relations Act*
- Certain provisions of Part II of the *Canada Labour Code*
- Certain provisions of the *Canadian Human Rights Act* in situations where the Board has jurisdiction to hear a grievance under the *Federal Public Sector Labour Relations Act* or a staffing complaint under the *Public Service Employment Act*.

¹ Under the *Public Service Labour Relations Act*, RSY 2002, C-185, the Yukon Public Service Labour Relations Board consists of the persons from time to time holding office as full-time members of the Public Service Labour Relations Board, established under the federal act. (Section 6(1).

On November 1, 2014, the former Public Service Labour Relations Board at the federal level became the Public Service Labour Relations and Employment Board and subsequently, in 2017, the Board was re-named the Federal Public Sector Labour Relations and Employment Board.

PROCEEDINGS IN 2017-2018

In 2017-2018, there were 24 proceedings under the *Act* which consisted of references to adjudication of grievances related to the application or interpretation of collective agreements and to disciplinary actions. Seven (7) of these were new cases referred to the Board during the period in review and 17 were carried over from the previous fiscal year.

Grievance adjudication

Nineteen (19) of the 24 cases dealt with the interpretation of the collective agreement and five (5) cases were related to disciplinary matters.

Of the 19 collective agreement cases, six (6) were scheduled for hearing during the year, four (4) remain to be scheduled, four (4) are settled pending confirmation, and five (5) were withdrawn.

Of the five (5) cases dealing with disciplinary matters, one (1) involved termination and four (4) were related to suspensions. Two (2) of these cases have been scheduled for a hearing, two (2) remain to be scheduled and one (1) was withdrawn.

Six (6) of the 24 grievance cases before the Board in 2017-18 were closed and 18 will be carried forward to 2018-2019

Mediation

Parties with matters before the Board may choose mediation as a mechanism to resolve the issues underlying their grievances or complaints referred to adjudication.

In 2017-2018, the Board did not receive any requests for mediation.