

Annual report 2015-2016

YUKON PUBLIC SERVICE LABOUR RELATIONS BOARD



COMPOSITION OF THE BOARD

Chairperson: Catherine Ebbs

Vice-Chairpersons: David Paul Olsen
Margaret Shannon

Members: Stephan J. Bertrand
John G. Jaworski
Bryan Gray (as of July 6, 2015)
Chantal Homier-Nehmé (as of September 8, 2015)
Steven B. Katkin
Michael McNamara
Marie-Claire Perrault (as of July 13, 2015)
Catharine (Kate) Rogers (until August 31, 2015)

Adjudicators: Beth Bilson
Michael Fleming
Joan Gordon
Ken Norman
Dan Quigley

**REPORT ON THE ADMINISTRATION
OF THE YUKON PUBLIC SERVICE LABOUR RELATIONS ACT
FOR THE FISCAL YEAR ENDING
MARCH 31, 2016**

INTRODUCTION

On November 1, 2014, the Public Service Labour Relations and Employment Board (the PSLREB) was created with the passage of the *Public Service Labour Relations and Employment Board Act*. The PSLREB is the creation of a merger of the Public Service Labour Relations Board and the Public Service Staffing Tribunal, which also occurred on November 1, 2014. The PSLREB deals with matters that were previously dealt with by those former tribunals under the *Public Service Labour Relations Act* and the *Public Service Employment Act*, respectively.

Under an agreement with the Yukon government, the PSLREB administers the collective bargaining and grievance adjudication systems for the Yukon public service. When performing those functions, the PSLREB acts as the Yukon Public Service Labour Relations Board ("the Board").

PROCEEDINGS IN 2015-2016

In 2015-2016, there were 52 proceedings under the Yukon *Public Service Labour Relations Act* ("the Act"), all of which were references to adjudication of grievances related to interpretations of collective agreements and disciplinary actions.

Grievance adjudication

Adjudication refers to any determination made by adjudicators appointed by the Board pursuant to *the Act*. It 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 Board dealt with 52 grievance adjudication cases during the review period. Fourteen (14) were new and 38 were carried over from the previous fiscal year. During the year, 17 cases were closed, and 35 will be carried forward into 2016-2017.

Of the 52 grievance cases, 25 dealt with interpretations of the collective agreement and 27 cases dealt with disciplinary matters.

Of the 25 collective agreement cases, nine remain to be scheduled, three were settled pending confirmation, seven were tentatively scheduled, five were withdrawn and one was scheduled.

Of the 27 cases dealing with disciplinary matters, seven involved terminations. Of those seven cases, two were scheduled for a hearing during the review period, two were settled pending confirmation, two were decided on and one was withdrawn. Of the 20 remaining cases dealing with other types of disciplinary matters, two were scheduled for a hearing, eight remain to be scheduled, seven were settled and withdrawn, and three decisions were issued.

Managerial and confidential positions

A person employed in a managerial or confidential position is one who, due to the nature of the duties being performed, meets the criteria established under the Act for exclusion from a bargaining unit.

In 2015-2016, the Board dealt with no matters of this nature.

Mediation

When a proceeding is brought before the Board, mediation is offered to help the parties resolve their differences without resorting to a formal hearing. As well, the parties may request the Board's assistance in resolving a dispute before the matter is referred to adjudication. In 2015-2016, the Board did not receive any requests for mediation.