



Federal Public Sector  
Labour Relations and  
Employment Board

Commission des relations  
de travail et de l'emploi  
dans le secteur public fédéral

# 2019-2020 Annual Report

---

**Part III of the *Parliamentary  
Employment Staff Relations  
Act* and Part II of the *Canada  
Labour Code***

Canada 

©Minister of Public Services and Procurement 2020

Cat. No. SV1-1E-PDF / ISSN: 2563-9331

This publication will also be available on the Board's [website](#).

# The Federal Public Sector Labour Relations and Employment Board

## Overall Mandate

The Board is an independent, quasi-judicial statutory tribunal that offers dispute resolution and adjudication services in key labour relations and employment areas of the federal public sector and parliament. It administers the related collective bargaining and grievance adjudication processes, and helps resolve complaints about internal appointments, appointment revocations, and layoffs.

The Board also has jurisdiction to resolve human-rights issues in areas ranging from labour relations grievances and staffing complaints, to unfair labour practices and collective bargaining. It is also responsible for administering public sector employees' reprisal complaints under the *Canada Labour Code*.

In 2019, the Board also gained the jurisdiction to hear complaints from federal public sector and parliamentary employees relating to the *Accessible Canada Act*, which establishes a framework to proactively identify, remove, and prevent accessibility barriers for persons with disabilities.

## The Board's Composition

The *Federal Public Sector Labour Relations and Employment Board Act (FPSLRA)* establishes the Board's composition as follows:

- 1 full-time chairperson;
- not more than 2 full-time vice-chairpersons;
- not more than 12 full-time members; and
- as many part-time members as necessary to carry out the Board's powers, duties, and functions.

During the reporting period, the Board was composed of the following members:

Catherine Ebbs, Chairperson	
David P. Olsen, Vice-Chairperson Margaret T.A. Shannon, Vice-Chairperson	
Full-time members	Part-time members
Stephan J. Bertrand	Joanne Archibald
Nathalie Daigle	Dan Butler
Bryan R. Gray	Paul Fauteux
Chantal Homier-Nehmé	Linda Gobeil
John J. Jaworski	Ian R. Mackenzie
Steven B. Katkin	Renaud Paquet
James Knopp	Augustus Richardson
David Orfald	
Marie-Claire Perrault	
Nancy Rosenberg	

## Mandate of the Board under Part III of the *Parliamentary Employment and Staff Relations Act* and Part II of the *Canada Labour Code*

Effective July 29, 2019, the Federal Public Sector Labour Relations and Employment Board (“the Board”) has been charged with administering Part III of the *Parliamentary Employment and Staff Relations Act (PESRA)*. This Part provides the manner in which Part II of the *Canada Labour Code (CLC)*, which relates to occupational health and safety, will apply to employees (“parliamentary employees”) and employers under *PESRA*. The parliamentary employees covered by these provisions include, but are not limited to, employees of the Library of Parliament, the House of Commons, the Senate, the Office of the Senate Ethics Officer, the Office of the Conflict of Interest and Ethics Commissioner, the Parliamentary Protective Service, and the Parliamentary Budget Officer, as well as most political staffers. Under Part III of *PESRA*, parliamentary employees have a legislative recourse mechanism for health and safety matters under Part II of the *CLC*.

Where a Parliamentary employee has reasonable grounds to believe that there has been a contravention of Part II of the *CLC*, or there is likely to be an accident, injury or illness, the *CLC* provides that employee with a complaint mechanism. The complaint by a Parliamentary employee may eventually be referred to the Deputy Minister of Labour for investigation, following which, the Deputy Minister may issue directions. The Board has the mandate to hear appeals of those directions.

A Parliamentary employee may refuse to work in accordance with the occupational health and safety provisions of the *CLC*. This work refusal may lead to an investigation by the Deputy Minister of Labour. The Deputy Minister may issue directions, or, may render a decision finding that there is an absence of danger or that the danger falls within allowable exceptions. The Board will hear an appeal of these directions or decisions.

Furthermore, the Board will hear and determine complaints alleging that an employer has taken action against a Parliamentary employee, in contravention of the *CLC*.

### Activities

During this fiscal year, the Board has no activity to report. It has not received any appeals of Ministerial directions or decisions, and it has not received any complaints filed from parliamentary employees under Part II of the *CLC*.