

## The Board's operations in light of COVID-19

On March 20, 2020, the Chairperson issued an order declaring that all regulatory timeframes are suspended until May 31, 2020. In other words, the days during this period would not count for the purpose of calculating regulatory deadlines. The calculation of time limits was to resume on June 1, 2020. With respect to grievances, the suspension applied to the time limits set out in the *Federal Public Sector Labour Relations Regulations* and in the *Parliamentary Employment and Staff Relations Regulations*, to present a grievance to the employer and for it to provide a decision. However, any time limits for these purposes established by collective agreement were not suspended.

On May 5, 2020, a [new order](#) was issued declaring that all regulatory time frames will be suspended from **June 1 to July 5, 2020, inclusively**, meaning that the days during this period will also not count for the purpose of calculating regulatory deadlines. The calculation of these timelines will resume on **July 6, 2020** (please see the tables below for a more detailed explanation). However, the order now specifies that the suspension of regulatory timelines does not apply to the time limits established by the *Federal Public Sector Labour Relations Regulations* and by the *Parliamentary Employment and Staff Relations Regulations*, to present a grievance to the employer and for it to provide a decision. As with the order of March 20, 2020, the time limits for these purposes established by collective agreement are not suspended.

Timelines set out in the *Federal Public Sector Labour Relations Act (FPSLRA)* (for instance, to file complaints under s. 190, such as duty of fair representation complaints, or complaints under s. 133 of the *Canada Labour Code*) remain in force and are not suspended. Please note that the *Federal Public Sector Labour Relations Regulations* were recently amended to enable parties to file documents by email, which makes it easier for them to present such complaints and other initiating documents to the Board (see the [What's New](#) notice dated March 18, 2020, for more information).

The following examples illustrate how to calculate timeframes during this period. Please note that this guidance tool has no legal status and does not provide legal advice. If you need legal advice, please contact a lawyer or other representative. In the event of any discrepancy between the legislation and the information contained here, the legislation will apply.

### **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, July 6, 2020. Therefore, the deputy head's reply will be due on **July 7, 2020** (day 15).

<b>March 2020</b>
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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						
July 2020						
			1 X	2 X	3 X	4 X
5 X	6 Day 14	7 Day 15				

**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, July 6, 2020. Therefore, the filing of the respondent's documents would be due on **July 28, 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						
July 2020						
			1 X	2 X	3 X	4 X

<b>5</b> X	<b>6</b> Day 8	<b>7</b> Day 9	<b>8</b> Day 10	<b>9</b> Day 11	<b>10</b> Day 12	<b>11</b> Day 13
<b>12</b> Day 14	<b>13</b> Day 15	<b>14</b> Day 16	<b>15</b> Day 17	<b>16</b> Day 18	<b>17</b> Day 19	<b>18</b> Day 20
<b>19</b> Day 21	<b>20</b> Day 22	<b>21</b> Day 23	<b>22</b> Day 24	<b>23</b> Day 25	<b>24</b> Day 26	<b>25</b> Day 27
<b>26</b> Day 28	<b>27</b> Day 29	<b>28</b> 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, July 6, 2020. Therefore, the complainant would have until **July 13, 2020** (day 15) to file his or her staffing complaint.

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