



Federal Public Sector  
Labour Relations and  
Employment Board

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

2022  
ANNUAL REPORT

2023



**PARLIAMENTARY  
EMPLOYMENT AND  
STAFF RELATIONS ACT**



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Cat. No. SV1-1E-PDF / ISSN:2369-6486

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

**The Honourable Dominic Leblanc**  
**Minister of Public Safety and Emergency Preparedness**  
**House of Commons**  
**Ottawa, ON K1A 0A6**

Dear Minister,

As the chairperson of the Federal Public Sector Labour Relations and Employment Board, it is my pleasure to transmit to you, pursuant to section 84 of the *Parliamentary Employment and Staff Relations Act*, this Annual Report of the *Parliamentary Employment and Staff Relations Act*, covering the period from April 1, 2022, to March 31, 2023, for submission to Parliament.

Yours sincerely,

**Edith Bramwell**  
**Chairperson**  
**Federal Public Sector Labour Relations and Employment Board**



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# Land Acknowledgment

Our offices are located on the traditional unceded, unsurrendered territory of the Anishinaabe Algonquin Nation.

The Algonquin people have inhabited and cared for these lands from time immemorial. We take this time to show our gratitude and respect to them. We recognize the ongoing courage, fortitude and resilience of indigenous people in the face of the continuing effects of colonization and cultural genocide, including, but not limited to, the tragic and cruel history of residential schools in this country.

We recognize that acknowledging territory is only a small step along the path of reconciliation and right relations. The Board is committed to decolonizing its processes and improving access to justice.

We all have a role to play in the ongoing process of reconciliation.





# Message from the Chairperson



I am pleased to present the 2022-2023 *Parliamentary Employment and Staff Relations Act* Annual Report.

The Board's mandate is to support harmonious labour relations and employment relations in the federal public sector and Parliament. To accomplish that mandate, it must serve and protect the public interest through promoting collaboration and sustained dialogue between parties, as well as through fair, credible, and accessible processes that facilitate resolving matters.

I am very pleased to announce that significant progress has been made in reducing *PESRA* file inventory in each of the last three fiscal years. The overall file inventory reduction for the same period has, with the close of the reporting year, exceeded 50% (see page 7 of this Report for detailed year by year statistics), and file closures have increased in each of the three years. These statistics are largely attributable to the Board's increased scheduling capacity.

In the 2022-2023 reporting period, several new initiatives were piloted including the introduction of settlement conferences to address labour relations matters, increases in scheduled hearings, close examination of long-term inventory, and the addition of the role of the Early resolution officer to the Board's dispute resolution services. Settlement conferences for all types of matters are now part of the Board's standardized processes and we will extend the duration of, and expand, the early resolution officer pilot project.

These initiatives demonstrate the value of diversifying our services offering to better suit the needs of our stakeholders and the parties before us. They also support our objective of further enhancing alternate dispute resolution options. While these new initiatives were piloted in the context of non- *PESRA* units, their existence also expands the available dispute resolution alternative in the *PESRA* context.

This past year was a period of reflection on the future of work after three years of pandemic. In order to better understand the needs of our clients, a survey on the different modes of hearings was conducted in winter 2022. The results showed that while there is significant support for continued use of videoconference or hybrid hearing options, in some cases, an in-person hearing is preferable. As we gradually resumed in-person hearings and mediations, it was important to draw some lessons from our experience with videoconferencing as an effective means of providing greater access to justice in a timely and accessible manner.

I am also happy to announce that following new Governor-in-Council appointments, the Board will operate with a full complement of full-time Board members starting at the beginning of April 2023, for the first time since its creation in 2014. These new appointments are an opportunity to enhance the Board's capacity to deliver its mandate in an efficient manner and to maintain its commitment to resolve labour relations and employment matters in an impartial and timely manner.

Finally, I wish to sincerely thank our Board members and the employees of the Board's secretariat for their dedicated support and ongoing commitment to the accomplishment of the Board's mandate.

**Edith Bramwell, Chairperson**  
**Federal Public Sector Labour**  
**Relations and Employment Board**

# Who we are

## Composition

The *Federal Public Sector Labour Relations and Employment Board Act* 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:**

- Edith Bramwell, Chairperson
- Marie-Claire Perrault, Vice-chairperson
- Amélie Lavictoire, Vice-chairperson

## Full-time Board members

Pierre Marc Champagne (since March 13, 2023)

Caroline Engmann

Goretti Fukamusenge (since March 13, 2023)

Bryan R. Gray

Patricia Harewood (since March 13, 2023)

Chantal Homier-Nehmé

John G. Jaworski

James Knopp

Audrey Lizotte (since August 8, 2022)

Ian R. Mackenzie

David Orfald

Nancy Rosenberg

## Part-time Board members

Joanne Archibald

Fazal Bhimji (since February 3, 2023)

Guy Giguère

Guy Grégoire

David Jewitt (since February 3, 2023)

Steven B. Katkin

David P. Olsen

Renaud Paquet

Leslie Anne Reaume

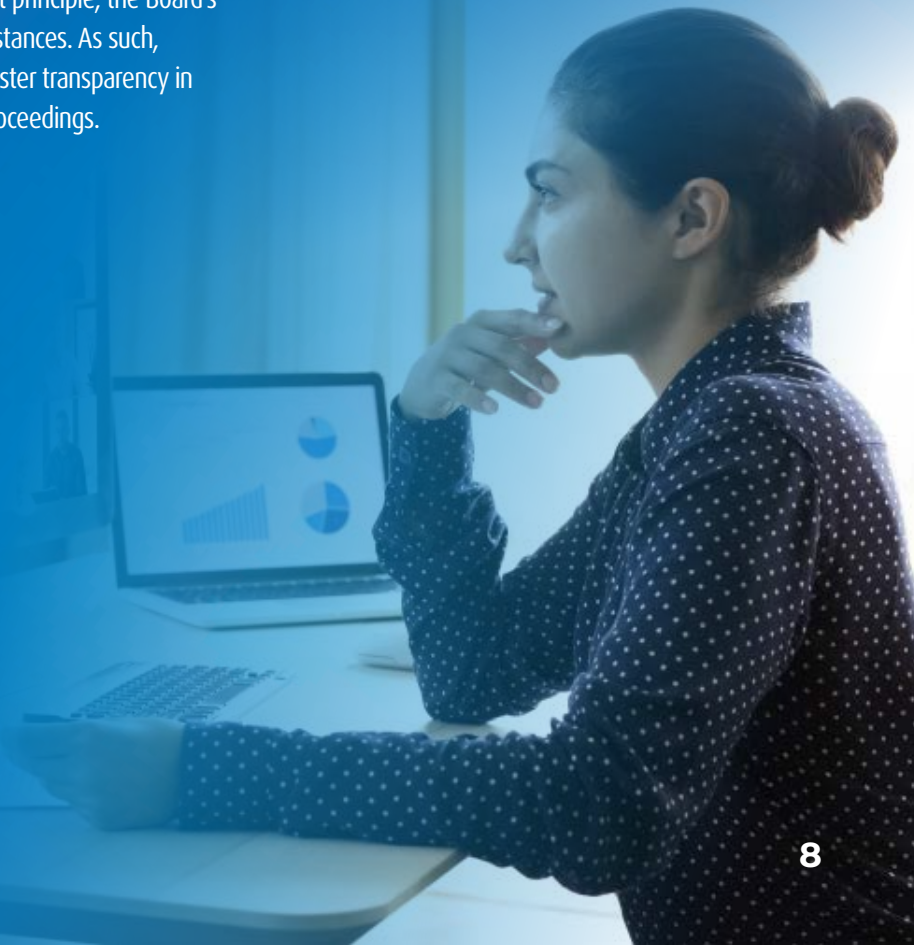
Augustus Richardson

## Our commitment

- Support a fair staffing environment and harmonious labour relations within the parliamentary sector.
- Resolve labour relations issues impartially and fairly and in a manner that accords with the legislation that the Board is mandated to interpret and apply
- Help parties resolve disputes in a fair, credible, and efficient manner that respects the objectives outlined in the Board's enabling legislation.

# The open court principle

In accordance with the constitutionally protected open court principle, the Board's hearings are open to the public, save in exceptional circumstances. As such, it acts according to its *Policy on Openness and Privacy* to foster transparency in its processes, as well as accountability and fairness in its proceedings.





# Activities



## Collective Bargaining

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- The Board administers collective bargaining processes within Parliament that are covered by the *PESRA*.
- The Board provides arbitration and conciliation services to facilitate the resolution of disputes that arise in the context of collective bargaining.

## Mediation

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- Mediation helps parties resolve their conflicts through a mutually acceptable agreement and without resorting to a hearing. It is a confidential, voluntary process led by a neutral and impartial third party. This mediation capacity is now also supported by the Early resolution officer program.
- Through mediation, the Board promotes open and respectful communication, fair and transparent employment practices, and effective dialogue.

## Adjudication

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- Through adjudication, the Board achieves the fair resolution of cases through several forms of dispute resolution approaches, including case management conferences, settlement conferences and hearings.
- The Board has developed a substantial body of precedents that are relevant in the resolution of disputes on an ongoing basis.

Please consult the Board's [website](#) for more information on its activities.

# The Board's mandate under the *Parliamentary Employment and Staff Relations Act (PESRA)*

Among other legislation, the Board administers Part I of the *PESRA* and aims to resolve disputes that arise between parliamentary employees and their employer. The *PESRA* covers employment and labour relations at 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 Services, and the Parliamentary Budget Officer.

Part I of the *PESRA* gives parliamentary employees the right to form a union and to engage in collective bargaining to establish their terms and conditions of employment. It also gives them the right to file grievances about those conditions and, in certain cases, to refer them to adjudication before a neutral third party. Under the *PESRA*, the Board can also hear applications for certification, unfair-labour-practice complaints, and designations of persons employed in managerial and confidential capacities. It can also hear grievances about the interpretation and application of collective agreement or arbitral award provisions, disciplinary action resulting in a suspension or financial penalty, the demotion of an employee, the denial of an appointment, the classification of an employee, and all forms of termination of employment except rejections on probation during initial appointments.

The *PESRA* also gives the Board the authority to hear grievances about contraventions of regulations under the *Accessible Canada Act*.

## Types of matters heard under the *PESRA*

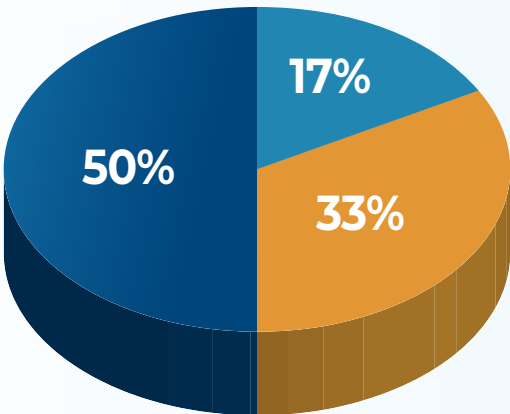
The following types of matters may be adjudicated under the *PESRA*:

- applications for certification or the revocation of certification, or applications for the designation of a person employed in a managerial or confidential position;
- unfair-labour-practice complaints;
- grievances related to the interpretation or application in respect of the employee of a collective agreement provision or an arbitral award;
- grievances against a disciplinary action resulting in a suspension or financial penalty or against a termination of employment for a reason other than a rejection on probation for an initial appointment;
- grievances about a demotion, a denial of an appointment, or classification (i.e., the parties select an adjudicator who is not a Board member to hear and determine such grievances);
- grievances about a contravention of the regulations under the *Accessible Canada Act* if the employee has been adversely affected as a result of the contravention; and
- references under s. 70 of the *PESRA*, seeking the enforcement of an obligation under the collective agreement or an arbitral award that cannot be the subject of a grievance filed by an individual employee. The reference can be made by an employer or a bargaining agent.



# 2022-2023 at a glance

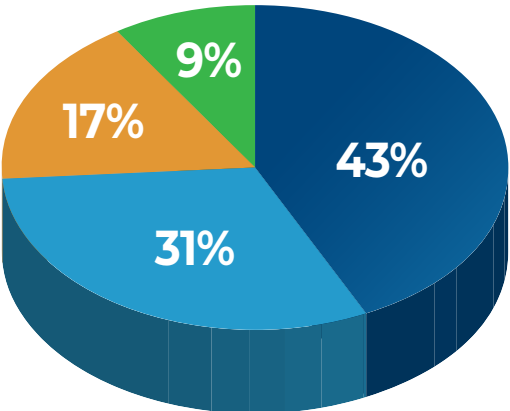
## Files Opened (PESRA)



- Individual Grievance (Collective Agreement)
- Complaint
- Group Grievance (Classification)

In 2022-2023, 6 new files were referred under the PESRA – 3 group grievances, one grievance relating to the interpretation or application of a collective agreement and 2 duty of fair representation complaints.

## Files closed (PESRA)



- Settlement Withdrawal
- Decision
- Withdrawal
- Mediation

In 2022-2023, 23 files under the PESRA were closed. Of those, 4 were withdrawn, 7 resulted in a decision being issued, 10 were settled between the parties and 2 were settled through mediation.

# Overview of the inventory

Forty-nine (49) files were carried forward from the previous fiscal year. Taking into account the 6 new referrals and 23 closures, 32 files will be carried forward into the next fiscal year, including 21 individual grievances, 8 complaints, 1 application, and 2 policy grievances.

Twenty-two (22) of those files involve the Parliamentary Protective Services, 4 involve the Senate, 1 involves the House of Commons, 1 involves the Parliamentary Budget Officer and 1 involves the Library of Parliament. The remaining 3 files involve the House of Commons Security Services Employee Association, the Professional Institute of the Public Service of Canada and the Parliamentary Protective Service, respectively.

## Files carried forward, received, and closed under the PESRA from April 1, 2019, to March 31, 2022

Fiscal Year	Carried Forward from Previous Years	Total new	Closed	Carried Forward to Next Year
2020-2021	73	3	10	66
2021-2022	66	4	21	49
2022-2023	49	6	23	32

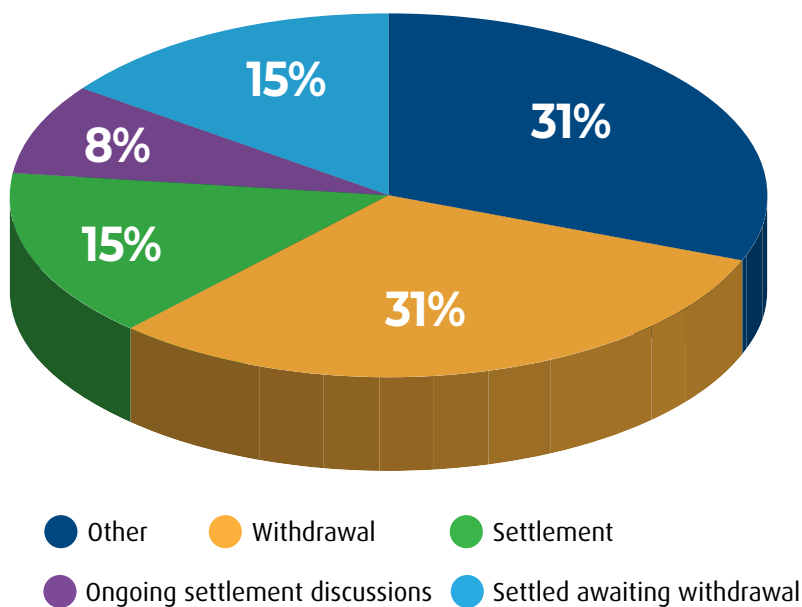


# Number of hearings scheduled



Of the 13 hearings initially scheduled during the 2022-2023 reporting period, almost 70% were resolved without the need to resort to a formal hearing.

The graphic below illustrates the outcomes for the files scheduled for hearing.



# Mediation

Two (2) mediations were held under the *PESRA* in 2022-2023 and both resulted in a settlement.

# Collective bargaining

In the 2022-2023 fiscal year, the Board received two requests for arbitration. These requests both involved bargaining units at the Library of Parliament represented by the Public Service Alliance of Canada: the Library Sciences group and the Library Technician group. These matters were addressed in a consolidated hearing that began in February 2023 and has subsequently been carried over into the upcoming fiscal year.

# Moving forward

As we move forward, we will continue to focus on providing timely access to justice through respectful, efficient, accessible, and fair processes as well as promoting harmonious labour relations in the public sector.

The next fiscal year will also be an opportunity to continue to reacquaint ourselves with in-person hearings, which provide us with closer contact to our parties and stakeholders, while continuing to leverage the use of technology. One of our goals will be to find the right balance between old and new practices to improve our service delivery, ensuring that parties appearing before the Board have the ability to attend hearings in person, virtually, or in a hybrid setting. This will allow us to overcome barriers and modernize our approach to delivering access to justice.

