

## Government delaying signing of new collective agreements



PSAC has been pushing the government to sign four collective agreements by the end of May, but the employer is insisting they won't be ready until mid-June at the earliest. These agreements, covering over 100,000 workers, were ratified by the membership in votes that concluded in April.

### PSAC still waiting for drafts of agreements

At this time, the final drafts of the agreement for the Program and Administrative Services (PA) Group and the agreement for the Education and Library Science (EB) Group are just about finalized.

PSAC has yet to receive the draft agreements covering the Technical Services (TC) and Operational Services (SV) Groups, even though the employer has had months to get the drafts ready.

We are committed to reviewing the draft agreements and replying to the employer in less than three days.

### Members have waited long enough

These agreements, which took over two and a half years to negotiate, do not go into effect until they are signed. PSAC believes our members, who have also spent the last year dealing with the Phoenix pay system debacle, have waited long enough.

We are continuing to pressure the employer to make this a priority and sign these agreements signed as soon as possible.

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## PSAC welcomes new money for Phoenix

PSAC welcomes the news that the government has heard our demand to hire more staff for the Miramichi pay centre and the satellite pay centres. The government must also ensure that the Phoenix programming problems are addressed; otherwise federal public service workers will continue to experience disruption in pay.

“There remain short-falls in the technological capabilities of Phoenix,” said PSAC National President Robyn Benson. “The government must ensure that IBM is correcting the software failures in the system.”

PSAC is committed to doing everything we can to help get our members paid correctly and on time. We will continue to push the government to take the necessary action to fix Phoenix.

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PSAC wins as Federal Court upholds salary protection

The Federal Court of Appeal has dismissed a Treasury Board request for a judicial review of an adjudication decision that ruled certain employees were entitled to salary protection after being classified downwards.

On May 24, in a rare move, the Court issued its ruling shortly after hearing only the employer’s arguments. The Court did not need to hear PSAC’s presentation, as it was able to make its ruling on the basis of our written submission.

PSAC’s position was that salary protection should always apply when the employer unilaterally acts to classify an employee at a lower level.

This case is not only important to the affected employees but also defends the rights of other PSAC members who might face a similar circumstance.

### Two groups of workers are affected now

The case affects two groups of workers who had been classified under unique classification standards.

- About 80 former employees of the Canada Revenue Agency (CRA), who were told in the fall

of 2011 they would move to Shared Services Canada (SSC).

- About 60 employees who work on Canada Day festivities who were transferred from the National Capital Commission (NCC) to Canadian Heritage (PCH) in September 2013.

In the fall of 2013, members in the two groups were told that their salaries would be going down as they were “matched” to public service classifications (e.g. AS, CR, GT, GS).

### **PSAC grieved and won a major victory**

PSAC filed a policy grievance, arguing the employer now had to abide by the salary protection language in our contracts. The grievance was heard by the Public Service Labour Relations and Employment Board in December 2014.

With salary protection, no employee ever faces a drop in salary – in fact they continue to receive negotiated pay increases, as negotiated. Full salary protection in the event of a downward reclassification is something negotiated by the PSAC in 1982.

In July 2016, the adjudicator recognized the employees as having been reclassified downwards, and therefore eligible for full salary protection.

### **Treasury Board contradicted itself**

When the employees were first moved, PSAC argued it was a workforce adjustment and the employer needed to negotiate the terms and conditions that would apply, including allowing the employees a choice of whether or not to move.

In the CRA situation we filed a policy grievance and went before the Public Service Labour Relations Board. In that Board decision, the adjudicator agreed with the employer’s argument that this was not a workforce adjustment situation because there

was no job loss – the employees were simply transferred.

Treasury Board argued these moves were not transfers but that the positions were cut at the CRA and NCC and new positions created at Shared Services Canada and Canadian Heritage, in direct contradiction to their position in the earlier case.

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## **PSAC 2017 scholarship program now open**

The application process for the 2017 PSAC Scholarship Program is now open.

The program consists of 14 scholarships for dependent children of PSAC members and 3 scholarships for PSAC members who will be attending university, college or a recognized institute of higher learning on a full-time basis.

Applications are due June 23, 2017 and scholarships will be granted in the fall for the 2017-2018 academic year.



## Get your union news – online and screen-friendly

Published three times per year, 180,000 of our members received the winter edition of PSAC's newsletter Our Union Voice.

This format also allows for local printing and a PDF download, in order to share with colleagues, friends and family.

<https://psacafpc.ca/2oyqzjW>