

Re: Public Service Alliance of Canada and the Treasury Board of Canada
Technical Services Group Arbitration (TC).

Enclosed is my dissent in the above arbitration.

The decision of the chair of the arbitration board failed to give proper weight to the evidence put forward by PSAC on a number of important issues.

Travel Status Leave.

The proposed change of lowering the threshold from 40 days to 20 days is a small improvement, probably affecting few employees. It only benefits those with more than 20 days but less than 40 days in travel status, and then only once per year. There is no change for the rest of the employees.

The union sought an improvement to the provision by removing the present excessively high threshold of being away from home for 40 days before the additional leave triggers. I would modify their proposal to set the threshold at 10 days and compensatory time off should be earned at the rate of one half ($\frac{1}{2}$) hour for each overnight stay thereafter. I do not believe the cost of this change would be a major factor.

Further, there are a number of groups excluded from the current provisions and I see no reason for those exclusions. If you are away from home on Employer business all employees in the bargaining unit should be treated equally.

Vacation Leave with Pay

I also disagree with granting the Employer proposal on Art. 38.04. This was still being used by employees, and while it was a small issue, it did set this bargaining unit apart from the other bargaining units. The fact this table did not receive any wage adjustment, which all the other major tables received for whatever reason, gives me the feeling it is adding insult to injury

Injury on Duty Leave

An employee should not be subject to potential different treatment depending on the whim of their supervisor. The rules for administering this provision are only guidelines and not policy which allows for different interpretations. The Employer allows the provincial/territorial worker compensation boards to set the period of recovery from an injury but the Employer can arbitrarily discontinue the Injury on Duty Leave before the employee can return to work thereby reducing their income. This Employer should get out of the business of being a "second arbitrator."

Dangerous Goods

This is a specific request to add the qualified Ammunition Technicians to those entitled to the dangerous goods allowance. It seems strange that the person who actually handles, packages, stores, ships and labels the ammunition and explosives does not receive the allowance. The person who signs the weigh bills receives the allowance although they had nothing to do with the above duties. It is my recommendation the qualified Ammunition Technicians also receive the Dangerous Goods Allowance.

Hazardous Substance Handling Allowance

Although employees are required to take training in four specific areas the duties are not included in anyone's job description and therefore no compensation is payable. This is an attempt to give recognition to the duties, when performed. This allowance is included in other agreements in the public service. I therefore recommend the allowance be included in this collective agreement.

New Appendix XX Lab and X-Ray Technologists (Percy Moore and Norway House Hospitals)

This appears to be a unique problem for Lab and X-Ray Technologists at the two above listed hospitals. From my understanding there are two problems, the first is the frequency they are called back to work after leaving and the other is the difficulty in getting relief persons when they are needed. Without having more information I would support a Joint Committee be appointed to bring recommendations forward during the term of this agreement.

Wages

One of the cornerstones of the PSLRA is the requirement for salaries paid to public service employees be comparable to salaries in the private sector. In November 2006 the parties signed a Memorandum of Understanding asking the Compensation Analysis and Research Service (CARS) of the PSLRB for a compensation comparability study to determine if there was a disparity between the private sector and this group as claimed by PSAC. That study was completed in April of 2008. The Employer disagreed with the outcome and went back to CARS several times asking them to keep refining the data. They eventually had another study done by an outside firm.

It is not difficult to understand how this group could be behind the private sector comparators. In the 21 years when the ERA ends in 2011 the federal public service will have been under some form of wage restraint in 11 of those years.

The original CARS study indicated the current public service salaries for this group were an average of 13.5% behind the comparators in the private sector. In the normal process of bargaining that increase or some agreed upon amount should have been added to the

existing rates before the application of any future increases. The introduction of the ERA has altered that and the union is seeking to apply the 13.5% at the end of the agreement by extending the agreement term by one day and applying the adjustment on that day. Even if the union proposal had been accepted it would have proven to be a major concession on the part of the employees. On an average salary of \$61,522.00 over the four years the ERA will be in effect they would lose \$8,305.00 per year for a total of \$33,222.00, not including compounding. In view of this hardship already being placed on the employees I recommend the position of the Union be upheld and a 13.5% adjustment be made to all rates on June 22, 2011.

Another broken wheel on this shaky wagon train is the long outdated classification system used by Treasury Board. Several attempts have been made over the past years in trying to correct a system everyone agrees is less than perfect, all without success. As stated in the PSAC brief, as a result of the current system two people doing essentially the same job can be classified differently and sometimes resulting in thousands of dollars variation in salary. This hardly makes for a happy work environment.

Yours sincerely,

J.E Wolfgang

c.c. David Starkman, Jock Clime