**PSAC WINS ON ALTERNATION POLICY GRIEVANCE**

The PSAC won a significant victory this week before the Public Service Labour Relations Board on a major issue in the Work Force Adjustment Appendix. The Board agreed with PSAC that Treasury Board is ultimately responsible to ensure that departments are not violating the collective agreement.

The decision strengthens the obligations of the employer to establish an effective alternation system. On June 15, 2012, the PSAC and PIPSC [filed policy grievances](http://www.psac-afpc.com/news/2012/what/20120621-e.shtml) against Treasury Board with respect to the failure of many departments to abide by the alternation provisions in the Workforce Adjustment Appendices (WFAA).

The grievance also dealt with the failure on the part of the employer as a whole to establish a system that works across departments. Now, Treasury Board can no longer hide behind the departments and must directly address the violations which have occurred.

“Treasury Board now has to step up to the plate and take responsibility on the failure of alternation,” said Robyn Benson, National President of the PSAC.  “They need to immediately ensure all departments respect the collective agreement.”

The PSAC is approaching the employer to discuss remedies related to the Board’s ruling. The union will continue to make sure that employees who wish to find an alternate have been given every possible opportunity to do so under the terms of the collective agreement.

**Highlights of the decision:**

* The PSLRB agreed with PSAC that Treasury Board is ultimately responsible to ensure that departments are not violating the collective agreement.
* The Board recognized that Treasury Board, departments and organizations have an obligation to establish systems to facilitate redeployment of affected employees and this applies to the alternation process.
* The Board affirmed that departments must respond to alternation requests within the 120 days provided to opting employees to alternate.
* The Board recognized that participating in the alternation process means there must be a genuine willingness by Treasury Board, departments and organizations to assist employees seeking to alternate and to consider proposed alternations within the framework of the WFAA.
* The Board clarified, in agreement with PSAC’s position, that the only grounds management can turn down a proposed alternation is:
1. if the proposed alternation is not likely to result in retention of the skills required to meet the ongoing needs of the position and the Core Public Administration; or
2. if the alternate has already given specific notice of resignation or retirement and the department has taken the decision not to fill the position when vacated.

**Background**

On June 15, 2012, the PSAC and PIPSC filed policy grievances against Treasury Board with respect to the failure of many departments to abide by the alternation provisions in the Workforce Adjustment Appendices (WFAA), and the failure on the part of the employer as a whole to establish a system that works across departments.

On October 17-18, 2012, the parties met with a mediator from the Public Service Labour Relations Board (PSLRB). The mediation was productive but inconclusive and the PSAC and PIPSC [requested formal hearing dates for adjudication](http://www.psac-afpc.com/news/2012/what/20121107-e.shtml).

On January 15, 2013, the PSLRB heard arguments and was asked to rule on certain questions having to do with the interpretation of the WFAA, particularly as they affect alternation.

On April 9, 2013, the PSLRB issued its decision. The decision affirmed many of the arguments that the PSAC had put forward.