

Federal Court of Appeal



Cour d'appel fédérale

Date: 20170524

Docket: A-275-16

Citation: 2017 FCA 111

**CORAM: DAWSON J.A.
BOIVIN J.A.
DE MONTIGNY J.A.**

BETWEEN:

TREASURY BOARD

Applicant

and

PUBLIC SERVICE ALLIANCE OF CANADA

Respondent

Heard at Ottawa, Ontario, on May 24, 2017.
Judgment delivered from the Bench at Ottawa, Ontario, on May 24, 2017.

REASONS FOR JUDGMENT OF THE COURT BY:

DAWSON J.A.

Federal Court of Appeal



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REASONS FOR JUDGMENT OF THE COURT
(Delivered from the Bench at Ottawa, Ontario, on May 24, 2017).

DAWSON J.A.

[1] The Public Service Labour Relations and Employment Board allowed a policy grievance brought by the Public Service Alliance of Canada. The Board declared that the employer violated the salary protection provision contained in the Program and Administrative Services, Operational Services and Technical Services Group collective agreements by refusing to apply salary protection to the employees who were transferred respectively from the Canada Revenue

Agency and the National Capital Commission to Shared Services Canada and the Department of Canadian Heritage.

[2] On this application for judicial review of the Board's decision, the Attorney General essentially re-argues submissions considered and rejected by the Board. We too reject these submissions, substantially for the reasons given by the Board.

[3] The Board's decision was well grounded in the evidence before it. While the Attorney General has advocated for the interpretation she would give to the definition of "reclassification" and to the intent of the 1982 Memorandum, she has not demonstrated that the interpretations chosen by the Board were unreasonable.

[4] It follows that the application for judicial review will be dismissed with costs.

"Eleanor R. Dawson"

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-275-16

STYLE OF CAUSE: TREASURY BOARD v.
PUBLIC SERVICE ALLIANCE OF
CANADA

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: MAY 24, 2017

REASONS FOR JUDGMENT OF THE COURT BY: DAWSON J.A.
BOIVIN J.A.
DE MONTIGNY J.A.

DELIVERED FROM THE BENCH BY: DAWSON J.A.

APPEARANCES:

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SOLICITORS OF RECORD:

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