

**NEW – LETTER OF AGREEMENT BETWEEN THE TREASURY BOARD
AND THE ASSOCIATION OF JUSTICE COUNCIL WITH RESPECT TO TELEWORK**

The parties agree to sign a Letter of Agreement with Respect to Telework that will not form part of the collective agreement.

In keeping with the Employer's *Directive on Telework*, this letter of agreement confirms the parties' shared understanding on Telework: work performed by a lawyer from an alternate location other than a Government of Canada designated worksite.

The parties acknowledge that:

- Telework arrangements can be initiated by the lawyer, are voluntary and require the mutual agreement of the lawyer and the Deputy Head or the authorized representative within each department or organization.
- Telework arrangements are subject to regular review (at least annually) and may be terminated by either party at any time with reasonable notice.
- Telework is not a right or an entitlement of the lawyer unless agreed upon in connection with the duty to accommodate.
- Rights, obligations and responsibilities of the parties will be agreed upon in advance of any telework arrangement coming into effect. Any arrangement may be modified with the mutual agreement of the parties.
- Lawyer telework requests will be considered on a case-by-case basis and in consideration of operational requirements and other relevant factors. If a request is denied, the lawyer will be provided with reasons in writing for the denial.

Departmental or Organizational Panel on Telework

The Letter of Agreement provides for the creation of a departmental or organizational panel to address the lawyer's dissatisfaction with a decision resulting from the application of the Employer's *Directive on Telework* and *Direction on prescribed presence in the workplace*, which may be amended from time to time.

The parties recognize:

- That this letter of agreement does not negate any grievance rights as outlined in the *Federal Public Sector Labour Relations Act* and relevant regulations.
- The importance of a consistent application of the Employer's *Directive on Telework* which accounts for departmental realities and operations.
- The creation of such a panel to address matters related to telework supports informal discussions and satisfactory resolution of such matters.

Based on the above recognition, the parties agree that:

- Departments or organizations and the Association of Justice Council will develop terms of reference for the creation of a panel to address dissatisfaction with a decision resulting from the application of the Employer's *Directive on Telework and Direction on prescribed presence in the workplace*.
- These terms of reference will incorporate the following principles:
 - The creation of a departmental or organizational panel with equal representation from the Employer and the Association of Justice Council that will review decisions resulting from the application of the *Directive on Telework*.
 - When a lawyer files a grievance, if no settlement has been reached prior to the final step of the grievance procedure prescribed in the collective agreement, the lawyer may refer the grievance to the panel established for this purpose, at which point the grievance will be held in abeyance pending the completion of the review by the panel.
 - The panel will review the submissions presented by the parties and submit a recommendation to the Deputy Head or its delegate for decision making as part of the final level in the grievance procedure. The panel will endeavour to make its recommendation as soon as practicable and, in any event, within 90 days of the referral. In exceptional or unforeseen circumstances such as a particularly high volume of referrals, the 90-day timeline may not be met and can be extended by mutual agreement.
 - This process will proceed on a trial basis for the duration of this letter of agreement.

Consultation on the Employer's *Directive on Telework*

During its review of the *Directive on Telework*, the Employer commits to consulting the Association of Justice Council.

Information

In addition to the above, the Employer, subject to the *Access to Information Act* and *Privacy Act*, will endeavour to share information and consult regularly with the Association of Justice Council on opportunities and challenges related to telework including data collected related to the above departmental or organizational panel on telework, where available.

This letter of agreement expires on May 9, 2026.