



JUN 08 2011

Mr. Rick Swoffer
Labour Relations Officer
Association of Justice Counsel
406-1545 Carling Avenue
Ottawa ON K1Z 8P9

Dear Mr. Swoffer:

**Re: Policy grievance pursuant to Section 220 of the
Public Service Labour Relations Act -
LA Collective Agreement -- Article 13 – Hours of Work (2011-99)**

This is the final level reply following the policy grievance submitted by the Association of Justice Counsel (AJC) on May 6, 2011.

The AJC challenged the advice provided by Treasury Board Secretariat regarding paragraph 13.01d) of the LA collective agreement whereby the time spent on unpaid leave cannot be taken into account in computing the hours within the 4-week period for the purposes of reconciling hours and calculating overtime. The AJC also maintained that TBS violated article 5.02 of the collective agreement by virtue of its interpretation and application of paragraph 13.01d).

After a careful review of the grievance, the AJC's position and the language of the collective agreement, Treasury Board Secretariat has re-considered the advice provided on the application of paragraph 13.01d) of the LA collective agreement and acknowledges that its interpretation of that clause should be in line with the AJC's interpretation. An info-bulletin will be issued to all departments and agencies for which TBS is the employer clarifying the intent of article 13 of the collective agreement.

To that extent, the grievance is granted.

Sincerely,

Don Graham
Executive Director
Labour Relations

c.c.: Marco Mendicino, President, AJC
John Park, Collective Bargaining, TBS