

# Annual Report 2015-2016

## YUKON TEACHERS LABOUR RELATIONS BOARD



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### COMPOSITION OF THE BOARD

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Chairperson: Catherine Ebbs

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Vice-Chairpersons: David Paul Olsen  
Margaret Shannon

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Members: Stephan J. Bertrand  
John G. Jaworski  
Bryan Gray (as of July 6, 2015)  
Chantal Homier-Nehmé (as of September 8, 2015)  
Steven B. Katkin  
Michael McNamara  
Marie-Claire Perrault (as of July 13, 2015)  
Catharine (Kate) Rogers (until August 31, 2015)

Adjudicators: Beth Bilson  
Michael Fleming  
Joan Gordon  
Ken Norman  
Dan Quigley

**REPORT ON THE ADMINISTRATION  
OF THE YUKON EDUCATION LABOUR RELATIONS ACT  
FOR THE FISCAL YEAR ENDING  
MARCH 31, 2016**

**INTRODUCTION**

On November 1, 2014, the Public Service Labour Relations and Employment Board (the PSLREB) was created with the passage of the *Public Service Labour Relations and Employment Board Act*. The PSLREB is the creation of a merger of the Public Service Labour Relations Board and the Public Service Staffing Tribunal, which also occurred on November 1, 2014. The PSLREB deals with matters that were previously dealt with by those former tribunals under the *Public Service Labour Relations Act* and the *Public Service Employment Act*, respectively.

Under an agreement with the Yukon government, the PSLREB administers the collective bargaining and grievance adjudication systems for Yukon teachers. When performing those functions, the PSLREB acts as the Yukon Teachers Labour Relations Board ("the Board").

**PROCEEDINGS IN 2015-2016**

In 2015-2016, there were 10 active proceedings under the Yukon *Education Labour Relations Act* ("the Act").

Of those 10 cases:

- Eight (8) matters related to references to adjudication of individual grievances pertaining to interpretations of collective agreements and disciplinary actions; and
- Two (2) were references to adjudication of policy grievances related to the interpretation or application of a collective agreement or an arbitral award (pursuant to section 76 of the Act).

**Grievance adjudication**

Adjudication refers to any determination made by adjudicators appointed by the Board pursuant to *the Act*. It includes the determination of grievances arising from the application or interpretation of collective agreements or arbitral awards or from major disciplinary actions or terminations.

The Board dealt with 10 grievance adjudication cases during the review period. Four (4) were new and 6 were carried over from the previous fiscal year. One of those cases, one was completed during the review period, and 9 will be carried forward to 2016-2017.

All 10 grievances pertained to the interpretation of collective agreements. Of those, six remain to be scheduled for a hearing, one was withdrawn pending confirmation and will be carried forward into 2016-2017, and one, which was carried over from 2014-2015, was not yet determined, pending a decision of the Yukon Supreme Court. Another file is pending while the parties are in discussions. The one remaining case was settled and withdrawn during the reporting period.

### **Managerial and confidential positions**

A person employed in a managerial or confidential position is one who, due to the nature of the duties being performed, meets the criteria established under *the Act* for exclusion from a bargaining unit.

In 2015-2016, the Board dealt with no matters of this nature.

### **Mediation**

When a proceeding is brought before the Board, mediation is offered to help the parties resolve their differences without resorting to a formal hearing. As well, the parties may request the Board's assistance in resolving a dispute before the matter is referred to adjudication. In 2015-2016, the Board did not receive any requests for mediation.