



Customs and Immigration Union  
Syndicat des Douanes et de l'Immigration

January 13, 2011

Ms. Camille Therriault-Power  
Vice President, Human Resources Branch  
Canada Border Services Agency  
99 Metcalfe Street  
3<sup>rd</sup> Floor, Room 302  
Ottawa, ON K1A 0L8

By email: [camille.therriault-power@cbsa-asfc.gc.ca](mailto:camille.therriault-power@cbsa-asfc.gc.ca)

**Re: PSAC Policy Grievance 569-02-39**

Dear Ms. Therriault-Power:

Since November 12, 2010 CBSA has created undue anxiety within our membership by proceeding to raise with certain members the issue of "alternate employment opportunities". Virtually all of the employees on the receiving end of these communications require accommodations. By your communications, the affected members are being informed that you are seeking to modify or terminate these accommodations.

We reminded you in our letter of November 17, 2010 that Appendix F to the collective agreement prohibits such discussions until after February 1, 2011, and after February 1 only in consultation with us.

Moreover, the Minutes of Settlement in the Coupal complaint to which CBSA was a signatory further provides for a hiatus of implementation including employer communications and initiatives related to alternate employment opportunities.

We are concerned that through this violation of both the collective agreement and the Minutes of Settlement in the Coupal complaint, you are creating mental distress and related harms to our members which cannot be compensated.

Our disagreement on these matters was foreseen by the parties. In these circumstances, paragraph 20(c) of the Coupal Minutes of Settlement provided that the matters in dispute be adjudicated before the PSLRB in a file that is currently open and being held in abeyance, file number 569-02-39.

There can be no doubt that a speedy resolution of this matter is in the best interest of both CBSA and its workforce; CIU is certainly committed to resolving the substance of these issues as expeditiously as we can. To this end, we propose to bring this matter before the PSLRB as soon as possible. Inasmuch as employee morale and harmonious labour relations are of equally high priority to CBSA and its workforce, will you agree to rescind your communications of November 12, 2010 and suspend all communications and initiatives related to "alternate employment opportunities" until this matter can be addressed by the PSLRB?

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Our lawyers have informed us they are available for a hearing on several dates between now and the end of May 2011. I am available at any time should you wish to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron Moran", with a stylized flourish at the end.

Ron Moran  
National President

c.c. Members of the CIU National Board of Directors