



The union for financial professionals.
Le syndicat des professionnels de la finance.

VIA EMAIL

May 8, 2024

Ms. Carole Bidal
Associate Assistant Deputy Minister
Employee Relations and Total Compensation/TBS
219 Laurier Ave
Ottawa, ON K1A 0R5

Dear Ms. Bidal:

**Re: Policy Grievance (Pursuant to Section 220 of the FPSLRA)
Comptrollership (CT) Collective Agreement – Expiry: November 6, 2026**

The attached Policy Grievance is hereby submitted by the Association of Canadian Financial Officers.

As you know, on May 1st, 2024, the Office of the Chief Human Resources Officer (OCHRO) confirmed the three-day-a-week in-office requirement will be implemented by deputy heads by September 9, 2024.

Contrary to well established past practice at no point did Treasury Board consult with any of the federal bargaining agents on this plan, and we categorically oppose any mandate imposing a minimum requirement for workplace attendance.

This is a clear violation of the Letter of Agreement which ACFO signed with the Employer in 2022 which stated that... *“The Employer agrees to share information and consult with the bargaining agent on challenges and opportunities in an effort to better understand and continue to adapt to this transformative change. The Employer will endeavour to provide the bargaining agent with data relating to this topic, where available and as testing evolves.”*

Please contact Scott Chamberlain, ACFO Director of Labour Relations (schamberlain@acfo-acaf.com) to schedule a final level grievance hearing at the earliest opportunity.

Sincerely,

Dany Richard, President
Association of Canadian Financial Officers
193 ch Richmond Road, Ottawa, ON
Telephone: 613-728-0695 /Toll free: 1-877-728-0695

Encl.

c.c.: schamberlain@acfo-acaf.com; charles.vezina@tbs-sct.gc.ca; ZZERRCOR@tbs-sct.gc.ca;



DEPARTMENT USE ONLY À L'USAGE DU MINISTÈRE
Reference No. N° de référence

POLICY GRIEVANCE PRESENTATION (PSLRA s. 220)
PRÉSENTATION D'UN GRIEF DE PRINCIPE (LRTFP a. 220)

Please note:

In accordance with PSLRA s. 207, all departments and agencies within the core public administration have an informal conflict management system (ICMS) in place. Its existence does not affect the right to file a grievance. However, the employer and bargaining agent representatives are encouraged to use the ICMS when appropriate, at any stage of the grievance process, in an attempt to informally address workplace differences.

Veillez noter :

Conformément à l'article 207 de la LRTFP, les ministères et agences de l'administration publique centrale ont établi un système de gestion informelle des conflits (SGIC). L'existence d'un tel système n'affecte pas le droit à soumettre un grief. Toutefois l'employeur et les représentants des agents négociateurs sont encouragés à se servir du SGIC, à n'importe quelle étape du processus de grief, afin de tenter de régler de façon informelle les problèmes en milieu de travail.

SECTION 1

This grievance is filed by Ce grief est soumis par	
<input checked="" type="checkbox"/> Bargaining agent Agent négociateur	<input type="checkbox"/> Employer Employeur

SECTION 2

BARGAINING AGENT INFORMATION INFORMATION DE L'AGENT NÉGOCIATEUR

Bargaining agent Agent négociateur Association of Canadian Financial Officers - ACFO-ACAF	Bargaining unit/component Unité de négociation/élément CT Group	
Name and title of authorized bargaining agent representative Nom et titre du représentant autorisé de l'agent négociateur Dany Richard, President of ACFO-ACAF	Telephone No. N° de téléphone 613-728-0695	Facsimile No. N° de télécopieur
Address for contact Adresse pour fins de communication 193 Richmond Rd, Ottawa ON	E-mail address Adresse électronique drichard@acfo-acaf.com	

SECTION 3

EMPLOYER INFORMATION INFORMATION DE L'EMPLOYEUR

Name and title of authorized employer representative Nom et titre du représentant autorisé de l'employeur Carole Bidal	Telephone No. N° de téléphone	Facsimile No. N° de télécopieur
Address for contact Adresse pour fins de communication 219 Laurier Ave, Ottawa, ON	E-mail address Adresse électronique Carole.Bidal@tbs-sct.gc.ca	

SECTION 4

GRIEVANCE DETAILS DÉTAILS DU GRIEF

Statement of the nature of each act or omission or other matter giving rise to the grievance Exposé de la nature de chaque action, omission ou situation ayant donné lieu au grief See Appendix "A"	
Date on which each act, omission or other matter giving rise to the grievance occurred Date de chaque action, omission ou situation ayant donné lieu au grief May 1, 2024	Department or agency involved (if applicable) Ministère ou organisme (s'il y a lieu) Treasury Board
Collective agreement Convention collective CT Collective agreement	Expiry date Date d'expiration November 9, 2026
Corrective action requested Mesures correctives demandées See Appendix "A"	

SECTION 5

SIGNATURES

Dany Richard	May 8, 2024		
Signature of Bargaining Agent Representative Signature du représentant de l'agent négociateur	Date	Signature of Employer Representative Signature du représentant de l'employeur	Date
Date received Date de réception			

APPENDIX "A"

Policy Grievance:

This is a policy grievance hereby filed by the Association of Canadian Financial Officers ("ACFO") pursuant to the CT Collective Agreement.

Background:

The parties signed a Letter of Agreement with regards to Hybrid Work Arrangements in 2022 as part of the collective bargaining process which stated that... "*The Employer agrees to share information and consult with the bargaining agent on challenges and opportunities in an effort to better understand and continue to adapt to this transformative change. The Employer will endeavour to provide the bargaining agent with data relating to this topic, where available and as testing evolves.*"

Details of the grievance:

ACFO grieves that the employer has not respected procedural fairness and has acted arbitrarily, discriminatorily, unreasonably, unfairly and in bad faith, and continues to do so, in contravention of the CT Collective Agreement and past practice and in the exercise of its powers and responsibilities in the *Federal Public Sector Labour Relations Act* :

- In mandating on-site attendance of employees in positions represented by ACFO;
- In imposing this mandate without consultation with ACFO;
- In failing to share information and consult with ACFO as it was required to do.
- In breaching existing work arrangements under the *Directive on Telework*.

ACFO grieves the implementation of the *Directive on prescribed presence in the workplace* and Employer's actions which are unreasonable, arbitrary, and inconsistent with the principles for flexible working arrangements, in violation of the applicable CT Collective Agreement, including articles 1.04 (preamble), 6.01 (management rights) 16.01 (Joint Consultation) and the *Letter of Agreement on Telework*, the *Directive on Telework*, as well as any other applicable provisions of the Collective Agreements, employer policies, or legislation.

ACFO grieves the amending and implementing the *Direction* in a manner that has reduced accessibility, inclusiveness and equity and has caused adverse impacts on grounds protected by the *Canadian Human Rights Act* ("CHRA") and), Article 46.01 (no discrimination) of the Comptrollership Group (CT), including but not limited to disability, family status, age, sex, gender identity and expression, religion, race, and national or ethnic origin,

Corrective Action:

ACFO is seeking the following:

- i) a declaration that the Employer has contravened the applicable provisions of the Comptrollership (CT) Collective Agreement (Expiry Nov. 6, 2026);
- ii) an order requiring the Employer to revert the *Direction* to its prior version and to consult meaningfully with ACFO on any proposed amendments;
- iii) an order that the employer pay damages to compensate ACFO and its members for both violation of the collective agreement and any individual losses
- iv) an order that the Employer compensate members for all harms experienced on the following terms:
 1. Damages for impacts to individuals who experienced financial losses or incurred out-of-pocket costs;
 2. Damages to affect individuals for the breach of the Collective Agreements;
 3. Damages under the *CHRA* for individuals who experienced adverse effects on the basis of prohibited grounds;
- v) to be made whole; and
- vi) other remedies deemed just in the circumstances.

Dated at Ottawa this 2nd day of May 2024



Scott Chamberlain, Director of Labour Relations (ACFO-ACAF)