

mittee will be in a position to provide a comprehensive and final report to the Senate and the House of Commons before the summer recess.

In his report to the Government, and with even greater emphasis in his supplementary representations to your Committee, the Chairman of the Public Service Staff Relations Board has expressed concern at the incapacity of the Board, as it is now structured, to carry the burden entrusted to it. This concern is expressed in his recent representations in the following terms:

"The experience of the last year, and particularly of the last few months, has demonstrated beyond the shadow of a doubt that it is becoming increasingly difficult for the Board as presently constituted to meet the demands that are made on it. If the Board is to be able to perform its functions both properly and in a timely fashion, no barriers should be erected to the effective use of all the resources of the Board in relation to its responsibilities. Every member of the Board must expect to be, and be capable of being, fully utilized in relation to his inherent capabilities."

Most of the witnesses before your Committee urged committee members to examine the structure and functions of the Public Service Staff Relations Board and underlined the importance of eliminating delays, of providing a system of quick but fair justice.

It has become increasingly evident to committee members in recent weeks that we are faced with having to resolve immediate administrative and operational problems which if left uncorrected would undermine the collective bargaining structure in the Public Service of Canada. In addition, the Committee must resolve substantive policy issues that are necessary to meet the complex needs of the parties in an evolving social climate. Your Committee believes that the policy issues with which it is faced cannot and indeed should not be resolved hastily.

Your Committee, however, does feel that the present administrative difficulties can be dealt with to meet urgent requirements without being prejudicial to the substantive decisions to be taken and which will form a later report. We are consequently separating the issue of the Board from the other issues and recommending in this Report a proposal relating to the structure of the Board which we urge the Government to consider without delay.

In evaluating the urgency that attaches to the problem of the structure and composition of the Board, committee members are aware of the labor relations and economic environment which prevail throughout the country and which affect the public and private sectors alike, and of the consequent pressures that have already arisen. The Public Service Staff Relations Board is designed to administer the Act, e.g. to moderate disputes and facilitate agreements between the Public Service as employer and its employees. On the whole it has served the system of collective bargaining and the

country well since 1967. Signs of strain began to show in the early 1970's and we are now convinced, after examining the proposals in depth and after listening with care to all who had a point of view on this issue, that it is a matter of national importance to have a Board with the capacity to deal efficiently and effectively with the third-party dimensions of the employer-employee relationship if the collective bargaining process in the Public Service is to continue to operate successfully.

We are satisfied that the part-time, multi-dimensional Board provided for in the present legislation is ill-equipped to carry the load that is now thrust upon it. We, therefore, recommend that a Public Service Staff Relations Board be constituted with responsibility for all of the major third-party responsibilities in the collective bargaining relationship, i.e. embracing the roles of the present Board, the Arbitration Tribunal and the adjudicators.

Your Committee considered the desirability of recommending that the language of the statute should provide assurance that in making appointments to the Board the Governor in Council would be obliged to respect the kind of composition suggested in the Finkelman Report, i.e.:

"The Board should be composed of a mix of persons who have had legal training and laymen acquainted with various aspects of employer-employee relations. Some of the members should be drawn from those who have participated in collective bargaining on the side of employers and some who have participated in collective bargaining on the side of the employees."

The Government should seriously consider the advisability of endorsing the kind of "mix" which is reflected in the quotation from the Report and commit itself to endeavour, in discharging its responsibility in this area to cooperate with bargaining agents in ensuring effective "representation" on the Public Service Staff Relations Board.

Recommendations

Composition

The Government should give consideration to the advisability of introducing legislation providing for a Chairman, a Vice-Chairman, not less than three Deputy Chairmen and such other full-time and associate (part-time) members as may be required to discharge the responsibilities of the Board.

(a) The functions and powers of the Arbitration Tribunal, the Chief Adjudicator and adjudicators should be assigned to the Public Service Staff Relations Board and discharged by members of the Board, sitting as panels or as individuals;

(b) Incorporation into a composite public member Board of the authority and responsibilities of the Chief Adjudicator, adjudicators, the Chairman and alternate chairmen of the Arbitration Tri-