

# ESSENTIAL SERVICES

The Public Service Labour Relations Act (PSLRA) defines an essential service as “a service, facility or activity of the Government of Canada that is or will be, at any time, necessary for the safety or security of the public or a segment of the public”.

It is important to note that positions, and not individuals in those positions, are ‘designated’ as essential. Workers in designated positions are prohibited from going on strike.

The PSLRA requires that the bargaining agent and the employer negotiate an ‘essential services agreement’. This agreement is to identify:

- the services that are essential;

- the level of essential service provided; and

- the number of employees required to maintain that level of service.

Regardless of this requirement, the PSLRA gives the employer the exclusive right to determine the level at which the essential service is to be provided to the public, or segment of the public, at any time. This includes both the extent and frequency with which the service is to be provided.

The USGE National Office negotiates essential service agreements with the departments and agencies employing our members. Locals are given an opportunity to provide input before any agreement is signed. The Public Service Alliance of Canada, our bargaining agent, makes the final decision from the union side on essential service agreements.

The process of negotiating essential service agreements begins once the employer (the Treasury Board) receives a ‘notice to bargain’ from the union bargaining agent (the PSAC). If the parties are unable to finalize an essential services agreement, either side may apply to the Public Service Labour Relations Board to resolve any unresolved matter

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