

Crown Employees
**Grievance Settlement
Board**

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**Commission de
règlement des griefs**
*des employés de la
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GSB# 2003-0001
UNION# 2003-0999-0012

IN THE MATTER OF AN ARBITRATION

Under

THE CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

Before

THE GRIEVANCE SETTLEMENT BOARD

BETWEEN

Ontario Public Service Employees Union
(Union Grievance)

and

Association of Management, Administrative and
Professional Crown Employees of Ontario

Unions

- and -

The Crown in Right of Ontario
(Ministry of Government Services)

Employer

BEFORE

Susan L. Stewart

Chair

**FOR THE UNION
(OPSEU)**

Ms. Kate Hughes
Cavalluzzo Hayes Shilton McIntyre &
Cornish LLP
Barristers and Solicitors

**FOR THE UNION
(AMAPCEO)**

Mr. Lorne Richmond
Sack Goldblatt Mitchell
Barristers and Solicitors

FOR THE EMPLOYER

Mr. Christopher Riggs
Hicks Morley
Barristers and Solicitors

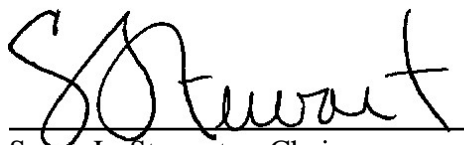
HEARING

December 7, 2005.

Order

1. On April 17, 2003, the Board issued an interim relief Order under which “the employer is hereby directed to refrain from proceeding with its Personnel Security Checks Initiative until such time as the grievances have been disposed of by this Board”.
2. The parties appeared before the Board on December 7, 2005, in connection with the present status of the matter. Having regard to the representations of the parties, the Board orders as follows:
 - (a) the Order of April 17, 2003 is hereby vacated;
 - (b) the Personnel Screening Checks Policy (the “Policy”) dated March 2005 and the Operational Guidelines initialed by the parties on December 7, 2005 may be implemented by the Employer as of January 1, 2006, and the employer will provide sufficient time for employees to submit the necessary documentation, in accordance with a schedule to be determined by the employer;
 - (c) notwithstanding the foregoing, I remain seized to deal with the following issues on the application of any of the parties:
 - (i) the Operational Guidelines with respect to Phases 3 and 4;
 - (ii) the application of Appendix F- Redeployment Process with respect to temporary employment;
3. Whereas the parties agree that the implementation of the Policy and Operational Guidelines will require ongoing review, I order that representatives of the parties will meet to review the operation of the Policy and the Operational Guidelines no later than September 30, 2006.
4. Nothing in the Operational Guidelines limits the Employer’s right to dismiss an employee for cause, or the employee’s consequent right to grieve.

Dated at Toronto, this 8th day of December, 2005



Susan L. Stewart - Chair