

September 13, 2023

Via email: Korina.Tsui@gov.bc.ca

Korina K.H. Tsui, Executive Director, Labour Relations and Total Compensation
Labour Relations Branch | Employee Relations | BC Public Service Agency
800 – 865 Hornby Street | Vancouver BC | V6Z 2G3

Re: PEA Grievance re Employer Imposed “Transition Measures”

Dear Korina,

On July 14, 2023 civil lawyers employed by the Province of British Columbia in the public service (the “Government Lawyers”) entered the Professional Employees Association’s (PEA’s) Government Licensed Professional (GLP) bargaining unit through the enactment of Bill 5. By virtue of that enactment the 17th Main Agreement between the Government of the Province of British Columbia (represented by the BC Public Service Agency) and the PEA (the “Collective Agreement”) applies to the Government Lawyers.

Despite this, on July 14, 2023, the Employer unilaterally imposed “transition measures” on the Government Lawyers revoking the application of articles in the Collective Agreement. The PEA did not agree to the transition measures or other conditions set out in this document.

As the sole bargaining agent for the Government Lawyers and as recognized under Article 2.02 of the Collective Agreement, the PEA has exclusive authority to bargain collectively for them and for the GLP bargaining unit. Absent agreement, the Employer has no authority to unilaterally impose terms and conditions of employment on the Government Lawyers.

The PEA therefore grieves the Employer’s unilateral restriction of access to the bargained rights found in the Collective Agreement to the Government Lawyers.

These rights must be made retroactive to July 14, 2023. Failing agreement through the grievance process, the PEA intends to pursue the grievance to arbitration, where it will seek a declaration that the Employer has contravened the Collective Agreement, an order that the Employer follow the Collective Agreement with respect to the Government Lawyers, an order that members be made whole with respect to any breaches of the Collective Agreement, and any other awards or orders that the PEA requests and/or that the arbitrator deems just.



BC's Union for Professionals

The PEA remains available to discuss transition measures and the bargaining of a subsidiary agreement or appendix with the Employer and invites discussion of meeting dates for this purpose.

I thank you in advance for your timely response to this letter.

Yours truly,

A handwritten signature in black ink that reads "Melissa Moroz".

Melissa Moroz
Labour Relations Officer

CC: Gina Griffith, Gina.Griffith@gov.bc.ca
Tara Callan, tara.callan@gov.bc.ca