

No. 150
FEB 22 1988

File No.: 166-2-15190

THE PUBLIC SERVICE STAFF RELATIONS ACT
BEFORE THE PUBLIC SERVICE STAFF RELATIONS BOARD

BETWEEN:

MICHEL SEGUIN,

Grievor,

- and -

TREASURY BOARD
(Transport Canada),

Employer.

Before: Muriel Korngold Wexler, Board Member.

For the Grievor: Catherine H. MacLean, Counsel.

For the Employer: Stephen E. Barry, Counsel.

Decided without a hearing.

DECISION

On May 27, 1987, I rendered a decision allowing the grievance of Mr. Michel Seguin against a two-day suspension. The employer alleged that Mr. Seguin was negligent with respect to an incident which occurred involving a loss of separation between two airplanes in the Levis sector where he worked.

The employer filed an application under section 28 of the Federal Court Act. On February 5, 1988, J. Louis Pratte of the Federal Court of Appeal rendered the following decision:

This application is allowed in part, the part of the decision under attack that relates to the respondent Seguin is set aside and the matter is referred back to the Adjudicator in order that it be decided on a basis not inconsistent with the reasons of the Court.

For these reasons, I find that Mr. Seguin did fail to follow procedures and this failure was disciplinary negligence. The grievance of Michel Seguin is hereby denied.

Muriel Korngold Wexler,
Board Member.

OTTAWA, February 22, 1988.