

EMAIL

July 29, 2025

Brenda Comeau / Destiny Grant
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Fredericton, NB E3B 3Z2

Keith Mullin
Barrister and Solicitor
Office of the Attorney General
675 King St., Room 2078
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Ms. Comeau, Ms. Grant, Mr. Mullin:

In the matter of the *Public Service Labour Relations Act* and in the matter of a Complaint under section 19 of the Act between Canadian Union of Public Employees, Local 2745, Complainant, and His Majesty in right of the Province of New Brunswick, as represented by Treasury Board, Respondent.
(Board File No. PS-008-25)

Please find enclosed an Order of the Labour and Employment Board respecting the above-cited matter.

Yours truly,



Lise Landry
Chief Executive Officer

LL/da

Enclosure

cc: Glen Gallant



PROVINCE OF NEW BRUNSWICK



Labour and Employment Board

PS-008-25

IN THE MATTER OF THE *PUBLIC SERVICE LABOUR RELATIONS ACT*

AND IN THE MATTER OF A COMPLAINT UNDER SECTION 19 OF THE ACT

BETWEEN:

Canadian Union of Public Employees, Local 2745

Complainant,

- and -

His Majesty in right of the Province of New Brunswick,
as represented by Treasury Board

Respondent.

ORDER

WHEREAS on May 16, 2025, the Complainant, Canadian Union of Public Employees, Local 2745, filed a Complaint with the Labour and Employment Board pursuant to section 19 of the *Public Service Labour Relations Act* (“the Act”), wherein it was alleged that the Respondent, His Majesty in right of the Province of New Brunswick, as represented by Treasury Board, had violated subsection 7(2) and sections 45 and 46 of the Act, by interfering with the Complainant’s administration and representation of its members, by failing to bargain collectively in good faith and make every reasonable effort to conclude a collective agreement, and by altering the terms

and conditions of employment of the members of the Complainant after notice to bargain was given;

AND WHEREAS the Respondent did file a timely Reply in which it denied violating the Act;

AND WHEREAS following a virtual pre-hearing conference held on June 11, 2025 via the Zoom platform, a hearing at the Board's offices in Fredericton, New Brunswick was conducted on July 9 and 10, 2025, during which the parties were given full opportunity to present evidence and make representations;

AND WHEREAS having considered the evidence, documentation filed, and the representations of the parties, the Board **DETERMINES** that:

- a) the Respondent did not interfere with the Complainant's administration and representation of its members contrary to subsection 7(2) of the Act;
- b) the Respondent failed in its duty to disclose government decisions that would and did have a significant impact on the negotiation process, which constituted a violation of its duty to bargain in good faith, contrary to section 45 of the Act; and
- c) the changes to the terms and conditions of employment of some of the Complainant's members after notice to bargain was given were not "business as usual" or within the reasonable expectation of the parties, and as such were contrary to section 46 of the Act;

NOW, THEREFORE, the Board hereby **DECLARES** that the Respondent has violated sections 45 and 46 of the Act, and **ORDERS** the Respondent to:

- a) **CEASE** and **DESIST** from any further changes in terms and conditions of employment contrary to the Act, until the parties have concluded collective bargaining;

- b) **RESCIND** layoff notices issued to Library Workers in school districts ASD-W, ASD-S and DSF-S;
- c) **RESCIND** the decision to reduce the hours of School Administrative Assistants.

The Board's Reasons for Decision will follow.

ISSUED at Fredericton, New Brunswick, this 29th day of July 2025.



**DAVID BROWN
VICE-CHAIRPERSON
LABOUR AND EMPLOYMENT BOARD**