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PSAC Constitution

Regulation 19A



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada

REGULATION 19A

Public Service Alliance of Canada

(Enacted February 5, 2013)
(As amended February 27, 2014)
(As amended June 11, 2014)
(As amended October 22, 2014)
(As amended October 23, 2019)
(As amended June 6, 2025)

REGULATION GOVERNING THE OPERATION OF THE STANDING DISCIPLINE COMMITTEE OF THE NATIONAL BOARD OF DIRECTORS

PREAMBLE

1. The National Board of Directors established a Standing Committee on Discipline (the “Committee”) at its September 2002 meeting. This Regulation explains the mandate and the role of the Committee.

COMPOSITION OF THE COMMITTEE

2. The PSAC National President shall appoint a minimum of four members of the National Board of Directors (“NBoD”).

MANDATE AND ROLE OF THE COMMITTEE

3. As outlined in Section 9 of Regulation 19, the Committee shall:
 - a. Review the PSAC Roster of Internal Investigators and the PSAC Roster of External Investigators periodically and ensure these Rosters are updated by the NBoD if necessary.
 - b. Be responsible for ensuring that all members appointed to PSAC’s Roster of Internal Investigators receive training on the following topics, before being permitted to investigate complaints: the Regulation 19 process, the conduct of investigations, report writing, procedural fairness and confidentiality requirements, trauma-informed principles, unconscious bias, anti-racism, and principles applicable to the investigation of sexual harassment and other human rights related complaints.
 - c. Ensure that refresher training is provided to the Roster of Internal Investigators and Receiving Officers periodically.
 - d. Ensure that new members who are appointed to the Roster of Internal Investigators receive training before they are permitted to conduct any investigations.

- e. Recommend to the NBoD, individuals that should be appointed to the PSAC Roster of External Investigators. The Committee will ensure that individuals recommended have expertise and experience in the conduct of investigations, procedural fairness requirements and trauma-informed principles. It will review the Roster of External Investigators periodically and ensure it is updated by the Board if necessary.
4. In line with Section 16.2 of Regulation 19, the Committee shall conduct a review of the package of materials that is to be sent to the NBoD in respect of every complaint/disciplinary matter that must be decided upon by the NBoD under the Regulation. The Committee will ensure the package of materials contains the following, prior to it being sent to the NBoD. If any of the following materials or information is missing, the Committee will task the Receiving Officer, Investigation Committee or Technical Advisor with obtaining them:
 - a. Documentary proof confirming that the Respondent received a copy of the complaint, as required under Section 6.3 of Regulation 19;
 - b. The Investigation Committee's Executive Summary and Final Report which must contain in its confirmation as to whether the Complainant(s) and Respondent(s) were offered an opportunity to be interviewed;
 - c. The Minutes of the Validating Body's meeting where the matter was put and voted on, including record of the 2/3 acceptance; and
 - d. The Validating Body's discipline motion to the National Board of Directors.
5. The Committee shall fulfil all of their roles associated with the Appeal Process as outlined at Section 19 of Regulation 19, including as follows:
 - a. Recommend to the NBoD individuals that should be appointed to the PSAC Roster of Appeal Panel Members.
 - b. Where parties cannot agree on which Appeal Panel member should be selected as the Chair to hear a given appeal, or do not make the selection within the timeframes required under Regulation 19, the Committee may choose the labour organization that will make the selection for them (as per Section 19.8.1 of Regulation 19).
6. The Committee is further mandated to review Regulation 19 on a periodic basis, to receive recommendations from the NBoD regarding the Regulation, and to make recommendations to the NBoD regarding potential amendments to the Regulation as needed.