

A Victory for Freedom of Expression for all Employees in the Federal Public Service

GATINEAU, March 10 /CNW Telbec/ - The reinstatement of Edith Gendron at Canadian Heritage has sent a clear message to all workers in the Federal Public Service: you have political rights and you have the right to assert them.

According to the PSAC Regional Executive Vice-President for the National Capital Region, Ed Cashman, "the decision rendered by the Public Service Labour Relations Board yesterday is a victory for freedom of expression and association for our membership and for the entire Federal Public Service. The decision clearly spells out that, in this region, it is possible to freely express oneself politically and assert oneself without fear of reprisals."

"The Board's arbitrator goes one step further," added Cashman. In her judgment, she indicated that 'no public servant has an obligation to make the employer's convictions his or her own.' This judgment shows that one can be a loyal and competent public service employee, without having to go to sleep every night with the party in power."

Meanwhile, the President of the Conseil régional d'action politique de l'Outaouais, Daniel Charron, was overjoyed at the total victory achieved by Edith Gendron in this case. "Our position is that PSAC members do have a right to fight for political options that differ from those of the party in power.

This right has been forcefully reasserted in this judgment."

Edith Gendron, a PSAC member, had been dismissed in April 2004 by Canadian Heritage after she had accepted the presidency of the sovereigntist organization "Le Québec, un pays". PSAC grieved this dismissal, which was overturned by yesterday's decision.

The judgment orders Canadian Heritage to reinstate Ms. Gendron and pay her back pay for what she had lost. The judgment also introduced the notion of reasonable accommodation in the area of freedom of expression. The Board criticized Canadian Heritage for not accepting Edith Gendron's proposal to change some of her duties to avoid any potential conflict of interest. The judgment orders the parties to examine which duties Ms. Gendron could perform, which would respect her right to operate within the "Le Québec, un pays" movement and eliminate any apparent conflict of interest.

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