

MINUTES
HUMAN RESOURCES LABOUR-MANAGEMENT CONSULTATION COMMITTEE (HRLMCC) MEETING
October 10, 2019

MANAGEMENT REPRESENTATIVES	
Sylvain Paradis	Chief Human Resources Management Officer
Nathalie Clément	Director General, Workforce Development and Wellness Services
Annie Duchesne	Director General, Integrated Classification and Staffing Solutions
Jocelyne Kharyati	Director General, HR Business Transformation
Éric Saint-Onge	Director, Labour Relations, Occupational Health and Safety and Disability Management
Julie Bourbonnais	Manager, Corporate Labour Relations (Absent)
Virginie Martel	Senior Labour Relations Advisor, Corporate Labour Relations
Zakaria El-Keurti	Junior Labour Relations Advisor, Corporate Labour Relations
LABOUR REPRESENTATIVES	
Todd Panas	Union of Health and Environment Workers - Public Service Alliance of Canada (UHEW-PSAC) (National President)
Waheed Khan	Professional Institute of the Public Service of Canada (PIPSC) (President, National Consultation Team)
Bill Sukloff	PIPSC (Vice-President, National Consultation Team)
Greg Phillips Karen Brook Kate McKerlie	Canadian Association of Professional Employees (CAPE) (President) (Absent) CAPE (Labour Relations Officer) (Absent) CAPE (Local Leader / Steward)
Vivian Gates	Association of Canadian Financial Officers (ACFO) (Labour Relations Officer) (Absent)
Paul Cameron	International Brotherhood of Electrical Workers (IBEW) (Business Manager) (Absent)

Drafted by: Zakaria El-Keurti
 Drafted on: October 14, 2019
 Sent to Bargaining Agents for review on: November 08, 2019
 Finalized on: January 13, 2020

The following notes reflect the order of the original agenda provided before the meeting, and not the order of discussions.

1. Opening remarks

The Chief Human Resources Management Officer (CHRMO), Sylvain Paradis, welcomed the members of the committee. He reflected on the appointment of the new Deputy Minister as an exciting time for the bargaining agents. In addition, transition materials are being routed to the Deputy's office regarding bargaining agents' issues.

Todd Panas, National President, Union of Health and Environment Workers (UHEW), is looking forward to improving the quality of life of UHEW's members and strengthening their partnership with the employer. He noted that he values the relationship amongst committee members as they trust each other and celebrate their success.

The CHRMO mentioned that he discussed the issue of fear of reprisal with the President of UHEW and he noted that we were innovative in finding solutions to address this problem, through the creation of the Respect Bureau. The CHRMO acknowledged that it is a time of change, and that it can be difficult for executives. APEX is reporting that more EXs are seeking support from their senior executives to resolve systemic issues in times of change.

Waheed Khan, President of the Professional Institute of the Public Service of Canada (PIPSC), is looking forward to working with the new Deputy Minister. He mentioned that the harassment process is difficult for PIPSC's members, and in most cases, the employee has to move to another work unit or department, which is not a good solution. We should rather focus on resolving the issue and shaping a healthier workplace together.

2. Agenda and minutes

(a) Approval of agenda

The agenda was reviewed and discussed by the members; it was subsequently adopted.

(b) Minutes and action items from last meeting

The minutes from the meeting of February 28, 2019 as well as its action items document were sent to the members prior to the meeting.

The CHRMO noted that one action item remained incomplete and referred the bargaining agents to item 5.a). He invited them to send their comments on the ECCC Leadership and Management Development Curriculum to Nathalie Clément, Director General, Workforce Development and Wellness Services (WDWS). He explained that members of management rely on this tool to establish their learning plans and better understand their roles and responsibilities.

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Actions:

2.(b) (i) The DG, WDWS will re-send the curriculum to bargaining agents.

2.(b) (ii) Bargaining agents are to provide their comments on the curriculum to the DG, WDWS.

(c) LMCC frequency

The committee members discussed the functionalities of regional labour-management consultation committees (LMCCs) and the associated challenges. UHEW questioned the items raised at these regional forums as some of them should be handled at national LMCCs. He mentioned that regional LMCCs lack accountability when it comes to decision-making and as a result, more items are being raised at ECCCLMCC.

Éric Saint-Onge, Director, Labour Relations, Occupational Health and Safety and Disability Management, explained that each region operates on a different structure and hence, it is their responsibility to determine the topics to be discussed within their committees and/or to refer them to local LMCCs. The CHRMO added that there was no directive to eliminate these discussion forums and that it is up to each ADM to address these issues.

The President of PIPSC mentioned that when there is no progress on issues being raised with the regional LMCCs, it is their responsibility to address them with the Deputy through a national LMCC. Bill Sukloff, Vice-President of PIPSC, noted that the Ontario LMCC is progressing well, that they are focusing on local issues and that these are being addressed by the Director of the Real Property Management Division in a timely manner. It was concluded that when the right issues are being reported at the appropriate level, it leads to achievement.

3. Statistics**(a) Labour Relations Dashboard (including Performance Management and Harassment Complaints)**

The DG, WDWS presented the highlights of the Labour Relations (LR) dashboard. She explained that no major issues were found. Although there was an increase in harassment complaints, this could be explained by better awareness and knowledge of the process and the various avenues available to employees. This could also be an indication that fear of reprisal is decreasing amongst employees, as they are more comfortable coming forward with issues.

PIPSC noted that early intervention and good communication are key. They requested that statistics on action plans and grievances on performance be filtered by union affiliations.

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UHEW mentioned that the bargaining agents have no right to interfere in the performance process nor do they have sufficient resources to attend these meetings. However, it was mentioned that when these meetings lead to a disciplinary action, bargaining agents should be involved.

Actions:

3.(a)(i) PIPSC requested that statistics on action plans and grievances on performance be broken down by union affiliations.

3.(a)(ii) The DG, WDWS to verify if we have the data on Core Competencies Rating.

(b) Staffing Actions

Annie Duchesne, Director General, Integrated Classification and Staffing Solution (ICSS), provided an update on various staffing actions and related employment equity data. She explained that statistics on employees in pools and employment equity career growth are not currently available. As for other statistics on employment equity, it was mentioned that they are shared with branch heads on a regular basis and that they are encouraged to ensure representativeness within their selection boards in hiring processes.

PIPSC highlighted issues surrounding staffing pools, more specifically candidates remaining in pools, the accuracy of pools, their tracking mechanisms, transparency and opportunity of job offers. PIPSC requested that non-advertised staffing data be filtered down and inquired about the possibility of having a copy of the message that was shared with branches about staffing pools. The committee members subsequently agreed to pursue this discussion within the staffing committee.

UHEW noted that the role of the staffing committee is to address these issues with more openness and transparency as ultimately the onus is on management to be accountable for their decisions. It was proposed that UHEW share practices and guidelines implemented within other departments with the DG, ICSS for discussion at the next staffing committee.

Action:

3.(b) UHEW to send best practices and guidelines from other departments to the DG, ICSS to be discussed at the staffing committee.

(c) Various Data related to Phoenix

The CHRMO reviewed the Pay Stabilization Dashboard with the committee members. Although the numbers are increasing, many actions are being completed. ECCC has been innovative in its approach by creating a Pay Liaison escalation process, which is administered internally, as well as hiring additional qualified resources to better support our employees. He further presented the benefits of the pay

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grievance process implemented by the Human Resources Branch (HRB) to fast track files to our Pay Liaison team. The CHRMO also explained to the committee members the fundamental difference between the ECCC Pay Liaison team, which works on complex cases, and PSPC, which tends to work on quotas and tackle simple actions in order to reduce the number of files.

Kate McKerlie, Labour Relations Officer, Canadian Association of Professional Employees (CAPE), mentioned that Treasury Board needs to better administer this process as the experience is traumatizing CAPE's members. The CHRMO reassured the bargaining agents that additional funds were invested to reduce, prevent and fix Phoenix issues.

PIPSC also enquired about the status of implementation of the retroactive pay from the last round of collective bargaining. It was mentioned that shift workers are highly affected when it comes to allowances and other specific pay actions. PIPSC enquired about the possibility of assigning pay advisors knowledgeable about shift work to look into pay issues of shift workers. Jocelyne Kharyati, Director General, HR Business Transformation (HRBT), highlighted that the best approach for employees is to call the PSPC Client Contact Centre as they have access to their files and can convey all of the information to them. In addition, the ECCC Pay and Leave Guide is an important reference when employees experience issues.

Action:

3.(c) PIPSC requested status on implementation of last retroactive payment following the signature of the last collective agreements.

4. Pay and My GCHR

(a) Accuracy of Leave Balances and Length of Time for Inter-Departmental Transfers

The DG, HRBT explained that transfers to ECCC remain the responsibility of the PSPC Pay Centre. She noted that the transfer of employees between departments is a challenge and that there is currently a significant backlog. As a best practice, employees are encouraged to actively manage and monitor their leave balances and take note of their credits prior to leaving their department. Bargaining agents agreed that it is a good strategy and that employees should be advised accordingly.

PIPSC raised the issue that other leaves that are in force in various collective agreements are not reported in My GCHR and the leave balance and code are not shown. Many employees are not even aware of their entitlements. Perhaps if employees knew the types of leave available to them, they would be more inclined to use them.

The Director of LR responded that My GCHR does not factor in positive balance for some types of leave as they are not carried over. He explained that this is how the system has always been designed and it cannot

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be amended. Even if these leaves are not part of the leave balances of employees, they might be entitled to them. Furthermore, the DG, HRBT added that employees can always send their questions to the Human Resource Management System (HRMS) Helpdesk for clarification.

Action:

4.(a) HRB to inform employees of good practices to adopt when changing departments or managing their leave balances.

5. Staffing and Classification

(a) Update on Classification Exercises for the PA-IT Groups

The DG, ICSS provided an update on classification exercises. It was mentioned that the new evaluation standards for the Program and Administrative Services (PA) and Comptrollership (CT) groups were approved on March 9, 2019, and that the Financial Management (FI) group will be renamed CT-FIN.

The committee members were informed that internal audit work, currently found within the AS classification, will become its own new sub-group of the new Comptrollership (CT) group. She further noted that a PA steering committee was created and its first meeting was held at the end of September.

PIPSC requested to be informed of any developments regarding the classification of CS and AV Group employees.

6. Learning

(a) Update on Upward Feedback Pilot Project and Exit interviews

This initiative will help foster an open environment that embraces feedback and focuses on a growth perspective, in parallel with ECCC's efforts to strengthen leadership and management capabilities.

A pilot project will be launched this fall and seven (7) branches were identified to participate. The DG, WDWS explained that they are currently finalizing their information package and questionnaire, which was already shared with the bargaining agents. Their feedback is welcome in moving forward.

The pilot will also complement other departmental initiatives such as the wellness programs (values and ethics, mental health, promotion of the Employee Assistance Program), the Leadership and Management Development Curriculum, and other workforce development and prevention strategies. All of these initiatives complement one another and allow to work with branch heads on integrated and customized prevention strategies focussing on healthy and respectful workplaces.

Action:

6.(a) The DG, WDWS to send latest Upward Feedback questionnaire.

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(b) Update on EC Professional Development Program

It was explained to the bargaining agents that each branch with EC employees is responsible for contributing to the development program. Bargaining agents were advised to refer to the ADM, SPB for an update on the EC development program.

7. Wellness

(a) Update on Accessibility Program and Diversity and Inclusion efforts

The DG, WDWS advised the committee members that a secretariat on accessibility was created to support the co-champions for this initiative. In addition, a steering committee was created and a consultation strategy will be developed to seek feedback on a draft ECCC accessibility strategy. A single-window initiative to fast-track accommodation requests related to the duty to accommodate will be managed by a dedicated team of experts, led by Éric Saint-Onge.

UHEW highlighted that teleworking is impacted negatively by the lack of trust between employees and management. It was reiterated that more education and guidelines need to be shared with the parties to build a healthy relationship. PIPSC reminded the committee that telework was included as one of the important items within Beyond 2020 and that the employer should collaborate with the bargaining agents in that respect. The DG, WDWS mentioned that the Canada Public Service School has launched a mini-series of videos on accessibility that focus on the roles of managers and culture change, which we encourage and promote within our Department.

(b) Update on Bill C-65

The updates related to Bill C-65 were discussed with the bargaining agents at the National Joint Occupational Health and Safety Policy Committee (NJOHSPC). The Director of LR explained that a first draft of the regulations was provided to the federal public service in May and that feedback was gathered and provided via the Labour Program of ESDC. It is expected that a more finalized version of the regulations will be circulated again in the fall or early January.

It was proposed that four (4) working groups be created to discuss various provisions of the new regulations and that areas of clarification be identified. UHEW thanked the employer for its proactivity in addressing these challenges. However, the bargaining agent questioned the source of the funds to administer this process and the resources to be identified to provide conciliation services. UHEW reiterated that trust is a key component for departmental investigations and that the respect of privacy during complaint processes remains a concern.

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The CHRMO explained that as the process is legislated, there will be fund commitments and that briefing information will be provided to the new Deputy in this regard. UHEW requested that the new legislation be vetted by different fora such as NJOHSC and by the Deputy through ECCCLMCC.

8. Revision of ECCC Administrative Investigation Policy

UHEW reflected on the ECCC administrative investigation policy. The UHEW President would like it reviewed to ensure that rights of respondents are respected when serving notice, notification of their allegations and their rights of representation. As UHEW referred to the DFO policy, the CHRMO asked that a copy be shared with him.

9. Update on Implementation of New Collective Agreements

Although this item was covered with other agenda items, PIPSC briefly explained that they will be engaging management to discuss the new collective agreement requirements, such as the conference approval process for the RE group and professional development for the RE and SP groups.

10. Round Table

No additional items were raised at the round table.

11. Closing remarks

All committee members welcomed back the UHEW President. Members agreed that their work is important in order to change the culture of the workplace and that having difficult conversations is based on the trust we have for each other.

Both co-chairs thanked everyone for their participation and the open and honest discussions at the table, which allowed for all topics on the agenda to be addressed at this meeting.

Meeting adjourned at 3:45 p.m.