

RECORD OF DECISION
Union Management Consultation Committee - Human Resources Sub-Committee
01 March 2021, 1300 hrs to 1600 hrs
Videoconference

Agenda			
Item	Subject	OPI	
1.	Opening Remarks	Co-Chairs	
2.	Acceptance of Agenda and Previous Minutes	Co-Chairs	
3a.	Mental Health	FGDTLC(E)/DGWM	
3b.	Compensation Update	ADM(HR-Civ)/DGCCB	
3c.	Classification Update	ADM(HR-Civ)/ DGHRops	
4.	Leave with Pay for Other Reasons (699)	ADM(HR-Civ)/ DGHRSD	
5.	Anti-Racism Task Force/Virtual Career Fair	ADM(HR-Civ)/ DGHRops	
6.	COVID Vaccinations for Public Servants	ADM(HR-Civ)/DGWM	
7.	UNDE Items	UNDE	
8.	HR Go Innovation	DGHRSD	
9.	DGWM Update	ADM(HR-Civ)/DGWM	
10.	Round Table	All	
11.	Closing Remarks	Co-Chairs	
Membership			
Co-Chairs		Replacement	Observer
ADM(HR-Civ)		Kin Choi	
FGDTLC(W)		Des Rogers	Kevin Walsh
Members			
DGWM		Peter Hooey	Jennifer Bordeleau
DGHRSD		Vikesh Srivastava	
DGWD		Monica Kolstein	
DGHROps		Barbara Williams	
DGCCB		Joanne Lalonde	
UNDE		June Winger	
FGDTLC(E)		Jerry Ryan	Yves Fournier
PSAC Agricultural Union		Milton Dyck	
PIPSC		Glenn Maxwell	
CMSG		Mark Boucher	
FGDCA		Richard Cashin	
ACFO		Dany Richard	Julie Jobin
CMCFA		Helen Luu	
CAPE		Dean Whyte	
CMSG		Mark Boucher	
FGDCA		Richard Cashin	
IBEW Local 2228		Francis Vaillancourt	
Regrets			
IBEW		Paul Cameron	
Presenters			
DGWM, DTHM		Francois Bariteau	
DGHROps, DCCO		Caroline Aitken	
DGHRSD		Gabriel Delima-Mendonca	
DGHRSD		Matt Hanlon-Brooks	

Resources

ADM(HR-Civ)	Marina Watson, Executive Assistant
DGWM	Ewa Zielinski, Strategic Advisor
DGWM	Aleesha Wallace, Administrative Assistant

Record of Decision

Item 1: Opening Remarks

Summary:

- The Co-chairs welcomed the participants and thanked them for joining.
- Mr. Des Rogers, President, Federal Government Dockyard Trade and Labour Council (West) (FGDTLC(W)), reminded Committee members that the one year point of the COVID-19 pandemic is approaching. Mr. Rogers reminded the committee to check-in with their employees, as fatigue is setting in.
- Mr. Kin Choi, Assistant Deputy Minister (Human Resources – Civilian) (ADM(HR-Civ)), thanked the committee for their collaboration in the resolution of recent issues. He stated that DND is beginning to look at an asymmetrical, Post-COVID environment.

Item 2: Acceptance of Agenda and Previous Minutes

Supporting Documents: UMCC HR-Sub 30 November 2020 Record of Decision, UMCC HR-Sub 01 March 2021 Action Item Matrix.

Summary:

- Mr. Rogers proceeded with the acceptance of the previous meeting minutes and today's agenda.
- Mr. Choi welcomed members' input with regard to the UMCC HR-Sub Action Item Matrix.

Discussion:

- Ms. Jennifer Bordeleau, Director Civilian Labour Relations (DCLR), reported that Item 3.1 from 30 November 2020 on Mental Health as well as Item 2 from 21 September 2020 on Official Languages will be addressed during today's meeting. Item 2 on Organization Charts from 01 June 2020 has been completed.
- Mr. Glenn Maxwell, President, Professional Institute of the Public Service of Canada (PIPSC), inquired about progress on the item related to Scientific Integrity from 04 March 2019.

Action Item:

- DGWM to provide PIPSC with an update on the Scientific Integrity Policy.

Item 3a: Mental Health

Supporting Documents: Workplace Harassment and Violence Prevention Reporting Dashboard

Summary:

- Mr. Jerry Ryan, President, Federal Government Dockyard Trade and Labour Council (East) (FGDTLC(E)), informed members that Mr. Yves Fournier has been elected President of the FGDTLC(E) and would be assuming his new role effective 01 April 2021.
- Mr. Francois Bariteau, Director Total Health Management (DTHM), provided an update on the Workplace Harassment and Violence Prevention (WHVP) Program. He informed the Committee that work is underway to identify a delivery system for training for CAF members

who are not able to access the mandatory training available through the Canada School of the Public Service (CSPS).

- Mr. Bariteau reported that as of 28 February 2021 over 5,000 DND employees have completed the new training available through the CSPS, technical issues have now been resolved and training has recently resumed.
- Mr. Bariteau provided an update on the Employee Assistance Program (EAP). Mr. Rob Chambers, Assistant Deputy Minister (Infrastructure and Environment) (ADM(IE)), was introduced as the new co-champion of EAP last week.

Discussion:

- Mr. Maxwell inquired how cases that occurred prior to the new legislation coming into force but were submitted using the new Notice of Occurrence would be handled. Mr. Maxwell further commented that the use of “civilian” continues to appear in departmental documents when the more accurate terminology is DND employee or public servant.
- Mr. Ryan stated that the dashboard is not capturing the root causes or providing recommendations, both of which are necessary in order to learn from these experiences. Ms. June Winger, President, Union of National Defence Employees (UNDE), requested that resolved cases be broken down by resolution type.
- Ms. Winger inquired about DND’s EAP utilization rate and DND’s progress into identifying a new third party service provider for EAP. Mr. Bariteau explained that the utilization rate for EAP remains at approximately 3% despite the re-establishment of the peer advisors.
- Mr. Rogers offered his support for a hybrid approach that includes peer advisors as it meets the needs of different employees. He emphasized this point to Mr. Chambers.
- Mr. Milton Dyck, Public Service Alliance of Canada, Agricultural Union (PSAC, Agricultural Union), inquired about the committee structure of the National EAP Advisory Committee. Mr. Bariteau stated that the National EAP Advisory Committee is a stand-alone committee that includes employer and employee representatives, and is held semi-annually.

Item 3b: Compensation Update

Supporting Documents: Compensation Update

Summary:

- Ms. Joanne Lalonde, Director General Civilian Compensation and Benefits (DGCCB), provided an update on compensation that included an overview of: Phoenix 9.2 upgrades, the redesign of pay processes and the wind up of Canada Post’s e-Post service in December 2022.
- Ms. Lalonde informed the committee that DND has reached another milestone with regards to backlogged pay cases, and that currently the backlog is under the 25,000 threshold.
- Ms. Lalonde explained that due to the success of the client care calls that were implemented during COVID, Compensation will continue this initiative. She advised the committee of the new Public Service and Procurement Canada (PSPC) Overpayment Project and the changes that will be made upon implementation 1 May 2021.

Discussion:

- Ms. Winger stated that she is still very concerned with current Section 34 timeliness. Ms. Winger further stated that compliance with Section 34 timelines must be ensured.
- Ms. Lalonde noted that effective February 2021, the Robotics Process Automation (RPA) project will notify managers by email of outstanding Section 34 approvals to ensure timely submissions. Ms. Lalonde will share the automated email as well as provide the backlog breakdown by year with the committee.

- Mr. Maxwell advised that the updated Human Resource Services and Support (HRSS) portal only provided phone numbers and not website links. Mr. Maxwell inquired if a website link could be added. Ms. Lalonde will investigate the possibility of adding a link.
- Mr. Dany Richard, Association of Canadian Financial Officers (ACFO), inquired about the statute of limitations on collecting the overpayments. Ms. Lalonde confirmed that there is a statute of limitations of six years for collecting overpayments. PSPC has identified 535 employees within DND who have been overpaid and DGCCB is supporting these employees.
- Mr. Dyck inquired as to who was responsible for complex compensation cases as well as issues relating to the Phoenix Damages pay out. Mr. Dyck also expressed concern related to a recent pay issue experienced by the Education and Library Science (EB) Group.
- Ms. Lalonde stated that the DND compensation team works collaboratively with PSPC to resolve these cases. Together the two organizations look at age, value and hardship to establish priorities and work together to resolve these cases. Ms. Lalonde confirmed that the problems with the EB group related to the rate of pay and did not apply to all employees in the group.

Action Items:

- DGCCB will provide Committee members with a breakdown of the department's compensation backlog by Fiscal Year and Section 34 email template.
- DGCCB will investigate the possibility of adding a website link to the HRSS Portal.

Item 3c: Classification Update

Supporting Documents: Classification Update

Summary:

- Barbara Williams, Director General Human Resources Operations (DGHROps) and Caroline Aitken, Manager, Director Civilian Classification and Organization (DCCO) provided an update on recent classification activities.
- Ms. Aitken provided updates on vacancy management, progress on Standardized Job Descriptions (SJD), as well as classification grievances.
- Ms. Aitken briefed the committee on the mapping activities for Computer Systems (CS), Program Administration (PA) and Financial Management (FI) groups.

Discussion:

- Mr. Maxwell expressed his frustration that there are no end state organizational charts currently available, he is concerned at the lack of implementation date for the project. Ms. Aitken responded that ADM(HR-Civ) will share final organization charts as soon as they become available.
- Ms. Williams advised that the TBS has consistently discussed an implementation timeline of October to December 2021. Ms. Williams committed to share the most up to date information with the Committee once received.
- Ms. Williams stated that Ms. Danielle Simard (DCCO) will follow up with Ms. Winger on UNDE's role in the proposed co-led sessions for employees' offline.

Action Items:

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Item 4: Leave with Pay for Other Reasons (699)

Supporting Documents: DND 699 Leave Usage – Strategic Highlights

Summary:

- Mr. Vikesh Srivastava, Director General, Human Resources Strategic Directions (DGHRSD), presented a breakdown of DND employees' usage of leave under leave code 699. He noted that although the breakdown includes an analysis of UNDE utilization of this type of leave, DGHRSD is able to provide a similar breakdown for other bargaining agents should they be interested.
- The breakdown includes an analysis by gender, region, L1 and occupational group. It also provides a comparison to the broader Public Service Departments based on data from the TBS.

Discussion:

- Ms. Winger inquired if the data could be further broken down by Employment Equity (EE) group, as there was great emphasis on gender early in the pandemic and it would be valuable to have an EE lens to analyze this type of data. Mr. Maxwell added that it would be useful to know the grounds that were used to request the 699 leave and the cases where the leave was not granted.
- Mr. Fournier inquired as to whether there is any anticipated change in the TBS directive related to this type of leave. Ms. Bordeleau responded that in a recent meeting, it was determined that the approach to Other Leave with Pay remains status unchanged. Ms. Bordeleau confirmed that at every opportunity departmental communications reinforce the need for managers to be flexible, take a case by case, empathetic approach with employees who request this type of leave.
- Mr. Rogers confirmed this was the same message received by bargaining agents through National Joint Council meetings with TBS.

Item 5a: Anti-Racism Task Force**Supporting Documents: Anti-Racism Staffing Task Force Update****Summary:**

- Ms. Williams introduced the Anti-Racism Staffing Task Force project's hashtag as #WordsToAction and provided an update on the recent activities of the Task Force including an environmental scan that further identified five themes for action.
- Ms. Williams elaborated on proposed actions related to the first three of the themes; Outreach and recruitment, selection processes & assessment, as well as tools & templates.
- Ms. Williams reported that an Anti-Racism Task Force Advisory Group would be established in March 2021 and that the Advisory Group would include employer and employee representatives.

Discussion:

- Mr. Maxwell stated that there is a need to integrate the Defence Advisory Groups into the work of the Task Force. He added that managing remote workers remains an evolving challenge, therefore the changing nature of work needs to be considered.
- Ms. Williams advised that the presentation addressed only the initial steps taken by the Task Force. The integration of the DAGs has been considered, and they will participate on the Advisory Group.
- Ms. Monica Kolstein, Director General Workplace Development (DGWD), stated that ADM(HR-Civ) is working with the TBS on breaking down EE data to delve deeper. Disaggregated data has been requested by the Deputy Minister, and DGWD is working with L1's to develop EE plans.
- Mr. Srivastava added that meaningful, data is necessary in order for ADM(HR-Civ) to provide L1's with concrete support.

- Ms. Helen Luu, Canadian Military Colleges Faculty Association (CMCFA), inquired about the availability of a resource person to help review a job posting to spot unconscious bias. Ms. Williams suggested that Ms. Luu contact her directly for support.

Action Items:

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Item 5b: DND Virtual Career Fair

Supporting Documents: DND Virtual Career Fair Presentation

Summary:

- Ms. Williams provided a report on the DND Virtual Career Fair held on 28 January 2021.

Discussion:

- Mr. Richard inquired as to whether these type of events would continue in the post pandemic world?
- Ms. Williams confirmed that they would. Virtual career fairs allow the department to reach a wider, more diverse audience. The virtual fairs are customizable to particular recruitment needs, and are cost effective.
- Mr. Rogers stated that bargaining agents would appreciate advance notice of such events in order to advise their members looking for career advancement. Ms. Williams committed to providing notice in future.

Item 6: COVID Vaccinations for Public Servants

Supporting Documents: No supporting documents

Summary:

- Ms. Bordeleau thanked the Committee members who participated in the consultation meeting on 22 January 2021. The input provided on criteria and prioritization for the vaccination of DND employees has been shared with the Public Health Agency of Canada (PHAC) and Health Canada (HC) for use in their ongoing discussions with the Office of the Chief Human Resources Officer (OCHRO).
- The first group for consideration includes those providing direct patient care and first responders. For DND, this includes NU (Nursing), MD (Medicine), and FR (Firefighters) but does not include those identified for preserving health care capacity (i.e., trained as a nurse but working in policy).
- HC has committed to examining the potential for Ship Officers (SO) and Ship Repair (SR) groups, in conjunction with the Coast Guard, given the NACI criterion of congregate living settings (i.e., close quarters on a ship – sleeping, eating).

Item 7: UNDE Items

Supporting Documents: No supporting documents

Military Spouse Employment Initiative (MSEI)

- Ms. Winger re-iterated UNDE's position that the MSEI is unfair to Public Service Employees. Ms. Winger advised that members feel overlooked by this process and that military spouses are already entitled to priority consideration within the staffing regime, she asked that DND reconsider the MSEI.
- Mr. Choi stated that the MSEI is an initiative under *Strong, Secure, Engaged*. He added that employment issues are particularly challenging for military families as they change

postings. The issue of nepotism is taken seriously and addressed whenever it arises. Please inform us immediately if you suspect nepotism of any kind.

- Ms. Williams confirmed that merit is at the centre of the MSEI. She added that since 2018, 178 military spouses have joined the public service as a result of MSEI staffing. She reminded Committee members that military spouses aren't priorities under the Public Service Employment Regulations unless they are already members of the Public Service while the MSEI is outside the public service. Ms. Williams added that staffing advisors are advised to pay close attention to cases where there appears to be nepotism.

Official Languages (OL)

- Ms. Winger raised the issue of the language of union messages on the DWAN and on bulletin boards. Her understanding is that bargaining agents are not required to follow the Official Languages Act and they are not subject to OL complaints. Any questions about the language of union messages would be referred to the union.
- Mr. Choi confirmed that this is the case and asked that the meeting minutes reflect this.

Printing of Collective Agreements:

- Ms. Winger stated that the PA Collective Agreement requires that a printed copy of the agreement be provided to each member. Ms. Winger requested confirmation that this will occur.
- Ms. Bordeleau advised that this matter would require additional discussion between UNDE, PSAC Agricultural Union and DGWM to ensure the spirit and intent of the Collective Agreement is met while taking the current pandemic, health and safety, greening, remote work, and cost into consideration for distribution.

Action Items:

- DGWM to meet with UNDE and PSAC - Agricultural Union to discuss distribution of Collective Agreements.

Item 8: HR Go Innovation

Supporting Documents: No supporting documents

Summary:

- Mr. Srivastava provided Committee members with an advanced look at new innovations under development for the HR Go app.

Discussion:

- Mr. Maxwell commented that the HR Go app was a great tool and that while he appreciated the update, personal information must be properly secured to prevent theft. Mr. Srivastava assured the Committee that the design team had addressed privacy and security issues.
- Mr. Dean Wythe, Canadian Association of Professional Employees (CAPE) inquired if the news and events features will have a geographic element, and if a live chat feature will be added. Mr. Srivastava confirmed that there would be a geographic component to the events feature and that there was the possibility of a live person chatbot.

Item 9: DGWM Update

Supporting Documents: No supporting documents

Summary:

- Ms. Bordeleau provided an update on current DGWM activity including the Cannabis/Impairment Policy Review, Leave Carryover and Labour Relations Statistics.
- Ms. Bordeleau advised that D Safe G will be reviewing all comments for both CAF and PSE Cannabis/Impairment policies. The intent is to have the third draft of Cannabis and the second draft of Impairment out for review by mid-March, after which a virtual meeting will be scheduled.
- Ms. Bordeleau provided the committee with the latest Grievance Statistics. She stated that as of 26 February 2021, seventy-one (71) backlog files have been closed (39%) as well as eighteen (18) priority files (58%).
- Ms. Bordeleau added that an additional twenty-one (21) third level grievances not part of those lists were closed or settled in February. Seven (7) Leave 699 grievances have been closed and tracking will continue on the twenty two (22) active cases.

Discussion:

- Mr. Maxwell suggested that there is an opportunity to co-develop a message with respect to leave carryover with the DM and CDS sending out a message that is endorsed by all bargaining agents.
- Mr. Fournier suggested that certain local managers were of the opinion that the DM's message did not apply to them.

Action items:

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Item 9: Roundtable

Discussion:

- Ms. Winger reported that employees at the Communications Security Establishment (CSE) were in a legal strike position. She also expressed her disappointment regarding the CRA decision that Phoenix damages are taxable. Ms. Winger further stated that UNDE is frustrated by the PSPC decision to pay Phoenix damages as part of regular pay cheques, as employees were taxed at higher rates.
- Ms. Winger reported that three of four bargaining units have provided notice to bargain. She added that UNDE will attempt to add Harassment in future Collective Agreements, as the Bargaining Agents have attempted to do in the past.

Item 10: Closing Remarks

Summary:

- The Committee offered congratulations to Mr. Fournier on his election to the position of President of the FGDTLC(E) and their sincere thanks to Mr. Ryan for his passionate leadership.
- Mr. Choi offered his thanks to Mr. Ryan for his contributions. He also thanked the Committee for a good meeting and ended by saying that he looked forward to continuing the collaboration in future.

Record of Decision approved by:

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29 March 2021

Kin Choi
ADM(HR-Civ)
Co-Chair



April 12/21

Des Rogers
FGDTLC(W)
Co-Chair