

RECORD OF DECISION
Union Management Consultation Committee - Human Resources Sub-Committee
29 November 2021, 1300hrs to 1600hrs

Videoconference

Agenda		
Item	Subject	OPI
1.	Opening Remarks	Co-Chairs
2.	Acceptance of Agenda and Previous Minutes	Co-Chairs
3.	Chief Professional Conduct and Culture Presentation	CPCC
4a.	Mental Health	ADM(HR-Civ)/DGWM
4b.	Compensation Update	ADM(HR-Civ)/DGCCB
4c.	Classification Update	ADM(HR-Civ)/ DGHRO
5.	EAP Update	ADM(HR-Civ)/ DGWM
6.	Non-Advertised Staffing	ADM(HR-Civ)/ DGHRO
7.	Talent Management	ADM(HR-Civ)/DGWM
8.	Round Table	All
9.	Closing Remarks	Co-Chairs

Membership			
Co-Chairs		Replacement	Observer
ADM(HR-Civ)	Isabelle Desmartis		
FGDTLC(W)	Des Rogers		Kevin Walsh
Members			
DG-HR	Peter Hooey		
A/DGWM	Jennifer Bordeleau		
DGHRSD	Vikesh Srivastava		
DGWD	Monica Kolstein		
DGHRO	Barbara Williams		
DGCCB	Joanne Lalonde		
UNDE	June Winger		Paul Jones
FGDTLC(E)	Yves Fournier		Freddie Hutchison
PSAC Agricultural Component	Audrey St-Germain		
CMCFA	Helen Luu		
PIPSC	Tom Zaharopoulos		Peter Jozsa
FGDCA	Richard Cashin		
ACFO	Dany Richard		
IBEW	Paul Cameron		
Regrets			
CMSG	Bernard Talbot		
FGDCA	Wanda Boudreau		
CAPE	Julie Jobin		
CMSG	Mark Boucher		
Presenters/Observers			
ADM(PCC)	Marie Doyle		
ADM(PCC), DGPOR	Alexandre Seguin		
DGWM, DTHM	Francois Bariteau		
DGWM, DTHM	Charlaine Mallette		

DGHRO, DCCO
DGCCB, DCBDI
ADMO

Elena Power
Beth Ford
Nathaniel Cousins

Resources

DGWM
DGWM
DGWM

Aleesha Wallace
Amanda Power
Colleen Gibson

Record of Decision

Item 1: Opening Remarks

Summary:

- Ms. Isabelle Desmartis Assistant Deputy Minister (Human Resources – Civilian) (ADM(HR-Civ)) welcomed participants to the meeting.
- Mr. Des Rogers, Federal Government Dockyard Trade and Labour Council (West) (FGDTLC (W)) thanked everyone for attending today's meeting. Mr. Rogers congratulated Ms. June Winger, Union of National Defence Employees (UNDE), on her recent re-election as Union President and Mr. Paul Jones on his election to Executive Vice President of UNDE.

Item 2: Acceptance of Agenda and Previous Minutes

Supporting Documents: UMCC HR-Sub 13 September 2021 Record of Decision, UMCC HR-Sub 29 November 2021 Agenda, UMCC HR-Sub Action Item Matrix.

Summary:

- The co-chairs presented the previous meeting minutes, the present agenda, and the action item matrix for approval.

Item 3: Chief Professional Conduct and Culture Presentation

Supporting Documents: UMCC HR Sub-Committee CPCC Presentation (PowerPoint)

- Ms. Marie Doyle, Associate Assistant Deputy Minister (Chief Professional Conduct and Culture) (CPCC) provided an update on the CPCC's recent activities.
- Ms. Doyle thanked the union leaders for their contributions to the CPCC's work. This input has helped identify areas for action and informed how the CPCC has organized itself.
- The CPCC is still bringing together core capacity from across the department where these resources have been siloed (e.g. antiracism task force, Workplace Harassment and Violence Prevention, ethics, etc.) and identifying gaps where they may exist. Teams and resources from other L1s will eventually be transferred to the CPCC.
- The CPCC leadership team has been established and includes both CAF and public service leaders. CPCC business planning activities are underway and will continue over the winter.
- CPCC consultations revealed that there are numerous complaint mechanisms available and people do not always understand how to access or navigate these processes. Further, there is a lack of support for people moving through the processes. This has challenged the CPCC to identify a better way to support DND/CAF members. The CPCC hopes to report on complaints processes in FY2023.
- There is also a need for a digital backbone supporting the complaints system to provide accurate, reliable, tracking and monitoring information. Internal and external feedback identified this as lacking.

- Mr. Alexandre Seguin, Director General, Policy, Engagement and Research (DGPÉR) explained that three Lines of Effort (LOE) have been identified and are moving forward. The well-being, safety and confidentiality of participants has been factored into the design of the engagement activities. LOE1 is senior leadership engagement through small listening sessions and larger town halls. These are primarily virtual for maximum reach. LOE2 is being run through a contractor and involves focus groups with senior leaders and other targeted individuals. These LOEs will be followed by a third LOE, mirroring exercises with senior leadership, to validate earlier LOEs. These mirroring workshops with leadership across DND/CAF will take stock of culture diagnostics, and align priority areas to ensure the efforts and themes emerging from LOE1 and 2 are integrated and implemented. A final report on DND/CAF culture consultations and diagnostic results, based on information collected by the external contractor, is to be prepared by spring 2022.

Discussion:

- Ms. Winger asked if local Health and Safety and Union Management Committees were being included in sessions. Ms. Doyle replied that the CPCC has tried to include these committees but have left it up to local leadership to make the linkages. This doesn't always happen and is an area for improvement. Ms. Winger offered to partner with the CPCC to reach out to local union representatives encouraging them to support the initiative, provided she be advised in advance of the scheduled meetings.
- Ms. Helen Luu, Canadian Military Colleges Faculty Association (CMCFA) asked if LOE2 will include union leaders in focus groups. Ms. Doyle committed to ensuring that this happens.
- Ms. Doyle added that Madame Arbour is also conducting engagement sessions and the CPCC is working with them so as not to confuse people they are meeting.
- Ms. Doyle reported that early findings include:
 - Gaps in communications
 - Unequal power leads to fears of reprisal, unequal access to training, promotions, etc.

Item 4a: Mental Health

Supporting Documents: No supporting documents

Summary:

- There is currently no union co-chair for the mental health file. Mr. Rogers will work with his bargaining agent colleagues to identify someone to fill this role.
- Mr. Francois Bariteau, Director Total Health Management (DTHM) provided an update on the Employee Assistance Program (EAP).
- There are some encouraging signs following the appointment of a new Minister of Mental Health and Addictions following the last federal election.
- Within the federal government disability claims continue to rise. The Office of Disability Management (ODM) within DND has seen unprecedented demand for services; many related to mental health issues, something that wasn't seen before COVID-19. These claims take more time and require more support.
- The Lifeworks Platform pilot results indicate that as COVID-19 surged, there was a negative impact on mental health.
- Plans are underway for Bell Let's Talk 2022. The event will be broadcasted live on MS Streams from NDHQ Pearkes with the DM, VCDS, the new Employee MH co-champion, Bell Ambassador and CAF Surgeon General.

Discussion:

- Ms. Luu noted that the majority of mental health communications have focused on employees while managers are also under a great deal of stress.
- Ms. Charlaïne Mallette, Senior Manager, Organizational Well-Being, Total Health Management (DTHM), reported that Lifeworks looked at managers generally and discovered that they had the lowest mental health scores in Canada. This low score definitely impacts relationships within the workplace.
- Ms. Luu added that when there was confusion about vacation leave and COVID-19, senior leadership provided a blanket statement to clarify the situation. Is it possible to provide a similar message to managers given we know they have been under stress and that this may be contributing to conflict in the workplace.
- Mr. Rogers agreed that managers are also under a lot of pressure.

Action Item:

- DTHM will consider messaging for managers recognizing the impact COVID-19 has had on their roles and increased responsibilities.

Item 4b: Compensation Update**Supporting Documents:** DND Compensation Update (PowerPoint)**Summary:**

- Ms. Joanne Lalonde, Director General Civilian Compensation and Benefits (DGCCB), provided an update on recent compensation activity.
- She reported a 7% decrease in compensation backlog and a 27% reduction in Section 34 transactions from 3,504 transactions to 2,566 since 1 April 2021. Ms. Lalonde reported that the PSPC is hiring 210 additional staff to further support reductions in backlog.
- Overall timeliness remains an issue across government. As government-wide solutions are identified, these will be shared with Committee members. Currently within DND, timeliness sits at 58%, a reduction of 18% since 1 April 2021. The Government of Canada target is 80% and DND target is 90%. Acting's (23%) and acting extensions (24%) are the biggest contributors to the weak timeliness results. Late acting's are a systemic issue across the Government of Canada. The compensation team is doing a deep dive to attempt to identify possible problem areas and develop strategies to address these.
- Ms. Lalonde explained that client care calls that began as a wellness initiative during COVID-19, have been rolled into the compensation consultation model. There have been over 3,000 consultations since 1 April 2021.
- The Life Event update (e.g. self-service tools related to maternity, retirement, etc.) launch has been delayed to Q4 so as not to conflict with the vaccine policy implementation.
- CS/IT conversion is progressing well and on schedule.
- The moratorium for automatic cash-out of leave is set to expire at the end of FY 2021-2022 with the cash-outs paid based on leave balances as of 31 March 2022. ADM(HR-Civ) is developing a series of broad and targeted communications to the Defence Team to promote the drawdown of leave. Once official Treasury Board of Canada Secretariat (TBS) FAQs and communications are received, messages to L1s will be sent out.
- Ms. Beth Ford, Director Civilian Compensation and Business Development and Business Implementation (DCCBDI) provided an update on employee departures and leave without pay resulting from the new TBS vaccination policy. While the numbers vary from day to day, it appears that approximately 20 employees have retired, resigned and 200 employees have

asked for accommodations. The compensation team is working to ensure these people are not overpaid.

Discussion:

- Ms. Winger expressed concern with respect to waiting to distribute messages regarding vacation cash out. Employees should be provided with the information as soon as possible as some managers are directing their employees that all excess leave must be used by end of fiscal year. Ms. Winger requested managers receive a message advising them to await TBS direction.
- Ms. Lalonde will follow up with TBS to see when their messaging will be coming. It is important that our communications be accurate and aligned.
- Ms. Desmartis reminded union leaders that if there are locations or situations of concern, please let us know and we will follow up.
- Dany Richard, Association of Canadian Financial Officers (ACFO) commented that the National Joint Council (NJC) is working with the Office of the Chief Human Resources Officer (OCHRO) to finalize the wording for the leave cash-out messaging. OCHRO also wants people to use their leave.
- Mr. Richard asked for a breakdown of the 340 requests for accommodation. Ms. Jennifer Bordeleau, Acting Director General Workplace Management (DGWM) explained that the requests are predominantly religious. These are assessed using a three part legal test. Some people have asked for accommodation based on other grounds such as the Charter, personal and moral which are not permitted.
- Mr. Yves Fournier, Federal Government Dockyard and Labour Council (East) (FGDTLC-E) inquired about the process for retirees to collect Phoenix damages. Ms. Lalonde reported that communications from the Pay Centre have been distributed. Mr. Rogers suggested that this information be posted on union websites as retirees consult these as well. Ms. Lalonde agreed to offer this suggestion to the TBS for the whole of government.
- Ms. Luu reported that some of her members did not receive the Phoenix overpayment letters in time to respond and were therefore subject to the automatic cash-out. Is there anything these individuals can do? Ms. Lalonde mentioned that it is case by case, and requested that Ms. Luu provide her with further information. Specific cases should be addressed directly to the Pay Centre or to the Compensation team via HRConnect. Ms. Lalonde agreed to follow up with the Pay Centre on the matter as they are leading this work.
- To enable the Committee adequate time to address Compensation business, HR-Civ will arrange for a dedicated meeting on Compensation aligned to the next HR Sub-Committee meeting.

Action Items:

- DGCCB to follow up with the Pay Centre to determine what redress that may be available to employees who unintentionally had their leave cashed out.
- HR-Civ will arrange for a dedicated UMCC Compensation Check-In Meeting.

Item 4c: Classification Update

Supporting Documents: Classification Update (PowerPoint)

Summary:

- Ms. Barbara Williams, Director General, Human Resources Operations (DGHRO) introduced Ms. Elena Power, Acting Director Civilian Classification and Organization (DCCO).

- In light of the busy agenda and limited time, the union leaders were invited to forward comments or questions on the update to DGHRO/DCCO directly.

Item 5: EAP Update

Supporting Documents: Employee Assistance Program (EAP) Review (PowerPoint)

Summary:

- Mr. Rogers reported that the National EAP Advisory Committee (NEAPAC) met in November and that he was pleased with the direction the program was taking.
- Ms. Mallette provided an overview of the EAP review currently underway. The last review was conducted in 2014. The internal review covers policy and guideline elements, tools, as well as the recruitment, training and development of peer advisors.
- In terms of external counselling services, the NEAPAC committee endorsed the recommendation to obtain these EAP services elsewhere to address gaps with the current provider.

Discussion:

- Ms. Luu noted that there appears to be a concerted effort to diversify the practitioner pool and asked if this was also the case for Peer Advisors (PA). Ms. Mallette confirmed that it is.
- Ms. Winger asked if an equity lens would be used in recruiting PAs. Ms. Mallette confirmed that employment equity would be a consideration but not in a limiting way, rather to ensure proper representation and cultural competency in the delivery of EAP services.
- Ms. Winger noted that historically PAs were nominated by local union leaders and management who sign off on the nomination. Ms. Mallette reported that the process has not yet changed but that there are challenges with this process as it can lead to lengthy delays. This is a topic Ms. Mallette would like to discuss further with union leaders in future and will schedule a meeting to this effect.

Item 6: Non-Advertised Staffing

Supporting Documents: Review of DND's Use of Non-advertised Appointments (PowerPoint)

Summary:

- Ms. Williams provided an overview of non-advertised staffing activity within DND.
- Non-advertised staffing has increased across the federal government with the introduction of a New Direction in Staffing in 2016. DND utilization rates of non-advertised staffing outpace the Public Service by 9-11% in the past two years. Currently 64% of DND staffing activity is non-advertised.
- A closer analysis of the staffing data reveals that 40% of non-advertised transactions are low risk and operational. The remaining 60% were found to support candidate consideration, business needs and/or organizational priorities (e.g. MSEI, positions related to COVID). There are issues with the data quality in terms of the Articulations of Decision that need to be addressed to ensure accurate categorization of the reason for the non-advertised staffing.

- Non-advertised processes hire proportionally more people with disabilities and women than advertised processes, whereas advertised processes promote proportionally more indigenous employees. At senior levels, non-advertised processes support promotions of racialized employees.
- Continual communication and on-going monitoring is required to ensure the choice of process reflects the desired appointment outcome based on business needs and organizational context.
- Ms. Williams stated that staffing needs to include a mix of choice of process in order to account for flexibility, business needs and operational considerations.

Discussion:

- Mr. Richard asked if a separate session could be booked to discuss non-advertised staffing. The results presented to the Committee are concerning. While his members appreciate that staffing follows the merit principle, his members want an opportunity to compete for positions.
- Ms. Williams offered to meet with union leaders to discuss further, she noted that communications to hiring managers and job aids have been distributed to remind managers of their responsibilities and that staffing advisors will need to review the choice of process in order. It may be time to take steps to ensure we have a healthy staffing regime.
- Ms. Luu, asked if she could review the University Teacher (UT) data to get a clearer idea on what reasons were provided for using non-advertised processes.
- Ms. Williams responded that the Articulation of Decision cannot be shared but other data can be. She will follow up with Ms. Luu.
- Ms. Winger stated that she hears anecdotally that HR advisors are recommending non-advertised processes. This is problematic on Bases and Wings where there are so few opportunities to advance.
- Ms. Williams noted that the choice of process speaks to a variety of factors (e.g. employment equity, technical skills, and geographic considerations). HR advisors would never identify non-advertised staffing as the only option available. As always, employees have the option of the complaints process and union leaders are encouraged to raise any issues with Isabelle or myself.
- Mr. Jones noted that he is aware of cases where employees miss the opportunity to complain about a process because the Notice of Consideration (NOC) is not posted. Ms. Williams expressed that the NOC is a legal requirement and is always posted. She encouraged union leaders to reach out to her when concerns such as this arise.
- Ms. Williams noted that based on the numbers the department may have to dial back the use of non-advertised staffing a bit. Ms. Desmartis recognized the importance of these discussions and added that we need to do more to understand the data so we can intervene appropriately.

Action Item:

- DGHRO will follow up with CMCFa with details of non-advertised staffing decisions affecting UTs.

Item 7: Talent Management

Supporting Documents: No supporting documents

Summary:

- Ms. Monica Kolstein, Director General Workforce Development (DGWD) reported that with the Treasury Board Policy Reset came an update to Talent Management. Talent management in DND tends to be left to L1s to support. The result is uneven across various organizations. DND is currently looking at how to frame talent management so that it is more employee-driven. DGWD is currently piloting a new talent management program. Once completed, a full report will be provided to UMCC.

Item 8: Roundtable

Supporting Documents: No supporting documents

Discussion:

- Ms. Winger noted that previously UMCCs have provided e-bulletins and requested that this practice be reinstated.
- Ms. Winger reported that her members are still concerned about national pools. The use of national pools creates confusion and suspicion for employees. Having discussions about the use of national pools before they are posted would help alleviate some of the concerns.

Action Item:

- DGWM will continue providing union leaders with e-bulletins.

Item 9: Closing Remarks

Summary:

- Ms. Desmartis thanked everyone for their patience as the Committee moved through a full agenda and complex discussions. She appreciates the frank discussions.
- Mr. Rogers wished everyone the best of the season and reminded them that the National UMCC meeting was scheduled for 12 January 2022.

Record of Decision approved by:

DESMARTIS,
ISABELLE 103

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