

RECORD OF DECISION
Union Management Consultation Committee – Human Resources Sub-Committee
6 June 2022, 1000hrs to 1200hrs

Agenda		
Item	Subject	OPI
1.	Opening Remarks	Co-Chairs
2.	Acceptance of Previous Minutes, Agenda & Previous Business	Co-Chairs
3.	Mental Health	ADM(HR-Civ)/DGWM
4.	Classification Update	ADM(HR-Civ)/DGHRO
5.	Compensation Update	ADM(HR-Civ)/ DGCCB
6.	Inclusive Behaviours	ADM(HR-Civ)/DGWD/DGDMO
7.	Staffing Update	ADM(HR-Civ)/DGHRO
8.	Heyder-Beattie Update	ADM(HR-Civ)/DGWM
9.	Round Table	All
10.	Closing Remarks	Co-Chairs

Membership			
Co-Chairs		Replacement	Observer
ADM(HR-Civ)		Isabelle Desmartis	
FGDTLC(W)		Des Rogers	
Members			
DGWM		Jennifer Bordeleau	
DGHRS		Beth Champoux	
DGWD		Monica Kolstein	
DGHRO		Barbara Williams	
DGCCB		Joanne Lalonde	
UNDE		June Winger	Paul Jones
FGDTLC(E)		Yves Fournier	
PSAC Agricultural Component		Milton Dyck	
CMCFA		Helen Luu	Sylvain Leblanc
CMSG		Bernard Talbot	
FGDCA		Wanda Boudreau	
PIPSC		Tom Zaharopoulos	
ACFO		Stephanie Rochon	
IBEW		Paul Cameron	
Regrets			
CAPE		Julie Jobin	
Presenters/Observers			
DGWM, DTHM		Francois Bariteau	
DGWM, DLRO		Kelly Walsh	
DGHRO, DCCO		Elena Power	
DGHRO, A/DSPP		Cindy Clark	
DGHRO, DNSO		Julie Richer Gobuyan	
DGCCB, DCBDI		Otilia Spiller	
ADMO		Nathaniel Cousins	
Resources			
DGWM		Aleesha Wallace	
DGWM		Amanda Power	

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 and participating in the meeting.

Item 2: Acceptance of Agenda and Previous Minutes

Supporting Documents: UMCC HR-Sub 7 March 2022 Record of Decision, UMCC HR-Sub 6 June 2022 Agenda

Summary:

- The co-chairs presented the previous meeting minutes, as well as present day agenda. There were no action items from the previous meeting, therefore no action item matrix was presented for approval.

Item 3: Mental Health Update

Supporting Documents: No supporting documents.

- Ms. Wanda Boudreau, Federal Government Dockyard Chargehands Association (FGDCA) confirmed that the Arbour Report was released on 30 May 2022. She stated that although it was Canadian Armed Forces (CAF) focused, she looked forward to working with the department to build a better workplace. Ms. Boudreau further stated that she is positive that the Director, Total Health Management (DTHM) team's progress with regard to the expansion of the Office of Disability Management (ODM) will have a significant and positive impact on the quality of services employees receive.

Updates on the Organizational Well-Being Program (Shared Secretarially)

- As discussed in March, the program continues its work to stand-up a small intervention cell comprised of social workers to provide specialized in-house team services (i.e. trauma management, grief & loss, stress management, etc.) in order to deliver timelier mandated support in critical and traumatic situations, and consistently and sensitively accompany managers and their teams faced with workplace well-being challenges. The program is pleased to report that it had appointed its manager for the unit, and that the development of the framework for the new cell is progressing well. The program should be in a position to recruit its social workers over the course of the summer.
- The team has been actively working with the Assistant Deputy Minister (Materiel) (ADM(Mat)) to draft the Request For Proposal (RFP) for the Employee Assistance Program (EAP) services, which this table was briefed on and endorsed last November. In a recent development, Public Services and Procurement Canada (PSPC) has agreed to take on the file despite it falling well within DND's threshold for procurement authorities, to help reduce the perception of a conflict of interest. The team is currently transitioning the file from ADM(Mat) to PSPC and should receive an updated timeline shortly.
- Upon the renewal of the EAP contract with Health Canada (HC) on 1 April, and in order to address employees' pressing concerns while the team continues to review the program, it has extended the maximum number of counselling sessions from 8 to 10, and extended eligibility for family members of a deceased employee from 3 to 12 months.
- Work has continued on the internal specifics of the Peer Review Program. In addition to reviewing training requirements for Peer Advisors (PA), the team streamlined the recruitment process to continuously and expeditiously recruit and onboard new volunteers and developed a recognition program to acknowledge the contribution of our volunteers to healthier workplaces.

- Piloting for the new recruitment and vetting process is ongoing with bargaining agents at this table at the moment, using 29 waitlisted PA candidates to get things underway. After this initial round, the team will open recruitment to all, and the timing will coincide with a promotional campaign currently in the works to celebrate EAP's 40th Anniversary. This campaign can be expected near the end of the summer. The team is hoping that the new streamlined vetting process, ongoing recruitment and aggressive promotion strategy will help us boost PA numbers significantly.

Item 4: Classification Update

Supporting Documents: Classification Update (PowerPoint)

Summary:

- Ms. Barbara Williams, Director General Human Resources Operations (DGHRO), and Ms. Elena Power, Director Civilian Classification Operations (DCCO) provided an update on recent classification activities.
- Ms. Williams stated that the Welfare Programs (WP) and Financial Management (FI) conversions are tracking well and that the Classification Team is looking ahead to the PA (Program Administration) group conversion, however DND is waiting on communication from the Office of the Chief Human Resources Officer (OCHRO). New messaging will be coming shortly and the bargaining agents will have a chance to review prior to sending.
- Ms. Power stated that the team is working hard to ensure that as many Standardized Job Descriptions (SJDs) are ready for the PA and Comptrollership (CT) group conversion once all positions are aligned. Work continues with interdepartmental committees to evaluate the internal audit of SJDs.
- Classification grievances remain low. There are currently 33 grievances at this time, 22 grievances of which are job content related and 11 related to classification grievances. DCCO and Director, Labour Relations Operations (DLRO) are working together to ensure that they are being actioned in a timely manner.

Discussion:

- Ms. June Winger, Union of National Defence Employees (UNDE) stated that in the presentation there were 14 grievances that were listed as untimely, and inquired as to the cause of this. Ms. Williams advised that it was due to grievors not filing the requests within a 35 day period.

Item 5: 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.
- Ms. Lalonde reported a significant milestone in the backlog reduction had been reached. In 2018, the backlog was at its peak with 77k cases, and is now at 10k cases. Ms. Lalonde explained that the remaining cases are very complex and will take time to resolve, and that the main priority is quality, and to ensure that there are no further errors in the files.
- Ms. Lalonde advised that work with the POD continues with aims to action all new requests in a timely manner to ensure that new intake of cases is minimized and avoided.
- Currently within DND, HR transaction timeliness is at 77% with the Government of Canada target holding at 80%, and DND's target remaining 90%.
- Ms. Lalonde advised that the Robotics Process Automation (RPA) has helped reduce 25% of late Section 34 submissions and overpayments. The RPA sends managers emails to remind them of late transactions, and phone support is also provided. Acting and acting extensions remain the main problem for whole of the government, and hopefully these issues will be mitigated with the new HR-to-Pay Next Gen.

- Ms. Lalonde reported that for the 18% percent of employees which Phoenix does not service i.e. Firefighters and Heat Plant Workers, a specialized team is in place to service these two groups as their cases require manual work by the compensation team. The results have been positive.
- Ms. Lalonde stated that over 12K personal consultations have taken place by compensation advisors who continue to undergo training to be better able to walk employees through the submission of maternity/paternity, retirement and other forms to ensure comprehension throughout the process.
- Ms. Lalonde informed the committee that a Leave Without Pay (LWOP) toolkit is currently in the process of being completed. The team is working on a suite of products, including a video series, and a self-serve series that can be accessed in addition to communication products. Ms. Lalonde thanked the bargaining agents for their feedback on the communication products and highlighted the Compensatory Leave communications would be sent out for comments shortly.

Discussion:

- Ms. Helen Luu, Canadian Military Colleges Faculty Association (CMCFA) advised that the posters were very informative, however suggested that management send out the poster to ensure that a more personal approach is taken.
- Ms. Winger stated that these are great tools for work events, and that while speaking with colleagues, she has noticed that no other department publishes this type of communication product. UNDE highlighted that most members were happy to have access to this information. Ms. Winger stated that although some members do not have access, communication will always be an uphill battle. Ms. Winger echoed Ms. Luu's comments regarding management sending out the poster via email.
- Mr. Paul Jones, Executive Vice-President Union of National Defence Employees (UNDE), stated that management is currently ill-equipped to deal with queries, which leads them to contact UNDE for assistance. He further stated that UNDE was currently inundated with vaccination grievance questions, as well as questions regarding benefits while on Leave Without Pay (LWOP). He inquired as to what communication products have gone out to management and members in order to address this.
- Ms. Jennifer Bordeleau, Director General Workplace Management (DGWM) advised that an email was sent to all staff with a link to the employee toolkit where all communication products can be accessed. Ms. Bordeleau stated that these links will be sent to Mr. Jones in order to alleviate stress on his labour relations officers.
- Ms. Lalonde thanked Ms. Luu and Ms. Winger for their comments and advised that a message to managers would go out with the upcoming Section 34 summer reminder email. Ms. Lalonde also advised that this information can be found on HR Connect RH.
- Ms. Winger inquired about the DND POD, she stated that as employees are being pulled away from regular work in order to work on the backlog, it might have a negative affect and create a new backlog in another area. Ms. Winger advised that this might be something to keep an eye on to avoid employee burnout. She further stated that UNDE will be working with Public Service and Procurement Canada (PSPC) and the Treasury Board Secretariat of Canada (TBS) in order to ensure that progress continues on the backlog and that no further issues arise.
- Ms. Winger expressed concern that although 77% timeliness is an improvement, it is not a large enough improvement. She inquired about the action plan to see a significant change.
- Ms. Lalonde advised that the solution would be the new Next Gen HR. She further stated that working groups are currently taking place within TBS and PSPC to develop a plan for timely acting submissions. The current impact is that four transactions are submitted for each acting and every day that the submission is late, the number of transactions multiply.
- Ms. Lalonde explained that the PSPC's initiative One Workforce would also address Ms. Winger's concerns as it will move certain employees from teams with lower volumes to teams with higher volumes in order to ensure there is balance. This is a new initiative and more information will be shared once it is received. Ms. Lalonde advised the committee that PSPC is hiring an additional 450 employees, and is seeking funding over the next three years to stabilize the growth.

Item 6: Inclusive Behaviours

Supporting Documents: Inclusive and Performance (PowerPoint), Draft Initiating Directive on Inclusion and Performance (PDF)

Summary:

- Ms. Monica Kolstein, Director General, Workforce Development (DGWD) provided a briefing on inclusive behaviours within the department.
- In February 2022, DGWD briefed the table on Inclusive Behaviours following the distribution of an initiating directive by Chief Professional Conduct and Culture (CPCC).
- ADM(HR-Civ) subsequently launched a toolkit to assist managers and supervisors identify inclusive behaviours, ensure that the department's values and ethics code were respected, and equip managers and supervisors with tools to have those tough conversations with their employees.
- Ms. Kolstein indicated that these efforts will maximize the cultural and environmental impact on employees at DND, and will be supported by an audit and focus groups to monitor implementation of the directive.
- The main concern noted was the aversion of these conversations by management as well as how inclusivity is captured in performance agreements.

Discussion:

- Ms. Luu raised concerns regarding managers who are not equipped to have conversations, and inquired who would be training management in order to ensure they are effectively prepared. Ms. Kolstein advised that this is an element of the 2022-23 EX Performance Management set by the Privy Council Office (PCO). She indicated that conversations surrounding inclusive behaviors should be happening at the executive level, and disseminated down within management teams. Ms. Kolstein highlighted that courses do exist on the Defence Learning Network (DLN) and on the Canadian School of the Public Service (CSPS), as well as mentoring programs which allow managers to be matched with executive coaches.
- Ms. Desmartis stated that many employees may not be comfortable speaking to management regarding many subjects. She indicated that although CSPS does have training available, not to the extent required for these conversations.
- Ms. Luu stated that those having the difficult conversations have no expertise, experience or knowledge on content, relationships, active listening and empathetic response. Ms. Luu raised the key concern of bias, and used the Conversation on Defence Ethics (CODE) training as an example. The CODE training at the Royal Military College (RMC) was facilitated by an employee who had no experience in teaching the course, and many sessions took place before CMCFA intervened.
- Ms. Desmartis stated that Ms. Luu raised some excellent points and advised that a meeting should take place with CPCC who should hear her concerns. She further expressed that the developing military managers is a main point of focus. Bargaining agents will be briefed as soon as the plan is complete.
- Ms. Kolstein raised the complexity and complications with mandatory training with regards to department goals, employee cultivation and points of intervention in order to impact change.
- Ms. Luu stated that she believes that DND is at a tipping point where change will take place, but is concerned with the current path that is being taken. She further stated that checklists, resources and new systems will not affect change, but having knowledge and competency in the management team will.
- Mr. Yves Fournier, Federal Government Dockyard Trade and Labour Council (East) (FGDTLC (E)), inquired why performance reviews for management are not taking place for the heads of the department to measure management progress. Ms. Luu warned the committee of potential discrimination that could take place during management review.

- Mr. Jones stated that as he admires the CPCC's desire for change, he noted that many internal non-advertised appointments have been the issue and this could be impacting DND's goals. He further inquired how candidates would be assessed against ethics and code of conduct.

Action Item:

Issue specific meeting to be scheduled with ADM(HR-Civ), CPCC, and CMCFA.

Item 7: Staffing Update

Supporting Documents: Time to Staff Review, Enhanced Staffing Vetting (PowerPoint)

Summary:

- Ms. Williams provided an overview on staffing activities at DND with an emphasis on time required to staff, as well as enhanced staffing vetting. Ms. Williams stated that the start to finish process for staffing is lengthy and involves many details i.e. PKI cards and security clearance. As well, capacity continues to be an issue for the department.
- Ms. Williams explained that competition is also a large issue, as potential employees move on to other opportunities due to delays in departmental security, and equipment. Process mapping is in progress to ensure timely delivery of onboarding items such as PKI cards and equipment.
- Ms. Williams stated that the enhanced vetting framework will also create positive cultural change. Work with CPCC continues to vet future employees in order to support culture change. The team is working towards standardizing language and expectations, including changing language in Letters of Offer (LoO). More time will also be spent assessing integrity and respect.

Discussion:

- Ms. Desmartis stated that doing a deep dive on data with partnership areas within DND, and identifying the blockages will help the team improve. The hope is to address the inefficiencies by the end of the fiscal year. She committed to reporting on progress.
- Mr. Zaharopoulos stated that the main concern he has noted from his members is HR planning. The work is completed by fiscal quarter, so when an employee is hired and there are delays in process, they ultimately switch to contracting as it is easier. He further stated that management needs to be trained on the process to increase understanding.
- Ms. Williams acknowledged Mr. Zaharopoulos' concern and advised that the staffing team is engaging with Level 1s to plan ahead and manage staffing expectations, and that their priority is working with Level 1s to develop better HR planning.
- Mr. Jones stated that it has become difficult to obtain Employment Equity (EE) numbers due to the fact that it is based off self-identification. He stated that the workforce should be reflective of Canadian culture, and be more diverse. He suggested that more EE targeted competitions take place, as it is currently a secondary thought for management.
- Ms. Williams confirmed that the first conversation HR Advisors are required to have with staffing managers is potential EE candidates from existing pools. Ms. Desmartis agreed that action plans to increase minority staffing need to happen for all Level 1s.
- Ms. Luu stated that until the structure of oppression is addressed, the problems will remain. Ms. Luu suggested that the language in the ethics code, as well as the questions that are asked to assess the demonstration of integrity be changed. Further, the language that should be added should address anti-discriminations, racism, ableism, etc.
- Mr. Rogers stated that staffing is a large obstacle for the Fleet Management Facilities (FMFs) as there is a very reactive hiring process. There is no flexibility to quickly hire tradespeople for emergencies, and if they are hired on contract, they do not have the appropriate security clearance to access necessary areas. He suggested that outreach take place with local management in order to assess their specific needs for the workplace. Mr. Fournier and Ms. Boudreau echoed Mr. Rogers' statements.
- Ms. Winger brought forward concerns with elements of hiring integrity and values as they could be manipulated by management. This could cause further complaints from

employees. Ms. Winger stated that the main problem managers say they are having is that there is no Salary Wage Envelope (SWE) available.

Item 8: Heyder-Beattie Update

Restorative Engagement (Shared Secretarily)

- The Sexual Misconduct Response Centre (SMRC) launched a Restorative Engagement Program on 15 November 2021 at Initial Operational Capability with Final Operational Capacity expected for Fall 2022.
- As of March 2022, 5,100 class members requested to participate.
- Three Restorative Engagement Cohorts that include class members and defence representatives have been conducted, and a new series of cohorts will be starting in August 2022.
- Updated guidance was sought pertaining to the management of the Duty to Report and the Minister of National Defence (MND) has endorsed on a Queens Regulations & Orders (QR&O) creating an exemption specifically for the Restorative Engagement Cohorts in order to uphold and protect the confidentiality of the process.
- Class members who received a decision letter had until 31 May 2022 to indicate their interest in participating.
- Other class members must indicate their interest in participating within 30 days of the receipt of their first decision letter

Compensation Timeline

- The settlement allowed for up to \$900M in settlement funds to be paid to eligible class members.
- Initial payment of \$5K becomes due when either a Category A, B or C claim submission is approved.
- The balance is to be paid once the court-appointed claims administrator has determined the total of number of claim awards.
- As mandated in the settlement agreement, should the claim amounts exceed the approved settlement funds, the amounts payable to each class member would be reduced on a pro-rata basis.
- The deadline for the court-appointed administrator to complete claims processing and final compensation payments is January 2023.

Item 9: Closing Remarks

Discussion:

- Ms. Winger brought forward that she would like to resume the grievance backlog exercise that had previously been undertaken by DGWM. Ms. Bordeleau advised that the grievance backlog is tracking well, and there has been an influx of vaccination grievances which accounts for a 30% increase in total number of grievances. Ms. Bordeleau conveyed that DGWM are amenable to undertaking a similar exercise as completed in 2020, and if some priority files need to be addressed, to please inform Ms. Kelly Walsh, Director, Labour Relation Operations.
- Ms. Winger informed the committee that the PA negotiations remain at an impasse. She requested information on what events will be taking place during National Public Service Week (NPSW) for employees. Ms. Kolstein advised that there are local plans, but no national plans are currently in place for NPSW.
- Ms. Luu introduced Mr. Sylvain Leblanc, Vice-President CMCFA, who will be taking over while she is on sabbatical leave. She thanked the committee for being very productive.

- Ms. Luu brought forward the issue of a dip in understanding of meaningful conversation. The contact with CMCFA seems to be performative and superficial in order to be noted on the file, when in reality emails and calls go unanswered. Ms. Luu emphasized the importance of consultation as it related to Arbour Report as it targeted colleges and potential shut downs. She inquired who should be contacted to ensure that management is aware and reminded that CMFCA needs to be consulted.
- Mr. Milton Dyck, PSAC Agricultural Union, had further questions regarding the Arbour Report, specifically regarding education at St-Jean and Kingston. He inquired if a department of education would be an option at DND and if so, he would like to be involved in those consultations.
- Mr. Zaharopoulos, echoed Ms. Luu and Mr. Dyck's concerns, and stated that the issue goes back to DND hiring, contracting out, and ex-CAF members who are reluctant to change. He further stated that most hired contractors are retired colonels and not PSEs. Since DND is creating the contracts, they essentially competing against themselves. Lastly, he stated that a large problem is that the majority of IT positions are now bilingual, however contracted positions are not. Inclusivity does not happen in these situations.
- Mr. Fournier stated that visits facilitated by Ms. Williams and Ms. Bordeleau were well received, and it was great to have management come out to the regions.
- Ms. Desmartis advised that MND had accepted the Arbour Report, and there will be an action plan set in place shortly. She confirmed that although the report is CAF focused, there are a number of items we will be able to implement as well. She stated that Mme. Arbour mainly felt that problem that she was seeing was on the CAF side, but the proposed items will help improve the overall culture of the Defence Team. Ms. Desmartis explained that for future iterations, more consultations will take place with bargaining agents. ADM(HR-Civ) is currently considering working group options, but will remain engaged and details will be shared as soon as they are received.

Item 9: Closing Remarks

Summary:

- Ms. Desmartis and Mr. Rogers thanked the committee members for a great meeting.
- Mr. Rogers stated that these quarterly meetings provide helpful, useful information and discussion.

Record of Decision Approved By / Compte rendu des décisions approuvé par:

DESMARTIS,
ISABELLE 103

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Isabelle Desmartis
ADM(HR-Civ) / SMA(RH-Civ)
Co-Chair / Coprésidente

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DESMOND 536

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Des Rogers
FGDTLC(W) / ACECMGF(O)
Co-Chair / Coprésident