**Minutes**

**Human Resources Union Management Consultation Committee (HRUMCC)**

**Employment and Social Development Canada (ESDC)**

**Meeting held on June 3, 2014**

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| **In Attendance** | |
| **CO-CHAIRS** | |
| Sandra Webber for Peter Larose | Steve McCuaig (CEIU) |
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| **MANAGEMENT REPRESENTATIVES** | **UNION REPRESENTATIVES** |
| Charles McColgan for Charles Nixon (IITB) | Jacques Perrin (CEIU) |
| Steven Risseeuw (PC) | Sebastian Rodrigues (CEIU) |
| Claude Tremblay (CFOB) | Raoul Andersen (ACFO) |
| Annik Wilson (ROC – LP) | Lionel Saurette (CAPE) |
| Annick Langlois (HRSB) | Stan Buday (PIPSC) |
| Jennifer Hamilton (HRSB) | Chloé Charbonneau-Jobin (PIPSC) |
|  | Dean Corda (PIPSC) |
|  | Linda Koo (UNE) |
|  | Jim McDonald (UNE) |
|  | Mathieu Delorme (AJC) |
|  | Jim McDonald (UNE) |
| **REGRETS** | |
| Peter Larose (HRSB) - Chair | Grant Boland (ACFO) |
| Carolina Giliberti (SC) | Doug Marshall (UNE) |
| Louis Beauséjour ( SC – ISB) | Richard Ballance (UNE) |
| Charles Nixon (IITB) |  |
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| **PRESENTERS AND INVITEES** | |
| Penny Lavigne, Acting Director Health, Safety and Disability Management Division | |
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| **HUMAN RESOURCES UNION-MANAGEMENT SECRETARIAT** | |
| Francesca Gualtieri | |
| Sylvie Moreau | |
| Sophie Gabard | |

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| **ITEM** | **SUBJECT** | **ACTION / DECISION** |
| **1.** | **WELCOME, REVIEW AND APPROVAL OF AGENDA AND MINUTES** |  |
|  | Steve McCuaig, Co-Chair, welcomed members to the meeting.   * 1. **Agenda**   The agenda was approved with the following additional items:   1. Informal Conflict Management (ICM): Mathieu Delorme 2. Carry-Over Leave: Dean Corda 3. Passport Future Endeavours: Jim McDonald    1. **Minutes of March 4, 2014 Meeting**   The March 4, 2014 minutes were approved with the following amendments:   1. Add Linda Koo’s name to the participants list 2. Typo in name and title: should read Jim McDonald, Labour Relations Officer 3. Typo in Union acronym: should read AJC besides Mathieu Delorme’s name 4. Change in e-mail wording: under the title “Introduction to Shared Services Canada Email Transfer Initiative” it should read Transformation Initiative and not transfer [from Charles McColgan (IITB)] 5. Change in wording on list of participants: should read National Capital Region and not Headquarters beside Jacques Perrin’s title |  |
| **2.** | **HUMAN RESOURCES PROGRAMS, POLICIES, GUIDELINES AND TOOLS** |  |
|  | **2.1 Mental Health**  Sandra Webber did a walkthrough of the Mental Health presentation.  ESDC’s Corporate Management Committee with support from Penny Lavigne’s Health, Safety and Disability Management Division is responsible for increasing awareness of mental health of the workplace. The benefit of this discussion at the senior management table is to sensitize and reinforce senior management’s role. It is supportive and provides next a step for ESDC.  Specifically, slide 3 of the presentation, provides a reminder regarding high claims of disability cases as a result of both physical and psychological situations. Canada is an international leader with respect to business, labour, mental health and psychological health in the workplace (such as ensuring a harassment free workplace). This is a substantial and thoughtful piece of work. It is important to note that the disability management initiative and psychological mental health is a voluntary standard. The deck provides hot links to other useful mental health information and tools (i.e. Statistics from Health Canada).  Slide 6 outlines the three (3) strategic pillars [Prevention, Promotion and Resolution] which enable ESDC to address workplace factors, high performing organization (HPO), blueprint, and close some gaps; however, at this time, there is not an integrated strategy.  The departmental code of conduct addresses expected behaviors, conversation, Informal Conflict Management (ICM), Employee Assistance Program (EAP), learning and performance management. Outlined work expectations enable employees and managers to know how their work specifically contributes to the greater good of the department and better understand how it forms part of the compressive Occupational Health and Safety (OHS) program.  On-going dialogue and standards continue to be supported through human resources (HR) practioners (i.e. facilitated return to work), and resilience sessions for managers whereby they understand there is a need for more time to properly manage mental health in the workplace.  The OHS Hazardous program emphasizes that there is a higher risk to health issues. For instance, OHS Investigators need to be properly prepared and supported in their work through hazardous sessions for employees, managers and co-workers. This was pitched at a senior table and it was understood that in order to continue to support a healthy workplace, ESDC will need to build on current OHS program obligations (Gina Wilson, Associate DM agreed to champion the integrated framework initiative, Jacques Paquette, ADM, ISSD for the NCR and Sara Filbee, ADM Atlantic Region will be co-chairing a steering committee). The initiative requires the leadership of senior management from both the NHQ and Regional perspective. There will be steering committees (management, executive, and employee), focus groups for managers and employees, test solutions in focus groups, and consultation with bargaining groups. Sandra Webber expressed that she is currently open to ideas and will consult internally and externally. It is anticipated that by November 2014 there will be an opportunity to frame ideas and close gaps by the HR team. Penny Lavigne will be providing relevant support for this initiative from a secretariat point of view.  Steve McCuaig asked how employees will be selected, and based on what criteria. Penny Lavigne confirmed that there will be an open call through intersection for employee participation and will further share information and on-going approach as it becomes available.  **2.2 Harassment Process**  Steve McCuaig requested clarification regarding delegation and responsibilities with respect to the harassment process.  Sandra explained that as per the *Policy on the Prevention and Resolution of Harassment in the Workplace* and *Directive on the Harassment Complaint Process* she is the departmental delegated officer for harassment prevention and resolution at ESDC, responsible for addressing formal complaints (as outlined on the departmental intranet site). This includes screening allegations in reference to the Policy, resolving issues, referring parties to ICM, ensuring parties are aware of EAP support services, investigating allegations, communicating outcomes parties; and ensuring workplace restoration.  Employees can also choose to speak to their respective manager regarding harassment related situations; whereby they are seeking resolution in the workplace. In such instances, managers would proceed with a fact-finding exercise and thereafter provide relevant informal resolution of the situation. When managers conclude that an investigation is warranted, oversight is provided by Sandra Webber’s office.  Harassment situations can also be addressed through the grievance process whereby the respective delegated authority would be responsible for responding to the allegations.  Sandra Webber shared ESDC harassment statistics.  Linda Koo mentioned that the Canada Labour Code, Part II, Regulations address violence in the workplace. Sandra Webber confirmed that this area is evolving based on recent jurisprudence. Penny Lavigne mentioned that the Canada Labour Code, Part II addresses Occupational Health and Safety complaints. Recent jurisprudence provides clarity with regards to accessing the appropriate recourse for resolving allegations of harassment versus allegations of exposure to violence in the workplace. | Sandra Webber with the assistance of Penny Lavigne will administer the anticipated steering committees and relevant consultations. |
| **3.** | **INFORMATION ITEMS** |  |
|  | * 1. **UNE Issues**   Jim McDonald presented the following UNE issues:   1. Jim advised that on August 10 to 15, 2014, 300 UNE member delegates will be in Victoria. There were some issues raised regarding employees taking leave to attend the convention. These issues were resolved. Jim encouraged managers with questions regarding the convention to advise him. 2. Jim raised concern with final level grievances being resolved in a timely way. He acknowledged that current grievances are being scheduled quickly, however, some older grievances have become redundant and have been taking too long to resolve. 3. Jim identified a need to confirm the ESDC grievance delegation of authority and raised concern respect to addressing final level grievances in the region. Passport has been unfamiliar with the long distance relationships since in the past all final level grievances where resolved within National Headquarters. 4. Jim raised payroll problems and delays from both management and member’s perspectives. He identified a great deal of frustration regarding pending and outstanding payments over a 2 or 3 month period. He indicated that there is no Compensation and Benefits (C&B) contact information for representatives and employees - all inquiries are going to a central area and it is currently unclear how the inquiries are being addressed and by whom.   Sandra Webber mentioned that with respect to the raised payroll issues, Compensation and Benefits (C&B) have been dealing with this issue in parallel with other C&B business requirements. Currently, they are on top of the situation and things are beginning to normalize. Routinely, C&B have a generic mailbox for inquiries whereby, as required, on-going issues are escalated to a supervisory level. It is understood that this specific situation is a shared issue between management and members. Therefore, should relative systematic issues persist; the committee members are encouraged to contact Jennifer Hamilton in order to have a human interface for triaging the on-going issues and diagnosing the problems.   1. Jim identified challenges with the new Passport regional structure. From his perspective, there have been significant inconsistencies by managers from different regions and feels that ESDC needs to ensure members are treated the same. Jim is not aware of direction from senior management with respect to addressing the regional differences and is concerned that this situation can potentially generate grievances.   Sandra Webber mentioned that Carolina Giliberti (Senior Assistant Deputy Minister, Service Management) is responsible for addressing cross cutting issues. She is normally a participant at the Committee meeting where systematic issues are flagged. Jim McDonald was encouraged to contact her directly regarding the issues.   1. Jim raised lack of awareness with respect to the use of scents in the workplace. He expressed a need for a policy on this issue.   Sandra Webber confirmed that ESDC presently does not have a scent free policy and acknowledged the request to have one in the department. She committed to raising this at the OHS meeting scheduled for June 4, 2014.   1. Jim raised a decision that was rendered by the Privacy Commission regarding the use of video for the purpose of employee conduct in the workplace. He proposed that a public announcement be made at ESDC in order to ensure everyone is aware of issues, certify the dissemination of information, and confirm relevant decision implementations are actioned accordingly.   Jennifer Hamilton has received information from the Privacy Commission regarding the video surveillance and will follow through as required.   1. Jim raised an e-mail regarding an announcement made to employees regarding Passport. Apparently, by April 2015, all new citizens will receive passports at their citizenship ceremony. As of November 2015 most of Passport business will be available on-line (such as renewals, new applications etc.). It is management’s goal to have sixty (60) to eight (80) percent of services electronically accessible. There is a fear amongst members regarding not knowing the departmental future plans. There is a need to know the anticipated details in order to effectively manage the situation across the country.   Steven Risseeuw commented that an e-mail from the Western Region was shared with the Ontario Region which was thereafter posted on Facebook with erroneous information. It was pulled down but Steven wanted clarify a couple of the points.  Steven clarified that as ESDC moves forward with Passport Modernization, it will effectively address relevant streamline and simplification processes related to new citizens, initial applications, renewals and fee payments. New citizens will not automatically receive a passport but will benefit from a simplified application process. There will be a Communication strategy to support Passport Modernization. The Passport Program operates on a cost recovery basis and it is important to ensure services are improved in such a way that the program remains affordable, effectively manages expenditures and revenues, improves the integrity and security of the program, as well as, increases accessibility working with Citizenship and Immigration Canada (CIC). .   * 1. **Medical Certificates**   Steve McCuaig raised issues regarding CEIU inconsistencies regarding requesting and requiring medical certificates without real justification. He expressed that employees being suspected of illnesses (such as abuse of use) without background is a serious concern. It is important to be mindful that overall there are high associated costs related to medical certificates not to mention a significant drainage to the system. When it comes to medical certificates, there is a requirement to have an overall awareness in terms of what is appropriate.  Jim McDonald mentioned that there was a similar discussion at CIC within their HR forum. They have a medical doctor on staff. A practicing physician in the department can effectively address required departmental awareness and guidance issues (such as best practices for medical certificates).  Sandra Webber acknowledged this concern. She mentioned that the department recently released a guide for managers which outlines best practices and provides guidance in relation to paid sick leave situations (such as possible considerations after so many continuous days being away from the office) and certification options (such as in cases where there is a pattern of sick leave usage or no context for patterns). The Committee was encouraged to advise Penny Lavigne regarding any specific cases or incidences related to inappropriate requests made with respect to medical certificates.  Steve McCuaig reiterated that he hoped that medical certificates were not being requested for inappropriate reasons.   * 1. **Employment Equity Committee**   Sebastian Rodrigues raised questions related to employment equity (EE) including union participation on equity committees and under-representation of aboriginal people.  Sandra Webber explained that ESDC is well represented in all employment equity groups. The only exception being the representation of aboriginal people within the executive group. The Canadian Human Rights Commission has put measures in place in order for the department to increase its representation. The department is using the Aboriginal Affairs Development Program in order to assist with the required strategy and details.  Sandra also noted that at the national level, there are two Equity Committees - Aboriginal Employee Circle and Equity Group for Disability and Aboriginals. These committees do not currently have union participants. Sandra committed to finding out if unions can participate in the equity committees.   * 1. **LPs Performance Pay**   Mathieu Delorme inquired if all of the performance payments have been paid out as per the collective agreement stipulations.  Sandra Webber confirmed that all required payments were actioned accordingly by C&B.  Mathieu Delorme was unaware of any members not being paid accordingly. He will follow-up regarding any outstanding payments to be actioned. | Jennifer Hamilton will provide Jim McDonald with a list of all outstanding Passport grievances including those currently at third (3rd) level.  Contact Jennifer Hamilton regarding any on-going pending pay situations related to Passport.  Jennifer Hamilton will provide Jim McDonald with Carolina Giliberti contact information.  Sandra Webber will follow up.  Sandra Webber through the secretariat will provide a copy of the guide for managers to bargaining agents.  Sandra Webber to confirm if unions can participate at these equity committees.  A meeting was held on July 10, 2014, with Sandra Webber, Vicki Cunliffe and Sebastian Rodrigues to address his concerns. |
| **4.** | **Additional Items for discussion** |  |
|  | **4.1 Informal Conflict Management**  Mathieu Delorme inquired regarding any updates with respect to ICM practice developments or steps undertaken in reference to the last meeting minutes where he expressed concern that some employees feel that they are obliged to participate in informal conflict resolution. The proactive offer must be clear that the service is voluntary.  Annick Langlois indicated that there are no current updates.  **4.2 Carry-Over Leave**  Dean Corda raised current leave carry-over issues with regard to Paperless Office functionality. This year Paperless Office added an option whereby employees could request to carry-over leave entitlements, as required. However, some employees who have chosen to carry-over their leave entitlements have still been cashed-out and issued payments. Dean indicated that as a result of this situation, IITB has been retaining screen captures as a proof of reference regarding the selected carry-over option. He expressed that employees should not be asked to provide proof that they have made the carry-over selection option. The Paperless Office system should be reliable.  Chloé Charbonneau-Jobin mentioned that prior to this year the union normally did not receive complaints regarding carry-over leave requests. This year there have been some complaints regarding the option selection functionality. Apparently options made at the beginning of April as per what was required to demonstrate the carry-over option, resulted in bugs in the system which caused payments to be issued. It is crucial that these system glitches be resolved.  Dean Corda confirmed that he was only made aware of the situation through actual cases brought forward to the union’s attention.  Sandra Webber conveyed that this situation may be as a result of C&B pay arrear. Sandra Webber will inquire with Kathleen Trahan from C&B regarding this issue and will work with Charles McColgan in order to resolve the situation.  Jim McDonald indicated that as per the collective agreement, the carry-over option needs to be requested and is not automatically actioned.  **4.3 Passport Future Endeavours**  This additional agenda item was already discussed and clarified as per section 3.1. (8). | Annick Langlois to inquire with Michel Nadeau and provide feedback. |
| **5.** | **ROUND TABLE** |  |
|  | It was agreed that the next committee meeting is anticipated to be held on September 16, 2014. Actual date to be confirmed.  The meeting was adjourned at 2:35 p.m. |  |