# Record of Discussions and Decisions

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

## **Meeting of November, 28, 2016**

**Management Representatives:**

**Gail Johnson,** Assistant Deputy Minister, Human Resources Services Branch

**Benson Gorber**, Director General, Regional Financial Services, Chief Financial Officer Branch

For **Mark Perlman,** Chief Financial Officer, Chief Financial Officer Branch

**Evelyne Power,** Executive Director**,** Special Projects, Citizen Services Branch

For **Steven Risseeuw**, Director General, In-Person Operations and Strategies, Citizen Service Branch

**Lissa Dornan,** Director Strategic and Service Policy Branch

For **Jacques Paquette,** Sr. Assistant Deputy Minister, Strategic & Service Policy Branch

**David Swol**, Director General, Centre of Expertise, Human Resources Services Branch

**Guy Cyr,** Director,Workplace Management, Human Resources Services Branch

**Jennifer Hamilton,** Director, Centre of Expertise - Labour Relations, Human Resources Services Branch

**Annick Langlois**, Director General, Operations, Human Resources Services Branch

**UNION REPRESENTATIVES:**

**Theresa MacInnis,** Deputy Trustee, CEIU – PSAC

**Sebastian Rodrigues,** Deputy Trustee, CEIU – PSAC

**Luc Pomerleau,** National Resources Officer, CEIU – PSAC

**Fabienne Jean-François,** Deputy trustee, CEIU – PSAC

**Linda Koo,** Labour Relations Officer, UNE - PSAC

**Rose Touhey**, Assistant Regional Vice President, Outside Canada, UNE – PSAC

**Jim McDonald**, Labour Relations Advisor, UNE – PSAC

**Stan Buday,** President, National Consultation Team for ESDC, PIPSC

**Dean Corda**, Vice-President, National Consultation Team for ESDC, PIPSC

**Yves Durand,** Alternate Contact

For **Raoul Andersen**, Vice-President, ACFO

**Lionel Saurette,** Labour Relations Officer, CAPE

**HRUMCC SECRETARIAT:**

**Serge Viens**, Manager, Centre of Expertise – Corporate Labour Relations

**José Vasquez,** Advisor, Centre of Expertise – Corporate Labour Relations, Human Resources Services Branch

**Line Leblanc,** Administrative Assistant, Centre of Expertise – Corporate Labour Relations, Human Resources Services Branch

**GUESTS:**

**Vicki Cunliffe,** Director, Centre of Expertise - Workforce Strategies, Human Resources Services Branch

**REGRETS:**

**Elise Boisjoly,** Assistant Deputy Minister, Integrity Services Branch, Service Canada

**Jacques Paquette,** Sr. Assistant Deputy Minister, Strategic & Service Policy Branch

**Benoît Long,** Senior Assistant Deputy Minister, Transformation and Integrated Service Management Branch

**Cliff Groen,** Assistant Deputy Minister**,** Benefits Delivery Services

**Lorne Sundby,** A/ Chief information officer, Information, Innovation and Technology Branch

**Gary Robertson,** Assistant Deputy Minister, Compliance Operations and Program Development (Labour)

**Mark Perlman,** Chief Financial Officer, Chief Financial Officer Branch

**Steven Risseeuw**, Director General, In-Person Operations and Strategies, Citizen Service Branch

**Marie-Claude Pelletier,** Director General, Service Canada College, Human Resources Services Branch

**Joanne Roy-Aubrey,** Director General, Strategic Directions, Human Resources Services Branch

**Raoul Andersen**, Vice-President**,** ACFO

**Scott Chamberlain,** Director of Labour Relations and General Counsel, ACFO

**Emmanuelle Tremblay,** President, CAPE

**Doug Marshall**, National President, UNE – PSAC

**Richard Ballance**, Regional Vice-President, UNE – PSAC

**Christine Poirier,** Employment Relations Officer, PIPSC

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| **ITEM** | **SUBJECT** | **ACTION / DECISION** |
| **1.** | **Opening Remarks and Approval** |  |
|  | Gail Johnson and Theresa MacInnis welcomed members to the meeting.  **Agenda** (Gail Johnson):  The agenda of the meeting was approved by the members.  Theresa MacInnis requested that responses to action items that emerge from a committee meeting be shared with members prior to the following meeting.  **Minutes of Previous Meeting** (Gail Johnson):  The minutes of the meeting of June 21, 2016 were not approved by members. Committee members were asked to provide their comments by writing. |  |
| **2.** | **Business Items** |  |
|  | **Long-term Acting appointments within ESDC** (Vicki Cunliffe)  Data on long-term Acting appointments was provided to all Committee members.  Since April 1st 2016, ADMs have the delegation to appoint an employee on an acting basis for up to 36 months. Since that time, six cases have gone to the DM for approval and of them, 70% of these were from an advertised process.  Fabienne Jean-François asked for the criteria for staffing actions requiring WMC approval and asked if there was a guidance document on acting situations. Vicki Cunliffe stated that she will share the list of actions for which the WMC approval is necessary and guidance documents on acting situations. | Done on Dec. 8, 2016 |
| **3.** | **Updates** |  |
|  | **3.1 New Direction on Staffing** (Vicki Cunliffe)  A mid-year progress update on the implementation of the new Direction on Staffing that became effective April 1, 2016, was provided to committee members.  Staffing Trends  •The following annexes provide information on staffing trends since the implementation of the new ESDC Staffing Direction:  -Annex A: Statistical Information – Appointments made through Advertised and Non-Advertised Appointment Processes  -Annex B: Public Service Labour Relations and Employment Board (PSLREB) Staffing Complaints  -Annex C: Staffing Investigations  Fabienne Jean-François asked how Talent Management is factored into the new Direction on Staffing. Vicki Cunliffe responded that the Talent Management program is determined by each branch and is communicated to employees thereafter. Talent Management is a reason that may be used when making staffing appointments.  Rose Touhey raised concerns in regards to hiring students and temporary staff from agencies to cover high season peaks. Vicki Cunliffe stated that each branch is encouraged to use appropriate staffing mechanisms to address peak workload periods.   |  | | --- | | **3.2 Suspension of Rollover Provision for Term Employees at ESDC**  (Vicki Cunliffe) |   Effective April 1, 2017, term employees will begin accumulating time towards the three-year cumulative working period for conversion to indeterminate status in accordance with the provisions of the [Term Employment Policy](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12584&section=text)GoC website icon.  The decision to lift the suspension of the rollover provision of the Treasury Board [Term Employment Policy](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12584&section=text)GoC website icon applies to all current (and new) term employees in all work locations across the Department effective April 1, 2017.  Fabienne Jean-François asked how this measure would apply to Passport Canada employees.  For Passport Canada term employees, the suspension of the rollover provision was invoked on August 2, 2013, one month following their transfer to ESDC. Any time a Passport term employee accumulated prior to August 2, 2013 will count as long as he/she continues to meet the basic conditions required to have his/her position converted from term to indeterminate status as outlined in the [Term Employment Policy](http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12584&section=text)GoC website icon. Any time spent as a term employee from August 2, 2013 to March 31, 2017 will not count in the calculation of the cumulative working period towards indeterminate status.  **3.3 Passport Harmonization** (Evelyne Power)  An update on the Passport Service Network was provided to Committee members.  Evelyne Power indicated that a series of meetings would be coordinated to ensure the union was briefed and items for consultation could be identified.  **3.4 ESDC Parking Approach for Persons with Mobility Restrictions** (David Swol)  In February 2010, *Public Service Procurement Canada (PSPC)* released its *Custodial Parking Policy* that requires the majority of parking be managed and paid for directly by employees. Since that time, NHQ has secured and paid for 70 accessible parking stalls from parking providers, on behalf of ESDC employees who have mobility restrictions.  Effective April 1, 2017 ESDC will cease this practice and no longer subsidize or reimburse the cost of parking stalls for any employee. This is in keeping with the Treasury Board Secretariat (TBS) *Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service* which clarifies the obligation of the employer to provide an accessible parking stall, but not the requirement to reimburse or subsidize the cost.‎  With the exception of National Headquarters (NHQ), regions have not been managing or paying for accessible parking for persons requiring a stall under the Duty to Accommodate (DTA) policy.  Where possible and necessary, ESDC will seek to secure additional parking to accommodate mobility-impaired individuals.  Fabienne Jean-François expressed concerns that this decision could eventually impact recruitment of employment equity group members.   |  | | --- | | **3.5 Update on the Phoenix pay System** (David Swol) |   ESDC has significant concerns regarding the pay issues employees are currently experiencing and are working very hard to facilitate their resolution.  Since the creation of the Departmental Compensation Liaison Office, ESDC has increased the number of employees working with this team to eighteen.  921 pay cases have been escalated through the departmental escalation process. Of those, 33% have been resolved. October 31, 2016 was the target deadline to solve all backlog cases. Despite continuous and concerted efforts to address pay issues, the deadline could not be met.  A process for out-of-pocket expenses was put in place and was communicated broadly to the employees.  Dean Corda, Sebastian Rodrigues and Rose Touhey asked whether it was possible to get more information on employee paystubs. David Swol recognized issues with paystubs and committed to providing an update.  ‎  Yves Durand expressed concerns that problems encountered by the Phoenix implementation seem to affect the collective agreement negotiations.  **3.6 Department’s Alternate Work Arrangements (AWA)** (Theresa MacInnis)  Theresa MacInnis expressed concerns as it seems there is no clear approval process for individuals who request an AWA across the country. This poses great concern for the work-life balance of employees. Gail Johnson confirmed that AWA is looked at on an individual basis. In keeping with the Collective Agreements, she committed to sharing the Departmental Telework Directive and ESDC’s guideline on Duty to Accommodate.  **3.7 Reimbursement of travel expenses for acting Appointments.**  Fabienne Jean-François asked for clarification on how the employer determines whether or not to reimburse the travel expenses for Acting Appointments.  David Swol indicated that a Bulletin will be issued. | Evelyne Power to meet with unions. First meeting was on December 15, 2016.  A communique on pay issues that was sent to ESDC employees was shared with UMCC participants on January 18, 2017.  Message included details pertaining to changes to pay stubs.  Message pertaining to Departmental Telework Directive and ESDC’s guideline on Duty to Accommodate was shared with unions on March 8, 2017.  Bulletin in draft.  To be shared with unions when finalized. |
| **4.** | **2017-2020 Diversity and Employment Equity Action Plan** |  |
|  | Vicki Cunliffe, presented the 2017-2020 Diversity and Employment Equity Action Plan to the committee.  Sebastian Rodrigues expressed general concerns towards long-term acting versus Employment Equity group hiring and their retention rate. Ms. Cunliffe referred him to pages 6, 7 and 8 of the presentation and agreed that managers must focus on identifying and addressing specific barriers to recruitment and request full participation of EE members. She indicated that there will be mandatory training for managers and employees in the future.  Jim McDonald indicated that the department should make use of the PSAC’s EE Network to engage dialogue on EE matters and that would contribute to reinforce consultation on the Diversity plan.  Ms. Cunliffe indicated being open to continue the dialogue. To this effect an ad-hoc meeting, HRUMCC members were invited to a consultation on the DEEAP when it took place. |  |
| **5.** | **Round Table and Closing Remarks** |  |
|  | Rose Touhey asked to Jennifer Hamilton if she could get a quarterly listing of new Passport employees by location. Jennifer indicated she would get back to her. Unions gave an example of other departments where they receive a list of new employees and are invited to orientation sessions.   Fabienne Jean-François mentioned every local has to go to their manager to get a list and they may not be aware of new hires in a large local. Theresa advised of the requirement for national support and a communique to ensure the unions are informed of new hires throughout our department.  Fabienne Jean-François asked if the financing of the Service Canada Centres is based on the average number of clients per year and if it changes depending on client fluctuations. Evelyn Power indicated she would have a bilat discussion with Fabienne.  Theresa MacInnis indicated that the committee Terms of References (ToR) should be reviewed as they are expired. Management indicated that a working group would be established. | Jennifer Hamilton follow-up with Rose Touhey on March 15, 2017.  Each quarter Treasury Board of Canada supplies the unions with the name, geographic location and classification of each new employee.  Evelyne Power communicated with Fabienne Jean-François via e-mail and invited her to send her the specific question. She has yet to hear back.  Working group established, met on February 23, 2017. |