

**Labour Program Union-Management Consultation Committee (LPUMCC)**  
**RECORD OF DISCUSSIONS AND DECISIONS**

<b>Date:</b>	September 18, 2018	<b>Venue:</b>	David MacDonald Boardroom, Management Center, Level 1, Phase IV, Place du Portage
<b>Chair:</b>	Anthony Giles & Andrew Shaver	<b>Time:</b>	10:00 AM to 12:00 PM
<b>Secretariat:</b> UMCC Secretariat			
<b>ESDC Participants</b>		<b>Union Participants</b>	
<p><b>Anthony Giles</b>, A/Deputy Minister, , Labour Program  <b>Gary Robertson</b>, Assistant Deputy Minister, Compliance Operations and Program Development (Labour)  <b>Lyne Bourget</b>, Director General, Strategic Integration and Governance Directorate, Labour Program  <b>Mary Donaghy</b>, Director General, Regional Operations and Compliance Directorate, Labour Program</p> <p><b>UMCC Secretariat :</b>  <b>Kathleen Tremblay</b>, Manager, Labour Relations, Human Resources Services Branch  <b>Marie-France Blais</b>, Senior Advisor, National Union-Management Consultation Committees Secretariat, Human Resources Services Branch</p> <p><b>Guests/Observers:</b>  <b>Todd Burke</b>, Director, Corporate Workforce Strategies, Human Resources Services Branch  <b>Atul Bhandari</b>, Director, Compensation, Human Resources Services Branch  <b>Stephanie Moore</b>, Manager, Compensation, Human Resources Services Branch  <b>Geneviève Jolicoeur</b>, Manager Client Services, Human Resources Services Branch</p>		<p><b>Andrew Shaver</b>, National Executive Vice-President, Union of National Employees (UNE)  <b>Linda Koo</b>, Labour Relations Officer, Union of National Employees (UNE)  <b>Luc Provost</b>, President, Local 10259, Union of National Employees (UNE)  <b>Karen Brook</b>, Labour Relations Officer, Canadian Association of Professional Employees (CAPE)  <b>Robert Graham</b>, Secretary/Treasurer, Local 514, Canadian Association of Professional Employees (CAPE)</p>	
<b>Agenda Item</b>		<b>Discussion and Action Items</b>	
<b>Opening Remarks</b>	<b>Discussion</b> Both Co-Chairs gave opening remarks and welcomed all members.		

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	<p><b>Actions</b> No action item identified</p>
<p><b>Approval of minutes for meeting of March 19, 2018</b></p>	<p><b>Discussion</b> The March 19, 2018, Record of Discussions and Decisions was approved without any comments or questions.</p> <p><b>Actions</b> No action item identified</p>
<p><b>Status of outstanding action items from meeting of March 19, 2018</b></p>	<p><b>Discussion</b> Two (2) action items had been identified at the March 19, 2018, meeting. No further comments were received and both items were considered addressed and closed.</p> <p><b>Actions</b> No action item identified</p>
<p><b>2.1 Identification Card Update</b></p>	<p><b>Discussion</b> Mary Donaghy provided an update regarding the Identification Cards and referred to the deck that was provided prior to the meeting. She mentioned that this is a long-standing issue and she is delighted that a Working Group was established in November 2017 to consider options. Members of the Working Group are listed on page four (p.4) of the presentation. Thus far, the Working Group has had very good discussions and participation is great. They have wrestled with key identity questions such as: are we ‘enforcers’ or ‘regulators’? The working group identified a number of benefits associated with enhanced identification and have considered a range of other federal regulators and their practices. They have outlined a number of possible options and there is a general consensus on the need for clearer identification for agents and inspectors, aligned with the Labour Program Service Strategy. Mary Donaghy confirmed that they will move forward, with bargaining agents, to develop a work plan by late October and their goal is to further develop the visual concept between now and January, as well as internal communications, so that they can provide inspectors with a personalized/individualized identification card for the new fiscal year.</p> <p><b>Actions</b> No action item identified</p>

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<p><b>2.2 Code of Professional Conduct for Labour Program employees</b></p>	<p><b>Discussion</b></p> <p>Mary Donaghy provided an update regarding the Code of Professional Conduct for Labour Program employees and referred to the deck that was provided prior to the meeting. She informed members that the project evolved as it progressed. The working group was established in fall 2017. Members of the Working Group are listed on page four (p.4) of the presentation. The initial focus was the inspectorate, the approximately two hundred (200) staff in the Labour Program who are actively out and at work sites, dealing with clients and with employers. Mary Donaghy explained that, at a certain point, early in 2018, the scope broadened to include the full “Labour Program”. This required much more comprehensive consultations and it became evident that the wide range of different workplace contexts, different types of work, called into question the value and need for a “LP Code of Conduct”. A number of key issues emerged: feasibility of Labour Program-wide guidelines; possibility that the ESDC Code of Conduct and the Public Service Values and Ethics are sufficient; necessity for further consultations and discussion. The Working Group has come to somewhat of a crossroads and the recommendation is that Regional Operations and Compliance / National Headquarters (ROC NHQ) work with the Union of National Employees (UNE) to determine how to proceed from here, once they have had a chance to review all of the comments.</p> <p>Andrew Shaver provided additional context based on a previous discussion. He explained that this project’s mission has drifted a bit and came back to the question of what we want to achieve and how can we achieve it? The direction is now moving toward the development of a toolkit to be used as a resource rather than a condition of employment.</p> <p>Mary Donaghy agreed with Andrew Shaver and clarified that the discussion he referred to was a pre-meeting that occurred a few weeks ago to discuss both the Identification Card and the Code of Professional Conduct for Labour Program employees.</p> <p>Anthony Giles confirmed his support for a toolkit rather than stacking up more codes of conducts. He agreed that this approach seems practical.</p> <p><b>Actions</b>          No action item identified</p>

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<b>2.3 Business Transformation</b>	<p><b>Discussion</b>  When LPUMCC was briefed on the Labour Program Service Strategy (LPSS) several months ago, there was a request that this become a standing item. Lyne Bourget provided an update on the progress since the launch of the LPSS which was developed in support of the ESDC Service Strategy to ensure buy-in and progress within the Labour Program on Service Transformation. She mentioned that efforts in the first few months were placed on communications and engagement. Labour Program executives and managers were briefed through Labour Program governance tables and at specific events i.e.: Labour Program Managers’ Meeting. Managers held discussions with their respective employees to explain both the LPSS and broader departmental service transformation initiatives. Employees will be asked to complete a short questionnaire (5 or 6 questions) periodically to measure progress on awareness, understanding and commitment to the LPSS. Lyne Bourget confirmed that a Working Group was struck with representatives from all Labour Program business lines to help advance the LPSS and ensure alignment and integration with the ESDC Service Transformation Plan (STP). A briefing on the five (5) STP epics and solutions was provided to the Working Group. Labour Program is leveraging STP solutions wherever possible i.e. the Document Upload solution is being leveraged for the Integrated Labour System (ILS) which is a key deliverable of the LPSS. Labour Program is also looking at the Single Client View solution as a three hundred and sixty (360) degree view of Labour Program clients, which is a central feature of the Labour Program ILS. Work is underway to complete a cross-walk between STP solutions and LPSS initiatives. Labour Program employees have had and will continue to be given opportunities to actively participate in Service Transformation.</p> <p>Lyne Bourget confirmed that they will continue to keep employees informed as they move through business transformation.</p> <p><b>Actions</b>  Secretariat to add Business Transformation as a standing item.</p>
<b>2.4 Labour Program Crisis Management Team</b>	<p><b>Discussion</b>  Lyne Bourget provided an overview of the Labour Program emergency management efforts in order to keep its employees safe and to be able to deliver critical services in situations of emergencies or other situations that could disrupt their business. Plans for mission-critical services have been in place for some time. These include some occupational health and safety activities, appointment of arbitrators for labour disputes and payments for the Wage Earner Protection Program which is delivered by Service Canada on behalf of the Labour Program. These plans have been tested in real situations i.e.: fires out west, NCR flooding, etc. Plans are continually being adjusted to reflect lessons learned from incidents/evacuations and exercises. Lyne Bourget informed members that a Labour Program Crisis Management Team (LP CMT) was created earlier this year. Its mandate is the Labour Program governance as well as preparedness and response to emergencies and business interruptions. They meet quarterly or as required. The LP CMT is chaired by the Assistant Deputy Minister of Policy,</p>

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	<p>Dispute Resolution and International Affairs (PDRIA) and membership includes the Assistant Deputy Minister of Compliance, Operations and Program Development, all Labour Program Directors General, and representatives from the offices of the Deputy Minister of Labour and ADMs. Standard Operating Procedures have been developed and are being refined and operationalized. Initial emphasis is being placed on the flow of communications between the Labour Program, ESDC and the regions (co-location with Service Canada). Another key characteristic of the LP’s emergency management efforts is the need to respect the Labour Program’s federal regulatory role vs employer role.</p> <p>Linda Koo asked if the Health and Safety Committee is involved.</p> <p>Lyne Bourget and others agreed this would be important and will follow up to ensure a link exists with the Health and Safety Committee.</p> <p><b>Actions</b>            Lyne Bourget to follow-up with the Health and Safety Committee and provide update at the next LPUMCC.</p>
<b>3.1 Phoenix Pay System Update</b>	<p><b>Discussion</b>            Atul Bhandari provided updates on behalf of Jennifer Hamilton. His update was divided in two different pieces, the first being an update in regards to Public Services and Procurement Canada (PSPC). PSPC currently has a backlog above six hundred thousand (600 000) late transactions which is approximately seventy five percent (75%) of Public Servants served by the Pay Center. They continue to hire more Compensation Advisors and continue to focus on how they can process more transactions by making some satellite offices permanent. They are also trying to reduce the number/types of transactions they have to process. Many Government Working Groups have been put in place to redesign certain actions such as acting pay and transfers (in and out). ESDC is playing a very active role in these working groups. As noted in the media, Treasury Board is leading something called “Plan B” which is an initiative to replace the Phoenix system. The second piece of his update related to what ESDC is doing regarding Phoenix and Pay issues. He explained that part of PSPC’s strategy is the implementation of pay pods. The pod concept includes shifting away from the silo approach and having dedicated Compensation Advisors looking at the bulk of the pay problems. He was happy to confirm that ESDC will be onboarding the pod on September 20, 2018. This onboarding will include a total of fifty (50) Compensation Advisors who will be looking at current and/or new transactions. Working jointly with the pod, ESDC resources will soon start processing five (5) types of transactions to help clear the backlog. The transactions are: Retirements, Medical Retirements, Resignations, Leave of Absences and Returns from Leave. Atul Bhandari then provided some statistics in regards to ESDC which can be found in the presentation that was provided prior to the meeting. He closed his update by saying that ESDC’s main objectives are to</p>

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	<p>manage, resolve, prevent and monitor pay problems.</p> <p>Andrew Shaver thanked Atul Bhandari for the very detailed update.</p> <p>Karen Brooke asked if, of the fifty (50) ESDC resources, some of these resources will be available to sit with employees and help them analyse their amounts owed or owing.</p> <p>Atul Bhandari responded that unfortunately, due to capacity, ESDC is unable to provide this type of assistance. Their main focus is to process transactions with a full Personal Record Identifier (PRI) approach. He did say that PSPC is working on a tool that may help employees understand their pay stub and hopefully this tool will be available next fiscal year.</p> <p>Karen Brooke asked that they be kept informed regarding this tool. She also asked if he could provide more detail about the PSPC transaction reduction and redesign process.</p> <p>Atul Bhandari explained that PSPC has been tagged for pay reviews and has been allotted a fifty million dollar budget to do so. He did not have more information in regards to this subject but will share once he does. For redesign, he explained that last winter, many working groups were established and every department participated in open setting meetings to look at Acting redesign, Overpayment redesign and Transfer In/Out redesign. For Actings, OCHRO is now working on solutions. For Overpayments, PSPC is looking into handing over the recovery process to the departments. Options for the Transfer In/Out issues are also being looked at based on feedback from the Working Group.</p> <p>Linda Koo asked if there is a group/working group of both Compensation Advisors and IT specialists that meet to discuss best practices.</p> <p>Atul Bhandari confirmed that September 19, 2018, there will be a stakeholder conference where vendors, employees, bargaining agents and compensation advisors are being hosted by Treasury Board. These conferences have occurred quarterly and are meant to discuss a variety of subjects including best practices.</p> <p>Andrew Shaver asked if Atul Bhandari could provide a completion timeline in terms of the five types of transactions ESDC will be talking over.</p> <p>Atul Bhandari said that he can't confirm exactly but he is hoping to clear the bulk of the transactions by end of fiscal year.</p>

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	<p><b>Actions</b> Atul Bhandari to provide update at next meeting in regards to timelines and PSPC tool for employees to understand/analyse their pay.</p>
<p><b>3.2 Phoenix – Payments not received following new collective agreements</b></p>	<p><b>Discussion</b> Regarding the Collective Agreement update, Atul Bhandari informed members that he only has the information provided by PSPC which is that they are still working on these payments and hope to have these all resolved before the end of the year but there is no guarantee on this timeline.</p> <p>Luc Provost explained that this item was requested as many employees have not yet received payment even though these cases were to be resolved by November. He asked where or to whom he should be directing employees that have missing payments from Collective Agreements.</p> <p>Atul Bhandari responded that he unfortunately does not have any additional information to provide in regards to these outstanding payments as ESDC has no influence or access to this information in Phoenix.</p> <p>Luc Provost also brought up the fact that many employees have not received their increments and are not being paid at the correct salary rate. He asked what can be done for these cases.</p> <p>Stephanie Moore replied that this problem is linked to an incorrect data entry and that the compensation team at ESDC has a team looking into these cases. They are completing the feedback form for the employee to ensure sufficient information is provided to the Pay Center. She also explained where employees can go in iService to submit a request for this type of problem.</p> <p><b>Actions</b> No action item identified</p>
<p><b>3.3 Staffing NCR vs other regions</b></p>	<p><b>Discussion</b> Luc Provost opened the discussion by indicating that the documentation provided prior to the meeting for this subject only included short-term assignment. He clarified that he is more interested in permanent opportunities. He explained that most staffing opportunities are only open to National Capital Region employees. He clarified that his question was whether more opportunities could be offered to employees working in other regions.</p>

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	<p>Mary Donaghy acknowledged that the documentation was in fact for short-term assignments, and she offered to work with SIG to obtain information regarding permanent employment opportunities. She continued by confirming that there are no reasons why opportunities can't be posted as open to regions, especially when the work can be done at a distance. She indicated that she would work with Lyne Bourget to obtain statistics from past posters. Mary also provided members with a few examples of positions that had been filled by regional employees for national services provided across the country. The first example was in the Atlantic region where four (4) new positions were created in spring 2018 to deliver services on harassment across the country. The other example is the Ontario-based Tiger Team working on the national Labour Standards backlog. She agreed that we can use technology to decentralize opportunities, in some circumstances and taking into account operational needs.</p> <p>Lyne Bourget confirmed that she will look into this and Todd Burke also indicated that he and his team could provide support and past statistics.</p> <p>Actions            Lyne Bourget and Mary Donaghy to work together to identify possible indeterminate opportunities and look into the Area of Selection used in past processes. Todd Burke's team will provide support to Lyne Bourget and Mary Donaghy and an update should be provided at the next meeting.</p>
<b>3.4 Workforce Adjustment</b>	<p>Discussion            Linda Koo opened the discussion by mentioning recent workforce adjustment situations which affected Labour Program employees covered by both Union of National Employees (UNE) and Canadian Association of Professional Employees (CAPE). (CAPE withdrew their agenda item on the WFA to avoid duplication with UNE.) She mentioned that neither the UNE nor the PSAC have any record of receiving the notification letters that were sent after having checked with both on two occasions. There were also concerns about the spelling of one of the employee's names that was being WFA which caused some concern because of the delay in being able to follow-up with the member. She confirmed that the member's name was corrected and that that concern had since been resolved. She commented that the letters that are sent out by ESDC do not contain sufficient information for the union to be able to understand the situations and provide support to the affected employees and described some of the details that the union was seeking to have added to the letters. As requested, prior to the meeting, Linda Koo provided Todd Burke with four (4) samples of notification letters from other departments as she would like to see more information included in the ESDC letters.</p> <p>Anthony Giles thanked Linda Koo for bringing this to their attention and confirmed that management is open to their feedback to help solve procedural problems.</p>



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	<p>Todd Burke, on behalf of ESDC, apologized for the situation Linda Koo referred to. He will work with unions to review procedures and develop a more detailed letters of notification for Workforce Adjustment situations. Linda Koo thanked Todd Burke for his apology and said that she agreed with his proposed enhancements to the WFA notification process.</p> <p>Kathleen Tremblay indicated that once the review is complete, the process should be brought to the HRUMCC for discussion.</p> <p><b>Actions</b>            Todd Burke will work with unions to review the process including template letters and a communication plan pertaining to WFA situations. Once complete, item should be added to the HRUMCC agenda.</p>
<b>3.5 Official Languages</b>	<p><b>Discussion</b>            Robert Graham opened the discussion by informing members that he and Anthony Giles exchange emails on this subject. The item was brought up mainly because of a specific situation that occurred during the summer BBQ. During this work event, many executives exclusively used English while addressing the employees. Robert Graham simply wanted to mention this situation and requested that future events have a more balanced use of both official languages. Anthony Giles apologized and will ensure that employees are invited to speak or ask questions in the official language of their choice and will also ensure there is a good balance of both official languages.</p> <p><b>Actions</b>            No action item identified</p>
<b>Roundtable and Closing Remarks</b>	<p><b>Discussion</b>            Before proceeding to the round table, Anthony mentioned that the Clerk of the Privy Council recently released a report entitled “Safe Workplaces”. This report recommended that the subject of Harassment be a standing item at all Union-Management Committees. He proposed that this subject be a standing item at the LPUMCC to enable discussions on how to address and prevent issues of this nature. He encouraged members to provide ideas for discussion. All members agreed that this was a good idea.</p> <p>Mary Donaghy suggested that the LPUMCC could perhaps approach the subject as a “Civility” context.</p> <p>Mary Donaghy, as part of the round table, informed members that some working groups in her organization have evolved to</p>

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	<p>union-management consultation tables and they will continue to update at LPUMCC as required and to report on progress.</p> <p>Luc Provost mentioned that some Records of Decisions are missing on the intranet. He also requested if it was possible to get an update regarding the Mobile Work Framework.</p> <p>Mary Donaghy responded by informing members that the Mobile Work is one of the working groups she referred to. This framework was put in place over two years ago following some grievances. They started reviewing the framework during a meeting in the spring and another meeting occurred last week. They have faced some challenges during these meetings since there are many new players. Another meeting will take place soon. She proposed to provide an update at the next meeting.</p> <p>Co-Chairs thanked the members and the meeting was adjourned.</p> <p><b>Actions</b> Discussion item on harassment will be added to the next agenda. Secretariat to look into missing Records of Decisions. Mary Donaghy to provide an update on the Mobile Framework review at the next meeting.</p>