# **Record of Discussions and Decisions**

**National Labour Management Consultation Committee (NLMCC)**

## **Meeting of October 20, 2016**

**Management Representatives:**

**Louise Levonian,** Deputy Minister, Employment and Social Development Canada and Chairperson of Canada Employment Insurance Commission

**Lori Sterling**, Deputy Minister, Labour Program

**Leslie MacLean**, Senior Associate Deputy Minister, Employment and Social Development Canada and Chief Operating Officer for Service Canada

**Brenda Baxter**

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

**Kathryn McDade**, Senior Assistant Deputy Minister, Income Security & Social Development Branch

**Stephen Johnson**

For **Paul Thompson** Senior Assistant Deputy Minister, Skills & Employment Branch

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

**James Gilbert**, Assistant Deputy Minister, Public Affairs and Stakeholder Relations Branch

**Vincent Daluz**, Chief Audit Executive

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

**Nancy Gardiner**, Assistant Deputy Minister, Program Operations Branch, Service Canada

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

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

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

**Peter Simeoni**, Assistant Deputy Minister, Citizen Services Branch, Service Canada

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

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

**Jennifer Hamilton**, Director, Centre of Expertise – Labour Relations

**UNION REPRESENTATIVES:**

**Theresa MacInnis,** Deputy Trustee, Canada Employment and Immigration Union - Public Service Alliance of Canada

**Luc Pomerleau,** National Resources Officer, Canada Employment and Immigration Union - Public Service Alliance of Canada

**Mike Brecht,** Deputy Trustee, Canada Employment and Immigration Union - Public Service Alliance of Canada

**Doug Marshall,** National President, Union of National Employees - Public Service Alliance of Canada

**Richard Ballance,** Regional Vice-President, Union of National Employees

**Linda Koo,** Labour Relations Officer, Union of National Employees - Public Service Alliance of Canada

**Jim McDonald,** Labour Relations Advisor, Union of National Employees -Public Service Alliance of Canada

**Raoul Andersen,** Vice President, Association of Canadian Financial Officers

**Stan Buday,** President National Consultation Team for ESDC, Professional Institute of the Public Service of Canada

**Dean Corda,** Vice-President, Professional Institute of the Public Service of Canada, National Consultation Team of ESDC

**Christine Poirier,** Employment Relation Officer, Professional Institute of the Public Service of Canada

**Yvonne Snaddon,** Alternate contact of the National Consultation Team for ESDC, Professional Institute of the Public Service of Canada

**Lionel Saurette,** Director of Professional Services, Labour Relations Officer, Canadian Association of Professional Employees

**GUESTS:**

**Penny Lavigne,** Director, Health, Safety and Disability

**NLMCC SECRETARIAT:**

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

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

**Penda Fatou Dicko,** Project Coordinator, Centre of Expertise – Labour Relations

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

**Carol-Anne Brindamour**, Senior HR Advisor, Centre of Expertise – Labour Relations

**REGRETS:**

**Benoît Robidoux,** Associate Deputy Minister, Employment and Social Development Canada

**Peter Littlefield,** Chief Information Officer

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

**Anthony Giles,** Assistant Deputy Minister, Policy, Dispute Resolution and International Affairs, Labour Program

**Alexis Conrad,** Assistant Deputy Minister, Learning Branch

**Alia Butt,** A/ Corporate Secretary

**Scott W. Chamberlain,** Director of Labour Relations and General Counsel, Association of Canadian Financial Officers

**Jennifer Chieh Ho,** Regional Vice-President, B.C. and Yukon, Union of National Employees - Public Service Alliance of Canada

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| **ITEM** | **SUBJECT** | **ACTION / DECISION** |
| **1.** | **Opening Remarks and Approval** |  |
|  | * 1. **Opening Remarks:**   Deputy Minister Louise Levonian opened the meeting by welcoming all committee members as well as co-chair Theresa MacInnis. She then provided committee members with an update on recent changes in the Department’s Senior Management.  Louise Levonian also took a moment to speak about the ESDC Service Strategy that was launched that week. She explained that citizens’ expectations for improved services are on the rise and as such, improving services to Canadians is a priority. The Department as a whole is working to become a high performing organization in order to meet these expectations as well as the standards we have set for ourselves.  The ESDC Service Strategy is a portfolio-wide modernization plan of action embracing our commitment to service excellence and transforming the way we deliver services to clients, employers, communities and organizations. It builds on Service Canada’s Vision 2020 and stems from the following five principles:   * Client-centric * Digital * Collaborative * Efficient and effective * Service Excellence * It was further explained that a focal point is being created within ESDC to provide the horizontal and integrated business planning required to deliver within this service strategy.   Furthermore, the Processing and Payments Services Branch is going through a change in name as well as an expansion of its mandate. The new Transformation and Integrated Service Management Branch (TISMB) will help us drive the Service Strategy and a multi-year action plan forward, provide oversight over our transformation work and design and lead key enterprise-wide transformation initiatives.  **1.2** **Approval of Agenda:**  The meeting agenda was approved by members.  A request was made to add three items to the agenda:   1. Employment Insurance (EI) Inventory Reduction Strategy 2. Flexible workweek for Service Canada front-counter employees 3. Long-term acting assignments   **1.3 Minutes of Previous Meeting:**  There was a follow-up on item #6, an update on the Public Service Employee Survey (PSES). Doug Marshall expressed privacy concerns regarding the annual survey, the PSEAS.  With regards to item #2 - ESDC Programs and Priorities - Benoît Long indicated that he would sit down with the union. He further indicated that he had agreed to meet with the CEIU Call Centre Committee and that this was set for November 4, 2016.  The minutes of the meeting of February 22, 2016, were approved by members. | The annual survey was sent to all employees, thereby ensuring the anonymity of responses. Also, to ensure the privacy of respondents, the survey administrator EKOS fully abides by the terms of both of Canada’s federal privacy laws: the Privacy Act and the Personal Information Protection and Electronic Documents Act.  Benoit Long met with the Canada Employment and Immigration Union Call Centre Committee on November 4, 2016. |
| **2.** | **Business Changes** |  |
|  | **2.1 Transformation:** (Benoît Long)  A presentation entitled “ESDC’s Service Strategy and Transformation: Organizing for Success” was provided to Committee members and presented by Benoît Long. The deck provides details of actions to increase coherence and consistency, outlines how to organize for success and presents the basis for horizontal management (see Annex A).  Theresa MacInnis (CEIU) enquired as to whether an analysis had been conducted pertaining to resources in the Regions as well as what was required to ensure that the services were present. Benoît Long responded that consideration is given to ensuring that the resources are used in the most effective way possible and supporting employees in adjusting to the changes.  Mike Brecht (CEIU) expressed concern regarding the limited information pertaining to the timeline and how the decision-making process was conducted whereby the decisions are being taken away from the regions. Benoît Long assured participants that a plan was in place to allow for a better sense of the organization, what is to be done and the best way for this to be achieved. Emphasis is being placed on accountability and making sure employees recognize that a regional presence is felt.  With regards to investing in business needs, Jim McDonald (UNE) enquired about the status of the revolving fund to which Peter Simeoni confirmed that this money was not to be used elsewhere and that a high reporting system is in place to ensure that the funds are being used appropriately.  Lionel Saurette (CAPE) sought further clarification pertaining to the concept of horizontal management to which Benoît Long responded that the desired outcome is for common operational practices, integrated plans as well as portfolio oversight.  **2.2 Benefits Delivery Modernization:** (Benoît Long)  A second presentation pertaining to Benefits Delivery Modernization was made by Benoît Long. He explained that modernization of the programs is focused on increasing client self-service and automation, streamlining business processes, addressing the risks associated with aging Information Technology (IT), reducing manual work, improving program agility, and meeting the expectations of Canadians across all service delivery channels and program lines (see Annex B).  There was a discussion pertaining to several issues that clients are faced with. Theresa MacInnis indicated that self-service may present a barrier for some users such as clients with literacy and computer literacy concerns, disabilities or complicated applications, and concerns need to be supported by an officer. Management talked about ensuring that all users will be addressed. The desired outcome of making the digital interface popular was also noted. Bearing this in mind, consideration must also be given to developing new ways to serve Canadians. Youth have new expectations and the Deputy Minister has indicated that priority should be given to enabling our employees to allow them to meet these expectations. Lastly, a discussion took place regarding the jurisdictional research being conducted. | It was noted that Benefits Delivery Modernization should become a standing item on the agenda.  Done – included as a standing item for the 26 April, 2017 NLMCC meeting.  An update on the jurisdictional research will be included at the next NLMCC, on April 26th, 2017. |
| **3.** | **Updates** |  |
|  | **3.1 Old Age Security Service Improvement Strategy Project Update: Auto Enrollment Category 2:** (Cliff Groen)  Cliff Groen provided an update on the Auto Enrollment Category 2 of the Old Age Security Service Improvement Strategy for which the implementation is scheduled to be launched on October 31, 2016. The deck outlines the findings from the change impact assessment completed for Phase 2 of the OAS SIS project (Automatic Enrolment (AE) Category 2) as well as a brief overview of the remaining phase of the OAS SIS project (see Annex C). Cliff Groen further explained that from a human resources managment perspective, steps are in place to ensure that staff are aware of the changes. Further to a question from Mike Brecht (CEIU), he confirmed that the nature of the work will not change, that no training is required and that this implementation will not result in any form of job reduction. There are big demographic increases upcoming for the OAS program and this strategy will allow for better management of the increase in overall service delivery requirement. Cliff Groen also explained that as part of OAS SIS, there have been a variety of different communications and engagement sessions: with the public (outside of the GoC), sessions with staff as well as information shared on what works and what doesn’t related to the delivery of OAS.  Lionel Saurette (CAPE) requested that further clarification be given pertaining to impacts. It was explained that the impact on the staff per se is non-existent and that there is a very minor impact on their work in the sense that in the future, employees will no longer be required to enter the applications of the 5% of applicants who will be enrolled automatically. The foreseeable change in their work relates to questions that applicants may have. It was also confirmed that the public will be fully informed as to how to proceed should they not want to be automatically enrolled.  Mike Brecht (CEIU) expressed concern regarding staff mobilization to which Cliff Groen responded that there was much engagement in the regions and that a lot of feed-back received during the information sessions were taken into consideration. Louise Levonian added that employees have incredible input to share and that she has witnessed this during visits in the regions. Jim McDonald (UNE) encouraged union involvement and consultation. Louise Levonian agreed that this is the purpose of this meeting and that she does believe these consultations are taking place.  **3.2 Passport Modernization:** (Peter Simeoni)  Peter Simeoni shared an update of the Passport Modernization and indicated that testing had been completed in the Varennes office last Fall. He further indicated that testing will now take place pertaining to the workflows, processes, plans for modernization, etc. | Committee members were invited to provide Cliff Groen with input and feedback pertaining to the proposed FAQs for OAS SIS Automatic Enrolment Category 2.  From May to October 2015, ESDC conducted Global Case Management System (GCMS) testing, followed by a process optimization exercise. Building on ESDC’s process optimization exercise, Immigration, Refugees and Citizenship Canada is conducting GCMS Controlled Environment Testing to optimize workflows and processes, and evaluate new functionality. |
| **4.** | **Human Resources Initiatives** |  |
|  | * 1. **Update on the Phoenix Pay System:** (David Swol)   David Swol provided an update on the Phoenix Pay System. Louise Levonian opened the discussion by reiterating that this situation is unacceptable and that the Department is working very hard to resolve it. Our Department is contributing to the resolution on a very large scale and has provided support by way of staff to work at the Gatineau satellite office (13) as well as in the Winnipeg satellite office (50). Louise Levonian went on to say that no one should be placed in a position where they are getting no pay. There are mechanisms in place and we must ensure that employees raise their pay issues through the appropriate channels to ensure that steps are taken. David Swol further explained that prior to April 2016, we proceeded to input data in the system which allows us today to be in a much better position than several departments. We also created the Liaison Office to ensure effective communication between our Department and the Public Service Pay Centre (PSPC).  David Swol shared a few numbers:   * To date the Department has escalated 708 issues of which 199 (i.e. 28%) have been resolved. Some issues have been resolved prior to the escalation process; * 149 pay grievances have been filed of which 27 have been withdrawn as issues are resolved; and 29 are in abeyance as issues will be resolved imminently; and * 19 claims have been received pertaining to situations where employees had to incur additional costs for which 17 claims were for amounts under $5 000.   David Swol also presented the 3 main issues being addressed which are associated with gradual returns to work, regular pay as well as deductions. He confirmed that we are doing everything to minimize the impacts on our employees and that the Department has been as responsive as possible.  The following discussion period allowed members to gain a better understanding of how the PSPC proceeds in order to recoup the amount provided further to a request for an emergency salary advance, which is completed upon the 1st available funds, as well as the method used in cases of overpayment, where more flexibility is offered to the employee by way of several reimbursement options. Lionel Saurette (CAPE) shared his concern pertaining to employees returning to work after a long-term absence due to sick leave in which case these pay issues could have a direct impact on their well-being. David Swol explained that at the current time there is no preferential order given to the types of return to work but that he is advocating that these cases be addressed as first priority.  Stan Buday (PIPSC) enquired pertaining to the resolution of the pay grievances. David Swol responded that the Department has a team dedicated to dealing with these grievances. He also explained that the Labour Relations Advisor reaches out to the Union Representatives to discuss the preferred way-forward as well as works towards clarifying all the facts of the case before holding the grievance hearing.   * 1. **Mental Health: Peer Support Program:** (Theresa MacInnis and David Swol)   Theresa MacInnis and David Swol went on to present the Mental Health Peer Support Program. David Swol stated that mental health remains at the forefront and that we are at the stage where we want to develop the workplace based Peer Support Program (PSP) where employees who experienced a mental health challenge are selected and prepared to provide support to other employees within their workplace. David Swol explained that this is not an HR-driven process and that participants must volunteer further to which they will receive the appropriate training in order to support these other employees. This initiative cannot be completed overnight. The current year will serve to engage in consultations, needs analysis, communications, design and development of the Program with the hopes of launching in 2017-2018. Theresa MacInnis reaffirmed the importance of this initiative as well as the associated employee and union engagement. She further indicated that she believes the participants should be supported by management in their role and not be required to take leave. Furthermore, she suggested that peer involvement be highlighted in performance appraisals. Lori Sterling further expressed that ESDC as a whole has done a great deal in de-stigmatizing mental health issues and thanked the unions for their support in working truthfully together. |  |
| **5.** | **Round Table and Closing Remarks** |  |
|  | Peter Simeoni committed to ongoing engagement with the unions on a number of topics.  A discussion took place regarding the EI Inventory during which Mike Brecht (CEIU) expressed concern for a situation where numbers may have been altered. Louise Levonian thanked Mike Brecht for bringing this to the attention of the Committee.  Raoul Andersen (ACFO) raised concerns regarding long-term acting appointments and the fact that they create too much uncertainty on the part of the employee with regards to planning for the future. He explained that some situations have been going on for nearly 6 to 7 years. David Swol provided statistics as per which there are currently 227 cases of actings over 36 months. Although there are business reasons driving these acting appointments, the point being made is very valid and the Department has made concerted efforts. He also explained that he and Annick Langlois were working on reducing these occurrences which was also confirmed by Louise Levonian.  The next NLMCC meeting will be taking place in 6 months. | Meetings occurred on Dec 15 and 16 and Jan 27 between UNE and ESDC to discuss various topics.  It was agreed that this situation would be looked into.  Information on the long-term acting appointments was shared through the HRUMCC meeting November 28, 2016.  The tentative agenda must be sent to members in advance in order to help determine the appropriate length of time to allocate to each subject.  Actioned. Sent to members March 23, 2017 for input.  The Union Representatives have requested to be provided with information of employees who have been under term employment for long periods.  Bargaining agents were informed at the November HRUMCC meeting of the decision to lift the suspension.  Further information was provided to HRUMCC on March 27, 2017. |