**Table of Human Resources Authorities**

**Application:**

Numerous Human Resources (HR) authorities are delegated to deputy heads of departments through various pieces of legislation and central agency policies. As the Deputy Head for Employment and Social Development Canada (ESDC), I have sub-delegated these authorities to the lowest and most acceptable level of management within ESDC, considering department context as well as policy and legislative requirements. When ESDC is mentioned, it includes all branches of the department, the Labour Program and Service Canada.

In my absence, my delegated authorities may be exercised by the Senior Associate Deputy Minister of ESDC and Chief Operating Officer of Service Canada or by any other person designated in writing (email/letter) by me to act in my absence.

**Authorization:**

I hereby authorize that persons in the Department of ESDC who hold positions designated in this document may exercise human resources authority and assume responsibilities under various laws, regulations, policies, directives and collective agreements with respect to the management of human resources under certain conditions as set out in this document. However, in order to exercise sub-delegated staffing authorities, persons occupying positions identified in the Table of Human Resources Authorities must receive their sub-delegated authorities, in writing, when conditions and prerequisites are met and have accepted the terms and conditions of their sub-delegation.

When expenditure of funds is involved, the delegated authority must also obtain financial signing authorities pursuant to section 34 of the *Financial Administration Act* (FAA).

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Graham Flack Date

Deputy Minister, Employment and Social Development Canada

**Staffing Sub-Delegation**

**Pre-requisites:**

1. **For sub-delegation of levels 1 to 5:**

* Occupy, substantively or on temporary basis, a position identified in the Definition of Delegated Levels Table that have managerial and valid financial responsibilities.
* Have completed the H200 (Module 1 and Module 2) courses, “Basics of Staffing in the Public Service”, offered by the Canada School of Public Service (CSPS) (Pre-Requisite for the virtual P901 training version).
* Have successfully completed the H200 (Module 3) course, “Validation of knowledge related to the Basics of Staffing in the Public Service”, offered by the CSPS (Pre-Requisite for the virtual P901training version).
* Have successfully completed the P901 course, “Staffing: A Resourcing Tool for Managers”, offered by the CSPS, or an equivalent course approved by the Department.
* Have completed the W005 course, “Understanding Unconscious Bias”, offered by the CSPS.
* Have completed the W006 course, “Overcoming Your Own Unconscious Biases”, offered by the CSPS.
* Have completed the W007 course, “Overcoming Unconscious Bias in the Workplace”, offered by the CSPS.
* Have successfully completed ESDC’s Orientation Session for Staffing Sub-delegation.
* Have delegated financial signing authority (Section 34 - *Financial Administration Act*).
* Have received, accepted and signed the sub-delegation authority confirmation letter and the Attestation Form.

1. **For sub-delegation of level 6:**

* As per their limited appointment related-authority, persons occupying a position identified at level 6 are not subject to any pre-requisites and are automatically sub-delegated. No confirmation letter or attestation form will be issued for the exercise of these authorities.

**Terms and conditions of Staffing Sub-Delegation:**

The staffing sub-delegation is portable within ESDC. Therefore, staffing sub-delegation will be valid for subsequent appointments/assignments and a new confirmation letter will not be issued. However, when a person has not yet been sub-delegated, the appointment and appointment related authorities must be exercised by the appropriate sub-delegated person at the next highest level.

Where a person who has been granted sub-delegation is required to temporarily perform the duties of a position with delegated authorities, i.e. on an acting basis, this person may only exercise staffing sub-delegation, provided that he/she possesses the financial signing authorities for the new cost center, which is normally obtained through a Blanket Acting Designation Memorandum (BADM).

However, a person who is not sub-delegated who is appointed on an acting basis to a sub-delegated position may be provided with sub-delegated staffing authorities for the position in which he/she acts provided they meet all the staffing sub-delegated pre-requisites for this position. Once these requirements are met, a confirmation letter will be issued. Staffing sub-delegation will be valid for subsequent acting appointments or appointments provided the person still meet all the pre-requisites.

**Classification**

As per the Policy and Guidelines on Classification and the Management of Executives, classification and organization authorities are defined by the *Financial Administration Act (*FAA). Deputy heads may sub-delegate their classification authorities to delegated Accredited Classification Human Resources (HR) Advisors in the Organizational Design and Classification Center of Expertise (ODCCE). At ESDC, classification delegation for non-EX positions is sub-delegated to Classification Advisors accredited by the Treasury Board Secretariat (TBS). Classification delegation for EX positions at ESDC falls under the DM’s authority with some exceptions.

**Pre-requisites for Managers:**

When Managers approve the content of job descriptions and certify the effective date of the work assigned for subordinate positions, and organize the work by signing the organizational chart, they:

* Must occupy, substantively or on temporary basis, a position identified in the Definition of Delegated Levels Table.
* Must complete the on-line course on *Introduction to Organization and Classification* (P930) - Canada School of the Public Service.
* Must possess delegated financial signing authority (Section 34 - FAA).
* Should consult with the Accredited Classification HR Advisor.

When a Manager does not meet the pre-requisites, the classification related authorities must be exercised by the appropriate Manager at the next highest level. Where a Manager is required to temporarily perform the duties of a position with delegated authorities, i.e. on an acting basis, this person may only exercise their authorities as stated in the Table of HR Authorities, provided that they meet the pre-requisites, have completed and validated the required training appropriate to the level of the position and the person possesses the financial signing authorities for the new cost center. Managers are accountable to review and update job descriptions every five years and to submit changes in reporting relationship to the ODCCE when moving positions from one division to another.

**Specialized Functional Communities**

The creation, revision and changes to reporting relationships of positions in specialized functional communities outside of their functional area must be approved by the DM or the ADM with the specific functional group authority in conjunction with advice, guidance and recommendation from delegated Accredited Classification HR Advisors. Functional Heads are responsible for positions and associated job descriptions under their functional area of responsibility. All positions created outside of a functional area must be covered by a MOU, requiring written agreement between the Functional Head and host organization (ADM) requesting the position.

Functional Heads at ESDC are:

|  |  |
| --- | --- |
| * **CS group:** Chief Information Officer (IITB) * **FI & PG groups:** Chief Financial Officer (CFOB) * **IS group:** ADM, Communications (PASRB) | * **PE group:** ADM, Human Resources Services Branch (HRSB) * **LP & LC groups**: Department of Justice |

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**Definition of Delegated Levels**

|  |  |
| --- | --- |
| DM | Deputy Minister of Employment and Social Development [[1]](#footnote-1) |
| Level 1 | * Deputy Minister of Labour and Associate Deputy Minister of Employment and Social Development * Senior Associate Deputy Minister of Employment and Social Development and Chief Operating Officer for Service Canada * Senior Associate Deputy Minister of Employment and Social Development * Associate Deputy Minister of Employment and Social Development |
| Level 2 | Executives with managerial and financial responsibilities holding a valid Assistant Deputy Minister financial delegation[[2]](#footnote-2) for their allocated cost centres (e.g.[[3]](#footnote-3) Assistant Deputy Minister, Chief Audit Executive, CFO, CIO, Corporate Secretary) |
| Level 3 | Executives with managerial and financial responsibilities holding a valid Director General financial delegation2 for their allocated cost centres (e.g.3 Director General, Executive Director (reporting to an EX-04/EX-05)) |
| Level 4 | Executives and non-Executives with managerial and financial responsibilities holding a valid Director financial delegation2 for their allocated cost centres (e.g.3 Director, Executive Director (reporting to an EX-03), Chief of Staff) |
| Level 5 | Non-Executives with managerial and financial responsibilities holding a valid Manager financial delegation2 for their allocated cost centres (e.g.3 Manager, Senior Manager, Assistant Director) |
| Level 6 | Officials having supervisory responsibilities (e.g. Supervisor, Team Leader) |

**Other responsibilities conferred to groups of people**

|  |  |
| --- | --- |
| CFOB | Chief Financial Officer Branch, Senior Director General, Senior Director |
| HR | Assistant Deputy Minister (ADM), Director General (DG), Director, within the Human Resources Services Branch (HRSB) or other positions within the HRSB as identified in the Table of HR Authorities |

**Abbreviations Used in the Tables**

ADAI Appointment Delegation and Accountability Instrument

ADM Assistant Deputy Minister

App Appendix

CFOB Chief Financial Officer Branch

CHRA *Canadian Human Rights Act*

COO Chief Operating Officer

COOP Co-operative Education Program

DG Director General

DM Deputy Minister

EEA *Employment Equity Act*

EER Employment Equity Regulations

EX Executive

FAA *Financial Administration Act*

FSWEP Federal Student Work Experience Program

ESDC Employment and Social Development Canada

HR Human Resources

ODCCE Organization Design and Classification Centre of Expertise

OCHRO Office of the Chief Human Resources Officer

OLA *Official Languages Act*

OCOLOffice of the Commissioner of Official Languages

NJC National Joint Council

PDAP Professional Development and Apprenticeship Program

PSC Public Service Commission

PSEA *Public Service Employment Act*

PSER Public Service Employment Regulations

PSLRA *Public Service Labour Relations Act*

PSLREB Public Service Labour Relations and Employment Board

PSOLAR Public Service Official Languages Appointment Regulations

PSOLEAO Public Service Official Languages Exclusion Approval Order

PSSA *Public Service Superannuation Act*

PSSCR Public Service Staffing Complaints Regulations

RAP Research Affiliate Program

TBS Treasury Board Secretariat

TCE Terms and Conditions of Employment

WFA Work Force Adjustment

WFAA Work Force Adjustment Appendix

WFAD Work Force Adjustment Directive

| **Sub-delegated Responsibility** | | **Sub-delegated**  **Level** | | **References, Limitations, and Conditions** |
| --- | --- | --- | --- | --- |
|  | | **EX** | **Non-EX** |  |
| 1.0 Administrative Changes to the Table | | | | |
| 1.1 | To make changes of an administrative nature to the Table (re-formatting, error correction and other similar changes), but excludes changes to extent, terms and conditions of delegated authority. | HR\* | HR\* | \*The ADM and/or authorized DG within the HRSB |
| 2.0 Classification and Organizational Design | | | | |
| 2.1 ***Classification Delegation*** | |  |  |  |
| 2.1.1 | To grant and withdraw the sub-delegation of classification authority | DM | DM | TBS, *Policy on People Management*  TBS, *Directive on Classification* |
| 2.2 ***Organizational Structure*** | |  |  |  |
| 2.2.1 | To approve any organizational structure changes, including reporting relationship changes or transfer of functions between units and to determine effective dates  e.g. changes to organizational charts | DM | \* | TBS, *Policy on People Management*  TBS, *Directive on Classification*  TBS, *Directive on Executive (EX) Group Organization and Classification*  \*For non-EX, the manager exercising the authority should be **one** hierarchical level above the subject position(s) to approve changes in reporting relationship  Movement of a portion of an organization from one Branch to another Branch requires a signed Memorandum of Understanding (MOU) from both ADMs  Changes in reporting relationship of positions between directorates and/or divisions requires approval between both DGs and Directors  Classification levels on organization charts are always subject to analysis/confirmation/approval by Classification |
| 2.2.2 | Structural Model Only: to approve the creation or modification of a structural model; including organizational context, associated standardized job descriptions and application guide  To approve specific standardized job descriptions | N/A | 2 | TBS, *Policy on People Management*  TBS, *Directive on Classification*  The Champion or Co-Champion delegated for a specific departmental structural model approves the application of the model and respective job descriptions and any changes to either (model and/or related job descriptions) |
| 2.2.3 | To approve organizational change proposals affecting EX positions  (e.g. mandate, organizational structure, reporting relationships, primary accountabilities) | DM | N/A | TBS, *Directive on Executive (EX) Group Organization and Classification*  Change proposals must not significantly impact positions at the EX-04 and EX-05 levels, and must also not require an increase in the department’s total approved baseline |
| 2.2.4 | To approve an increase in the department's total EX-04 and EX-05 baseline; or, an increase in the department's EX-05 baseline | Non-Delegated | N/A | TBS, *Directive on Executive (EX) Group Organization and Classification*  Treasury Board approval and consultation with OCHRO required |
| 2.3 ***Position Classification*** | |  |  |  |
| 2.3.1 | To assign work and approve the content of job descriptions for subordinate positions; and, to certify the effective date of the work assigned:   * + within own Unit   + within own Division   + within own Directorate   + within own Branch/Region | 3 | 5  4  3  2 | TBS, *Policy on People Management*  TBS, *Directive on Classification*  TBS, *Directive on Executive (EX) Group Organization and Classification*  ESDC’s Process for the Use of Standardized and Unique Job Descriptions  Consultation with responsible Delegated Accredited Classification Advisor is recommended  EX Positions: Consultation required with HR  Job descriptions for EX positions must be updated within one year of significant changes and should not be retroactive for more than 1 year |
| 2.3.2 | To approve the retroactivity of effective date for unique and standardized job descriptions   * up to 12 months (within the same fiscal year) * over twelve (12) months | DM  DM | 3  2 | TBS, *Policy on People Management*  TBS, *Directive on Classification*  TBS, *Directive on Executive (EX) Group Organization and Classification* |
| 2.3.3 | To approve administrative changes to a position  (i.e. changes that have no impact on the evaluation of the position or do not change a position’s reporting relationship) | HR\* | HR\*\* | TBS, *Policy on People Management*  TBS, *Directive on Classification*  TBS, *Directive on Executive (EX) Group Organization and Classification*  \*The ADM of the HRSB  \*\*Organizational Design and Classification Centre of Expertise (ODCCE) within the HRSB |
| 2.3.4 | To authorize the classification of non-EX positions excluding AS-08, CS-05, EC-08, MP, LP and LC | N/A | HR\*  DM\*\* | \*The authorized Accredited Classification Advisor responsible for Organizational Design and Classification Centre of Expertise (ODCCE) (excluding AS-08, CS-05, EC-08, MP, LP and LC, which have to be approved by the DM\*\*) in accordance with the TBS, *Policy on People Management* and the *Directive on Classification* |
| 2.3.5 | To request the review and update of a position | DM | 5 | TBS, *Policy on People Management*  TBS, *Directive on Classification*  TBS, *Directive on Executive (EX) Group Organization and Classification*  TBS, *Directive on Classification Oversight*  ESDC’s Process for the Use of Standardized and Unique Job Descriptions  ESDC’s Process for the Management of Vacant Positions  Request to reclassify any Structural Model job descriptions must be approved by the delegated authority/Champion  e.g. COO for Service Canada |
| 2.3.6 | To create special deployment position for an executive | DM | N/A | Consultation with Executive Workforce Management Committee (EXWMC)  No job description required |
| 2.4 ***Classification Grievances*** | |  |  |  |
| 2.4.1 | To acknowledge receipt of a classification grievance by a subordinate employee | 3 | 6 | TBS, *Financial Administration Act* 11.1 (1)  TBS, *Directive on Classification Grievances*  *Public Service Labour Relations Regulations* (Part 2)  TBS, *Directive on Executive (EX) Group Organization and Classification* |
| 2.4.2 | To administer the classification grievance process and the grievance hearing for grieved positions | Non-Delegated\* | DM or DM Delegate | TBS, *Financial Administration Act* 11.1 (1)  TBS, *Directive on Classification Grievances*  TBS, *Directive on Executive (EX) Group Organization and Classification*  \*For EX position grievances, the chair will be an OCHRO representative and the recommendation of the committee will be approved by OCHRO |
| 2.4.3 | To approve the recommendation of a classification grievance committee and render classification grievance decisions; which are final and binding | Non-Delegated\* | DM or DM Delegate | TBS, *Financial Administration Act* 11.1 (1)  TBS, *Directive on Classification Grievances*  TBS, *Directive on Executive (EX) Group Organization and Classification*  \*For EX position grievances, the chair will be an OCHRO representative and the recommendation of the committee will be approved by OCHRO |
| 2.4.4 | To render a decision on the timeliness of a classification grievance | DM or DM Delegate | DM or DM Delegate | TBS, *Financial Administration Act* 11.1 (1)  TBS, *Directive on Classification Grievances*  *Public Service Labour Relations Regulations (Part 2)* |
| 2.5 ***Classification Directed Decisions*** | | | | |
| 2.5.1 | To approve classification decisions that may not be aligned with departmental or interdepartmental relativity in unique and exceptional circumstances where there is no clear and obvious fit with classification standards | DM | DM | ESDC’s Process for Deputy Head Directed Classification Decisions |
| 3.0 Duty to Accommodate (DTA) | | | | |
| 3.1 | To ensure employees are accommodated in the workplace to the point of undue hardship, considering issues of health, safety and cost | 3 | 5 | CHRA 5  TBS, *Policy on the Duty to Accommodate* *Persons with Disabilities in the Federal Public Service*  ESDC Duty to Accommodate Guidelines  For delegated level of approval for a DTA Telework situation: refer to section 13.1 |
| 3.2 | To ensure candidates are accommodated in the staffing process to the point of undue hardship, considering issues of health, safety and cost | 3 | 5 | CHRA 5  TBS, *Policy on the Duty to Accommodate* Persons *with Disabilities in the Federal Public Service*  ESDC Duty to Accommodate Guidelines  EEA 5(b); EER 9(e); PSC, *Appointment Policy* |
| 4.0 Employment Equity Act | | | | |
| 4.1 | To review employment systems, policies and practices to identify and eliminate systemic barriers to the employment of EE designated group members where under-representation exists | HR\* | HR\* | EEA 5(a)(b), 6, 8, 9(1)(b); EER 8, 9  CHRA 5, 7  TBS, *Policy on People Management* and Guidelines  \*The ADM and/or the authorized DG within the HRSB |
| 5.0 EX Compensation and Terms and Conditions of Employment | | | | |
| 5.1 | To approve salary on appointment to **EX** Group from other occupational groups within the public service | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives*, Appendix B: 5.2, 10.2(b)  Upon appointment, only the DM may approve exceptions to increase in salary beyond 5% and up to 10% of the salary maximum of the higher EX position |
| 5.2 | To approve salary on appointment to a higher level **EX** position | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives,* Appendix B: 5.3.2, 8.6.2  Upon appointment, only the DM may approve exceptions to increase in salary beyond 5% and up to 10% of the salary maximum of the higher EX position |
| 5.3 | In cases of employer-requested appointments or deployments involving relocation within Canada, DM may grant an increase in salary of up to 5% of the job rate | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives,* Appendix B: 5.4.2 |
| 5.4 | To approve a one-time lump payment upon appointment from outside the public service, where a person’s previous salary exceeds the salary maximum of the **EX** position | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives,* Appendix B: 5.1.1, 5.1.2 |
| 5.5 | To appoint EX-04/05 to a different **EX** Group position level | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives,* Appendix B: 5.5.1  DM only has the authority to pay employee at his/her personal classification level |
| 5.6 | To approve performance award treatment under the Performance Management Program | DM | 2 | TBS, *Directive on the Performance Management Program* *for Executives*  TBS, *Policy on People Management*  DM has the authority to determine individual performance awards |
| 5.7 | To approve percentage distribution for the Performance Management Program | DM | DM | TBS, *Directive on the Performance Management Program* *for Executives*  TBS, *Policy on People Management*  DM is authorized to determine increases in salary and for performance awards |
| 5.8 | To approve dual remuneration | DM | 3 | TBS, *Directive on Terms and Conditions of Employment for Executives,* Appendix B 2.5 1  TBS, *Directive on TCE* Part 2; 1.1 |
| 5.9 | To authorize rate of pay higher than the minimum from outside the Public Service | 3 | 5 | TBS, *Directive on TCE* Part 2; 2.1 |
| 5.10 | To approve recovery of salary overpayment at a lower rate than 10% in extenuating circumstances | 3 | 3 | FAA 155(3)  TBS, *Directive on TCE*  Consultation with HR is required |
| 5.11 | To approve recovery of salary overpayment at a rate of 10% or higher if the full and immediate recovery will impose financial hardship   * at the request of the employee, following consultation with HR * if in the opinion that the employee contributed to causing the overpayment | 3  3 | 6  4 | FAA 155(3)  TBS, *Directive on TCE*  Consultation with HR is required |
| 5.12 | To approve daily hours of work and other work arrangements | 3 | 6 | TBS, *Directive on TCE* Part 2: 8  TBS, *TCE for Students* 3.2  Applicable Collective Agreement |
| 5.13 | To approve compensatory overtime  To approve paid overtime | N/A | 6  5\* | TBS, *Directive on TCE* Part 2: 9  TBS, *TCE for Students* 3.5  Applicable Collective Agreement  \*Section 34 is required to approve paid overtime |
| 5.14 | To apply the provisions of the applicable TBS Policy/Directive on TCE and collective agreements not otherwise identified above | 3 | 5 | FAA 7 (1)(e)  TBS, Policy/Directive on TCE  Applicable Collective Agreement |
| 6.0 Isolated Post Allowance | | | | |
| 6.1 | To administer the provisions of the NJC*, Isolated Post Directive* | 3 | 4 | NJC, *Isolated Post Directive* |
| 7.0 Labour Relations | | | | |
| 7.1 ***Canadian Human Rights Commission*** | |  |  |  |
| 7.1.1 | To act as the authorized representative regarding situations related to the Canadian Human Rights  Commission and Human Rights Tribunal for labour relations related matters | HR\* | HR\* | \*The authorized Assistant Director responsible for Labour Relations within the HRSB  Matters related to staffing should be directed to the Director responsible for Workforce Strategies within the HRSB |
| 7.2 ***Grievances*** | |  |  |  |
| 7.2.1 | Respond to Labour Relations grievances:   * at the First Level * at the Second Level * at the Third Level | N/A  2  HR\* | 5  3  2 | Managers responding to grievances at all levels must occupy an excluded position (or position proposed for exclusion) or an unrepresented position, and must be delegated as a grievance step officer in accordance with the regulations prescribed pursuant to the PSLRA  \*The ADM of the HRSB is sub-delegated to respond to EX grievances at the final level, with the exception of grievances filed by employees at the Level 2, which will be responded to by the Level 1  The ADM within the HRSB is sub-delegated to respond to grievances related to termination, demotion and suspension of 20 days or more.  Note: The authority to respond to job content grievances for any standardized job descriptions will be handled at Final Level by the delegated DG responsible for Labour Relations, within the HRSB  Note: The authority to respond to pay grievances will be handled at Final Level by the Executive Director responsible for Compensation, within the HRSB |
| 7.2.2 | Respond to grievances on Security Suspension pending Investigation:   * at the First Level * at the Second Level * at the Third Level | N/A  \*  \*\* | N/A  \*  \*\* | Labour Relations will continue to provide advice and guidance as well as administrative services in the management of grievances, e.g. grievance analyses, drafting grievance responses.  \*The authorized Chief Security Officer  \*\*The authorized ADM within Integrity Services Branch |
| 7.2.3 | Respond to grievances on Revocation of Security Status (Reliability) and Clearances (Confidential, Secret and Top Secret):   * at the First Level * at the Second Level * at the Third Level | N/A  N/A  \* | N/A  N/A  \* | Labour Relations will continue to provide advice and guidance as well as administrative services in the management of grievances, e.g. grievance analyses, drafting grievance responses.  \*The authorized ADM within Integrity Services Branch  Consultation with the DM will be required on cases of revocation of a security clearance |
| 7.2.4 | Respond to grievances on the outcome on an harassment investigation:   * at the First Level * at the Second Level * at the Third Level | N/A  HR\*  \*\* | N/A  HR\*  \*\* | Labour Relations will continue to provide advice and guidance as well as administrative services in the management of grievances, e.g. grievance analyses, drafting grievance responses.  \*The authorized DG in Workplace Management Directorate within HRSB  \*\*The authorized Chief Audit Executive within Internal Audit Services Branch |
| 7.2.5 | Respond to grievances pursuant to a directive of the National Joint Council:   * at the First Level * at the Second Level | N/A  3\* | 5  3\* | NJC By-laws Section 15  \*The NJC Departmental Liaison Officer is sub-delegated to exercise this authority for ESDC. The authorized DG within the HRSB has been identified as the NJC Departmental Liaison Officer |
| 7.2.6 | To approve final level grievance decision on a claim submitted under the Memorandum of Agreement (MOA) signed on June 12, 2019, related to damages caused by the Phoenix Pay System | CFOB\* | CFOB\* | \*Note: The authority to approve claims submitted under the MOA related to damages caused by the Phoenix Pay System for general compensation for former employees as outlined in clauses 16 and 17 is sub-delegated to the Senior Director, National Accounts Payable  \*Note: The authority to approve claims submitted under the MOA related to damages caused by the Phoenix Pay System for severe impact and other demonstrable cases as outlined in clauses 21 a) to 21 l) is sub-delegated to the Chief Financial Officer and the Senior Director General, Integrated Corporate Accounting and Accountability  FAA 11.1  Paragraph 28 of the MOA on damages caused by the Phoenix Pay System  Expenditure type: Claims against the Crown associated with damages caused the Phoenix Pay System |
| 7.3 ***Leave*** | |  |  |  |
| 7.3.1 | To approve vacation leave with pay | 3 | 6 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation* Appendix C: 5 TBS, *Directive on TCE* |
| 7.3.2 | To approve payment in cash (cash-out) of unused vacation leave credits | 3 | 4 | Applicable Collective Agreement    TBS, *Directive on Executive Compensation*  Appendix C: 5.3.2(c) |
| 7.3.3 | To cancel, alter, or recall an employee from vacation  leave and reimburse expenses | 3 | 4 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation*  Appendix C: 5.7 |
| 7.3.4 | To approve the accumulation of vacation leave credits  at the same rate as prior to being appointed to an **EX**  position from outside the core public administration | DM | N/A | TBS, *Policy on People Management*  TBS, *Directive on Executive Compensation* Appendix C: 5.2.4(c) provided that the definition of “service” in Appendix A does not apply |
| 7.3.5 | To approve, for **EX**, the carry-over up to one (1)  additional year’s entitlement of earned but unused  vacation leave credits beyond the individual’s  permitted maximum accumulation | 3 | N/A | TBS, *Directive on Executive Compensation* Appendix C: 5.4.3 |
| 7.3.6 | To approve personal leave (with pay) | 3 | 6 | TBS, *Directive on Executive Compensation* Appendix C: 4 Applicable Collective Agreement |
| 7.3.7 | To approve volunteer day (with pay) | N/A | 6 | Applicable Collective Agreement |
| 7.3.8 | To approve leave with pay for family-related  responsibilities | 3 | 6 | TBS, *Directive on Executive Compensation* Appendix C: 7.1  Applicable Collective Agreement  For EX positions, approval is discretionary |
| 7.3.9 | To approve exceptional leave with pay (discretionary) for **EX**:   * up to 5 days * over 5 days | 2  DM | N/A  N/A | TBS, *Directive on Executive Compensation* Appendix C: 10  Request for leave over 5 days must be substantiated |
| 7.3.10 | To approve time off for personal medical and dental appointments | 3 | 6 | TBS, *Directive on Leave and Special Working*  *Arrangements* Appendix A: 2.2.3 |
| 7.3.11 | To approve sick leave **with** pay | 3 | 6 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation* Appendix C: 6 TBS, *Directive on TCE* |
| 7.3.12 | To approve sick leave **without** pay (cumulative period):   * up to 30 working days * 31 working days up to 24 months * beyond 24 months | 3  3  2 | 5  5  2 | Applicable Collective Agreement  TBS, *Directive on Leave and Special Working* *Arrangements*  Consultation with the Disability Management Center of Expertise, via the HRSC Portal, is required |
| 7.3.13 | To advance sick leave credits up to the maximum prescribed | 3 | 5 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation*  Appendix C: 6.6  TBS, *Directive on TCE* *for certain Excluded/Unrepresented Employees* |
| 7.3.14 | To approve a credit of 25 days of sick leave on appointment to **EX** from organizations other than those included in the definition of ‘’service’’ in Appendix A of the *Directive on Executive Compensation* | DM | N/A | TBS, *Directive on Executive Compensation*  Appendix C: 6.5 |
| 7.3.15 | To approve up to 130 days special sick leave **with pay** (discretionary) for **EX** | DM | N/A | TBS, *Policy on People Management*  TBS, *Directive on Executive Compensation*  Appendix C: 6.3  This leave can only be given once in a career  DM can authorize the use of any balance of the 130 days used previously for a subsequent serious illness |
| 7.3.16 | To approve special leave without pay for **EX** (discretionary) | DM | N/A | TBS, *Directive on Executive Compensation*  Appendix C: 12  For leave not otherwise specified in the *Directive on Executive Compensation,* this leave may, for example, be used for assignment with an international organization, or to accept an appointment in a Minister’s Office |
| 7.3.17 | To approve leave without pay for care of family | 3 | 5 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation*  Appendix C: 8.1 |
| 7.3.18 | To approve caregiving leave | 3 | 5 | Applicable Collective Agreement |
| 7.3.19 | To approve education leave without pay:   * up to 12 months * for renewal | DM  DM | 5  2 | FAA 12(1)(a)  TBS, *Directive on Executive Compensation*  Applicable Collective Agreement  For the authority to grant allowance in lieu of salary, see ESDC’s Financial Delegation Instrument |
| 7.3.20 | To approve injury-on-duty leave:   * under 6 months * 6 months or more | N/A  N/A | 5  2 | TBS, *Directive on Leave and Special Working Arrangements*  Applicable Collective Agreement |
| 7.3.21 | To approve bereavement leave with pay  For **non-EX,** in exceptional circumstances, to approve leave in a manner that is different or for a period greater than normal standards, as permitted by a collective agreement | 3  N/A | 6  4 | Applicable Collective Agreement  TBS, *Directive on TCE*  TBS, *Directive on Executive Compensation*  Appendix C: 11  Consultation with HR is required |
| 7.3.22 | To approve leave with pay, when circumstances not directly attributable to the employee prevent his or her reporting for duty (i.e. adverse climatic or environmental conditions) | 3 | 5 | Applicable Collective Agreement and TCE  TBS, *Directive on Leave and Special Working* *Arrangements* Appendix A: 2.2.2 |
| 7.3.23 | To approve leave without pay for relocation of spouse or common-law partner | 2 | 5 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation* (Mandatory) |
| 7.3.24 | To approve management leave | N/A | 3 | TBS, *Directive on TCE* *for certain Excluded/Unrepresented employees* |
| 7.3.25 | To approve maternity leave, maternity related reassignment and parental leave without pay | 3 | 6 | Applicable Collective Agreement  TBS, *Directive on Executive Compensation*  Appendix C: 7 |
| 7.3.26 | To approve court leave (with pay)   * **EX** (mandatory) * **non-EX** | 3 | 6 | TBS, *Directive on Executive Compensation* Appendix C: 9  Applicable Collective Agreement |
| 7.3.27 | To approve leave for religious observance | 3 | 6 | Applicable Collective Agreement  TBS, *Directive on Leave and Special Working* *Arrangements* Appendix A: 2.3.1 |
| 7.3.28 | To approve self-funded leave **without** pay | 3 | 4 | TBS, *Self-Funded Leave Policy* |
| 7.3.29 | To approve leave with income averaging | 3 | 5 | TBS, *Directive on Leave and Special Working Arrangements* |
| 7.3.30 | To approve pre-retirement transition leave | 3 | 4 | TBS, *Directive on Leave and Special Working Arrangements* |
| 7.3.31 | To approve personnel selection leave with pay and  examination leave with pay | N/A | 6 | Applicable Collective Agreement |
| 7.3.32 | To approve travel status leave | N/A | 5 | Applicable Collective Agreement  NJC, *Travel Directive* |
| 7.3.33 | To approve career development leave pay | N/A | 5 | Applicable Collective Agreement |
| 7.3.34 | To approve compensatory leave with pay | N/A | 6 | Applicable Collective Agreement |
| 7.3.35 | To approve leave without pay for personal needs | N/A | 5 | Applicable Collective Agreement |
| 7.3.36 | To approve Union business leave (with or without pay) | N/A | 5 | Applicable Collective Agreement |
| 7.3.37 | To approve time off with pay to pregnant employees  for the purpose of attending routine medical  appointments | N/A | 6 | Applicable Collective Agreement |
| 7.3.38 | To approve domestic violence leave | N/A | 6 | Applicable Collective Agreement |
| 7.3.39 | To approve leave with pay or without pay in  Accordance with the applicable collective agreement  or central agency policy for reasons not specified in  this section (B.3) **up to one year** | N/A | 5 | Applicable Collective Agreement  TBS, *Directive on TCE*  TBS, *Directive on Leave and Special Working Arrangements*  PSC retains the authority to approve a request for leave without pay to employees who wish to be candidates in an election |
| 7.3.40 | To approve leave with pay or without pay in accordance with the applicable collective agreement or central agency policy for reasons not specified in this section (B.3) **over one year** | N/A | 4 | Applicable Collective Agreement  TBS, *Directive on TCE*  TBS, *Directive on Leave and Special Working Arrangements*  PSC retains the authority to approve a request for leave without pay to employees who wish to be candidates in an election |
| 7.4 ***Probation, Termination and Demotion*** | |  |  |  |
| 7.4.1 | To terminate the appointment of an employee during  the probationary period | 2 | 5 | PSEA 62  Consultation with HR is required |
| 7.4.2 | To accept a resignation | 2 | 6 | PSEA 63 |
| 7.4.3 | To lay-off term employees early | 2 | 5 | PSEA 64  TBS, *Policy on People Management*  See 15.1 for lay-off in workforce adjustment situations  in this Table of HR Authorities |
| 7.4.4 | To provide a notice of non-renewal to a person employed as a term employee | 2 | 5 | TBS, *Policy on People Management* |
| 7.4.5 | To terminate employment or demote an employee to a position at a lower maximum rate of pay for:   * breach of discipline and misconduct * unsatisfactory performance * reasons other than breach of discipline and misconduct | 2 | 2 | FAA 12(1)(c), (d), (e)  HR must be consulted in order to provide the delegated official with a recommendation before terminating employment or demoting |
| 7.4.6 | To terminate employment when an offer of employment is made as the result of the transfer of any work, undertaking or business from the core public administration to anybody or corporation that is not part of the core public administration | 2 | 2 | FAA 12(1)(f)  HR must be consulted in order to provide the delegated official with advice before terminating employment |
| 7.5 ***Discipline*** | |  |  |  |
| 7.5.1 | To administer the following disciplinary measures:   * Oral reprimand * Written reprimand   Suspension or equivalent financial penalty:   * 9 days and less * From 10 days to 19 days * 20 days or more | 3  3  2  2  2 | 6  5  5  4  2 | FAA 12(1)(c)  HR must be consulted before imposing suspension or financial penalty |
| 7.6 ***Suspension without pay*** | |  |  |  |
| 7.6.1 | To suspend an employee without pay pending administrative investigation for:   * up to 10 days * any duration beyond 10 days | 2  2 | 3  2 | FAA 12(1)(c)  HR must be consulted before suspending an employee pending an administrative investigation |
| 8.0 Learning | | | | |
| 8.1 | To authorize learning and development activities during or outside hours of work | 4 | 5  6 | FAA 12(1)(a)  Level 5 for activities with costs  Level 6 for no-cost activities |
| 8.2 | To authorize learning and developmental activities for a period exceeding 12 months while the employee is on education leave | 3 | 4 | FAA 12(1)(a) |
| 8.3 | To establish work objectives, review work  performance, discuss learning, training and  developmental requirements and establish talent  management plans  Make updates if applicable and continuously  throughout the cycle | 3 | 6 | FAA 11.1, 12 (1) and Management Rights |
| 9.0 Occupational Health and Safety (OHS) | | | | |
| 9.1 | To ensure compliance with all applicable OHS duties  of the employer described in the *Canada Labour*  *Code*, Part II | 3 | 6 | CLC Part II, 125  Canada OHS Regulations  TBS, *Policy on OHS*  NJC, *OHS Directive*  ESDC OHS Policy and Program |
| 9.2 | To respond to OHS complaints as per the legislated  Internal Complaint Resolution Process | 3 | 6 | CLC, Part II, 127.1(2)(3)(6)(7)(8) |
| 9.3 | To respond to a notice of occurrence of workplace  harassment and violence and facilitate the  resolution process; and to facilitate the appointment of  an investigator to investigate situations of harassment  and violence. | HR\* | HR\* | CLC Part II, 125(1) (z.16)  Canada OHS Regulations 14  *ESDC Workplace Harassment and Violence Prevention Policy*  \*The DG, Workplace Management Directorate, and the Harassment and Violence Centre of Expertise. |
| 9.4 | To respond on behalf of the employer to an employee  refusing dangerous work | 3 | 5 | CLC Part II, 128. (7.1) (8)(10.2)(13)(14)(15)(16)  NJC, *OHS Directive*, Part XIX  Immediate consultation is required with the Regional OHS Advisor |
| 9.5 | To respond on behalf of the employer to a Direction issued by the Labour Program for a contravention to the *Canada Labour Code*, Part II | 3 | 5 | CLC Part II, 145(1)(2)  Immediate consultation is required with the Regional OHS Advisor |
| 9.6 | To act as the authorized representative in a case of prosecution of the department or of an individual employer representative, as a result of a contravention to the Canada Labour Code, Part II | HR\* | HR\* | CLC Part II, 148  \*The ADM of the HRSB  The DG, Workplace Management Directorate, and Legal Services must be consulted immediately |
| 1**0.0 Official Languages** | | | | |
| 10.1 | To approve the initiation of a non-imperative appointment or deployment in accordance with the exclusions specified in the Public Service Official  Languages Exclusion Approval Order | DM | 2\* | Section 91 of the OLA  PSOLEAO 3 and 5  Manager’s Guide to Non-Imperative Staffing  For EX positions only, a recommendation from the ADM of the HRSB, must accompany the approval request and related documentation  The authority to approve exclusion from meeting on medical grounds (PSOLEAO 4) is restricted to the PSC for appointments and the DM for deployments  \*The initiation of a non-imperative appointment or deployment must be approved by the level 2. However, the letter of appointment can be approved by the  level 3, 4 or 5 depending on the case |
| 10.2 | To extend the two-year period referred to in an agreement to become bilingual for one or more additional periods up to a total of 2 years. | DM | 2\* | Public Service Official Languages Appointment Regulations (PSOLAR) 7  Manager’s Guide to Non-Imperative Staffing  Request must be sent to the Workforce Management Directorate – Workforce Strategies for review before DM/ADM approval is sought  \*A level 2 can exercise this authority only if they are at the EX-4 or EX-5 group and level |
| 10.3 | To administer the provisions of the *Bilingualism Bonus*  *Directive* | N/A | 5 | NJC, *Bilingualism Bonus Directive* |
| 10.4 | Identification or modification of linguistic requirements of a position   * Approve and modify language requirements and linguistic profiles of positions where there is **no** departmental standard\* * Approve and modify language requirements and linguistic profiles of positions where there is a departmental standard\* | DM  DM | 4  2 | Section 91 of the OLA  TBS, *Policy on Official Languages*  TBS, *Directive on Official Languages for People Management*  ESDC Guideline on Language Requirements of Positions  Directive on Official Languages Obligations in ESDC Bilingual Points of Service  \*Departmental standard refers to an ESDC guideline or directive that mandates a linguistic profile for certain positions or levels of positions such as: The ESDC Guideline on Language Requirements of Positions and the  Directive on Official Languages Obligations in ESDC Bilingual Points of Service |
| 10.5 | To provide OCOL with requested information pertaining to a Facilitated Resolution Complaint Process for Part V, VI and Section 91 of the OLA | HR\* | HR\* | \*The authorized Senior HR Advisor in Workforce Strategies, within the HRSB  In consultation with HR Operations and the responsible sub-delegated Manager |
| 10.6 | To respond to Part V, VI and Section 91 OL complaints in writing within the prescribed timeframe, using a Formal Investigation Process | HR\* | HR\* | \*The authorized DG, Director or Assistant Director within the HRSB  Client sub-delegated ADM or DG is responsible for preparing a response |
| 10.7 | To implement corrective measures recommended by  OCOL following their investigation | 2 | 3 | The authorized Director within the HRSB is responsible to monitor the implementation |
| 11.0 Professional Development and Apprenticeship Programs | | | | |
| 11.1 | To approve the establishment of Professional Development and Apprenticeship Programs and related standard of competence for the appointment of participants | N/A | 2\*  HR\*\* | PSEA 32  FAA 12 (1)(a)  Upon review of the \*DG and recommendation of the \*\*ADM within the HRSB Branch |
| 12.0 Staffing | | | | |
| 12.1 ***Appointment*** | |  |  |  |
| 12.1.1 | To make acting appointments based on merit and free from political influence (including acting extensions) and determine the choice of appointment process (i.e. advertised or non-advertised)   * Acting appointments of less than four (4) months * Acting appointment of four (4) months or more but less than twelve (12) months * Acting appointment of 12 months or more but less than 36 months; and * Acting appointment of 36 months or more | 3  2  DM  DM | 5  5  2\*  DM\*\* | PSEA 29(1), 30, 33  TBS, *Policy on People Management*  TBS, *Directive on Executive Compensation,* App. B  PSC, *Appointment Policy*  ESDC Staffing Policy and Guidance Framework  \*The duration of the acting appointment must be approved by the level 2. However, the letter of appointment can be approved by the responsible sub-delegated manager (level 3, 4 or 5, as applicable)  \*\*The duration of the acting appointment must be approved by the DM. However, the letter of appointment can be approved by the level 2 |
| 12.1.2 | To consider and appoint individuals with a priority status | 2 | 5 | PSEA 39(1), 40, 41(1)(4), 43  PSER 5, 7, 7.1, 8, 8.1, 9, 10  PSC, *Priority Administration Directive* |
| 12.1.3 | To make internal or external indeterminate or term appointments based on merit and free from political influence, and determine the choice of appointment process (i.e. advertised or non-advertised)  In an advertised external process, must give preference in the following order:   * + a person in receipt of a pension by reason of war service   + a veteran or a survivor of a veteran; and   + a Canadian citizen and a permanent resident | 2 | 5\* | PSEA 29(1), 30, 33, 39(1), 39(2), 39(3), 57  TBS, *Policy on People Management*  TBS, *Directive on Executive Compensation*, App. B  PSC, *Appointment Policy*  ESDC Staffing Policy and Guidance Framework  \*For appointments requiring relocation, a level 4 |
| 12.2 ***Non-Appointment*** | |  |  |  |
| 12.2.1 | To approve, free of political influence, assignments  within the Department or secondments into or outside  the Department | 2 | 5 | FAA 12.2 |
| 12.2.2 | To approve Interchange Canada assignments and extension up to three (3) years to and from other sectors within Canada | 2 | 5 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.3 | To approve international Interchange Canada  assignments and extensions up to three (3) years | DM | 2 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*    Consultation with HR is required |
| 12.2.4 | To approve Interchange Canada assignment extensions within Canada up to a maximum of two (2) additional years beyond the three (3) year assignment period  To approve international Interchange Canada assignment extensions up to a maximum of two (2) additional years beyond the three (3) year assignment period | DM  DM | 2  2 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.5 | To approve, on an exceptional basis, Interchange Canada assignments of more than one year where the incoming participant does not meet the language requirements for the duties they will be performing | DM | DM | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required  This authority cannot be sub-delegated |
| 12.2.6 | Waiving a participant’s two (2) year waiting period between Interchange Canada assignments | DM | DM | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required  This authority cannot be sub-delegated |
| 12.2.7 | Waiving the requirement that Interchange Canada’s participants must have been employees of the sponsoring organization, including a personal corporation, for a period of at least six months prior to the commencement of the assignment | DM | 2 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.8 | To approve the refunding of less than the full amount of the Interchange Canada participant’s salary, employer-paid benefits, and/or relocation costs | DM | 2 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.9 | Waiving any or all provisions of the National Joint Council’s Foreign Service Directives (FSD) if the employee wishes to proceed with an Interchange Canada assignment outside Canada without these entitlements, in accordance with FSD 3 | DM | 2 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.10 | To approve assignments of Interchange Canada of incoming participants employed and sponsored by a personal corporation | DM | 2 | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.11 | To approve payments to the sponsoring organization where the salary of incoming Interchange Canada participants will exceed 125 per cent of the total compensation that would be paid to an employee of the core public administration performing similar work | DM | DM | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.12 | To approve the provision of relocation assistance for Interchange assignments of less than one year for executives, despite section 1.4 of the National Joint Council Relocation Directive | DM | N/A | TBS, *Policy on People Management*  TBS, *Directive on Interchange Canada*  Consultation with HR is required |
| 12.2.13 | To deploy employees to or within ESDC | 2 | 5 | PSEA 51, 52, 53  The EX Qualification Standard must be applied in deployments to and within the EX Group |
| 12.2.14 | To deploy employees (non-voluntary as a result of harassment) to or within ESDC | 2 | 2 | PSEA 51, 52, 53  The EX Qualification Standard must be applied in deployments to and within the EX Group |
| 12.2.15 | To deploy an executive (EX-01 to EX-03) resulting from the agreement to be deployed as a condition of employment\* | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives*  \*Executives whose substantive position is at the EX-01 to EX-03 level on April 1, 2020 are not subject to this condition until they are deployed or appointed (with the exception of acting appointments) to another EX Group position or until April 1, 2022, whichever comes first |
| 12.2.16 | To approve Special Deployments for Executives | DM | N/A | TBS, *Policy on Management of Executive*  TBS, *Directive on Executive Compensation* Appendix E |
| 12.2.17 | To employ persons as casual workers | 2 | 5 | PSEA 50(1) |
| 12.2.18 | To employ persons as part-time workers | 2 | 5 | PSC’s Part-Time Work Exclusion Approval Order |
| 12.2.19 | To appoint students through the FSWEP, COOP, RAP or other formal student employment programs, as well as determine the rates of pay based on the scales established by TBS | N/A | 5 | TBS, *Terms and Condition of Employment for Students*  TBS, *Policy on People Management* |
| 12.3 ***Process Requirements*** | |  |  |  |
| 12.3.1 | To determine the area of selection, including exclusively target members of designated employment equity groups or to expand an area of selection to include members of designated employment equity  groups | 3 | 5 | PSEA 34(1)  ESDC Staffing Policy on Area of Selection |
| 12.3.2 | To establish the assessment tools | 3 | 5 | PSEA 36  PSC, *Appointment Policy*  TBS, *Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service*  The sub-delegated person may ask another person, such as a member of an assessment board, to assist with certain aspects of an appointment process (e.g., developing assessment questions, conducting interviews) however the sub-delegated manager remains accountable for taking all decisions and exercising their discretion related to their sub-delegated authorities |
| 12.3.3 | To informally discuss the decision to eliminate a person who has been eliminated from further consideration at any stage of an internal appointment process | 3 | 5 | PSEA 47  PSC, *Appointment Policy*  Assessment Board Members who are not sub-delegated can provide feedback to candidates, however, the  sub-delegated manager remains accountable for taking all decisions and exercising their discretion related to the  sub-delegated authorities |
| 12.3.4 | To inform persons of the name of the person being considered for each internal appointment and to fix a waiting period during which appointments or proposed appointments may not be made. The period must meet or exceed the minimum established by the PSC. Moreover, to inform persons who were advised in the first notification of the name of the person being appointed or proposed for appointment | 3 | 5 | PSEA 48(1), (2), (3)  PSC, *Appointment Policy*  Notifications for internal appointment processes must be posted on the Government of Canada Public Service Resourcing Website |
| 12.3.5 | To inform, further to an internal appointment process, the persons in the area of selection of the name of the person who is appointed, or is proposed to be appointed in an acting capacity for a period of 4 months or more | 3 | 5 | PSER 13  PSC, *Appointment Policy*  ESDC Staffing Policy and Guidance Framework  Notifications for acting appointments must be posted on the Government of Canada Public Service Resourcing Website |
| 12.3.6 | To establish the merit criteria and conditions of employment (essential qualifications, including official languages proficiency,asset qualifications, operational requirements, organizational needs) | 3 | 5 | PSEA 30(2), (3) |
| 12.3.7 | To administer oaths and receive solemn affirmations in the case of appointments from outside the part of the public service to which the Commission has the exclusive authority to make appointments | 3 | 6 | PSEA 134  The [Oath or Solemn Affirmation](http://publiservice-app.pwgsc.gc.ca/forms/pdf/518.pdf) must be administered in a private setting in person or by videoconference, Skype, FaceTime etc., by the direct supervisor. If the direct supervisor is not available, it may be administered by an employee\* assigned by management (identified in the sub-delegation levels) or a Human Resources Advisor. It must be signed before the start date or at the latest by the end of the first working day.  \* Casual, part-time workers and students are not included in the definition of "employee" for the purpose of administering the oath. |
| 12.3.8 | To extend the specified term of employment where the cumulative working period is less than three years. | 2 | 5 | PSEA 58(2) |
| 12.3.9 | To convert an employee, as per the TBS, *Term Employment Policy*, from term to indeterminate in their substantive position. | 2 | 5 | PSEA 59(1)  TBS, *Policy on People Management* |
| 12.4 ***Staffing Complaints and Recourse*** | |  |  |  |
| 12.4.1 | To determine whether to investigate and to authorize the designated investigators | HR\* | HR\* | PSEA 15(3), 67(2)  *ESDC Staffing Policy on Corrective Action and Revocation*  \*The authorized DG, Director or Assistant Director within the HRSB |
| 12.4.2 | To take corrective action, including revocation, following an investigation conducted by the PSC on request of the deputy head | DM\* | DM\* | PSEA 67(2)  ESDC Staffing Policy on Corrective Action and Revocation  \*In consultation with designated investigators and the ADM and/or authorized DG within the HRSB, and in accordance with established procedures |
| 12.4.3 | To revoke an appointment following a founded investigation into an internal appointment process | DM | DM | PSEA 15(3), 15(5), 24(2), 67(2)  ESDC Staffing Policy on Corrective Action and Revocation  In consultation with designated investigators and the ADM and/or authorized DG within the HRSB |
| 12.4.4 | To take corrective action following a founded investigation into an internal appointment process, excluding revocation | DM | 2 | PSEA 15(3)  ESDC Staffing Policy on Corrective Action and Revocation  In consultation with designated investigators and the ADM and/or authorized DG within the HRSB Branch |
| 12.4.5 | To implement a revocation decision made by the PSC | DM | DM | PSEA 66, 67 (1), 68, 69 |
| 12.4.6 | To appoint to another position a person whose appointment was revoked by the deputy head after an investigation, or following an investigation conducted by the PSC at the request of the deputy head or following a decision made by the PSC, or following a decision of the FPSLREB | DM | DM | PSEA 15(6), 73, 86  The authority to appoint to another position a person whose appointment was revoked by the PSC following an investigation under PSEA 66, 67(1), 68 and 69 is delegated on a case by case basis by the PSC |
| 12.4.7 | To respond to FPSLREB complaints in writing within the prescribed timeframe | HR\* | HR\* | PSSCR 21(1), 24(1)  \*The authorized DG, Director or Assistant Director within the HRSB |
| 12.4.8 | To exchange relevant information on a FPSLREB complaint | 3 | 6 | PSSCR 16  HR will exercise this authority with participation of the sub-delegated authority and an Assessment Board Member (if required) |
| 12.4.9 | To participate and approve settlements at Settlement Conferences and mediations | 2 | 4 | The sub-delegated authority at level 2 or 4 respectively and HR will participate and sign the agreement.  Assessment Board Members can participate in a Settlement Conference and mediations if required |
| 12.4.10 | To implement corrective measures imposed by the FPSLREB, excluding revocation | DM | 2 | PSEA 84  In consultation with the ADM and/or authorized DG within the HRSB |
| 12.4.11 | To implement a revocation decision imposed by the FPSLREB | DM | DM | PSEA 84  In consultation with the ADM and/or authorized DG within the HRSB |
| 12.4.12 | To determine whether to refer a FPSLREB decision to judicial review | DM\* | DM\* | \*The ADM and/or authorized DG within the HRSB Consultation with Legal Services is required |
| 12.4.13 | To act as the authorized representative regarding Canadian Human Rights Commission and Human Rights Tribunal complaints related to staffing | HR\* | HR\* | \* The authorized DG, Director or Assistant Director within the HRSB  Labour relations matter should be directed to the Assistant Director responsible for Labour Relations within the HRSB |
| 13.0 Telework / Remote Work | | | | |
| 13.1 | To approve a Telework arrangement:   * Regular situations * Duty to Accommodate Telework situations * Foreign Telework | N/A  2  N/A | 5  5  2 | TBS, *Directive on Telework*  Departmental Telework Directive  CHRA 5; TBS*, Directive on the Duty to Accommodate*  Departmental Duty to Accommodate Guidelines  Departmental Foreign Telework Procedures |
| 13.2 | To approve remote work arrangement (e.g.  pandemic) | 3 | 5 |  |
| 14.0 Values and Ethics | | | | |
| 14.1 | To ensure the ESDC Code of Conduct is fully upheld and advanced in the organization | DM | DM | The Office of Values and Ethics is the steward of the ESDC Code of Conduct |
| 14.2 | To apply the ESDC Code of Conduct, in responding to confidential reports and making decisions regarding corrective measures in situations of potential, real or apparent conflict of interest | 2 | 2\* | TBS, *Policy on People Management*  ESDC Code of Conduct  ESDC Conflict of Interest Disclosure Guidelines  Consultation with a Designated Official from the Office of Values and Ethics is required  \*The Office of Values and Ethics is responsible for receiving confidential reports and recommending corrective measures in situations of conflict of interest.  Corrective measures are enforced by the manager of the employee in a conflict of interest situation |
| 14.3 | To apply the ESDC Code of Conduct, in responding to confidential reports and making decisions when there are no situations of potential, real or apparent conflict of interest | DM\* | DM\* | TBS, *Policy on People Management*  ESDC Code of Conduct  ESDC Conflict of Interest Disclosure Guidelines  \*The Designated Officers from the Office of Values and Ethics have the responsibility to respond to situations that have been identified as non-conflict |
| 14.4 | To authorize and approve the soliciting of donations, prizes or contributions in kind, from external organizations, individuals or internal (departmental) employees, for charitable reasons | DM\* | DM\* | TBS, *Policy on People Management*  ESDC Code of Conduct  \*The Office of Values and Ethics receives and analyzes requests for authorization/approval to solicit for charitable reasons, and provides recommendations to the DM for approval |
| 14.5 | To attest the Deputy Head’s Input Form when an employee requests permission to be a candidate in a federal election | DM | DM | PSEA 114, 115  Consultation with a Designated Official from the Office of Values and Ethics (the Designated Political Activities Representative (DPAR)) is required  The PSC retains the authority to grant permission |
| 14.6 | To attest the Senior Management/Executive Input section when an employee requests permission to be a candidate in a provincial, territorial or municipal election | DM | 3\* | PSEA 114, 115  The manager does not have to be sub-delegated.  In certain situations, a higher level of delegation may be required  Consultation with a Designated Official from the Office of Values and Ethics (the Designated Political Activities Representative (DPAR)) is required  \*Requests for permission for provincial or territorial candidacy require level 2 ADM signature. Requests for permission for municipal candidacy require level 4, an executive (EX) signature  The PSC retains the authority to grant permission |
| 14.7 | To designate positions subject to conflict of interest and post-employment (COI/PE) measures | HR\* | HR\* | TBS, *Policy on* *People Management*  ESDC Code of Conduct  ESDC list of designated positions subject to COI/PE  \*The ADM and/or authorized DG within the HRSB |
| 14.8 | To grant a waiver or reduction of the limitation period for Public Servants in Designated Positions subject to post-employment measures | DM | DM\* | ESDC Code of Conduct  \*The Office of Values and Ethics receives and analyzes requests for a waiver or reduction of the limitation period, and provides recommendations to the DM for approval |
| 15.0 Work Force Adjustment (under the NJC Directive) and Career Transition for Executives | | | | |
| 15.1 | To lay-off an employee and set the effective date following a Work Force Adjustment (WFA) situation including whether a guarantee of a reasonable job offer (GRJO) can be made or not made (i.e. access to the options) or an Executive Career Transition situation | DM | DM | WFAD  WFAA  PSEA 64(1)  DM approval is required for all initial and subsequent WFA statuses (affected, relocation of work unit, surplus with a GRJO and Opting)  Consultation with HR is required  Action must be approved by the DM. However, the GRJO letter can be signed by the level 3 or 4 depending on the case. Must always be at least one sub-delegation level higher than person being affected by WFA |
| 15.2 | To implement the lay-off of indeterminate employees for the following reasons:   * the refusal of a reasonable job offer * expiration of their surplus priority entitlement (Option A); * have not provided proof of registration with a recognized learning institution within twelve (12) months from the start of their LWOP (Option Cii) | N/A  N/A  N/A | 1  2  2 | PSEA 40  WFAD  WFAA  Consultation with HR is required |
| 15.3 | To confirm a 12-month surplus priority period in which to secure alternate employment in the core public administration to indeterminate employees (Option A) | N/A | 2 | WFAD  WFAA |
| 15.4 | To confirm the payment of the transition support measure to opting employees and determine departure date (Option B) | N/A | 2 | WFAD  WFAA |
| 15.5 | To confirm the payment of the education allowance to opting employees and determine departure date  (Option C) | N/A | 2 | WFAD  WFAA |
| 15.6 | To approve the Pension Reduction Waiver Request for opting employees | N/A | 2 | WFAD  WFAA  PSSA  Consultation with HR is required |
| 15.7 | To approve pay in lieu of unfulfilled surplus period | N/A | 2 | WFAD  WFAA  Consultation with HR is required |
| 15.8 | To decide the type of job offer in the case of “alternative delivery initiative”, and determine if the employer’s pension plan meets the “test of reasonableness” for the purpose of approving the 3-months lump sum | N/A | DM | WFAD  WFAA  Consultation with HR is required |
| 15.9 | To administer all other provisions of the WFAD or WFAA to the relevant Collective Agreement | N/A | 3 | WFAD  WFAA  Consultation with HR is required |
| 15.10 | To confirm a surplus priority period in accordance with the Directive on Career Transition for Executives | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives*  FAA 11 |
| 15.11 | To approve employment termination settlements in accordance with the Directive on Career Transition for Executives | DM | N/A | TBS, *Directive on Terms and Conditions of Employment for Executives*  FAA 11 |
| 15.12 | To approve WFA provisions where periods of term employment will not count as part of the cumulative working period under the TBS, *Policy on People Management* | DM | HR\* | TBS, *Policy on People Management*  \*For non-EX positions, the ADM of the HRSB |
| 15.13 | To inform an employee, in writing, of a reasonable job offer (RJO) subject to salary protection in an appointment in a lower level position or subject to lay-off as a result of refusing the RJO | N/A | 2 | WFAD or the Appendix of the relevant collective agreement  Consultation with HR is required |
| 15.14 | To approve a retention payment or any other allowances as per the WFA agreements | N/A | 1 | WFAD or the Appendix of the relevant collective agreement |
| 15.15 | To provide written notice to an employee of an alternate delivery initiative | 1 | 2 | Non-EX: WFAD or the Appendix of the relevant collective agreement  EX: TBS, *Directive on Terms and Conditions of Employment for Executives* |
| 15.16 | To inform an employee, in writing of the relocation of a work unit | 1 | 2 | Non-EX: WFAD or the Appendix of the relevant collective agreement  EX: TBS, *Directive on Terms and Conditions of Employment for Executives* |
| 15.17 | To assess the merit of the employees employed in similar positions or performing similar duties in the same occupational group and level within that part of the organization, and identify, in accordance with merit, the employees who are to be retained having regard to the continuing functions of that part of the organization | 2 | 5 | PSER 21(1) |

1. Where power is only exercisable by a Deputy Head, Deputy Head refers to the Deputy Minister of Employment and Social Development [↑](#footnote-ref-1)
2. Reference to financial delegation applies to relevant sections within the table [↑](#footnote-ref-2)
3. This list of examples is not exhaustive. If your title is not identified in the table and you have questions, please send an email at: [na-hrdelegation-delegationrh-gd@hrsd-rhdcc.gc.ca](mailto:na-hrdelegation-delegationrh-gd@hrsd-rhdcc.gc.ca) [↑](#footnote-ref-3)