

RECORD OF DECISION
Union Management Consultation Committee
5 June 2019, 1330 hrs to 1530 hrs
101 Colonel By Drive
Executive Boardroom B, 13ST

Agenda		
Item	Subject	OPI
1.	Opening Remarks	Co-Chairs
2.	Acceptance of Agenda and Previous Minutes	Co-Chairs
3.	Mental Health Update	FGDTLC(E)/ ADM(HR-Civ)
4.	Caretaker Convention	ADM(Pol)
5.	Pay Expansion Health Break	ADM(HR-Civ)/ DGHROps All
6.	L1 Grievance Pilot Project Update	ADM(HR-Civ)/ DGWM
7.	Scientific Integrity Policy	ADM(S & T)
8.	L1 Reports	L1s
9.	Round Table	All
10.	Closing Remarks	Co-Chairs

Membership		
Co-Chairs		
Deputy Minister	Jody Thomas	
UNDE	June Winger	
Members		
Assoc. DM	Gord Venner	Replacement
VCDS	LGen Paul Wynnyk	MGen Frances Allen
ADM(Mat)	Patrick Finn	MGen Paul Ormsby
RCN	VAdm Ron Lloyd	RAdm Chris Sutherland
CA	LGen Jean-Marc Lanthier	BGen Liam McGarry
RCAF	LGen Al Meinzingler	MGen Blaise Frawley
MPC	LGen Chuck Lamarre	RAdm Hayden Edmundson
ADM(Fin)/ CFO	Julie Charron	
ADM(IE)	Rob Chambers	
ADM(HR-Civ)	Kin Choi	
ADM(IM)	Len Bastien	
ADM(S & T)	Isabelle Demartis	Mark Williamson
FGDTLC-W	Des Rogers	
FGDCA	Richard Cashin	
FGDTLC-E	Jerry Ryan	
CMSG	Mark Boucher	
CMCFA	Jean-Marc Noël	
PSAC Agricultural Component	Fabian Murphy	
PIPSC	Glenn Maxwell	
Regrets		
Assoc. DM	Claude Rochette	
CAPE	Jessica Guitard	
ACFO	Dany Richard	

Presenters

ADM(Pol) Peter Hammerschmidt
ADM(HR-Civ)/ DGHROps/ DNCO Natalie Waples
ADM(HR-Civ)/ DGWM/ DCLR Jennifer Bordeleau

Resources

ADM(HR-Civ)/ DGWM Charlaine Mallette, Senior Advisor
ADM(HR-Civ)/ DGWM Victoria Richardson, A/Briefing Analyst

Record of Decision**Item 1: Opening Remarks****Summary:**

- The Co-Chairs welcomed the committee members.

Item 2: Acceptance of Agenda and Previous Minutes

Supporting Documents: UMCC 6 December 2019 Record of Decision, UMCC 5 June 2019 Agenda

Summary:

- The committee members accepted the minutes of the previous meeting, with minor typographical corrections, and approved the agenda.

Action Item:

- DGWM will make the necessary corrections to the UMCC 6 December 2019 Record of Decision.

Item 3: Update on Mental Health

Supporting Documents: Verbal update, no supporting documents.

Summary:

- Mr. Ryan provided an overview to the Committee regarding current departmental initiatives on mental health, and changes brought on by Bill C-65 regarding harassment investigations. Mr. Ryan also discussed recent challenges faced by members regarding SunLife's definition of "medical practitioner".
- Ms. Thomas thanked Mr. Ryan for the update on mental health, and for the work that is being done by the National Health and Safety Policy Committee. Ms. Thomas commented that the work done within the Department on mental health is progressing, however, PSES results indicate that there are still opportunities for improvement.

Discussion:

- The Committee discussed the potential for delays with investigators from the Standing Offer, as well as concerns regarding required experience and skills for competent persons.

Item 4: Caretaker Convention

Supporting Documents: ADM(Pol) Election 2019 Outlook Presentation

Summary:

- Mr. Peter Hammerschmidt, ADM(Pol), presented on the caretaker convention and its implications for the period leading up to the federal election. Under the caretaker convention, the government must act with restraint during an election, confining itself to necessary public business.

- Ms. Thomas thanked Mr. Hammerschmidt for the presentation and asked the committee members to remind their staff that employees must request and obtain permission from the Public Service Commission (PSC) before participating as a candidate in a federal, provincial, territorial or municipal election.

Item 5: Pay Expansion Update

Supporting Documents: ADM(HR-Civ) Pay and Surge Update Presentation

Summary:

- Ms. Natalie Waples, Director National Compensation Operations, provided an update to the Committee regarding ongoing efforts to increase pay services, including an additional sixty-six resources being allocated to compensation, bringing the total number to 320 FTE. Ms. Waples also highlighted the work underway to increase capacity and services, and develop tools such as the HR Go App.
- Additionally, timeliness of Section 34 actions has improved and Military managers will have assigned timekeepers by end of June to assist with Phoenix entries.
- Launch events for the pay expansion are planned for the end of June in Esquimalt, Borden, Winnipeg, Saint-Jean-sur-Richelieu and Gagetown.
- Ms. Thomas commented that pay is a priority for the Department and work is ongoing to address pay challenges and provide support to employees. Ms. Thomas shared she has personally requested that the Department be a part of the new pay system pilot.

Discussion:

- Mr. Cameron asked for clarification regarding manual interventions and what they entail. Ms. Waples explained that some collective agreements unique to the Department require specialists to go into the pay system for manual entries.
- Mr. Boucher commented to the Committee that these all appeared to be positive initiatives and that it has been refreshing to hear at the UMCC HR-Sub and UMCC that pay is a priority for the Department.
- Ms. Thomas reiterated the importance of hearing from employees facing pay challenges, so their issues can be addressed.
- The Committee discussed the recent efforts to determine damages for employees related to Phoenix. Ms. Winger indicated that PSAC declined the offer in part due to concerns regarding the interpretation of the carry-over clause by some managers.
- The unions informed the Committee of instances where employees have been forced to use their leave due to misinterpretations of the leave carry-over clause in collective agreements.
- Ms. Thomas stated that while operational requirements are always an important consideration, deliberate misapplication of collective agreements will not be tolerated. These instances should be brought to the DGWM's attention.

Action Item:

- To the request of the Committee, ADM(HR-Civ) will share more information regarding manual pay interventions.
- ADM(HR-Civ) will update the Committee through the phases of the pay expansion.
- DGWM will look into leave carry-over issues brought forward by committee members.

Item 6: L1 Grievance Pilot Project – Update

Supporting Documents: ADM(HR-Civ) L1 Grievance Pilot Project Presentation

Summary:

- Ms. Jennifer Bordeleau, Director Civilian Labour Relations, presented on the L1 Grievance Pilot Project, stemming from an ADM(RS) audit on the Civilian Grievance Process. The Pilot was designed to provide increased awareness and accountability to L1s, however, there were not enough cases during the period of the pilot to conduct a fulsome assessment of the pilot.
- The recommendations to be presented at the 7 June DT-HRC include an extension of the pilot until 31 March 2020 and the participation of CA and CMP.

Discussion:

- BGen McGarry indicated that CA would like to have a better understanding of time requirements and capacity before making a decision.
- Mr. Bastien, stated that he thought the preparation time of a half hour and the consultations were reasonable and found the process very helpful in increasing his awareness of issues within his organization.
- Ms. Thomas indicated that her experience hearing final level grievances at the Department of Fisheries and Oceans provided her with a unique vantage point and improved the quality of decision-making in the organization, and that we could look at this practice for DND. Increased L1 accountability at the final level also has an impact on the first and second levels.
- Mr. Choi discussed the culture change in Labour Relations. The Department is shifting to focus on outcomes over process, and managers making wrong decisions will not be supported by default.
- Ms. Winger confirmed that UNDE is very supportive of L1s hearing grievances, and asked for clarification regarding instances where an L1 would heard a final level grievance they already responded to at the second level or a decision the L1 had made, such as a termination of employment.
- Ms. Bordeleau indicated that clarification was sought from TBS and it was determined that this was not an issue.
- Ms. Winger advised this process impedes natural justice, preventing the employee from receiving a fair hearing.
- Ms. Winger commented that the level of information provided in classification grievance responses is appreciated and would like to see it incorporated into final level grievance responses.

Action Item:

- DGWM will review the information provided in the classification and final level grievance responses.

Item 7: Scientific Integrity Policy

Supporting Documents: ADM(S & T) Scientific Integrity Policy Presentation

Summary:

- Dr. Mark Williamson presented on the Scientific Integrity Policy (SIP), which is expected to be fully implemented by the end of 2019. The SIP gives science workers greater opportunities to speak publicly about their work. There has been significant publication of the SIP on internal sites.
- Over the next 6-8 months there will be integration of the policy into training and governance, for example into the Ethics 101 course.

Discussion:

- Mr. Maxwell shared that he was happy to hear the layout of timelines, and requested that agendas and schedules of upcoming workshops and sessions be shared with his team so they are able to communicate them to their members.

Item 8: Level 1 Reports

Supporting Documents: Verbal update, no supporting documents.

- **ADM(Fin):** Ms. Charron informed the Committee that work continues on Harassment Prevention and Resolution, Diversity and Inclusion and there are ongoing concerns with regard to parking, however, they are working to find solutions.
- **ADM(S & T):** Dr. Williamson informed the Committee that there has been a shift regarding the communications approach within the government and work is being done in a very open and transparent way. ADM(S & T) is continuing to work on creating linkages around Defence and *Strong, Secure, Engaged* and he would welcome input from the table.
- **CMP:** RAdm Edmundson provided an update on: the renewal of the JPSU and move to Coventry, the move of the CDA to Kingston and that they are seeing challenges with regard to parking and are working to inform employees on the policy and available options.
- **ADM(IM):** Mr. Bastien provided an update to the Committee on work undertaken regarding classification, student hiring, and PSES results. Mr. Bastien highlighted that the direction to manage by SWE versus FTE count has enabled ADM(IM) to proceed with the conversion of contractors to employees, which resulted in 190 new employees.
- **ADM(Mat):** MGen Ormsby informed the Committee on student hiring, the PSES action plan, and the expanded inclusiveness of the developmental programs to include AS and CR employees.
- **VCDS:** MGen Allen informed the Committee of the work being done to address the transportation issues with regard to Carling Campus, including parking, and the centralization of certain administrative services, such as digitization.
- **CA:** BGen McGarry informed the Committee that CA will continue to work on timeliness for managers regarding Section 34 and to move toward achieving Standardized Job Description objectives. Additionally, CA held an inaugural LMCC on Monday 3 June 2019 and will continue to do so before each UMCC.
- **ADM(IE):** Mr. Chambers indicated that ADM(IE) is currently in the process of moving to Carling Campus and experimenting with Flexible Work Arrangements. Mr. Chambers reported some extensive engagement with employees regarding the PSES results and initiatives within ADM(IE). The LMCC will take place on 19 June 2019.
- **RCAF:** MGen Frawley informed the Committee that the RCAF is happy to remain part of the L1 Grievance Pilot Project, and that the 2018 Survey Action Plan is to be briefed next week and the RCAF is committed to taking a total staff approach.

- **RCN:** RAdm Sutherland informed the Committee on the continued effort to improve, engage, collaborate, and communicate through the HR Board and an increased number of town halls. Additionally, RCN initiated an informal forum with the Unions to be held again in the Fall of 2019.
- **ADM(HR-Civ):** Mr. Choi reminded the Committee of the upcoming Celebrating Excellence Award Ceremony and events to celebrate the pay expansion initiatives and invited committee members to attend. Additionally, Mr. Choi indicated that the HR Go App discussed at the 3 June 2019 UMCC HR-Sub Committee would be available later in the week and invited everyone to test it out and provide some feedback.

Item 9: Roundtable

Supporting Documents: Verbal update, no supporting documents.

- **CMFCA:** Mr. Noël asked for clarification regarding a few points discussed during the L1 reports, and inquired about the selection of a new Principal for the Royal Military College. Ms. Thomas indicated that a recommendation has been made to cabinet and will hopefully be discussed at the next cabinet meeting.
- **FGDTLC-E:** Mr. Ryan provided closing remarks about the importance of mental health, and discussed the mental health first aid course. Ms. Thomas commented that she has taken the course and found it to be helpful.
- **CMSG:** Mr. Boucher informed the Committee that collective bargaining is ongoing.
- **IBEW:** Mr. Cameron reminded the Committee to involve the bargaining agents at any level, and that the Labour Relations Officers are a solid team.
- **PIPSC:** Mr. Maxwell asked two further questions to the Committee regarding Parking. Mr. Maxwell also applauded some efforts of the L1s, for example, the development of the HR Go App.
- **FGDTLC-W:** Mr. Rogers thanked ADM(HR-Civ) for support given to members regarding Phoenix and added it was refreshing to hear about the Labour Relations culture change. Mr. Rogers reiterated the need for further Office of Disability Management and Employee Assistance Program funding, indicating that expansion of services should be a priority for the Department. The Committee discussed the ODM funding plan, as well as the modernization of EAP services and the possibility to explore pilot programs.
- **UNDE:** Ms. Winger discussed parking challenges for her members and the development of the Parking Policy. Ms. Winger noted the policy, which was developed without utilizing the Joint NCR Parking Committee, was perceived to give preferential treatment to military members and retired military members over civilian employees. MGen Allen shared some information regarding the considerations for military members and civilian employees and indicated that some areas of the policy will be re-examined. Ms. Winger provided a brief history of CFB Goose Bay including the layoff of public servants, contractor employees' labour strikes, and impacted operations and exercises. Ms. Winger spoke about the need for successor rights to be recognized in the upcoming contract bidding process and requested the department reconsider bringing the work back into the public service. MGen Frawley and MGen Ormsby indicated that they would look into the issue and get back to Ms. Winger.

Ms. Winger advised that bargaining with the PA, SV, TC and EB units has reached an impasse with the TBS offer of 1.5 per cent in each year for four years, falling well below the rate of inflation and short of the nearly 2 per cent pay raise recently given to Members of Parliament although it is slightly better than the two year wage freeze previously offered. Ms. Winger noted that wage offers this low will likely do little to attract competent employees, thereby compounding the staffing challenges DND already experiences.

Item 10: Closing Remarks

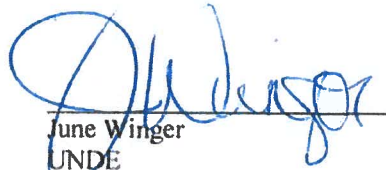
Summary:

- The Co-Chairs thanked the committee members for their participation and for the open discussion.

Record of Decisions Approved by:



Jody Thomas
Deputy Minister
Co-Chair



June Winger
UNDE
Co-Chair

Nov 12 2019

Date

Sept 19, 2019

Date

