

NATIONAL RESEARCH COUNCIL CANADA (NRC)

MINUTES OF THE 91st MEETING

OF THE

NRC – JOINT CONSULTATION COMMITTEE (JCC)

DATE: March 8, 2017
TIME: 9:00 AM
LOCATION: Room S-303, Building M-58

IN ATTENDANCE

Chairperson:

Roman Szumski, NRC, Vice-President, Life Sciences

Representing NRC:

Roman Szumski, NRC, Vice-President, Life Sciences
Isabelle Gingras, Vice-President, HRB
Joe Grebenc, Manager, Labour Relations and Pay and Benefits, HRB
Meredith Marchand, Senior Labour Relations Officer, HRB

Representing Professional Institute of the Public Service of Canada (PIPSC):

Patricia Loder, President, Consultation Team
Stephan Grosse, Member RO/RCO Group

Representing Research Council Employees' Association (RCEA):

Cathie Fraser, President
Joan Van Den Bergh, Negotiator
Marvin Zaluski, 1st Vice-President
Michelle Lévesque, 2nd Vice-President

Guests:

Paul Wagner, Chief Information Officer, Knowledge and Information and Technology Services Branch (KITS)
Cristian Tabra, Senior Project Manager, Environmental Stewardship Office (ESO)
Marie-Eve Roy, *Manager*, Talent Acquisition/Classification, Workplace Effectiveness, HRB

ITEM	91 st JCC - MINUTES - DISCUSSION	ACTION
91.1	Approval of Agenda The agenda was approved by the members.	

ITEM	91 st JCC - MINUTES - DISCUSSION	ACTION
91.2	<p>Minutes of the 90th Meeting of the JCC</p> <p>The minutes were amended to reflect the following and subsequently approved by the parties:</p> <ul style="list-style-type: none"> • 87.5 – Probation <ul style="list-style-type: none"> ➤ Removal of the word “probation” at the end of the second paragraph. 	M.Marchand
91.3	Follow-up Action Items of the 90th Meeting	
87.5	<p>Probation</p> <p>Management representatives confirmed that a presentation on the probation policy was made to the Senior Executive Committee (SEC) on January 23, 2017 and that the issues raised by the bargaining agents were reflected in the presentation. Since the probation policy is older and there are a number of new members to SEC, it was an excellent opportunity to have an informative discussion. The decision taken by SEC at this time was to retain the current policy but recognizing that there is a real need to improve its implementation especially in the area of timely notifications of extensions. It was also suggested that the issues raised by the bargaining agents may be able to be solved within the existing policy by working collaboratively with management.</p> <p>The bargaining agents questioned whether probation is to be applied to term employees moving into similar positions on a continuing basis. Management representatives responded that probation can be applied in these cases but an evaluation is made on a case by case basis to determine whether it is appropriate.</p> <p>RCEA representatives recalled that some time ago the Vice President, Human Resources Branch (HRB) made a commitment that the time terms spent in the same position would be applied against the probation period for the continuing position. The current Vice President, HRB responded that they would follow-up on this matter.</p> <p>Management representatives reported that between 2010 and 2016 approximately 3% of probationary employees were rejected on probation and only seven (7) individuals were extended on probation with four (4) of these individuals having successful probation periods. It was noted that it may be helpful to have this data further broken down by portfolio and fiscal year.</p> <p>A PIPSC representative raised concern over the validity of the extension data as they believed that a specific probation extension case for which they expressed concerns over did not seem to be represented in the data. Given their misgivings over the last minute nature of this extension and the perception that it was a disciplinary action in and of itself, both bargaining agents inquired whether it was possible to establish a period when the decision regarding probation should be made and communicated. For example it should not require two years to determine whether an</p>	I.Gingras

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	with Bargaining Agents to map out the PIP process.	
88.13	<p>Mississippi Mills Update</p> <p>Management representatives advised that the employees working in this location have all been integrated into other employment within NRC. Employees were presented with the options of relocating or remaining in their current residence and commuting to work or to be considered for a workforce adjustment. No employees requested consideration for workforce adjustment.</p> <p>RCEA representatives requested confirmation on the option that was selected by their members. Management representatives committed to providing this information.</p>	M-E.Roy
89.4	<p>37.5 vs 1950 Hours Requirements for RO/RCOs</p> <p>The Vice President, HRB confirmed that she spoke to the Vice President of Engineering about the predominance of the 37.5 hour work schedule for the RO and RCOs within this Division. Subsequently the matter was raised with the General Managers (GMs) within the Engineering portfolios who advised that the current 37.5 hours system was working effectively in meeting client needs and that no change was considered necessary at this time. It was suggested that any further discussion of this issue should be taken off line.</p> <p>PIPSC representatives raised concern over some employees who were on a 1950 work schedule but were appearing to work as if they were subject to a 37.5 hours schedule. Furthermore the SIGMA time-keeping system apparently warns employees of insufficient hours if 7.5 hours are not entered daily even for those employees under a 1950 work schedule.</p> <p>Management representatives committed to looking into this reporting issue. They also commented that while there is flexibility in the 1950 work schedule there is also some within the 37.5 work schedule as well such as if an employee needs to stay 30 minutes extra one day then arrangements could be made for them to work 30 minutes less the next day. Both bargaining agents suggested that there were complications related to the pre-approvals required in advance of working extra to meet client needs. To help provide greater clarity, PIPSC representatives requested clarification on what a 1950 work schedule looks like in comparison to the 37.5 work schedule along with best practices.</p>	I.Gingras (M.Marchand)
89.7	<p>Signage for NRC</p> <p>In response to an inquiry concerning signage at the U-70 wind tunnel building, management representatives reported that this work was part of larger NRC wide signage assessment underway currently.</p>	

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90.4	<p>State of Mental Health at NRC</p> <p>The Vice President, HRB informed the committee that mental health is an important topic with both NRC and the greater Public Service. The strategic plan for addressing Psychological Health and Safety (PHS) in the workplace at NRC was presented to SEC on January 11, 2017 where it was decided that the current state of PHS for employees at NRC would be assessed through data from the Public Service Annual Employee Survey as well as the NRC Dialogue. NRC senior management asked that PHS be incorporated into the NRC Dialogue, especially the OHS and Stewardship Tiger Team, so that it would be given prominence through its own supplementary report. As well its roll-out would need to be incorporated into existing committees such as NIOSH, OSHA and SEC so as to prevent increased governance by adapting what is already in place.</p> <p>The connection between physical wellness and mental well-being was noted by a PIPSC representative who inquired about the apparent lack of support by NRC in this area such as the provision of dedicated exercise rooms. Management representatives confirmed that the mental health spectrum does cover physical well-being but it is a question of where to focus and prioritize on a corporate level, although in the past NRC used to have this type of benefit. Local solutions may also be possible through discussions at the LLMCCs.</p>	
90.8	<p>Multi-Zone USB Key – Terms and Conditions of Use</p> <p>PIPSC representatives reiterated their concern about references within the Multi-Zone USB Key Policy and related Terms and Conditions advising that the loss of a USB key could result in an investigation and/or possible disciplinary action or corrective measures ranging from corrective training, to the suspension or revocation of a security status, or any combination of these actions. They noted that the USB key is required for employees to perform their job and yet their employment could be terminated if they were to lose this key. Both bargaining agents articulated that this wording gives the impression that NRC is trying to reduce its risk by making the employee fully accountable and is not treating employees with the respect and trust that they deserve although there was an acknowledgement that there are times when discipline should be used, such as in the case of willful loss or misuse.</p> <p>Additionally a PIPSC representative reported that the key should be secured under lock and key when not in use but no lock boxes were supplied; therefore, from their view this calls into question the level of responsibility being placed solely on the employee who is required to use them. They also noted that many employees obtained another specialized key, to transfer data from the black to the green, that did not require an employee signature and this is why many did not request the new Multi-Zone USB key.</p>	

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90.8 <i>(cont.)</i>	Both bargaining agents inquired as to who developed the current language and whether it was possible to revisit the Policy and Terms and Conditions of Use. Paul Wagner the Chief Information Officer from KITS reported that while the language in the policy and employee agreement are similar to other government departments, he is available to meet with both PIPSC and RCEA representatives to discuss the matter further.	P.Wagner
90.12	<p>D1 RO/RCO Promotion Documentation</p> <p>In response to a request to clarify the process for D1 salary adjustments for RO/RCO employees, Marie-Eve Roy, Manager, Talent Acquisition and Classification advised that the standard D1 process was to simply detail the information required in one or two pages noting that a point form statement was acceptable.</p> <p>PIPSC representatives indicated that unlike the D3 and D4 promotion cases, there are no criteria for the D1 and as such it is very subjective leaving the RO/RCO employees unsure about the level and type of detail required. They indicated that there appeared to be a large variance in the level of detail that each General Manager required in support of the D1 increment resulting in some employees having to rewrite their D1. There is also a belief that the same information is already contained within the annual CTE. Furthermore, there appears to be a tendency to place more weight on longer D1 summaries especially when management may not be fully aware of the researcher's work.</p> <p>PIPSC representatives advised that they are working on establishing mentorships to assist researchers in writing effective promotion cases, including D1s, so that they are able to successfully reflect their work within the promotion criteria and to ensure management awareness of the employee's work.</p> <p>PIPSC representatives suggested that additional information on the appropriate content and levels for the D1 be distributed to all RO/RCO employees and local management.</p> <p>Management representative commented that it is important for Research and Development Directors (R&D Directors) to have some discretion and flexibility in this regard while ensuring consistency in evaluation of employees. Management representatives agreed to communicate with the R&D Directors in an effort to build awareness about the appropriate calibration of D1 increment cases.</p>	I.Gingras (M-E.Roy)
	New Business	
84.5	<p>Phoenix (<i>T4s and reconciliation of pay errors</i>)</p> <p>Management representatives reported that NRC's interaction with the Phoenix pay system has been stable for the last four to six months with three to five emergency pays per month mostly involving new employees wherein Phoenix was taking longer to process their initial payment. It was noted that the Phoenix system</p>	

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<p>84.5 <i>(cont.)</i></p>	<p>is a more time consuming system with the additional issue that providing key information within a certain timeframe, does not always guarantee that transactions will be processed within the standard pay processing time.</p> <p>In response to issues raised by RCEA representatives concerning union dues, management representatives recognized the critical importance of union dues as a revenue source for the bargaining agents and the importance of attending to the concerns identified. Management representatives agreed to arrange a meeting with RCEA representatives to continue to work on resolving the union dues issues identified.</p> <p>RCEA representatives recounted a recent incident of an employee whose employment ended in January but as of March had not yet received their Record of Employment (ROE) and their final pay. They expressed the concern that there may be others who are experiencing similar issues. Management representatives responded that while it is standard practice for the Pay and Benefits Advisors (PBAs) to follow up with Public Service and Procurement Canada (PSPC) on the status of PSPC's completion of the ROE, any similar issues should be brought to the attention of the Manager of Labour Relations and Pay and Benefits for follow-up.</p> <p>Both bargaining agents expressed concern regarding the verification of the accuracy of the T4s especially in the areas of EI, CPP and pension deductions for employees who had received emergency payments. They noted that even with only three to five emergency pays per month there may be more than 50 such cases within NRC that should be followed up by NRC to ensure T4 forms are accurate. Management representatives noted that unlike most government departments, NRC employees have been continuing to receive pay stubs that could be used to compare against their T4 statements. Additionally NRC employees are well supported by dedicated experienced Pay and Benefits Advisors (PBAs) who input employee data directly so NRC is well positioned to deal with issues right away. SEC had also provided funding for two additional PBAs over the next two years to supplement the team. Both bargaining agents acknowledged the expertise of our PBAs.</p> <p>The wait time for receipt of the first pension payment was reported by RCEA representative to be eight months. Management representatives noted that all responsibility for pension payments had been transferred to the Pension Centre and that employees are provided with general contact information and are encouraged to follow-up with the Pension Centre to ensure proper and timely action of pension payments.</p>	<p>J.Grebenc (M.Marchand)</p>
<p>90.7</p>	<p>NRC IT Systems and Impact on Employees</p> <p>In response to requests from the bargaining agents, Paul Wagner, NRC's Chief Information Officer attended the meeting to hear the specific concerns and to provide an update on NRC's IT system.</p>	

90.7
(cont.)

RCEA representatives noted that the current IT system is very complex with different coloured zones being used for different types of documentation or data. Members were confused as to what should be used and when, as well as growing frustration over the continued on-going daily stability issues with both the green and the black networks. They indicated that when the e-mail access is down for the day it affects an employee's work significantly. The union representatives inquired as to the plans that were being created to ensure a more stable and robust IT system for NRC....

PIPSC representatives questioned as to whether e-mail would still be accessible on the black network once it was moved to the green network. Mr. Wagner indicated that this was possible through the OWA site, however, it would also be possible to allow black devices to access e-mail on green networks. The concern expressed by PIPSC representatives is that at the present time, encrypted files are sent from the black network where their work is done. If the e-mail system is moved to the green network, they are concerned that they will not be able to access those necessary encrypted files that reside on the black network.

Mr. Wagner advised that one of the issues being reviewed is that of identifying the most appropriate place for work to be done. ...

Mr. Wagner advised that ... they are examining the development of increased security around the black network.... They are also building increased security to protect the research data from hackers which is also closely monitored by governmental security agencies. Moreover they are investigating whether they can reduce the number of different systems currently in use at NRC Additionally they are investigating outside partnerships with service providers to increase the speed and storage capacity of NRC's IT infrastructure in general....

...Mr. Wagner confirmed that black devices are still being procured and that the move of corporate groups to the green network will also free up existing newer black laptops that could be reissued as research resources.

In recognition that NRC's R&D IT needs are very complex, Mr. Wagner is encouraging researchers to be vocal to management about their needs as KITS and SSC are trying to fully understand NRC's R&D IT needs. However, the goal for KITS is to have a suite of suppliers to tap into in the delivery of IT needs for research projects so that they are not inhibited by technology. They will also not implement solutions that do not work for the researchers.

RCEA representatives inquired about whether there would be opportunities to work with clients in an outsourced cloud environment, such as Microsoft's Azure. Mr. Wagner reported that ... SSC is putting together a number of contracts to broker cloud services for the Government.

Mr. Wagner extended an offer to continue this dialogue with future

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90.7 (cont.)	JCC meetings or to meet with the bargaining agents directly to address their concerns.	
91.4	<p>Environmental Stewardship Office</p> <p>Cristian Tabra acting Director General of the Environmental Stewardship Office (ESO) provided the committee with a presentation. ...</p> <p>RCEA representatives are concerned that this will place more work upon their members that is not reflected in the scope of their job such as responsibilities related to hazardous waste, radiation safety, and building emergencies. They also requested that they be involved in the roll-out of the ESO as their member Technical Officers (TOs) are already burdened with extra OHS work. A NRC Management representative reported that the NRC Dialogue Occupational Health and Safety (OHS) and Stewardship Tiger Team have received feedback that while employees are glad to volunteer to assist in the OHS and Stewardship areas, they are not feeling valued and recognized for all the time and effort invested. Some options to value this work could be to capture it in their Commitment to Excellence (CTE) as well as with a separate time code.</p> <p>The issue of volunteered versus voluntold was also raised by RCEA representatives as they believe the implementation of OHS policies are being downloaded on frontline employees and there is simply too much for them to do even before the additional responsibilities related to ESO. There is frustration that the OHS advisers arrive to report what is wrong and direct the TOs as to what do to correct it but then they are left to do all the work themselves. Management representatives acknowledged the need for a balance of doers and advisers between OHS and the portfolios as well as improved implementation planning of OHS responsibilities so that employees are not placed under too much pressure.</p> <p>Additionally, representatives of the RCEA posed a number of questions. In the case of a spill would OHS or the ESO be responsible? Who would manage waste disposal? Mr. Tabra replied that in the case of a spill it could be either OHS or ESO or both depending on the nature of the spill. On the matter of waste removal, ESO develops the standards but ASPM would coordinate the actual removal. However, since a number of their TO members are already the waste disposal contacts and Radiation Safety Officers, RCEA representatives further inquired as to the specifics of how the hazardous waste would get from the lab to the designated ASPM pick up point. Mr. Tabra responded that the lab Standard Operating Procedures (SOPs) would establish the appropriate process regarding removal.</p> <p>RCEA representatives sought clarification as to who would be the internal stakeholders for the ESO. Mr. Tabra indicated that the ESO is still in the development phase but the key stakeholders</p>	

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91.4 (cont.)	currently identified are OHS, National Committee on Occupational Safety and Health (NCOSH), ASPM, HRB, and the bargaining agents as well as key individuals from the portfolios such as management, Research Officers (ROs), and TOs.	
91.5	<p>2017-2018 NRC Report on Plans and Priorities</p> <p>Management representatives reported that the very detailed NRC Report on Plans and Priorities was complete and signed by the NRC President but was awaiting the required ministerial signature. It was scheduled to be tabled in Parliament that week by Treasury Board Secretariat (TBS) as part of the Innovation, Science and Economic Development (ISED) portfolio. However, if it was not included then it would be delayed due to the requirement of a separate tabling before Parliament. Once approved, the Plan should be published on NRC's external website within two hours. However it was noted that the 2017-2018 plan was still reporting against the 2016-2017 plans which tended to have a more economic focus, although there are references to innovation and partnerships with universities. Therefore given the structure and timing of this report, the impact of the NRC Dialogue would not be reflected in the 2017-18 document.</p>	
91.6	<p>Long-standing Terms – Workforce Composition</p> <p>A recent situation involving terms with 7 and 8 years of service within a portfolio being only given two months' notice that their terms would not be renewed was raised by RCEA representatives as a concern in light of NRC's Workforce Composition policy. They believed a couple of these terms were told last fall that there were plans to convert their positions to continuing. Furthermore, they questioned the hiring of other staff, albeit at lower level positions, but for which they thought the work could have been performed by these long-standing terms or that the opportunity could have been offered to these long-standing term employees. They also expressed frustration over the timing of having their concerns heard in relation to fast approaching end of term dates, that they had not received the requested business rationales for the decisions, and that the special transition support services had not yet been started. They were also offended by the short two paragraph impersonal end of term letters issued to their members. The representatives expressed the view that the end of term notice clause incorporated into the term extension letters, two years prior, is not in keeping with NRC's Termination Policy requirements for providing appropriate notice. A PIPSC representative also commented that their member with 8 years of service as a term had not even received the end of term letter due to reliance on the applicable notice clause contained in their extension letter. Given all of these issues, the bargaining agents requested that these cases be reconsidered by NRC management.</p> <p>Management representatives responded that they were looking into the status of all long-standing terms across NRC, however</p>	

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<p>91.6 (cont.)</p>	<p>these concerns should continue to be directed to the specific portfolios concerned. The research into NRC's long-standing terms revealed that there are two portfolios that appear to employ a relatively larger number of long-standing terms but for the most part, long-standing terms employees have been reduced to one or two within each portfolio. For those two portfolios, one was already in the process of converting a number of these long-standing terms to continuing employees as well as converting short-terms to terms. The other portfolio is in discussions with NRC senior management concerning the status and plans of all their terms and had, in the past, relocated one of their term employees in an effort to retain their services. It was also agreed that consideration should to be given to the requirements of the entire organization, not just the needs of that position within that portfolio, when considering the future of long-standing terms.</p> <p>Both bargaining agents expressed concern over the situations of a continuing employee receiving a workforce adjustment package if their work discontinued, whereas, term employees in the same circumstance would receive no such payment. There is a cost to the organization to on-board and retain employees whether they be terms or continuing employees and this is not being reflected in the decision to not renew or to convert these long-standing terms to continuing employees. RCEA representatives understood that not every term employee would be provided with a continuing position, however, a term employee with five, six or more years of service is owed more and should be converted to continuing.</p>	
	<p>Roundtable</p>	
	<p>Outstanding Items</p> <p>There were a number of outstanding items left due to limited time. However, the parties agreed to deal with these items off-line if needed, such as the NRC Dialogue consultation, and it was noted that updates were available in the Follow-up 90-91 spreadsheet.</p>	
	<p>Next JCC (#92 - June 2017)</p> <p>The parties agreed to extend the duration of the upcoming meeting into the mid-afternoon given the anticipated discussion on the NRC Dialogue with the President's participation, if possible, in addition to the number of existing topics outstanding.</p>	<p>M.Marchand</p>
	<p>Meeting adjourned at: 12:45 pm</p>	