

**NATIONAL RESEARCH COUNCIL CANADA (NRC)**

**MINUTES OF THE 92<sup>nd</sup> MEETING**

**OF THE**

**NRC – JOINT CONSULTATION COMMITTEE (JCC)**

**DATE:** June 14, 2017  
**TIME:** 9:00 AM  
**LOCATION:** Room S-303, Building M-58

**IN ATTENDANCE**

**Chairperson:**

Cathie Fraser, RCEA President

**Representing NRC:**

Roman Szumski, NRC, Vice-President, Life Sciences  
Isabelle Gingras, Vice-President, Human Resources Branch (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  
Sara Boulé-Perroni, Employment Relations Officer  
Stephan Grosse, RO/RCO Group Executive

**Representing Research Council Employees' Association (RCEA):**

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

**Guests:**

Roger Scott-Douglas, Vice President, Policy and Governance  
Tim Grubb, Executive Director, Security Branch  
Olivier Carré-Delisle, Director General, Communications  
Emily Harrison, Director, Planning, Performance and Development, HRB  
Jo Ann Conway, Senior Advisor, Planning, Development & Performance, HRB

ITEM	91 <sup>st</sup> JCC - MINUTES - DISCUSSION	ACTION
	<i>Note: The minutes of the meeting do not follow the order identified in the agenda as the actual discussion was adjusted to accommodate the availability of guest presenters.</i>	

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
92.1	<p><b>Approval of Agenda</b></p> <p>The agenda was approved by the members with the addition of two additional items – TO employees converting to the RCO Group and staffing new RCO supervisors of TOs (91.7) as well as Electric Car Charging Stations at NRC Facilities (91.8) which were not discussed at the pervious JCC due to time constraints.</p>	
92.2	<p><b>Minutes of the 91<sup>st</sup> Meeting of the JCC</b></p> <p>The minutes were amended to reflect the following and subsequently approved by the parties:</p> <ul style="list-style-type: none"> <li>• <b>87.15 – New Members – Bargaining Agent Notifications</b> <ul style="list-style-type: none"> <li>➤ Changing “timeless” to “timeliness”.</li> </ul> </li> <li>• <b>91.6 – Long-standing Terms – Workforce Composition</b> <ul style="list-style-type: none"> <li>➤ Edit the last sentence in the last paragraph to read “...a term employee with five, six or more years of service is owed more and should be converted to continuing.”</li> </ul> </li> </ul> <p>An RCEA representative recognized the excellent quality of the minutes. Representatives of both bargaining agents requested electronic copies of the JCC minutes in both official languages for their external websites. Management representatives raised the concern regarding the posting of sensitive NRC information that would be accessible to anyone searching the web.</p> <p>RCEA representative noted that the National Committee on Occupational Safety and Health (NCOSH) terms of reference require the posting of the NCOSH minutes on the bargaining agents’ websites. They also proposed, <b>during the approval of the minutes, to note any sensitive information that would need to be removed prior to posting externally. The parties agreed. As requested, management representatives committed to forwarding the minutes from the last couple of years and contacting guests of the last JCC meeting regarding potentially sensitive information contained in the minutes.</b></p>	<p>M.Marchand</p> <p>M.Marchand</p> <p>M.Marchand</p>
92.3	<p><b>Follow-up Action Items of the 91<sup>st</sup> Meeting</b></p>	
87.5	<p><b>Probation</b></p> <p>Isabelle Gingras, Vice-President, HRB noted that she reviewed the July 12, 2004 memo from Mary McLaren, former Director General, HRB concerning the application of the probation policy for employees who were employed as term employees and were subsequently appointed to a continuing position.</p> <p>RCEA representatives sought clarification as to whether the duration of the term employment would be applied to waiving or shortening the two year probation period that applies at NRC especially as probation period is only one year in the core public service. In their view if a term employee has the required met expectations Commitment to Excellence (CTE) and is appointed to</p>	

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<b>87.5 (cont.)</b>	<p>a continuing position in the same capacity then in light of supervisory discretion available, the norm should be for the probation period to be waived or reduced. A supporting rationale should be required when this is not the case. Currently they believe the probation policy and its application are inconsistent. A PIPSC representative also suggested that rationales should be provided to employees.</p> <p>Management representatives responded that they recognize this is a key issue for terms moving into continuing positions. While generally term service should be counted towards the probation period when converting to a continuing position, management discretion provides for an individual evaluation on a case by case basis which should involve discussions with the employee resulting in some form of rationale being provided to the employee.</p> <p>A discussion ensued as to the level of corresponding data currently captured for such cases. A management representative advised that probation extensions are noted in SIGMA but that there is some inconsistency in this data is captured. The supporting rationales are also not tracked centrally. <b>Given these issues, management committed to looking into ways to capture probation rationales and to implement reporting mechanisms, possibly within SuccessFactors.</b> A PIPSC representative also commented that the ICT portfolio may be able to help, although even a simple system of tracking using an Excel spreadsheet may be sufficient.</p> <p><b>Management representatives also affirmed their previous commitment to increase awareness of the best practices concerning probation including when the period should be waived or shortened while respecting management discretion.</b> In this regard, Joe Grebenc, Manager of Labour Relations and Pay and Benefits advised that he met with the Human Resources Generalists (HRGs) on March 23, 2017 to increase awareness of the concerns relating to probation as expressed by the bargaining agents including the importance of providing regular feedback to probationary employees and that managers should consider waiving or reducing the probation period as appropriate for a term employee moving into a continuing position in the same capacity. It was a fruitful discussion and HRGs were asked to follow-up with their client management.</p>	<p>I.Gingras (M.Marchand)</p> <p>I.Gingras J.Grebenc (M.Marchand)</p>
<b>87.15</b>	<p><b>New Members – Bargaining Agent Notifications</b></p> <p>It was reported that Management and RCEA representatives met on May 31, 2017 in an effort to resolve issues related to union dues because of issues with Phoenix. RCEA representatives also met with Public Services and Procurement Canada (PSPC) concerning the reporting of union dues.</p>	
<b>88.9</b>	<p><b>Performance Improvement Plan (PIP)</b></p>	

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>88.9 (cont.)</b></p>	<p>In response to concerns regarding PIPs raised by the Bargaining Agents in previous meetings, Emily Harrison the Director of Planning, Performance and Development and Jo Ann Conway the Senior Advisor within the same group from HRB attended the meeting.</p> <p>RCEA representatives thanked management for providing the data they requested on PIPs, broken out by fiscal year. They acknowledged the gaps in the data and that it was difficult to obtain as NRC does not capture this data centrally. They also expressed that, while management has the right to manage employee performance, in their view there is a lack of consistency or standards as to when PIPs are initiated and how they are managed. For example they noted that there should be proactive conversations between supervisors and employees, including why a PIP is needed, instead of employees being presented the PIP form, told to sign it and that their job is in jeopardy if there is no improvement. They also commented that the PIP details of what is expected needs to be clearly understood by the employee and that it is management's responsibility to source any required training. RCEA representatives hope the level of consistency will improve with the implementation of PIPs within SuccessFactors, although they suggested that the proposed PIP form needs to include a rationale in support of the numerical code for the status of the PIP commitment on the review date as well as details on what additional supports management is going to provide.</p> <p><b>Management committed to following-up with those responsible for the SuccessFactors PIP form in an effort to make the suggested changes by providing space to capture the rationale in support of the status rating.</b> Ms. Harrison and Ms. Conway also confirmed that the PIP form will need to be created by human resources after which it is only accessible to the supervisor and employee. They further noted that while the system will display the latest PIP, the old versions as well as what was written by whom will be captured and retrievable if needed. The PIP form will also provide space for comments from both the employee as well as their supervisor. Ms. Harrison reported that this module of SuccessFactors will possibly be launched later this summer and <b>committed to ensuring the bargaining agents would be made aware of the actual launch date for the on-line PIP form.</b></p> <p>Representatives of both bargaining agents commented that standardization of PIPs would not only be helpful to employees but also helpful for new HRGs and managers <b>Management responded that the training of the HRGS on the SuccessFactors PIP form would also include best practices on how to manage employees on a PIP.</b></p> <p>A PIPSC representative reported that they have been receiving an increasing number of inquiries related to PIPs and their members are voicing apprehension due to not understanding why they are being placed on a PIP. A PIPSC representative questioned why</p>	<p>I.Gingras E.Harrison (M.Marchand)</p> <p>E.Harrison</p> <p>E. Harrison (JA.Conway) (M.Marchand)</p>

<p><b>88.9</b> <b>(cont.)</b></p>	<p>PIPs were being implemented with employees whose last CTE had a “met expectations” rating. In their view the CTE, as a fluid document, should be revised accordingly resulting from regular reviews between the supervisor and the employee throughout the year and extra supports being provided as needed. They suggested that a PIP should only result from a subsequent “met some expectations” or “did not meet expectations” CTE rating. Management responded that there is no requirement to wait for full less than satisfactory CTE before an employee can be placed on a PIP, although a PIP would be related to the performance expectations contained within the CTE.</p> <p>Management representatives confirmed that the CTE is a living document reflective of periodic reviews and adjustments throughout the year. Whereas the PIP is a more rigorous and prescriptive intervention implemented with very frequent reviews to address a specific need. The performance gap and measures to close that gap would be clearly identified in a manner that the employee understands. The employee may also have valuable input into any additional training required. A PIP should be implemented to assist a struggling employee to improve their performance. The level of detail needed and how a PIP is managed is determined by the individual supervisor with input from the HRG and varies with the needs of the employee in each circumstance although there is a core level of rigor in the approach.</p> <p>A PIPSC representative further expressed concern that some CTEs may contain unreasonable expectations resulting in a PIP being used as the tool to make up for this inconsistency or that PIPs were implemented with the wrong intent. Representatives from both bargaining agents commented on the requirement for solid and consistent processes, proactive and respectful discussions with employees to explain the intent of PIPs, why it is needed, and the consequences if performance does not improve. They also noted the need for concise details in the PIP form, appropriate resources to help the employee be successful, and HRG input throughout the process. They sought clarification as to why supervisors were not allowing union involvement in PIP discussions when their members are reaching out to them due to worry over losing their job or they are questioning whether it is disguised discipline. The bargaining agents also inquired about other recourse available since any grievances would need to be heard before the same decision maker in the case of a release for continued marginal performance. A management representative responded that grievances related to release for continual marginal performance would only be heard at NRC’s final level whereas grievances claiming the release was a result of disguised discipline could go before an adjudicator at the Public Service Labour Relations and Employment Board (PSLREB). The adjudicator would hear the merits of argument alleging disguised discipline before deciding on jurisdiction and rendering a decision.</p>	
---------------------------------------	--	--

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>88.9</b> <i>(cont.)</i></p>	<p>It was noted by management representatives that there have been only a small number of employees placed on a PIP and the intention is to help employees improve which has resulted in more being successful than rejected on probation or released for continued marginal performance. When considering placing an employee on a PIP there is also an effort made to understand the reasons for the decline in performance, such as personal circumstances, health issues, or job changes. Management requested that the <b>Bargaining Agents reach out to the HRGs or Labour Relations Officers if they are hearing from members on PIPs. Management also confirmed they would appraise the HRGs of the concerns expressed from the Bargaining Agents at their next Community of Practice meeting.</b></p>	<p>C.Fraser P.Loder  M.Marchand</p>
<p><b>88.13</b></p>	<p><b>Mississippi Mills Update</b></p> <p>It was noted that the information requested by the RCEA had been provided by management and this matter is now closed.</p>	
<p><b>89.4</b></p>	<p><b>37.5 vs 1950 Hours Requirements for RO/RCOs</b></p> <p>As a follow-up to the previous JCC discussion, management representatives reported that the SIGMA error message of less than 7.5 hours entered was standard to all employees even those under the 1950 work schedule. Isabelle Gingras, Vice President HRB reported that she and François Cordeau, VP Engineering meet with the General Managers (GMs) of the Engineering portfolios. During the meeting it was acknowledged that the 1950 work schedule was the default for Research Officers (ROs) and Research Council Officers (RCOs) and a request was made for overall written justifications of the 37.5 hour work schedule for the RO/RCOs within their portfolios. Some of the GMs responded that the 37.5 hours work schedule was working very effectively for them. A PIPSC representative noted that some of their members also really like the 37.5 hour work schedule as they are able to receive overtime with approval for extra hours worked.</p> <p><b>Management committed to secretarily follow-up with the written rationales that PIPSC representatives had requested.</b></p> <p>Concern was raised by a PIPSC representative that the SIGMA time coordinators were sending out monthly reports to employees under the 1950 work schedule advising them that they had entered less than the 150 hours required and that this needed to be corrected. This message gave some employees on a 1950 schedule the impression that they were not respecting the 1950 work schedule. Management representatives suggested that the intent of the message was to be helpful and to advise employees they will need to work extra hours later. However, <b>management committed to looking into increasing awareness and understanding amongst the time coordinators of the 1950 work schedule, including that deficiencies can legitimately occur as well as providing instructions on how to run reports</b></p>	<p>I.Gingras          M.Marchand   M.Marchand</p>

	by employees on the total number of 1950 hours already entered within the current calendar year.	
90.8	<p><b>Multi-Zone USB Key – Terms and Conditions of Use</b></p> <p>In response to requests from the bargaining agents, Tim Grubb the Executive Director of Security Branch attended the meeting to hear their specific concerns related to the language of the terms and conditions of use for the multi-zone USB key. Mr. Grubb also provided the committee with copies of the attached Treasury Board's (TB) Information Technology Policy Implementation Notice (ITPIN) of May 20, 2014 related to the secure use of portable data storage devices within the Government of Canada and referenced that NRC's policy on the use of multi-zone USB keys is in line with TB.</p> <p>Mr. Grubb reported that data breaches with criminal intent are increasing in general which supports the increased security of NRC's data, including the encryption provided via the multi-zone USB keys. A RCEA representative responded that encryption can be breached. However, a PIPSC representative noted that these USB keys were only intended for temporary transport of files and not as a storage device, although this may not be commonly known. This was confirmed by Mr. Grubb who indicated that files should be stored on DocZone and then deleted from the USB key. Furthermore, <b>he would follow-up with KITS regarding the importance of emphasizing to employees that the multi-zone USB key is for temporary storage use only.</b></p> <p>The bargaining agents expressed the concern that the language of policy and term of use for this USB key is creating apprehension in their members, who are required to sign for it and use it in the context of their job without being supplied an appropriate secure place to store it. They are fearful that they will lose it, leading to discipline and their possible loss of employment as a result. This could also lead to employees not reporting the loss which both bargaining agents agreed is not in NRC's or the employee's best interest. Mr. Grubb responded that in accordance with the policy and term of its use it is very important for employees to report the loss of their USB key right away and that they should not be fearful about doing so. There would be an investigation of what happened and what data was on or downloaded to the USB key but there is a difference between inadvertently losing or misplacing the USB key and willful actions taken by an employee leading to its loss for which discipline would be a consideration. <b>Mr. Grubb indicated that he would look into the language used given the concerns raised.</b></p>	<p>T.Grubb</p> <p>T.Grubb</p>
90.9	<p><b>New Government of Canada (GOC) Communication Policy</b></p> <p>In response to inquiries from PIPSC representatives, Olivier Carré-Delisle the Director General of Communications provided the committee with an update on the new streamlined GOC</p>	

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>90.9 (cont.)</b></p>	<p>communication policy, including media relations and its implications for NRC.</p> <p>Mr. Carré-Delisle reported that NRC’s current media relations policy, which is under review, has been in effect since 2012. However, it still followed the GOC policy in what employees could and could not do. For example, researchers have always had and continue to have the ability and right to communicate with media about their work and expertise as a subject matter expert, provided they respect NRC’s code of conduct and values as any public servant. This would be in a different capacity than those who would be speaking to the media on behalf of NRC as an official spokesperson. Researchers are also asked to let Communications know about their conversations with the media, even after the fact, such as can occur at conferences. NRC communications tracks media interactions for reporting purposes in an effort to monitor which media organizations are contacting NRC, early awareness of important and possibly contentious issues, or to be aware if potentially sensitive information was inadvertently disclosed so that they can be prepared to address future inquiries. As well, if Communications is involved early, then they can provide helpful insights into the background of the media outlet or the person inquiring as there have been times when the person making the inquiry was not even journalist or is one who is very skilled in posing questions that can unknowingly and quickly take the respondent into problematic territory.</p> <p>A RCEA representative sought clarification as to whether an employee needed to have supervisory approval before responding to a media question at a conference. Mr. Carré-Delisle confirmed that this was not required, although they would not be able to plan or organize a press conference without appropriate approvals. A PIPSC representative then inquired about the ability of researchers to respond directly to questions from the Minister. To which Mr. Carré-Delisle responded, while it is fine to provide an answer within their area scientific expertise, answering questions about the overall direction of NRC would be problematic as this would require responding from the perspective of a formal NRC spokesperson.</p> <p><b>Mr. Carré-Delisle also agreed to a PIPSC representative’s request that they be able to review the suggested changes to NRC’s media relations policy in advance of it being tabled at the Senior Executive Committee (SEC).</b> A management representative also commented that it would be helpful to reflect the opinions of both bargaining agents regarding this proposed revised policy when it is presented before SEC for approval.</p>	<p>O.Carré-Delisle</p>
<p><b>90.12</b></p>	<p><b>D1 RO/RCO Promotion Documentation</b></p> <p>Management representatives reported that the message sent to General Managers, Director Generals and HRGs in March regarding the intent of the D1 forms may have resolved the issue of inconsistency. If the issue still exists, the Manager of Talent</p>	



ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>90.12 (cont.)</b></p>	<p>Acquisition, Classification, and Workplace Effectiveness is continuing to look for ways to use the Research and Development Directors to increase awareness of the appropriate calibration of D1 cases while maintaining the simplified level of information required.</p> <p>A representative from PIPSC referenced a D1 case being declined and in response was questioning what are the clear RO/RCO promotion requirements for a single bar? What are the differences between a single bar and no bars? Can an increase be denied when there is no bar requirement and the performance review has been satisfactory? What documentation would be provided to the employee? How many of these cases have been refused?</p> <p>Management representatives initially responded to this inquiry indicating that the absence of a bar represents a routine increase whereas the bar indicates a formal process with non-arbitrary documentation. To further address the difference between the single bar and no bar, <b>management representatives made the commitment that the Manager of Talent Acquisition, Classification, and Workplace Effectiveness would follow up off-line with further clarification.</b></p>	<p>M-E.Roy</p>
<p><b>New Business</b></p>		
<p><b>90.10</b></p>	<p><b>NRC Dialogue Update</b></p> <p>Roger Scott-Douglas, Vice President of Policy and Governance presented the attached presentation on Town Hall Discussions – Opportunities for Impact. He would be using this presentation during his visits to 19 NRC locations throughout June and July. Representatives from the bargaining agents valued this opportunity and Mr. Scott-Douglas expressed his appreciation for their input and feedback which resulted from their last meeting.</p> <p>In contrast with the RCEA representative’s concerns that in their view there was no discussions regarding decisions concerning the last flagship, Mr. Scott-Douglas reiterated purpose of the dialogue was to engage employees from across the organization in appropriate discussions so that when decisions are taken, employees understand the considerations that went into the decision, and the rationale behind them. Hence there were more than 50 employees actively involved in the Tiger teams, in addition to numerous Town Halls and employee surveys for which a large volume of data was compiled into categories for recommendations regarding actions to implement.</p> <p>Representatives from both bargaining agents recognized how engaged and passionate employees are about the dialogue as evidenced by the incredible amount of employee input and data that has been gathered. As well, the President of PIPSC will be meeting with NRC’s President at the end of June, in advance of submitting PIPSC’s formal feedback to the Minister, most of which recognizes the excellent work of the dialogue.</p>	

<p><b>90.10 (cont.)</b></p>	<p>While the RCEA representatives expressed their agreement with what has been presented in the discovery paper, they noted the focus appeared to be on the career and development of the RO/RCO research staff at the exclusion of the Technical Officers, who work to support them. They emphasized that their Technical Officers would also be interested in career growth and have a direct impact on research excellence. As well there are many other non-scientific staff, such as within administration, finance, operations, trades, and human resources, who would also have valuable contributions to make to the dialogue but may not see opportunities for their engagement.</p> <p>Both bargaining agents advised that the presentation slide on people needed to be broadened to include the impact of all types of employees on research excellence. Furthermore, they noted that there is a need to invest in new technology, techniques, and certifications of all support staff, who genuinely contribute to the overall success of NRC as a scientific organization. They further suggested that the leadership and development program be expanded to include staff from across the organization.</p> <p>Mr. Scott-Douglas agreed that these are good points to consider and indicated that he was cognisant of this potential gap. To help facilitate these connections, he accepted the RCEA representative's suggestion to extend an invitation, via the RCEA, to directly meet with administrative staff following the upcoming town hall meetings. To facilitate this, <b>management representatives would forward to the RCEA the details on the up-coming town hall meetings.</b></p> <p>RCEA representatives commented that the desired solutions which are both fit for purpose and reflective of one NRC are difficult to achieve. As well, there are times when one size does not fit all, such as is reflected in many of the unique and excellent systems within portfolios, although some could also be identified as best practices and applied to other portfolios.</p> <p>A PIPSC representative also recognized the long-standing difficulties in ensuring employees and management from across the organization take responsibility for becoming aware of the different activities and research taking place in NRC across Canada so that we all work together as a tightly woven blanket instead of silos of "us versus them". The key to success is then in the implementation as well as effective communications up and down the organization about what needs to be achieved so that there is equality of standards between the portfolios.</p> <p>Mr. Scott-Douglas acknowledged that these concerns did arise, especially as it is recognized under fit for purpose that some groups will work differently even amongst plans to reduce the number of silos and increase the implementation of best practices. As well, they would like to maximize the utilization of the scientific staff with more time spent at the bench and less time on the completion of forms.</p>	<p>R.Scott-Douglas (M.Marchand)</p>
---------------------------------	--	---

<p><b>90.10 (cont.)</b></p>	<p>PIPSC representatives expressed their excitement about the implementation of these changes; however, it was tempered with their members' perception that things were getting more bureaucratic due to new approvals required as well as expanded project management tools. Given these concerns, they questioned whether any accepted changes were being implemented in advance of the final report?</p> <p>Management representatives responded that it is anticipated that there would be three waves of initiatives to implement the 88 anticipated recommendations with continued consultations where appropriate. They are also compiling a list of viable initiatives that can be implemented quickly so employees can see evidence of the changes in an effort to build on their existing credibility. The first being the release of the action plan in August, although it was noted that the anticipated PDF program has already been launched in an effort to rejuvenate the organization wherein a quarter of the population will soon be eligible to retire. In the fall, implementation of recommendations in areas where NRC has the authority and resources will begin. Then areas that require additional authorities for funding and a memorandum to cabinet will be submitted for the spring budget. Although with a government organization the size of NRC as well as taking into consideration the 14 programs that need to be reviewed next year, it takes time and huge effort to implement the changes required including the development of a new program model.</p> <p>A question was posed from a PIPSC representative as to whether the programs would have seed funding from NRC or a percentage of funding direct from industry? The response from a management representative confirmed that industry revenue will always have an important role in many areas but not in all, as building business innovation and scientific knowledge may have no revenue targets. As well, not all research and development activities belong within a program, especially as portfolios need to invest in the future of their respective research areas for which the General Manager will be given the appropriate authorities to do so.</p> <p>A further question was posed by representatives of the RCEA as to whether legislative amendments would be required to the NRC Act to implement the recommended changes? More specifically they noted that the NRC Act is from the 1990s and as it currently is written, it negatively impacts employees' incomes and well-being due to the requirement to have new collective agreements ratified and signed by the governor in council which can take up to eight months whereas core departments do not have this requirement. This distinction is very hard for their members to understand. It was noted by a management representative that one of the tiger teams investigated governance and only recommended a small change related to intellectual property, as the issues related to the collective agreement approval process did not come to light in the dialogue. But as it is very difficult to open an act, it was decided to focus energies elsewhere. The RCEA representative responded</p>	
---------------------------------	---	--

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>90.10</b> <i>(cont.)</i></p>	<p>that employees may not have been aware of this technical issue and further inquired as to whether the President and Mr. Scott-Douglas, with their linkages to TB, might be able to inquire if there was another solution possible.</p> <p>Finally, the bargaining agents expressed their desire that the changes to be implemented would meet the needs of NRC for many years to come and not require another major system change in five years. Mr. Scott-Douglas acknowledged while presidents and governments change if these changes are the well-rounded proposals as they believe them to be, as they are grounded in evidence, then they should be well positioned to convince any future leadership of their continued viability.</p>	
<p><b>91.7</b></p>	<p><b>Technical Officer (TO) to Research Council Officer (RCO) or reverse</b></p> <p>A representative of RCEA expressed concern about the reasons for TOs and Computer Scientists moving into RCO positions within three different portfolios, especially when they believe the work was previously done by TOs. PIPSC representatives also inquired as to how the salary upon entry into the RCO is determined and whether the new incumbent would have their salary red circled if the TO salary was higher?</p> <p><b>Management representatives</b> inquired of the RCEA as to the scope of this issue and in response <b>committed to following up on these concerns and questions.</b></p>	<p>I.Gingras (M.Marchand)</p>
<p><b>91.8</b></p>	<p><b>Electric Car Charging Stations</b></p> <p>A representative of management reported that there is currently an electric car charging station at Uplands, managed by Automotive and Surface Transportation (AST). As this is a complex issue from a technical, legislative, and organizational (personal vs fleet needs) perspective, Natural Resources Canada (NRCan) has been tasked by the Government of Canada to take the lead in preparing a national policy. Administrative Services and Property Management (ASPM) is reaching out to NRCan to see how NRC can be of assistance.</p> <p>A PIPSC representative suggested that NRC should lower its carbon footprint by moving ahead and offering charging stations to encourage the increased usage of electric vehicles. They noted that there are ten electric vehicles in use by employees at the Royalmount location.</p> <p><b>Management representative</b> acknowledge the lead role NRCan but would <b>follow up to see whether the Royalmount location could be charging station test site for NRCan.</b></p>	<p>I.Gingras (M.Marchand)</p>
<p><b>92.4</b></p>	<p><b>NRC Values and Ethics Working Group</b></p> <p>Mr. Scott-Douglas, Vice President of Policy and Governance also provided an update on the new Values and Ethics working group</p>	



ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>92.5</b> <b>(cont.)</b></p>	<p>representatives responded that while the potential is there for cancellation, no discussions regarding the matter have occurred at SEC. It has been a long time since the subject of the December shutdown was raised at that level so it would be a worthwhile discussion.</p> <p>Management noted as per earlier communications, they were willing to accept the bargaining agents' proposed changes in the December Shutdown guidelines as well as finalizing the outstanding 2017 Letter of Understanding. These changes were concerning leave substitutions related to bereavement and administrative leave without pay. The President is aware of some of the issues raised by the bargaining agents but believes an agreement can be reached. An RCEA representative acknowledged the guidelines as an administrative document and not one that is negotiated. <b>Both bargaining agents suggested that the proposed wording changes be implemented and that the agreement be signed by the parties.</b></p> <p>The bargaining agents raised an on-going concern that employees within a section of NRC, in their view, were instructed to limit their December shutdown banking to special approved projects. RCEA representatives noted that while human resources and labour relations have been involved in developing a solution, they remain unsatisfied especially as they believe employees should be trusted to do appropriate productive work during their proposed schedule for December shutdown banking.</p> <p>Management representatives reported that they had met with the appropriate senior manager who confirmed that all the employees from that part of NRC would have ample opportunity to bank the required number of hours without having to use their vacation. In general the application of the December shutdown banking is working well for most of the organization. Although for this section the instructions may have been too prescriptive and should be dealt with as a local matter. <b>An RCEA representative was requested to forward to a management representative a copy of the instructions in question.</b></p> <p>A PIPSC representative inquired as to whether employees on the 1950 work schedule are still required to bank the December shutdown hours. Management representatives responded that all employees need to bank 1020 hours and another PIPSC representative indicated that it was best practice to code any initial extra hours towards December Shutdown.</p>	<p>I.Gingras (J.Grebenc) C.Fraser P.Loder</p> <p>J. Van Den Bergh</p>
<p><b>92.6</b></p>	<p><b>End of Term Notifications</b></p> <p>Representatives of both bargaining agents expressed dissatisfaction with the current system for end of term notifications. In their view, according to the Termination of Employment policy, section 5.7.17.2 - confirmation of termination, provides that all short-term and term employees are to receive a separate letter confirming the end of their employment. Under this provision</p>	

<p><b>92.6</b> <b>(cont.)</b></p>	<p>employees would receive two weeks notice when employed for six months or less, one month notice if employed more than six months and up to one year, and two months notice if employed for more than one year. Their understanding is that notice begins once the employee is in receipt of this letter and that if the notice is not received in accordance with the above schedule then the employee should receive an extension or pay in lieu of notice. In their view this scheduled notice period is intended provide some kind of severance pay to cushion an employee. They believe NRC's current system of the offer and extension letters containing the clause "unless otherwise notified this constitutes notice" is unfair and inappropriate as it is forgotten or not taken seriously by term employees with multiple extensions that are often at last minute. Additionally their members, when reading the policy, feel they are safe and will have their term extended if they have not received a separate end of term notification letter. In this regard, both bargaining agents believe NRC is not adhering to its own policy. Given the nature of this policy, they see this as affecting NRC's credibility to honour the rest of the termination policy as well as other policies. A PIPSC representative further expressed that if this is not fixed, they would include it in their feedback letter regarding the Dialogue to the three ministers.</p> <p>In response to the views raised by the representatives of the bargaining agents, management representatives noted that there is discretion in how the policy is applied. The required notice period is contained in offer letters and extensions letters which provides more than the mandatory notice required under the policy. They acknowledged that in the past NRC used to provide employees with end of term reminder letters. However, a term employee hired for one year with their offer letter containing the end of term notification clause, should be expected to plan for their term ending accordingly and the same for those who received an extension letter containing the same clause. Whereas it was recognized that those long-standing term employees who received multiple extensions might be under the false impression that they would be receiving another extension. They also acknowledges that there have been and continue to be some management issues regarding adequate timing of required planning decisions which complicate the situation.</p> <p>A representative of PIPSC advised that some employees are being told by their supervisor two months prior to the end of their term not to worry as their term will be extended. However, in the end the employee is informed that the extension was not possible. So the employee has lost that time when they could have been searching for alternate employment opportunities while still employed in addition to breaking the bond of trust in NRC.</p> <p>In response a management representative inquired if a change was made and all term employees received by default an end of term notification letter. Then if they were to receive a last minute extension letter, would this not be giving term employees</p>	
---------------------------------------	---	--

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>92.6</b> <i>(cont.)</i></p>	<p>conflicting messages? To which the PIPSC representative answered, while it would be conflicting, it would be better than providing false hope. As well, the last minute extension of employment would be a positive unexpected gift.</p> <p>RCEA representatives reiterated their disagreement with NRC's interpretation of this policy as they believe the current system of notification being included in the offer and extension letters is insufficient. As well, if improved management planning is required it should not be at the expense of term employees.</p> <p>In response to the issues raised by the bargaining agents, <b>the Vice President of Human Resources agreed to look into the matter.</b></p>	<p>I.Gingras</p>
<p><b>92.7</b></p>	<p><b>Leave Without Pay for Personal Reasons</b></p> <p>A representative of PIPSC inquired as to the level of detail management is required to supply when denying a request for leave without pay (LWOP) for personal reasons based upon operation requirements? What recourse is available to employees in seeking more clarity? What are valid operational concerns and who makes the decision?</p> <p>In response an RCEA representative advised that as opposed to management discretion, operational requirements have to be a valid need and not just a veiled way to simply deny the request without reason. Furthermore the denial can be grieved and submitted to the PSLREB for review of the validity of the operational requirements.</p> <p>Management representatives concurred and added that a standard of reasonableness, which is not arbitrary, needs to be applied such as whether the employee is indispensable to a deadline driven project. However, the more advance the notice is given, the greater the possibility a solution can be worked out with the supervisor. The decision rests with the General Manager depending on the length of the LWOP for personal reasons that is requested. Furthermore, they recommended the employee first ask for additional clarification from management as to the reasons behind the operational requirements and if needed seek out the assistance of the HRG in facilitating getting a fulsome answer. If still not satisfied, the employee could contact their bargaining agent and file a grievance.</p>	
<p><b>92.8</b></p>	<p><b>Security Branch Phishing E-mails</b></p> <p>Tim Grubb, Executive Director of the Security Branch provided the committee with an update on NRC's anti-phishing awareness campaign including the attached statistics. RCEA representatives inquired about the consequences to employees should they fail to detect the phishing e-mail. Mr. Grubb acknowledged that as this is a campaign to increase employee awareness, the phishing e-mails are becoming more and more elaborate and harder to detect, just as they are for the real scamming phishing e-mails. All employees</p>	



ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>92.8</b> <i>(cont.)</i></p>	<p>are receiving either a beginner, intermediate or advance message matched to the level of message that they would have already received. In the future they will be using more sophisticated messages targeted to specific types of employees whose access to information would pose a greater risk to NRC if they clicked on an active link in a real scammers phishing e-mail.</p> <p>Management representatives noted that while a good number of employees at all levels have been caught by the phishing e-mails, NRC overall is doing very well with under 20% clicking on the message. Even for those who do, they are taken to a page to educate them on what they should have been looking for in the e-mail message that they just clicked on. A RCEA representative inquired whether employees could be punished or have this reflected in their CTEs. Mr. Grubb responded that there are no employee names reported in the phishing exercise as it is solely an awareness campaign in an effort to better protect NRC.</p> <p>A further inquiry was made by a RCEA representative regarding NRC's ransomware protection. Mr. Grubb confirmed that ransomware attacks continue to be a major concern for NRC and as such the green networks are continually upgraded with specialized protection to automatically shutdown after someone clicks a malicious active link within an e-mail. The alternative would be to deactivate all links within e-mails. A PIPSC representative commented that work within research areas is very difficult on the green network. Mr. Grubb responded that he is working with KITS to better understand how to meet the needs of the research areas while ensuring NRC's electronic security</p>	
<p><b>92.9</b></p>	<p><b>Status of CTE Calibration Exercise</b></p> <p>Representatives from both bargaining agents inquired as to whether the calibration exercise had been implemented in all programs as per their understanding. Furthermore a PIPSC representative noted the great importance of calibration in light of the impact of problematic CTEs in a reverse order of merit workforce adjustment. These would be CTEs wherein the employee rated themselves as meets or exceeds whereas management rated them as met some or did not meet expectations.</p> <p>Ms. Harrison, the Director of Planning, Performance and Development, advised that the calibration exercise was a pilot tool launched three years ago but was not mandated to be implemented across the organization. The intent of the exercise was to ensure similar positions within a portfolio were assessed against a similar level of expectations. However the notion that an employee who rates themselves different than their supervisor is entitled to calibration is incorrect. The intent of calibration was to review all CTEs within the group and if after calibration the employee is not satisfied with the result, wherein they disagree with the rating they received, then an additional review process can be requested. Although calibration is not mandatory,</p>	

ITEM	92 <sup>nd</sup> JCC - MINUTES - DISCUSSION	ACTION
<p><b>92.9 (cont.)</b></p>	<p>management is encouraged to have discussions to ensure clarity as to what the various performance levels should look like within their area.</p> <p>Management representative noted the overall results from calibration, albeit from older statistics, tended to be a levelling out of the results with slightly more ratings increasing than decreasing. While some feel calibration is valuable and worth the effort, others find it too labour intensive and arduous for the result gained. Therefore, some portfolios may continue to use calibration, others may stop, and some may try it if they believe it will add value. A number of suggestions were brought forward during the Dialogue consultations regarding the need to simplify the CTE process, including suggestions for generic objectives and metrics on ratings. One such streamlining idea being currently implemented is moving to the electric system SuccessFactors which would allow improved reporting regarding completion rates and rating levels as well as tools regarding the indicators for various performance levels.</p> <p>An RCEA representative reported that their members believe there are quotas on the exceeds expectations ratings. A PIPSC representative responded that while there are no quotas they feel this has not been well communicated to employees. A representative of management confirmed that every portfolio has exceeds CTEs and there are also a very small number of significantly exceeds, although it is the accomplishments and their impact that are recognized and not the level of activity.</p>	
	<b>Roundtable</b>	
	<p>An RCEA representative requested that the Chair be sent the agenda prior to its release for discussion and preparation purposes.</p>	
	<p><b>Next JCC (#93 – September 6, 2017)</b></p> <p>The parties agreed to <b>extend the duration of the upcoming meeting into the mid-afternoon</b> given the decision to make the NRC Dialogue a standing item for the next several meetings along with the anticipated President's participation, if possible.</p>	M.Marchand
	<b>Meeting adjourned at: 3:48 pm</b>	