

NATIONAL RESEARCH COUNCIL CANADA (NRC)

MINUTES OF THE 96th MEETING

OF THE

NRC – JOINT CONSULTATION COMMITTEE (JCC)

DATE: June 20, 2018
TIME: 9:00 AM
LOCATION: Room 2nd Floor Conference Room, Building M-58

IN ATTENDANCE

Chairperson:

Patricia Loder, President, NRC-PIPSC Consultation Team

Representing NRC:

Roman Szumski, Vice-President, Life Sciences
Emily Harrison, Vice-President, HRB
Amy Campbell, Director Special Initiatives, 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, NRC-PIPSC Consultation Team
Christine Poirier, Labour Relations Team Lead
Cathy Cheung, President RO/RCO Group
Dominique Charbonneau, President LS Group
Stephan Grosse, RO/RCO Group Executive

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:

Margaret McKay, Senior Ethics Officer and Head, Corporate Secretariat
Roger Scott-Douglas, Secretary General

ITEM	96th JCC - MINUTES - DISCUSSION	ACTION
96.1	Approval of Agenda The agenda was approved by the members with the addition of requested status updates by the RCEA on probation, NRC Women in	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
96.1 (cont.)	Research report, Treasury Board Secretariat (TBS) policy suite review and NRC's Communication Policy.	
96.2	<p>Minutes of the 95th Meeting of the JCC</p> <p>Due to the late issuance of the draft minutes, the members decided that the minutes would be approved secretarially once they had had adequate time to review them in detail and circulate any required amendments.</p> <p><i>Secretarial Note: A number of changes were circulated and the minutes were deemed approved on August 7, 2018</i></p>	M.Marchand All Committee Members
96.3	Follow-up Action Items of the 95th Meeting	
84.5	<p>Phoenix Update and Issues (T4s and BC Benefits)</p> <p>RCEA inquired whether Public Services Procurement Canada (PSPC) or NRC was responsible for the BC Medical benefit deductions as they created errors in their members T4s.</p> <p>In response Management indicated that the responsibility was with PSPC.</p>	
87.5	<p>Probation</p> <p>RCEA reiterated the importance of their request for data on whether their members, who were moving into continuing positions after serving with NRC for three or more years in a term capacity, were then having to serve additional time as a probationary employee.</p> <p>Management noted that since the requested data had to be obtained from various sources, its accuracy needed to manually validated by an individual with limited availability at this time. However, they committed to providing the results. Additional changes are also being implemented to facilitate the retrieval of this information in the future.</p>	
87.15	<p>Membership Change Notifications to Bargaining Agents</p> <p>Management reported that a recent review of the accuracy of reports used to generate these notifications had been undertaken and a detailed set of instructions generated. Students were going to be trained on these reports so that they could issue these monthly notifications as a temporary measure during this period of limited capacity.</p> <p>RCEA noted that April was the last report they had received.</p>	
88.9	<p>Performance Improvement Plans (PIP)</p> <p>PIPSC commented that they are still seeing PIPs extended without any changes to key performance indicators or still containing utilization rates and revenue targets. Furthermore they were seeking an update to the off-line working group and that another meeting be scheduled.</p> <p>Management agreed to send an update directly to both bargaining agents.</p>	M.Marchand

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
89.4	<p>37.5 vs. 1950 Hour Requirements for RO/RCOs</p> <p>It was confirmed by Management that most of Medical Devices' (MD) Research Officers (ROs) and Research Council Officers (RCOs) had move to a 1950 work schedule in the spring. As well, the Frequently Asked Questions (FAQs) regarding these work schedules had been updated on MyZone to provide further clarity.</p>	
90.4	<p>Mental Health at NRC</p> <p>Management reported that the existing resources would be leveraged to continue the work that the former Director of Health and Safety with the Human Resources Branch had started. As part of this initiative NRC is also interested in the National Joint Council (NJC) Guarding Minds survey looking at 13 psychological factors at work.</p> <p>RCEA commented that it could be another 18 months before this survey is launched.</p>	
90.11	<p>Staff Utilization Rates and SIGMA A1 and B Time Codes</p> <p>While it was confirmed by Management, that certain Research Centers (RCs) are still considering staff utilization rates, in response to the Dialogue consultation the Performance Management Framework (PMF) approved in April did not include utilization rates. The PMF is used as a standard to monitor and evaluate performance across NRC.</p> <p>In response PIPSC questioned the continued use of utilization rates in PIPs which they believed to be outside of their member's control and reiterated the need for objectives to be specific, measurable, attainable, realistic and timely (SMART).</p>	
93.5	<p>RO/RCO Promotion Cases including D1</p> <p>Management confirmed that according to the Human Resources Generalists (HRGs) it is the local RC management's responsibility to communicate directly with an employee regarding upcoming promotion eligibility and that whether their local approval process is formal or informal the timelines are always tight. Furthermore SIGMA reports do include maternity and parental leave as part of the dwell period.</p> <p>PIPSC commented that their members have reported not being engaged in promotion conversations with their managers and as a result many are not aware of their eligibility as well existing non-research RCOs perceiving they are being precluded from progressing as high as their newly hired colleagues. For others they feel there is a lack of support in the preparation of their statement of professional development including clear and adequate internal timelines with guidelines and forms attached. In their view a viable solution could be for the HRGs who are already preparing this information for their local managers to then also inform the eligible employees. They also inquired whether SuccessFactors and/or MyZone could be used to improve communications.</p> <p>Management noted that career development is a joint responsibility between the employee and their manager and based upon the</p>	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
95.5 (cont.)	<p>Management committed to providing the RCEA with a copy of the report without the annexes and once the EDI governance structure is implemented to manage any overlap between GBA+ and EE, appropriate bargaining agent representation and input will be sought.</p>	E.Harrison
95.6	<p>TBS People Management Policy Suite Reset</p> <p>RCEA expressed frustration that they had been waiting some time for feedback on which TB people management policies NRC had adopted or had implemented something similar as they wanted to ensure the policy reset committees they were involved in were of value to NRC.</p> <p>Management apologized that this information had not been provided since its request at the last meeting and committed to providing them with the requested feedback directly within several weeks.</p>	M.Marchand
95.8	<p>IRAP Concierge and Innovation, Science and Economic Development Canada (ISED)</p> <p>Both bargaining agents informed the Committee that even though they and their members are updated via bi-weekly meetings or calls, there are still a lot of uncertainty regarding the effective date of the change, who is paying for salaries and supplies, or which organization should be preparing CTE plans for the current fiscal year.</p> <p>Employees are encouraged to continue posing pertinent questions as will Management during this transition.</p>	
New Business		
96.4	<p>Update on Corporate Secretariat Policies</p> <p>Margaret McKay, Senior Ethics Officer and Head, Corporate Secretariat provided the Committee with an update on anticipated revisions to the Harassment Prevention and Conflict Resolution, Code of Conduct, and Conflict of Interest & Post-Employment Policies expected over the next year. This included transitioning the daily responsibility of these policies to the Senior Ethics Officer under the management of Head of the Corporate Secretariat.</p> <p><u>Harassment Prevention and Conflict Resolution and Directive on the Harassment Complaint Process</u></p> <p>While each harassment complaint is different, it is hoped that the directive can be streamlined with tighter timeframes, improved communications, and timeliness while preserving natural justice. Furthermore, clarity on the definition of harassment is also required to address whether the subsequent more detailed paragraph forms part of the actual definition as it appears to be included as an example. Formalizing supports like initial discussions with employees regarding the substance of their concerns, explaining the format of a harassment complaint, and directing employees to their respective bargaining agent. Seeking additional insights in how to best advise and support management while protecting privacy when the respondent is informed of</p>	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
<p>96.4 (cont.)</p>	<p>the complaint and the final decision issued so that management can work to restore a healthy workplace while acting on the findings of a harassment investigation. Input from the bargaining agents was requested in support these revisions.</p> <p>PIPSC commented that the restoration activities would need to be focused on the initial point in the timeline as the final outcome is difficult to control. Both PIPSC and RCEA welcomed further consulting on revisions to this policy and directive as consultations on the current models were very effective and important to their members. In particular the standard of review needs to be addressed so that investigators have a clear mandate upon which to base an effective yet expeditious inquiry especially when many alleged incidents occurred without collaborative witnesses. They appreciated the inclusion of initial supports given to their members and noted the importance of the alleged abuser not being involved in conducting the investigation.</p> <p><u>Code of Conduct</u></p> <p>Ms. McKay noted that the new NRC values will necessitate updating the Code of Conduct accordingly. While the Equity Diversity and Inclusion (EDI) initiative, focusing on the importance creating healthy workplaces that respectfully embrace diverse ideas and individuals, is expected to launch soon, it is difficult at this time to anticipate its full impact upon the Code.</p> <p><u>Conflict of Interest and Post Employment</u></p> <p>Ms. McKay also informed the committee of ongoing discussions regarding the development of guidelines and tools to educate employees on the legal obligations under Public Servants Inventions Act to disclose intellectual property (IP) even during outside employment while on leave without pay or in connection with grants and contributions as part of programs with universities.</p> <p>PIPSC expressed concern that IP created between the Industrial Research Assistance Program (IRAP) and NRC researchers working with companies involved in the certificate program was believed to be retained by the company and not the Crown. RCEA also inquired whether this fell under the responsibility of Ethics or Security.</p> <p>It was acknowledged by Ms. McKay that IRAP has been involved in these discussions regarding IP ownership and that while it is the role of Ethics, Security is also involved.</p>	
<p>96.5</p>	<p>Recovery of Overpayments</p> <p>RCEA expressed apprehension that their members have been informing them of outstanding overpayments being recovered from first available funds as part of the salary revisions or even deductions on regular payroll without being given an appropriate advance notice or recoveries occurring when management had agreed to hold them in abeyance. They questioned why these were taking place when the payroll was being monitored so that if necessary 60% emergency pays were being issues within three to five days. In addition the form validating financial hardship as part of the approval process for the NRC President to authorize</p>	

<p>96.5 (cont.)</p>	<p>recoveries of less than 10%, they believed to be overly invasive especially since these overpayments resulted from actions taken or not taken on the part of the employer and not the employee. Furthermore due to the current issues with Phoenix overall, they proposed that employees should have alternative recovery mechanisms outside of the pay system such as via cheques provided to Finance However it is important that the cheques would be cashed without delay upon request.</p> <p>PIPSC also voiced concern that one person's degree of hardship could be vastly different than another and each should be treated uniquely with respect and integrity. Moreover given the current situation with the Phoenix pay system, they inquired as why a whole pay needs to be stopped when an error is found and what validation process is in place for the T4s now being issued by the system.</p> <p>Management acknowledged and apologized for miscommunications regarding certain overpayment recoveries and that they were looking into other reasonable and flexible alternatives for the required recoveries, such as deferring to upcoming salary revisions or overtime payments. They have also worked with Finance to recover through cheques and credit card payments. While TB's default recovery is from first available funds, NRC has traditionally been more flexible when requested although for recoveries of less than 10% the President is the sole delegated approval authority. In support of this they had been using the justification form provided by the Association of Compensation Managers across the public service. However, they are reviewing the form and would welcome any suggestions regarding the appropriate level of detail to justify a case of financial hardship while respecting the privacy of the individual as each case is different. Management also confirmed that the first priority above all is to ensure that employees are paid and this takes precedence over any salary revisions currently underway. Normally the Phoenix pay list is reviewed two days prior to the pay date and any employees who would not getting their normal pay are contacted regarding whether an emergency pay is required. If so, this emergency pay is normally issued later the same week.</p>	<p>J.Grebenc A.Campbell RCEA / PIPSC</p>
<p>96.6</p>	<p>Pay and Benefits Access</p> <p>Both bargaining agents raised concern regarding the out of office busy message received in response to e-mails to Compensation Advisor's for the last year or two and that their members were making three or four inquiries before a response was received. This lack of or limited access is especially difficult when recoveries are involved or errors are believed to have occurred in the retro pays due to gaps in service. It is recommended that detailed lists of potential problems be maintained for more in-depth investigation and validation that everything is correct once the pay revisions have been completed. Additionally as this was the first retro revisions going through the Phoenix pay system, an analysis of lessons learned and best practices should be undertaken including employee communications.</p> <p>RCEA members have also been in contact due to the lack of overtime payments in 2018. They recognize the need to be patient but feel there needs to be a balance between the needs of employees and those of the</p>	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
<p>96.6 (cont.)</p>	<p>Compensation Advisors. They further suggested the development and maintenance of Frequently Asked Pay Questions on MyZone as valuable resource to assist employees as well as reduce the volume of inquiries.</p> <p>In addition to the June 7th article in Echo regarding the processing delays and heavy workload due to revisions with tight timelines, Management acknowledged employee frustrations and thanked them for their patience. They are working with the Compensation Advisors to evaluate the most effective and efficient way to balance their days so that the payroll is processed, legislative requirements regarding revisions are met, employee inquiries are addressed with changes to the out of office busy messages. In addition to considering a redistribution of the workload and hiring four new Compensation Advisors, several recently retired advisors have returned to provide further support during the summer months. Labour Relations and the students are also helping out where possible. Only the RO/RCO and OP collective agreements remain to be revised; however, this will take some time due to the size of one group and the complexities of having to process revisions retroactively four years for overtime, standby and call-back. The Compensation Advisors have high performance standards and to address the current workload issues they have been covering multiple accounts and working extra hours so that the payroll is administered accurately every two weeks while revisions are processed. They also hope to start processing overtime next month.</p> <p>A further inquiry as to the status of pension statements last updated online in December 2015 was made by PIPSC and RCEA.</p> <p>Management responded that they no longer have any access to pensions and that employees requiring an update need to contact the Pension Office directly.</p>	
<p>96.7</p>	<p>Model Science Integrity Policy</p> <p>Roger Scott-Douglas, Secretary General provided an update on the draft Government of Canada Model on Scientific Integrity Policy (SIP) that Dr. Mona Nemer, the Chief Science Advisor, developed in consultation with researchers, PIPSC and Treasury Board Secretariat (TBS) to address the 2016 Memoranda of Agreement between TBS and PIPSC. The 13 science-based departments and agencies were asked to review and provide input on this draft model policy document that would be used to assist them in developing their own scientific integrity policies with PIPSC. These policies are intended to promote scientific excellence standards accepted by the wider research and scientific community as well as the open and transparent communication of scientific knowledge and advice which benefits Canadians and is free from political and stakeholder interference while adhering with the Access to Information Act, the Values and Ethics Code for the Public Sector and TBS' Directive on Management of Communications, all of which are applicable to NRC. Direction is also provided on limits to the dissemination of scientific information, acknowledging the contributions of others in the scientific community, and responsibilities of both the researchers and managers.</p>	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
<p>96.7 (cont.)</p>	<p>NRC had asked its scientific staff to also review this draft policy. The employee feedback culminating into 15 pertinent points was appreciated by the office of the Chief Science Advisor. The responses included that the scope of policy apply to those working on national level interest research instead of direct commercial/industrial benefit to a company, that intellectual property needs to be protected and covered by non-disclosure agreements as well as management involvement, potential negative impact to partnerships, the inclusion of collaborators, avoidance of personal bias in research, standard scientific communication practice to first present scientific consensus or prominent opinions before a divergent view, consideration for Public Servants Disclosure Protection Act, and a practical process for implementation. The committee members were asked to forward any additional comments to the Secretary General.</p> <p>It was noted by the Secretary General that NRC is a leader in the government in this area due to its effective Research Integrity policy that was updated in 2013 and is relevant not just for scientific employees within PIPSC groups but for all staff including the RCEA Technical Officers (TOs) and Computer Systems (CS). Therefore, the implementation of the Model on SIP with its connections to media relations would need to also consider NRC's existing Research Integrity policy.</p> <p>PIPSC reported that NRC was also involved with the joint development of the draft model SIP. The next draft expected to be released in July and should provide greater clarity given the feedback submitted. Implementation would be required 18 months after signing.</p> <p>RCEA inquired as to if and when it would apply to other non-PIPSC bargaining agents as their members are covered under NRC's existing Research Integrity policy. PIPSC commented that much of the model SIP could also be relevant to the TOs at NRC.</p> <p>The Secretary General responded that he would inquire as to the impact of the model SIP for other bargaining agents with members involved in scientific research.</p>	<p>R.Scott-Douglas</p>
<p>96.8</p>	<p>Strain on resources for Dialogue Implementation</p> <p>PIPSC raised concern that they have been hearing from members who are feeling strained by all the new activities originating from Dialogue implementation in addition to maintaining existing revenue-generating projects. The tensions from these competing priorities is being highlighted during CTE commitment discussions especially for the Team Leads who are heavily impacted by Dialogue and/or which there has been no reduction in their revenue targets.</p> <p>RCEA also commented that their TO members have also been directly impacted by new processes and initiatives such as Environmental Stewardship wherein they now have additional responsibilities even</p>	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
<p>96.8 <i>(cont.)</i></p>	<p>though they were told it would only impact Administrative Services and Property Management (ASPM)</p> <p>The Secretary General who is responsible for Dialogue responded that he recognized this implementation is creating a great deal of change, including in administrative processes and adding pressure on Team Leads. However to support this level of change, the implementation of the 56 action items are being staggered in three waves with the last to occur in 2019. For each action item of significant consequence a Vice President was assigned to manage and to develop specific change management mitigation steps. A General Change Management Advisory Board consisting of 20 managers (MGTs) and non-managers from across NRC to meet monthly is being established along with the development of a change management network of 60 individuals across NRC throughout Canada to reduce uncertainty and provide critical feedback through this implementation. A change management framework including three levels of decision making (senior management, Dialogue Steering Committee with Vice Presidents and Co-leads, and all MGTs across Canada) are being leveraged to effectively implement the Dialogue actions. He also acknowledged the continuing work, although some preparative, on the consolidated 26 projects, the five new supercluster programs, and three disruptive programs covering six broad public policy challenges areas. He was pleased to also announce NRC had very expeditiously just received all money allocated from the federal budget.</p> <p>Which specific key performance indicators (KPIs) would be used by management to determine success, would they be achievable and would resources be reallocated to mitigate strain were all questions raised by RCEA.</p> <p>The Secretary General replied that there were looking at 10 KPIs such as the generation of new intellectual assets or patents, the number of organization assisted, revenue against new hires, and diversity of NRC's workforce under EDI. Initial short-term goals would be modest but migrate to five year stretch goals as the infrastructure to deliver them is put in place. The high cost of salaries is recognized but so is the 40% decrease in charge rates so the revenue targets of the research centers will also have to be reduced especially as these targets were a barrier to internal collaboration. In return effective operational plans maximizing resources across NRC will need to be developed.</p>	
<p>96.9</p>	<p>NRC's Email System</p> <p>It was noted by PIPSC that the recent change to limit access to e-mail from only NRC devices could impact those employees on extended leave or vacation who would not have taken their NRC laptop and were connecting via Outlook Web Access (OWA).</p> <p>The solution provided by Management was that the green laptop remains assigned to the employee even on maternity and parental leave so they can make arrangements to pick up their laptop thereby ensuring their continued access to NRC e-mails. For those on vacation they should not be working and instead use the out of office notification with an appropriate alternate contact. However if absolutely necessary they could</p>	

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
<p>96.8 (cont.)</p>	<p>bring their green devices or blackberry home with them during their absence. It should be noted that some blackberries may still require a fix to ensure they are operating correctly.</p> <p>The RCEA affirmed employees should not be working on their vacation and that their laptops should be left at work as they could face discipline if they lost their NRC device.</p> <p>There was further concern from PIPSC that their members would now no longer be able to e-mail their supervisor regarding unforeseen illness or family requests.</p> <p>Management confirmed that the staff directory on the NRC external website is updated nightly thereby providing all the contact information required.</p> <p>Both bargaining agents reported that they were having sporadic problems sending e-mails coming from their union accounts or not receiving e-mails from NRC accounts.</p>	
<p>96.10</p>	<p>Outsourcing Work</p> <p>RCEA informed management that some of their member in one location had indicated that they were willing to do the work for a certain project but to do so would require overtime. The work was subsequently outsourced to an external company who absorbed the overtime. While they appreciate that NRC has the right to outsource project work but in their view this should be occurring only when their existing members cannot perform the work. In other situations work was being outsourced which they felt could have been performed by their short-term and term members who are worried about job stability. Furthermore retiring continuing staff were being replaced by contractors or post-retirees.</p> <p>Management responded that while they could not speak to the individual situations, they would look into the matters and respond off-line.</p>	<p>M.Marchand</p>
<p>96.11</p>	<p>Re-hiring of terms</p> <p>RCEA expressed concern that some terms were having short breaks in service of 3 to 4 days between terms instead of being extended. These breaks trigger the struck off strength action precipitating a delay in their last pay as well as their first pay upon return. Therefore, they requested that consideration be given to extending the term employee if possible.</p>	
<p>96.12</p>	<p>Monthly Parking</p> <p>Currently monthly parking is only available via Phoenix payroll deductions and for those wishing to pay via cheque they need to pay for the full year at once. These options are a concern for the RCEA whose members only require parking for certain months and do not wish to enter any new deductions into Phoenix, especially when they were told the parking funds received go to the Research Centre.</p> <p>Management noted their concerns and would look into the matter further.</p>	<p>M.Marchand</p>

ITEM	96 th JCC - MINUTES - DISCUSSION	ACTION
96.13	<p>Mini-bus Shuttle for Montreal Road Campus</p> <p>The RCEA was notified that during the peak hours in the harsh winter months some of their members, who do not have personal transportation, find it difficult to travel between the different buildings on the Montreal Road campus for work.</p> <p>Management took this under advisement and would respond off-line.</p>	M.Marchand
Roundtable		
	<p>Records of Prior Service in Core Public Service</p> <p>RCEA requested how members who now have the provision within their collective agreement that prior service in the Federal Public Sector count for the calculation of annual leave entitlements can take advantage of this change. As well, could this direction also be noted in Echo?</p> <p>Management stated these employees would need to contact their Compensation Advisor once they have something from the pension office documenting their prior service and corresponding dates. To get this documentation, it is recommended that they call the Pension Office directly.</p>	
	<p>Rerunning PIPSC Science Survey at NRC</p> <p>Due to technical complications and a limited response rate, PIPSC was considering rerunning their science survey just for NRC's RO/RCOs.</p> <p>Management responded that while the President was interested in the initial survey data, PIPSC was not able extract the aggregate data. As well, with the upcoming Public Service Employee Survey they were trying to avoid survey fatigue.</p>	
	<p>National Science Library Review</p> <p>PIPSC expressed concern regarding the review of the National Science Library (NSL) currently underway and the perceived lack of staff communication surrounding it.</p> <p>In response Management indicated that the review was undertaken as it had been some time since there was a verification that the NSL was delivering on its mandate and was not motivated by a desire for a reduction in staff or budget. The Chief Information Officer (CIO) was also willing to meet with PIPSC directly to discuss their concerns as further support to the employee e-mail and conference call he had already had regarding this review. Staff consultations was also the next step in the review process. If required, Management could make arrangements for this meeting with the CIO.</p>	M.Marchand
	Next meeting is scheduled for September 26th, 2018	
	Meeting adjourned at: 12:50 pm	