

## Minutes - 109<sup>th</sup> JCC January 13<sup>th</sup> 2022

**DATE:** January 13<sup>th</sup>, 2022  
**TIME:** 9:30 AM  
**LOCATION:** ZOOM Videoconference

### IN ATTENDANCE

**Chairperson:**

Cathie Fraser, President, RCEA

**Representing NRC:**

Jean-Francois Houle, Vice-President, Engineering  
Emily Harrison, Vice-President, HRB  
Amy Campbell, Director Labour Relations and Compensation, HRB  
Leah Kennedy, Labour Relations Officer, HRB (observer)  
Ben Nadeau, Labour Relations Officer, HRB

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

Cathy Cheung, President RO/RCO Group  
Stephan Grosse, RO/RCO Group Executive  
Louis Poirier, President, NRC-PIPSC Consultation Team  
Dejan Toncic, Employment Relations Officer, PIPSC

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

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

ITEM	109 <sup>th</sup> JCC - MINUTES – DISCUSSION	ACTION
109.1	<b>Approval of Agenda</b>  The agenda was approved with changes by the RCEA and Management. The RCEA added follow-up items for 108.7 Royalmount Concerns Regarding Possible Anti-Vaccine Protests and 107.9. Classification Process and Workflow. Management advised a schedule change between agenda items 109.8 Role of the Team Lead RO & RCO's and 109.7 HRC Classification.	
	The meeting commenced with round table introductions of all those present followed by the introduction to the JCC of the new Management Co-Chair, Mr. Jean-Francois Houle	
109.2	<b>Minutes of the 108<sup>th</sup> Meeting of the JCC</b>	

	<p>On the subject of approval of the minutes from the 108<sup>th</sup> meeting of the JCC, Amy proposed that we have these circulated as soon as they are completed due to proposed changes recently received.</p> <p>The RCEA did not want to proceed with secretarial approval of the minutes until the French translation is completed. The Chair also reminded all parties that we need to respect the timelines and that these minutes should be provided 4 weeks prior to the JCC.</p>	
<b>109.3</b>	<b>Follow-up Action Items of the 108<sup>th</sup> Meeting</b>	
	<p><b>101.3 –Phoenix Damages MOU Status –</b></p> <p>The RCEA noted that they were aware of communications having been provided on this subject.</p> <p>Communications from TBS were received just prior to December Shutdown indicating that TBS had launched an online or paper form for former employees so that they may submit a claim to request their damages.</p> <p>Amy also mentioned a social media campaign being launched by TBS that would target as many former employees as possible. Amy confirmed an email to current employees would be going out soon. PIPSC asked if the email will be going to all former employees. Amy confirmed that NRC will not actively reach out to former employees, NRC will email current employees to get the word out.</p>	<b>A.Campbell</b>
	<p><b>102.6 Parental Leave – ECHO Article</b></p> <p>Amy shared that work that she had anticipated being able to focus on in the fall was delayed given significant pressures on Communications Branch with regards to the Vaccination Policy, the work may restart this spring. Amy also confirmed that she would be re-issuing an Echo article on the issue as requested by the bargaining agents, targeting March or April when hopefully more staff will be around. The RCEA emphasized that this is important information to get posted.</p>	<b>A.Campbell</b>
	<p><b>104.6 December Shutdown Communications</b></p> <p>Management clarified that specific CBI's have been approached to ensure employees have an opportunity to bank December Shutdown. RCEA asked if NRC foresees any issues with employees not being able to complete the hours. NRC did not anticipate any issues.</p> <p>Amy indicated having to speak with RCEA about 4 staff that may have issues with December Shutdown hours given their current LWOP as a result of vaccination. Management will ensure that communication on banking of December Shutdown hours will be provided in Echo.</p>	<b>A.Campbell</b>

	<p><b>107.9 Classification Process and Workflow –</b></p> <p>At the last JCC the RCEA requested a meeting with Christina Chadwick and Marie-Eve Roy to discuss the classification process. The RCEA confirmed that a meeting took place on December 16, 2021 between Christina Chadwick, Joan Van Den Bergh, and Marie-Eve Roy.</p>	
	<p><b>106.4 JCC Terms of Reference Review –</b></p> <p>The RCEA commented that they have not seen the updated Terms of Reference since the last JCC. Management committed to circulate the Terms of Reference. LR to send final version of Terms of Reference to JCC</p>	<p><b>A.Campbell</b></p>
	<p><b>105.9 Wellness and NRC’s Mental Health Strategy</b></p> <p>Following the last JCC management invited the bargaining agent representatives for PIPSC and RCEA to attend the Mental Health Crisis Response Training for Supervisors. RCEA and PIPSC JCC members who attended the training spoke highly of the training. The RCEA requested that management consider making future training opportunities available to them when possible.</p> <p>Additional tools will be released in the MyZone Wellness portal in February, along with webinars in recognition of Bell Let’s Talk Day, i.e. Dr. Thibeault on Feb 15. RCEA asked to see the slide deck from the Mental Health Crisis Response Training and other related information given to supervisors. RCEA also asked to attend Dr. Thibeault’s presentation. Emily advised that she would get the presentation shared.</p> <p>PIPSC pointed out that awareness and training seems to be the main focus of NRC’s efforts, but there are many employees complaining of burnout and being overloaded, possibly due to staff shortages and more work assigned to compensate. Management acknowledged that workload is on their radar.</p>	
	<p><b>107.4 and 108.4 Future of Work and Remote Work</b></p> <p>The requested documents were provided to the Bargaining Agents on the morning of January 13, 2022.</p> <ul style="list-style-type: none"> <li>- Draft Telework Application – BA Consultation 2021 July</li> <li>- Telework Policy BA 2022 Jan 12</li> <li>- BA Telework – Feedback Summary impact</li> <li>- Draft Telework Policy BA consultation 2021 July</li> <li>- Telework Application Agreement BA 2022 Jan 12</li> <li>- BA Telework Feedback Summary Impact</li> </ul> <p>The RCEA chair indicated that no comments would be provided at this time given that the documents were only just received on the morning of the JCC. The RCEA is counting on additional consultation and discussion on the future of work and remote work.</p> <p>The RCEA asked if timelines for returning to increased occupancy rates in the workplaces were delayed due to the new variant and overall status of the</p>	

	<p>pandemic. Management confirmed that the work on the Future of Work is not delayed it's more that the focus was shifted elsewhere for the last few months, the status quo for occupancy is being retained for the moment. The RCEA indicated that they would like the work being done here to focus more towards getting a plan to return to the workplace.</p> <p>Management emphasized that we are not quite rushing to get employees back to the workplace. Communication went to DG's to request that they take a closer look at the real requirements for onsite presence and if those requirements are still accurate. The proposals had been heavily scrutinized as it related to the work that needed to be performed.</p> <p>The RCEA would be reaching out to Amy if they had any questions with regards to the documents noted above provided on the morning of January 13<sup>th</sup>.</p>	
	<p><b>108.5- Accommodations for Nursing Mothers –</b></p> <p>Ben advised that NRC had worked with RPPM and HSE on getting lists of rooms available at NRC for nursing and pregnant employees updated across the Council for every building. HSE had the lead on getting the information published.</p> <p>RCEA asked that all HSE advisors and building coordinators be aware of these lists. Amy included that Ronald Rino and Jody Carvalho be involved in the distribution of the information.</p>	<p><b>A.Campbell</b></p>
	<p><b>108.6 – Update on PANDU Violation Process</b></p> <p>Amy reported that she had followed up with Tim Grubb, Executive Director, Security Branch and Serge Raymond, Deputy Chief Security Officer, to confirm that based on discussions at JCC there was consensus that annexes containing images would not be circulated unless a specific request is made to security to release the annexes.</p>	
	<p><b>108.7RT1. – Royalmount – Concerns Regarding Possible Anti-Vaccine Protests</b></p> <p>Amy spoke to the JCC Committee and indicated that a tabletop exercise on this matter had been completed by the Security Incident Command Team (ICT) and that there is an Emergency Management and Planning section on MyZone that talks about what to do if there is a protest or bomb threat. Amy volunteered to share this information with anyone who doesn't have access to MyZone. Amy also reported that the ICT conducts regular table top exercises and they would extend an invitation to bargaining agent representatives to observe a future exercise.</p> <p>PIPSC referenced new legislation that would prevent protest from happening around certain sites and asked for a status update on the NRC's understanding of this legislation. PIPSC is concerned that before legislation passes this can lead to increased protests at some work sites.</p>	

	<p>Emily clarified that this legislation is not federally enacted and is a provincial law in Quebec to ensure the protection of health care workers and vaccination sites. Emily will follow up with Tim Grubb to ensure that he is aware of the legislation. Management will also raise the issue with the Vaccination Policy working group.</p>	
	<b>New Business</b>	
<p><b>109.4</b></p>	<p><b>Vaccination Policy Updates</b></p> <p>Management provided information based on a data pull from Monday January 10th.</p> <p>4370 employees and non-salaried workers (NSW's) vaccinated, 19 partially vaccinated – this group has a 10 week window to get a first dose that runs from this Wednesday (January 12) through to Thursday March 10<sup>th</sup> and we are actively managing these files.</p> <p>4 employees are currently on Administrative Leave Without Pay</p> <p>33 requests for accommodation were received. A senior executive committee has reviewed those requests and decision will be released shortly.</p> <p>The RCEA sought confirmation that those who are partially vaccinated or awaiting accommodations decisions are all being rapid tested and confirming their results prior to coming into their workplace. Management confirmed that those employees are testing 3 times a week at home and they report their results to the supervisor, if their rapid test comes up positive they are advised not to attend the workplace.</p> <p>PIPSC requested to know the timelines surrounding the release of decisions on request for accommodation. Management confirmed that the decisions are being issued in the coming weeks. Furthermore, once decisions are provided those employees would have two weeks to re-attest if they are vaccinated or not then two weeks to take the CSPS training course before being placed on LWOP if still not vaccinated.</p> <p>The RCEA asked if the organization is aware of the number of employees who have quit or retired as a result of the Policy. Amy thought it was a handful though she was not in a position to confirm that number.</p> <p>On the point of employees awaiting accommodations decisions, the RCEA indicated some members are anxious about working alongside unvaccinated staff and that a solution is necessary. Management suggested that this situation will only continue for a short period of time, and that the rapid testing of those unable to be vaccinated along with cleaning protocols, wearing a mask and building SCOPS will continue to protect staff.</p> <p>The bargaining agents inquired if the definition of fully vaccinated would be changing based on the rollout of boosters. Emily confirmed that at this time the</p>	

	<p>booster is not being included in the policy. A recent call with TBS did confirm that policies are not being revisited at this time.</p> <p>PIPSC indicated a concern that employees haven't received any direction with regards to the requirement to report when they test positive for COVID-19, if not in the rapid testing stream.</p> <p>The bargaining agents raised a concern that throughout the period of December some employees may have tested positive for COVID-19 that these may not have been reported. Specifically, immediate supervisors may have been away and employees were not aware of who to report cases to, or the individual acting in the supervisor position and were unaware of the reporting structure.</p> <p>On this matter Emily confirmed that a message on this was sent to all of the NRC Executive Committee (EXCO). The NRC needs to capture all positive tests, whether through the NRC rapid test program, PCR, or rapid test available in the community. The information being requested is the employee name, workplace, date of positive test, and date they last in the workplace. To this extent even presumed cases should be reported.</p> <p>The RCEA suggested that employees could be given the message that they can report to higher level of management as required if their direct supervisor is out of the office</p> <p>PIPSC asked if HSE would be prepared to provide test kits to confirm if employees have COVID, Emily advised that she would raise this through the Tuesday (January 18<sup>th</sup>) BMSC meeting.</p>	
<p><b>109.5</b></p>	<p><b><u>109.5 - Harassment and Violence</u></b></p> <p>The RCEA had raised the issue surrounding reprisals and indicated that they believe there is still ambiguity in the policy with regards to the process surrounding complaints and reprisals.</p> <p>Erin Skrapek, Executive Director and Senior Ethics Officer reassured the committee members that when an investigation is launched, the formal communication to parties and management includes explicit reminders about confidentiality and the right of the employees involved to be protected from reprisals, and that any founded cases of reprisal would be dealt with very seriously. If reprisal allegations arise through an investigation, Erin confirmed that the NRC would investigate the matter, ensuring that a different investigator is used to look into the reprisal allegations than the one investigating the harassment allegations.</p> <p>The RCEA expressed concern that a reprisal investigation could again become a full-fledged investigation and indicated that they wanted to see these processes become a little more nimble so as to reduce timelines. Erin indicated that the use of internal resources (LR) to undertake fact-finding investigations into allegations of reprisal could certainly assist in speeding up the process and would be most cost-effective.</p>	

<p>Erin confirmed reprisal cases are code of conduct issues and are therefore administrative investigations that ensure procedural fairness.</p> <p>PIPSC asked who approves the witnesses to be included in an investigation. Erin confirmed that both parties can bring forward/propose witnesses and that it is the investigator who determines who to interview based on the relevancy of the information they could potentially share.</p> <p>The RCEA asked why the parties who provide the names of witnesses are instructed not to speak to them. Erin confirmed that to protect the integrity of the process, parties should not be seen as potentially interfering with witnesses or coaching them on what information to share with investigators. Furthermore, Erin confirmed that a witness receives communication, either from her office or directly from the investigator, advising them that they have been named as a witness in an investigation and that they are to maintain confidentiality in the process.</p> <p>PIPSC expressed concern that in some cases it is months before the witnesses are contacted by the investigator after they receive this initial communication. Erin stated that she can appreciate that getting this type of letter advising that you may be called upon can be stressful and she would hope that these timelines are not being dragged out.</p> <p>The RCEA asked if the letters that are being sent out are standardized and if Erin could share them for review and perhaps discuss a change in language to soften the tone. Erin agreed to share the letters. The RCEA suggested that perhaps letters should only be sent out when we know the investigator is nearing the timelines, and PIPSC indicated the timeliness with which files are managed is starting to become an area of concern.</p> <p>Erin acknowledged that there have been a few investigations that have taken longer than expected and this point was confirmed by RCEA. Erin confirmed that they would review and provide statistics on the files and timeframes.</p> <p>PIPSC emphasized clear communication to witnesses is important. PIPSC is aware of instances where witnesses themselves fear reprisal for participation in a harassment investigation. Especially when the employee works in a very niche field, they fear for their job security and are unwilling to raise issues. The RCEA agreed with PIPSC and shared that despite the NRC's communications, a significant number of employees fear reprisal if they report harassment or participate in an investigation. Erin confirmed that this is something that the Ombud has heard as well and that it may be useful to convene a working group involving the Ombud, management, and bargaining agents to further explore how to prevent fear of reprisal at the NRC.</p> <p>The RCEA raised concerns regarding the process of selecting investigators. In particular the RCEA is concerned where the investigator is perhaps a former employee and expressed that this information should be proactively disclosed as there may be a potential conflict of interest.</p> <p>Erin clarified that the list of investigators is determined in consultation with NCOSH as per the regulations, and that this is done using a procurement master standing offer list. Erin then determines which investigators from the</p>	<p><b>E. Skrapek</b></p> <p><b>E. Skrapek</b></p>
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	<p>NCOSH-approved list we may want to contract out to for the particular case in question, and will confirm that there is no conflict of interest with the parties and their bargaining agents before finalizing the procurement of the investigator.</p> <p>The RCEA expressed a desire to continue this dialogue offline to further understand the process and that further discussions on the matter be brought forward to the next JCC.</p>	
<p><b>109.8</b></p>	<p><b>Role of the Team Lead RO &amp; RCO's</b></p> <p>This item was brought forward by PIPSC specifically requesting information as to how the role of the team lead is defined for ROs and RCOs and how it fits into the HRPC promotion criteria.</p> <p>Marie-Eve Roy reported that a generic job description defines the Team Lead as being responsible for the effective supervision and provision of scientific and technical leadership to a multi-disciplinary team of researchers and technologists responsible for carrying out and delivering project work in support of a program, working jointly with the employees to set commitments and providing ongoing feedback to ensure desired outcomes and impacts are achieved and/or building and maintaining competencies and facilities of a group within a research centre.</p> <p>The concern raised by the bargaining agents is Team Leads (RO/RCO &amp; TO-5) are feeling that they perform far more of an administrative role and they do not see themselves adding value into the development of others as described by Marie-Eve.</p> <p>PIPSC asked how does the promotion criteria specifically address a Team Lead's ability to be promoted. They feel a lack of clarity with the criteria and therefore view the Team Lead Role as being inhibitive to promotion.</p> <p>Marie-Eve answered, by confirming that the criteria's goal is really to recognize the role of team leadership within their teams and research group. Most recent round of promotions saw 6 or 7 cases from team leads being brought forward and all were successfully promoted. In each case members were able to articulate how they were able to guide the team or their own contributions have led to a successful outcome, and so we believe that we do see it moving.</p> <p>PIPSC suggested that perhaps it is individual perception and there may not be enough examples of how these criteria can be presented and that in some cases RO's are being placed in the team lead role and are not clear of the role. Marie-Eve responding by confirming that all team leads have access to their job description of the role and is a key document. Marie-Eve would look to have the Team Lead job description posted to MyZone.</p> <p>Emily suggested that this information can be brought forward to the HRPC committee to have the expectations clearly defined but that this can also occur through CTE discussions. In some RC's they recruit specifically for the team lead role and in other RC's they prefer to rotate the role and give more</p>	<p><b>M-E. Roy</b></p>

	<p>opportunity under the EDI lens. Emily stated that employees should be valued and recognized when they take on the role and management needs to be mindful when considering staff that can step into the roles and their desire to do so. JF Houle added that this is an educational opportunity for career progression towards leadership roles and there is value in seeing a variety of people take on these roles for career development.</p> <p>Emily indicated that managing people and the effort it takes should not be seen as an administrative burden but as an essential part of their role, in terms of performance management, CTE and objective development.</p> <p>PIPSC added that this trend seems to be something that has only recently landed on their plates and that much of the burden has been the dissemination of critical communication and the team leads being used as the dissemination channel for the organization.</p>	<p><b>E. Harrison</b></p>
<p><b>109.7</b></p>	<p><b>HRC Classification</b></p> <p>The item was brought forward by the RCEA and Emily Harrison addressed the process and decisions.</p> <p>The RCEA noted that AD career progression had been an issue for a long time. Most recently they went through a classification process and they tried to provide input and felt their input was not considered. They brought information from other organization where this role is classified at a higher level.</p> <p>Emily provided a detailed description of how the process for classification review was carried out including consultation with HRC's and team leads.</p> <p>Through the discussions none of the participants came back to indicate something critical/substantive was missing in the revised job description, nor did anyone indicate that they felt it was not representative of their work.</p> <p>The classification consultant completed the evaluation and the outcome of the evaluation was to confirm that the 2 positions; one called Hiring Coordinator (for HST coordinators) and the title of Human Resources Coordinator (HRC) remained for the Client Services Team, continue at the AD4 group and level.</p> <p>The RCEA reported that they had heard from some members believed to be from the Client Services team who reached out to discuss and express their concern/disappointment with the outcome of the classification review and the process.</p> <p>Emily indicated that she was happy with the rigour followed and trusted the process and use of an external consultant as an objective third party given that this process stayed in house. Then Emily indicated that we are perpetually seeing turnover in the group and HRC's are moving up to HA's or even higher roles in HRB or the organization.</p> <p>The RCEA expressed there is a group of employees (14 approx.) that remain unsatisfied and still feel that they were not heard and felt their concerns were not addressed properly. One of the main concerns was that nearly identical jobs were higher in other organizations. Emily acknowledge that in various categories there is a little classification creep in certain departments. RCEA</p>	

	reiterated that the AD community make valuable contributions to the NRC and that career progression in the organization is a concern for them.	
<b>109.6</b>	<p><b>109.6 Disclosure of Standardized Tests</b></p> <p>The RCEA shared that in a recent TO-04 process when the RCEA asked for feedback with regards to candidates, test scores, and scoring key be shared, they were told no because the test was NRC product and a standardized test that gets used often by the NRC. The RCEA was forced to drop the grievance because insufficient information was being provided by HRB.</p> <p>The RCEA stated that according to PSC a standardized test is “a systematic procedure for sampling an individual's behaviour in order to evaluate job-relevant competencies. The procedure is systematic in five areas: development, content, administration, scoring and communication of results. The content of the test is equivalent for all test-takers. The test is administered according to standard instructions and procedures and is scored according to a set protocol.” The RCEA expressed concern that an open ended test developed by an NRC hiring manager and adjusted based on the situation is not a standardized test.</p> <p>The RCEA expressed they are concerned with the NRC turning to how it deals with staffing complaints and disclosure requests. The RCEA hoped that the NRC move away from using “standardized tests”.</p> <p>Emily expressed wanting to have a better understanding of the NRC “standardized tests” but she asked the RCEA how they would approach the grievance once seeing the test. The RCEA suggested that they would look at the questions along with the suggested response to ensure accuracy of the assessed criteria, did they get the marks they should have received.</p> <p>The RCEA shared that in the core this information is more easily divulged with bargaining agents without having to force the issue. PIPSC concurred with the RCEA and stated that it would be advantageous to all parties to share early before a formal decision is made under judicial review. What mechanism can be put in place to allow a trusted person to get the information in hope of easily resolving the issue? It can certainly impact how they perceive trust of their employer.</p> <p>Emily is open to share with the bargaining agent and suggests that this be an offline discussion with regards to the staffing process. She added that this discussion would also include what is a standardized test.</p>	<b>E.Harrison</b>
<b>109.9</b>	<p><b>Gender Based Allocation Research Funding</b></p> <p>PIPSC noted that there is an ongoing topic being discussed and investigated at HHT concerning a possible trend indicating disparity of research funding allotment along gender lines. RO members have asked for data to be shared to look into this issue more. While some data is slowly being provided, these discussions have also led to broader NRC wide questions about whether disparities are being experienced in other Research Centres. PIPSC is seeking</p>	



	PIPSC requested an update on Labs Canada initiative.	
	The next meeting of the JCC will take place on the 25 <sup>th</sup> of March 2022 and Management will chair the meeting.	
	<b>Meeting adjourned at: 2:45 pm</b>	