

Minutes - 112th JCC September 29th 2022

DATE: September 29th, 2022
TIME: 9:30 AM
LOCATION: ZOOM Videoconference

IN ATTENDANCE

Chairperson:

Jean-Francois Houle, Vice-President, Engineering

Representing NRC:

Jean-Francois Houle, Vice-President, Engineering
Emily Harrison, Vice-President, HRB
Amy Campbell, Director Labour Relations and Compensation, HRB
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
Pat Loder, Steward, Atlantic Region
Dejan Toncic, Employment Relations Officer, PIPSC (absent)
Marie-José Laforest, LS Group
Tracy Minkus, President LS Group

Representing Research Council Employees' Association (RCEA):

Cathie Fraser, President
Debbie Cooper, Executive Director, Labour Relations
Marvin Zaluski, 1st Vice-President
Michelle Lévesque, 2nd Vice-President

ITEM	112 th JCC - MINUTES – DISCUSSION	ACTION
112.1	Approval of Agenda The agenda was approved following a few requests for follow-up from the RCEA and PIPSC. The RCEA advised that they had a follow-up question regarding previous agenda items 110.10 TO's with acquisition cards, and requested to have a discussion regarding "Parking". PIPSC requested a discussion regarding the HR Quarterly Reports disseminated prior to the JCC.	
112.2	Minutes of the 111th Meeting of the JCC The final version of the 110 th minutes are going to be circulated shortly and some feedback has been received for the 111 th minutes. Those minutes will be updated and sent back out for review.	B. Nadeau
112.3	Follow-up Action Items of the 111th Meeting	

	<p>109.6 Standardized Tests</p> <p>A meeting was chaired by Amy Campbell, Director Labour Relations and Compensation on Monday September 26th, and was attended by Christina Chadwick Director, HR Operations, Debbie Cooper, RCEA, Cathy Cheung, PIPSC, and Sumeeta Narula, RCEA. Amy outlined that the NRC is prepared to share standardized tests with National Union representatives, but not with stewards at the local level. Furthermore, such tests would only be disclosed once the employee and hiring manager have engaged in discussion regarding the employee's performance on the test. Requests to bypass the discussion between the hiring manager and employee would need to be sent directly to Amy Campbell. Finally, the parties agreed that where tests are shared, the national union representative would be asked to delete the test after it has been reviewed.</p>	
	<p>111.12 RT.1 CTE Process</p> <p>A session was scheduled for Tuesday October 4th with both Bargaining Agents in attendance. The presentation is being delivered by a CTE process expert and Amy Campbell Director Labour Relations and Compensation would answer performance management related questions. Some of the participants have advised not being available and have requested to reschedule the presentations and seek a better way of confirming availability. The request was noted and presentation cancelled.</p>	
	<p>110.5 RT.1 – Management Consultation Activities</p> <p>Amy Campbell acknowledged that a request was made in March and management had committed to distribute a message to all staff regarding the value of union participation. At this time the request has not been actioned as Management believed that the organization has been bombarded with communications in the past few months and there was concern that the information would be lost. Amy Campbell advised that management still intends to send the message and will do so in the near future</p>	<p>A. Campbell</p>
	<p>NEW Item for follow-up - 110.10 TO's with acquisition cards</p> <p>Michelle Levesque, 2nd Vice-President RCEA, requested an update on the information shared with Finance following the last JCC. Amy Campbell advised that the information was shared with Finance and that follow-up would be done shortly regarding the information shared.</p>	<p>A. Campbell</p>
	<p>NEW Item for follow-up – Quarterly Report</p> <p>Cathy Cheung, President RO/RCO Group, advised that she had noticed that there was an employee declared surplus on the report, and having recently been involved in a Workforce Adjustment Consultation Committee (WFACC), she expressed concern that this may be a trend.</p> <p>Amy responded that these actions were small in scope where the work was no longer required within the Research Center. Amy is not aware of other actions</p>	

	<p>on the immediate horizon, though the NRC is actively entering into strategic planning activities.</p> <p>Cathy Cheung expressed, that after a whole series of zeros we are now seeing 4 employees affected by Workforce Adjustment (WFA) and that this is concerning. PIPSC Atlantic Steward Patricia Loder, expressed that it would be helpful to get advanced notice to the bargaining agents for larger scale changes affecting various groups. She added that some members are perhaps feeling concerned that some projects haven't been delivered on through the pandemic and are concerned they may be at risk.</p> <p>Cathie Fraser, President, RCEA enquired with Cathy Cheung if they had received notice of the WFA and received a business case. Cathy Cheung acknowledged that a business case was received the day of consultation but indicated she felt unable to accurately prepare for consultation and that business cases should be send further in advance to permit the union to review.</p>	
	New Business	
112.7	<p>Update Vaccination Verification</p> <p>Amy Campbell brought forward this agenda item to inform the JCC that they would be invited during the week of October 3rd 2022 to discuss the project proposal which includes notification of third party use.</p> <p>The RCEA commented that they are concerned at the time it has taken and that they are aware that some core departments have already started. Amy, agreed that while some departments have, many other departments and separate agencies have not yet started the verification.</p> <p>PIPSC enquired if this would impact those who have returned to work after not being vaccinated and not attested. RCEA asked if employees would have to upload proof of vaccine status, as some previous discussion had been indicated display proof of vaccine on screen to a manager. Amy advised that these details would be discussed during the meeting.</p> <p>The RCEA advised that they are concerned that these communications will upset some employees and bring down morale. Amy acknowledged this concern and indicated communications would be drafted carefully.</p>	
112.4	<p>Telework Updates</p> <p>For the next few items, the JCC was joined by Antonietta Testa, Executive Advisor, Vice-Presidents Office, Corporate Services.</p> <p>Amy Campbell provided an update regarding the status on the number of Telework Agreements received and advised that as of September 27th, 2097 agreements were received. PISPC asked if there was a way to know how many of the agreements had been refused by management. Amy responded</p>	

that the NRC is not able to report on the number of refused agreements or the number of pending agreements.

PIPSC commented that they disagree with the manner in which the Telework process was administered, stating that the only employee driven part of the process is the request and that the remainder is management driven. Jean-Francois Houle, management Co-Chair of the JCC, said that the message provided to DG's was that senior management encouraged discussions between employees and management but that there are operational requirements of the teams to be taken into consideration. PIPSC highlighted that the message in one particular research center was that the telework agreements were to be three days a week on site and that employees could not be teleworking both Mondays and Fridays. PIPSC suggested that this is not an employee driven approach nor a flexible approach as was suggested by Dale MacMillan. Amy responded that even in the example provided there is some flexibility for the employee to choose which two days of the week will be off site. Amy added that telework is an evolving file across the government. PIPSC indicated that employees in the example are left with the impression that management does not trust them to work from home Monday and Friday or believes such a schedule to be an attempt to get an extra-long weekend. PIPSC asserted that this notion is false and that employees have worked harder during the pandemic often putting in more than 37.5 hrs a week. Amy commented that both parties need to work together and find a better balance, recognizing that management is looking to balance employee preference with the need for teamwork, innovation and creativity. Amy suggested that one alternative to the current approach would be a return to a fully onsite model, which is not what anyone wants. Instead, the parties need to continue to discuss issues, concerns, and any problematic situations and seek possible solutions that can be proposed to the DG who holds the final decision. PIPSC asked if there were any metrics to indicate the value of onsite presence to innovation. RCEA commented it was the first time they had heard of metrics being considered to justify the need to have increased onsite presence. Jean-Francois Houle shared that during the pandemic when many employees worked off site, there was a decrease in the number of publications and a decrease in the number of collaborations. This is preliminary information, but is noteworthy.

The RCEA raised a concern with onsite work in that board room space is limited, particularly when you factor in social distancing restrictions. In many cases employees are going back to their workstations to take MSTEAMS call, for the meeting that they would have otherwise had in a boardroom. The RCEA requested to know how many RCEA telework agreements were approved. Amy confirmed that we can provide the specific CBI numbers but no way to provide a further breakdown of the data.

The RCEA confirmed that many members are feeling restricted by the vision of DG's, to which PIPSC commented that they have some members who are considering leaving the NRC as a result, more specifically Business Development Officers. PIPSC highlighted that many of their members submitted the telework agreements at the beginning of the summer or prior to

	<p>September 1st and some have had to revert back to a plan that would be aligned with the vision of the DG or risk not having an approved telework agreement.</p> <p>The RCEA reiterated that they are aware that telework is a work in progress, and that while there are no doubt business imperatives, there are still many managers adopting a command and control method of managing. This type of management style is leading to a decrease in morale and employees feeling disengaged.</p> <p>Antonietta Testa, Executive Advisor, highlighted that when the telework policy was launched, it was done with the understanding that it would be up to the Research Centers to establish their vision for telework and that the message would be disseminated through the management teams to communicate what could work. Some centers did it very well and some struggled with the vision. It's again important to note that it's a work in progress and the default would be a full return on site. PIPSC shared that from what they have experienced in the first few dialogue boxes it seems that it has to be scripted based on the vision of the Research Center or the employee should consider the request denied. This is certainly not in line with the message that had been previously shared.</p>	
<p>112. 5</p>	<p>Preparedness of NRC Work sites</p> <p>The item was brought forward by PIPSC. The representative enquired that with more and more employees returning on site since September 12th 2022, the NRC is one of the only organizations to still have strict COVID-19 restrictions despite planes and trains dropping those requirements, but in cafeteria there is not enough space with the social distancing for everyone to be there at the same time. What are the plans for the future regarding mask mandates and social distancing guidance?</p> <p>Amy Campbell, Director Labour Relations and Compensation, shared that from recent discussions with Ronald Rino, Executive Director, Health, Safety & Environment, all of the current advice and guidance the NRC is following with regards to mandates and restrictions follows the Public Service Occupational Health Program (PSOHP) and are still in effect. Antonietta Testa added that advice on social distancing and masking in boardrooms is a recommendation pertaining to the number of people in the room at once and given that number then the consideration for masking should be taken into consideration. If there are concerns with the ability to safely follow guidance then we encourage employees to reach out to their HSE advisors for recommendations and guidance.</p> <p>RCEA shared that at Royalmount there are too many Technical Officers in small spaces and as a result they cannot adequately distance themselves and are therefore required to wear a mask all day. The RCEA recommends that there be a review of these office spaces. Antonietta advised that Director Generals and managers have been asked to review space requirements as the NRC continues to consider how to implement the telework guidelines. PIPSC highlighted that an interesting side effect of the onsite reporting, aimed at encouraging collaboration and meeting together results in meeting rooms not</p>	

	<p>being suitable to accommodate the number of employees hoping to meet together, and as a result they go back to their work station to have the meeting via MSTeams or Zoom.</p>	
<p>112 NEW Item</p>	<p>Parking at NRC Sites</p> <p>The agenda item was introduced by the RCEA, who shared that they've been made aware by members that parking rates are increasing in some areas. In Saskatoon the number of available spaces have gone down while the cost of parking is going up. In some instances members have reported that if they leave the campus during the day a parking space may not be available when they return. Furthermore, the message seemed to have originated from the university, should this message not have come from the NRC?</p> <p>Antonietta Testa responded that the NRC does not control those spaces, however, the university consulted with the NRC and a sufficient number of spaces was agreed to, based on the perceived number of spaces that may be required.</p> <p>The RCEA President asked how many other sites will be impacted in this manner and will there be rate increases? Antonietta responded there are a number of other sites that may see some changes and where the parking is controlled by the NRC the information will be sent from the NRC.</p> <p>An RCEA representative advised they are aware that a number of years ago there had been various criteria considered in the implementation of paid parking at NRC sites such as safety of accessing the work sites. Antonietta confirmed that there are studies underway to review all of these considerations.</p> <p>The RCEA asked if there are visitor parking spaces reserved for NRC visitors at shared sites. Antonietta responded that spaces for NRC visitors are secured only at sites owned by the NRC. Emily Harrison, Vice-President Human Resources Branch, highlighted that at this time RPPM is dealing with a mixed bag of scenarios where we have lots that we can control and others where we are clients of spaces.</p> <p>The RCEA highlighted that the NRC needs to be cognisant that members in some cases are concerned that parking fees are coming from their pay and yet spaces are not available, and worse still, they have to pay for other parking during the day if NRC reserved sites are not available. This is a situation that comes up often and is an ongoing problem. It's important to note that employees see those spaces as NRC spaces and not university spaces. So clarifying communications around that would be important.</p> <p>Emily confirmed that there is a communications and education need surrounding this issue, and that she would like RPPM and team to consider that when they look at plans moving forward. Antonietta confirmed that RPPM was in contact with the university and confirmed a number of spaces based on expected presence.</p>	
<p>112.6</p>	<p>Language Testing</p>	

	<p>The agenda item was brought forward by the RCEA, who shared that a member came forward who was not happy with the results of the test and the RCEA found it hard to understand the process and what protocol to follow if a member is not satisfied with the results.</p> <p>Emily Harrison VP HR advised that at this time we like many organizations are using a third party provider, Centre Caron, who was able to deliver on that, where the Public Service Commission (PSC) was not.</p> <p>The RCEA had asked when an employee can retest after received failed results. Emily advised that there is a thirty day wait period between tests. With the test of oral proficiency there is not an appeal process per se, but the PSC will do a review for a fee but still not be able to write within 30 days.</p> <p>PIPSC asked if similar to PSC whereby Centre Caron records the tests for review. Ben was able to confirm with Keith Blundon, Director, Human Resources Programs, that Centre Caron does record the tests for review.</p> <p>As part of their inquiry the RCEA asked if the switch to Centre Caron and the phone testing was a result of the COVID pandemic. Emily confirmed that the testing is now done virtually. The RCEA requested to know if it was possible for an employee who wanted to get testing outside of a competition could request to do so. Emily Harrison responded that for those who want to retest to keep levels current, yes it can be done. For developmental purposes Emily indicated having to check in with Keith to determine how we would administer for developmental purposes.</p> <p>Emily shared that the NRC recognizes the language results from Centre Caron, and that these results are not recognized by the Public Service Commission (PSC). So employees looking to move to the Core Public Administration (CPA) will need to be tested for any competitive processes.</p>	E.Harrison
112.8	<p>Probation Reports</p> <p>The agenda item is a follow-up to previous discussions we were having with regards to the change in probation. As indicated by Amy Campbell at the last JCC we have limited system functionality and in the probation space the information is re-written as the status changes.</p> <p>Upon further review of the previous questions that had been raised on the matter, we have been able to identify that of the 201 continuing hires that occurred from September 2020 through to September 2022 there have only been 4 occurrences where probation has been extended beyond the original term of probation. Of the 4 occurrences only one is as a result of an ongoing performance management issue, the other three are related to a form of approved leave without pay.</p>	A.Campbell
112.9	<p>In Person Meetings for JCC</p> <p>Emily Harrison addressed this agenda item by sharing that this topic is an ongoing discussion. When do we re-engage in person meetings and alternating the meeting format, much of which is considered under the lens of greening.</p>	

	<p>The RCEA asked if there would be consideration for holding meetings in a hybrid format, to which PIPSC mentioned that hybrid would not be ideal given the challenges of having people in the room and others on video. Another RCEA member agreed that those in the room would have potentially more of an advantage with engaging in the dialogue.</p> <p>PIPSC suggested that alternating the JCC's between virtual and in person would be ideal. Emily Harrison advised that the only issue at this time with the in person meetings is finding a room large enough to accommodate while maintaining social distancing requirements. We would therefore need to investigate where we could hold meetings. Ben to find conference rooms that would be suitable with the view of holding the March JCC in person.</p>	B. Nadeau
112.10	<p>HR Response Times</p> <p>The RCEA president brought forward that she has been trying to get a hold of some HRG's for the past few months and some have advised that they do not have phones available. Emily responded that Client Services are in the process of updating new devices. In particular we have been seeing quite a bit of strain on our resources where we have a number of HRG covering multiple resources/portfolios. Emily suggested if there is an issue with a specific HRG RCEA should let her know.</p>	
112.11	<p>Classification at NRC</p> <p>Emily Harrison began the discussion by referencing the WFA that occurred in Real Property Planning and Management (RPPM), as highlighted by PIPSC on the Quarterly HR report. Emily shared that the review that happened in RPPM was as a result of a classification decision, where by the results had initially thought would lead to an upwards classification, though unfortunately based on the review by a Classification consultant it resulted in a downward reclassification and a WFA action.</p> <p>Emily acknowledged that classification has had to contract out support to classification consultants and noted that classification is a specialized skill set and the consultants that we use all have that relevant experience.</p> <p>The RCEA enquired how many staff currently work in Classification to which Emily advised that the structure should have 3 classification officers, a team lead and one support person and at this time we have one classification officer who is still learning the NRC system.</p> <p>The RCEA expressed concerns that perhaps the classification consultant does not have sufficient knowledge of the NRC. Emily shared that Wendy Greenwood is the consultant and she had previously worked in classification at the NRC and was an HRG with the organization as well, and therefore would have sufficient understanding of the organization.</p> <p>The RCEA raised that some members feel like their jobs have evolved and that they can ask for a review and that they would expect to receive a higher classification. Amy Campbell, responded that there is some confusion as RCEA classifications are job based they are not a person based system like</p>	

	<p>the RO/RCO, and it's about the functions being done and what management requires in terms of output. Emily noted there had been previous discussions that had gone into detail about TO career pathing and career development and have put some tools out to support mid-year reviews in looking to support further development.</p> <p>PIPSC enquired if there is a timeline or a standard that classification has in place for responding to requests to inform anyone with a classification action where they are in the cue. Emily advised that while doing the HR branch review she had received client feedback and discovered a lot of confusion of the processes surrounding classification and that the timelines were also something that came forward. In particular feedback pointed to having information regarding where a particular action is in the process – who is the action sitting with, is it with the employee, supervisor, or is it a bench audit whereby observation is currently taking place? Emily advised that this is something that will have to be considered and communicated once resources are in place.</p>	
<p>112.12</p>	<p>IT Networks</p> <p>Philippe Johnston, NRC Chief Information Officer, attended the JCC to discuss future updates to the NRC IT infrastructure, the NRC response and changes to the Network since the last cyber intrusion, and future changes to the various networks.</p> <p>During the question period with Philippe Johnston, PIPSC inquired if given the amount of staff returning to the physical workplace if we could see a reduction in the number of VPN Connections that would be available? Philippe responded that we now have the technology in place and we have now created an expectation to have VPN to allow Government of Canada employees to work from anywhere at any time, and therefore no expectation that the number of connections would be reduced.</p> <p>PIPSC noted that with regards to the last cyber incident – rumour was that it was a Phishing email and the concern would be if the information was seemingly more detailed and specific how could an internal email like this be detected. Philippe responded that attacks are always coming in new ways and it's hard to keep up, therefore the approach we are taking is about education and ensuring that we have as many tools and resources in place to educate employees.</p> <p>PIPSC also enquired if following the 2014 cyber intrusion if there were things from that 2014 event that could be done that would have prevented it from happening? Philippe responded that one issue that was fixed specifically was the Admin access capabilities and we have now addressed that.</p> <p>PIPSC enquired if any discussion about access to email via other methods is being considered. The PIPSC representative suggested that the only reason IT devices are going with folks on travel is because of email access. Philippe advised that IT has “neutered” machines that can be loaned out and that</p>	

	<p>certain smartphones that can be taken and that are approved by Andy Boileau's team.</p> <p>An RCEA representative made reference to requesting specific systems that would be useful for the organization and research projects and enquired if IT has given some thought to have access to specific machines that would run these systems. Philippe responded that one of the things we are trying to is utilize more secured research networks and therefore he was not sure the NRC would allow those systems on the research network. Philippe advised that Eric Katmarian and Danny D'Amours would be great resources to contact and let them know how this is important for you.</p>	
112.12	Round Table	
112.12 RT.1	Stephan Grosse brought forward a request for an update on the situation in Royalmount with the Workplace Assessment and what would be the next steps. Also he brought forward that he was hearing from members that the supervisor are telling them that for promotion cases you only have three chances to submit promotion cases, so the planned discussion on the promotion stuff would be good.	
112.12 RT.2	Cathy Cheung asked to have an updated from Labs Canada for the Next JCC as well as an update from Erin Skrapek on workplace investigations and an update from security on the number of investigations.	B. Nadeau
112.12 RT.3	Debbie Copper brought forward that at the beginning of a particular file/case she had an extensive interaction with security branch and that since at first meeting, it has been "radio silence" from them. At a minimum, Debbie asked that security branch should respond that at least they have received the BA messages, because this lack of information has led to a lack of trust in the process. The BA should be able to get a fulsome update on what is going on. Emily advised that she would get in touch with Dale MacMillan VP Corporate Services to get an update.	E. Harrison
	Meeting adjourned at: 2:40 pm	