

Item #10

Union of Solicitor General Employees

National President's Report

USGE National Executive Meeting

September 2011

John Edmunds

It has only been a short time since the 15th USGS National Triennial Convention wrapped up in Vancouver, but USGE has not been resting on its laurels.

I am still impressed, almost three months later, as how well USGE runs its convention; how well prepared our delegates are and the amount of business we finalize in a relatively short amount of time. My most humble and heartfelt thanks must go out to the delegates for the trust they have shown in me by acclaiming me to a third term as your National President.

I am also impressed at how well our delegates took to the new technology we introduced at our Convention, namely the electronic voting system. I have since had many conversations with other Component presidents touting the ease of use and very accurate results of the system and it would appear that many will be following USGE's lead in that department. Again, USGE sets the standard for others to follow. And for that we can all be proud of our union.

Before getting to the business of my report I wish to welcome our three new Regional Vice-Presidents to the National Executive: Sister Debbie Stangrecki, Brother Byron Duguay and Sister Carol Jennings. I look forward to working with you over the next few years.

I would also like to welcome Sister Jan Hauck as our National Vice-President. I would also like to give my heartfelt thanks to Sister Jackie Oswald for her hard work and dedication to our Union and our members during her two terms as National Vice-President

Now, on to business.

General

Pay Modernization and Consolidation Projects

Discussions are being held at the national level with all departments that are involved in the Pay Modernization and Consolidation Project and the eventual move to Mirimiche, New Brunswick. Most of the departments under the jurisdiction of USGE fall under Wave II of the project. The new date for this particular portion of the project has now moved to June of 2013.

Shared Services Canada

The creation of Shared Services Canada came into force on August 4, 2011. The creation of this new department has ramifications not only for employees directly affected with Information Technology but also those who provide direct support to those units. While the majority of employees in the CS and related groups fall under the Professional Institute of the Public Service (PIPS), most employees providing support fall under the Public Service Alliance of Canada's bargaining units. The topic of shared Services Canada will be placed on the agenda for each and every National LMC in an effort to ascertain the number of USGE members impacted by the creation of this new department and management's intention to move forward with any future government plans.

Royal Canadian Mounted Police (RCMP)

DA Review – Phase 1 and Administrative Support Positions Review (ASPR) – Phase 2

Settlement for all Phase 1 policy grievances has now been finalized which means we now move to Phase 2. 900 public service employees working at the RCMP are now using the new generic work descriptions resulting from the Phase 1 exercise.

As I had mentioned during my report to Convention, USGE had stepped away from the table for the Phase 2 review (ASPR) that was initiated in May 2011. The reason for our refusal to participate was quite simply that USGE was not being consulted during the process. We were actually being told how things were going to be done. USGE did not appreciate not being viewed as a full and equal participant in this review and so we left the table. This miscommunication has since been resolved and I am pleased to announce that Denyse Saumur and Jan Hauck are once again sitting on the National Working Group (NWG). This NWG has been working quite diligently to lay the groundwork before tackling the immense task of looking at the affected positions. The review is focused on those administrative support functions providing direct support to operational policing programs that fall under the Contract Policing and Federal Policing mandates. This review will not include administrative support functions in National and Regional Headquarters.

The NWG will be reviewing in excess of 800 positions that cover a wide range of duties and will subsequently be creating generic work descriptions. An Organization and Classification Subject Matter expert (consultant) in support of this project has been

hired by the RCMP. To date the consultant is creating a document depicting the various task streams. These streams were developed from a representative sample of work descriptions that have been sent in from the regions (223 in total). It was noticed that the majority of the work descriptions sampled (200) were dated 2006-2011. This is reassuring since it shows that positions are more current than previously assumed.

Once the draft streams have been reviewed, the NWG will create National Generic Work Descriptions (NGWD), coordinate NGWD validation exercises through the Regional Working Groups (RWG) with a representative sample of incumbents, obtain management approval of the final NGWD, and manage an interdepartmental classification committee to evaluate the final approved NGWD before implementation.

Categories of Employees Project

As indicated in my previous reports, the work on this initiative is now at a standstill. The current Commissioner has taken the view that it would be inappropriate to continue with the work of the committee until such time as the new RCMP Commissioner is in place. It is hoped that work on the Committee will occur in the Fall of 2011.

Employee Orientation Program

In its usual fashion, the RCMP cancels a program and consults with the Union later. Citing lack of finances, the RCMP has cancelled the ever-popular Employee Orientation Program. By all accounts, the Union, Labour Relations Branches and employees across the country found this program to be useful and informative for new employees to the organization. In its place, the RCMP has replaced the in-class training with technology entitled "New Employee Onboarding Tools" which can now be found on the RCMP Intranet site.

Employment Equity

As of July 1, 2011, Employment Equity amalgamated with Official Languages to become the Directorate of Diversity and Official Languages. Prior to amalgamation, the Policy Centre was to review the draft 2011-2016 Employment Equity Action Plan.

USGE was asked to comment on the draft EE Plan forwarded by the RCMP. This plan has no measurable or accountability benchmarks built into it. Furthermore, there is no indication that an annual review will be conducted or updated. While the RCMP may claim there are currently no gaps, there is no provision to monitor or implement an

action plan to ensure that the plan is viable for the next five years.

Committee activities were suspended due to budget restrictions for the 2010 Olympic/Paralympic Games and then the G8/G20 meetings in the summer of 2010. It would be comforting to know that the four internal Employment Equity National Advisory Committees will actually be up and running again under the 2011-2016 Employment Equity Action Plan with funding support. Meetings are to be scheduled with the new Directorate to finalize the draft action plan and ensure compliance

Duty to Accommodate (DTA)

The reality of Duty to Accommodate means more and more Regular and Civilian Members are now finding their graduated return path back into the RCMP via a vacant Public Service position or by performing PS-type functions, often for periods of time much longer than one year. The “regular monitoring” of DTA situations should include allowing RM and CM employees to convert into new PS positions if they cannot fulfill a complete return to their substantive operational roles. It appears that the RM/CM/TCE categories are very much looked after, but when it comes to the PS category the Employment Equity Plan is lacking in too many areas.

National Policy Health and Safety Committee (NPHSC)

Due to the intervention of USGE, which included the filing of a formal complaint to Labour Programs, the composition of the RCMP NPHSC now includes employee side representation from all five bargaining agents (USGE, PIPSC, ACFO, CAPE, CEP) with a concurrent reduction in membership by the SRR community.

Canadian Security Intelligence Service (CSIS)

Labour Relations with CSIS continue to be cooperative. At a recent National LMC, USGE requested participation in the Employee Orientation Sessions and our request was immediately granted. The Service agreed to provide dates for upcoming sessions as far in advance as possible so that we could ensure participation.

Collective Bargaining for our members at CSIS is scheduled to begin early this Fall and our team is ready to negotiate a collective agreement that meets the needs of our members. We wish them well in this endeavour

Correctional Service of Canada (CSC)

Bill C-25

As a result of Bill C-25 construction has been taking place to accommodate the potential influx of new inmates. A population management team is in place which is constantly reviewing the number of inmates per institution. Additional hiring to accommodate this influx of inmates is at various levels in the staffing process. While the influx of new inmates has not happened as quickly as originally anticipated, CSC should be on target with their staffing processes. CSC's Infrastructure Renewal Team is working with operational sites, regions and sectors at NHQ to ensure appropriate levels of staff, accommodation space and other resources to allow for effective case management, program delivery and community supervision as the population increases. Regular updates can be found on the CSC InfoNet.

Integrated Wellness Approach (PSES Action Plan)

CSC is ensuring USGE is consulted on action plans deriving from the Public Service Employee Survey results. The Joint National Advisory Committee on Integrated Wellness developed 12 proposals which are highlighted in the consultant's report. Once approved by the ACHRN, it is expected that the report will be submitted to EXCOM for approval.

Contravention CD 705-7 - Security Classification and Penitentiary Placement - Atlantic Region

At the May 2011 National Labour-Management Consultation Committee (NLMCC) this issue was brought forward for consultation based on concerns raised by USGE members in the Atlantic Region. The Commissioner was informed that the process being used in this region was in contravention of CD 705-7 because Institutional Parole Officers (IPO) were being directed to complete the Custody and Rating Scale and the Assessment for Decision (for security classification and penitentiary placement). As the region did not have a Temporary Detention (TD) Unit, this was, in USGE's opinion, in contravention of CD-705-7. During that meeting, USGE was told that a TD unit is now operational at Atlantic Institution as part of that institution's 18-cell Orientation Union for maximum security TD cases. Springhill is setting up a TD range of 17 cells for medium security general population TD cases, and Dorchester is setting up a TD range of 10 cells to house medium security special needs TD cases. Both ranges will be in operation by the end of May 2011."

Unfortunately, CSC's resolution did not address the issue at Nova Institution and USGE proceeded with representation on grievances that had been filed by USGE members in that workplace. CSC's final level response, issued on September 1st, upheld the grievances and stated, in part:

“ ... It is my understanding that currently there is no centralized intake assessment process or decentralized intake assessment process for women offenders in the Atlantic Region with regards to re-admissions. Therefore, Section 27 of CD-705-7 applies to Nova Institution where it states the following:

“27. If there is no temporary detention unit in the region or the offender is being directly placed to a penitentiary, the community Parole Officer is responsible for completing the Custody Rating Scale and an Assessment for Decision (for security classification and penitentiary placement) for all re-admissions to federal custody due to suspension/revocation of conditional release.”

I have confirmed that the practice at Nova Institution is to have the Institutional Parole Officer complete the CRS and A4D for re-admissions. I concur that this practice is not in compliance with CD 705-7. To this end I am requesting that the Regional Deputy Commissioner, Thérèse Leblanc, consult with National Headquarters Correctional Operations and Programs Sector (COPS) and the Women Offender Sector (WOS) for direction to resolve this issue. I will place this matter as an item on the next National Labour/Management Consultation Committee meeting with USGE to ensure that this issue is addressed and resolved.”

We expect to have further discussions with CSC on this matter during the next NLMCC

National Generic Work Descriptions (NGWD)

USGE is meeting with CSC in an effort to streamline the review process for the NGWD grievances. Some improvements have been made and six (6) NGWD have been presented to the respective CSC Functional Heads. USGE expects to be provided with the official draft copy of these so that the consultation on these groups may be finalized. USGE is in the process of identifying candidates for other NGWD positions so that all our CSC members may be provided with a complete and updated NGWD. While this process is slow, we are moving forward.

Institutional Parole Officer Resource Formula (IPORF)

CSC and USGE recently performed a desk audit that was required for the IPORF. We will be consulting further on the findings of this desk audit to determine timeline averages required to create a current and, hopefully, accurate workload resource formula. This consultation is scheduled for October 12.

Canadian Human Rights Commission/Canadian Human Rights Tribunal (CHRC/CHRT)

The battle rages at the CHRT where complaints of harassment against that Chairperson have been filed by the membership of three unions. We are currently waiting for a decision by the Privy Council Office (PCO) whether it will expand the fact-finding exercise to a full-blown workplace assessment. The fight at the CHRT demonstrates another example of inter-union cooperation similar to the union solidarity at the RCMP.

Justice

The most notable recent development with this Employer is USGE's formal withdrawal of support for a dysfunctional and under-resourced ICMS which failed to provide adequate service at NHQ and no service to the regions. Similarly, while not formally detailed on USGE's website as yet, USGE has advised the D of J that its refusal to permit bargaining agent involvement on its Employment Equity Steering Committee has resulted in less than full support for the department's EE efforts.

Office of the Information Commissioner (OIC)/ Office of the Privacy Commissioner (OPC)

Negotiations continue to establish effective NLMCC at both Commissions to ensure a consistent union approach to a number of issues, including contracting out of member jobs.

Public Safety

Labour management relations continue in a transparent and collegial fashion. The only issue of note, some small group WFA situations, has, to date, been fairly and appropriately handled by the department.

RCMP – Public Complaints Commission

Relations with this Employer continue to be quite positive.

Public Prosecution Service of Canada

Labour management relations are still transparent and collegial.

Training

Since the National Executive meeting in February 2011, the Winter 2011 USGE Public Service Commission/Harassment workshop took place.

The evaluations were mostly positive with some groups wanting more on the Public Service Commission portion and some wanting more around the Harassment workshop.

The Harassment portion was different than past workshops which were more awareness workshops. This workshop dealt with the new Violence in the Workplace legislation and what we do as union representatives receiving complaints of harassment.

The Coordinator, Organization and Training then focused on the Rules of Order training for the USGE Triennial Convention. It was obvious, without the need for evaluations, that the training was very well received.

One of our sister components, the Union of National Employees (formerly National Component) made use of USGE's Rules of Order material successfully. CAW – Retired Members Council has asked to use the material for their next convention. I would say this is very positive feedback on the quality of our training program.

PSAC has granted, in writing, Talking Union Basics (TUB) equivalency to the USGE Organizing the Locals workshop. This is something we have been working on for our members so that they may attend Advanced PSAC workshops with the TUB prerequisite.

We are waiting for instruction on a joint certificate which we hope to have ready prior to or shortly after our Fall 2011 sessions on Organizing the Locals.

The Fall 2011 training Organizing the Locals workshops are set to take place as follows:

Prairie Region	Oct 4 - 6	Radisson Hotel, Wpg, MB
Ontario Region	Oct 25 - 27	Holiday Inn & Suites, Markham, ON
NCR	Nov 1 - 3	The Westin, Ottawa, ON
Quebec Region	Nov 15 - 17	Marriott Château Champlain, Montréal, QC
Atlantic Region	Nov 22 - 24	Hilton, Saint John, NB
Pacific Region	Nov 28 - Dec 1	Empire Landmark Hotel, Vancouver, BC.

Confirmation letters containing travel instructions and pre-assignment have been sent for the first three Regions. A reminder has gone out to the Prairies Region in regard to the pre-assignment, as this is a new venture for USGE workshops.

Conclusion

With Treasury Board President's reaffirmation that the Government's commitment to reduce government spending and return to a balanced budget, PSAC and USGE members need to remain vigilant to ensure job protection for our members.

As usual I wish to end this report by expressing my appreciation for the National Office staff. A dedicated and determined group, our members are fortunate to have them.

I am especially thankful for the support and the shared goals that we, the National Executive, have as we continue to build and strengthen our union, the USGE.

Respectfully submitted,

John Edmunds
National President
Union of Solicitor General Employees