



Canadian Forces Grievance Board

**2001-2002
Estimates**

Part III – Report on Plans and Priorities

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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**Canadian Forces
Grievance Board**

**Comité des griefs des
Forces canadiennes**

Canadian Forces Grievance Board

**2001-2002
Estimates**

A Report on Plans and Priorities

Approved

The Honourable Art Eggleton, P.C., M.P.
Minister of National Defence

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Section I - Messages

Chairperson's Message

On behalf of the Canadian Forces Grievance Board, which I have the honour to chair, I am pleased to submit our first Report on Plans and Priorities.

The establishment of the Canadian Forces Grievance Board demonstrates the importance both the government and the people of Canada place on justice and respect for the rights of the men and women of the Canadian Forces, who carry out their duties courageously and faithfully, help Canadians in times of domestic crisis, and contribute to international peace and security.

The legislation introducing amendments to the National Defence Act was designed to modernize the military justice system. And the intent in establishing the Canadian Forces Grievance Board was to improve the efficacy and transparency of the grievance review process and to better serve members of the Canadian Forces.

The Canadian Forces Grievance Board has broad powers under the Act. Our operations cover a very specific area of jurisdiction. The Board's mission is to help raise the confidence of members of the Canadian Forces and the public in the principles of impartiality, integrity and equity that underlie the military justice system. To this end, the Board proceeds with an external, independent review of the grievances referred to it, under the *Act*, by the Chief of the Defence Staff. Our aim is to conduct an expeditious, objective and transparent review of grievances with due respect to fairness and equity for each individual member of the Canadian Forces, regardless of rank or position. The Board operates independently from the military chain of command so as to avoid any apparent conflict of interest. Our role is not to replace existing structures, but rather to bring them a new perspective.

Canada has evolved toward a more open society. Over the last twenty years, individual rights have gained unparalleled preponderance in all aspects of our social relations. Consequently, government departments, agencies and public bodies, including the Canadian Forces, have removed many social, cultural or other barriers that could have prevented citizens from getting and keeping a job in Canada. It is with due respect to individual rights that the Canadian Forces Grievance Board can best serve the interests of military personnel, regardless of their rank.

The Canadian Forces Grievance Board has established a priority to review grievances as expeditiously as possible. The longer the process lasts, the greater the pain inflicted upon the grievors and their families. Ultimately, the Board's work will help ensure respect for the individual rights of Canadian Forces members and thereby reinforce troop morale.

Under the terms of its mandate, the Board reviews the grievances referred to it and provides its findings and recommendations in writing to the Chief of the Defence Staff and the grievor. The

Board is well aware of the scope of its work and of the possible pitfalls. Our recommendations will have repercussions not only on military personnel, but also on their families and on any civilians involved in the grievances.

I feel that the Board has an important role to play in resolving military grievances, not only in terms of our legal obligations, but also through compassion and respect toward military personnel. While fulfilling its legal mandate objectively and impartially, the Canadian Forces Grievance Board must offer constructive solutions to redress wrongs and damages experienced by members of the Canadian Forces and their families, and to improve staff relations within the Canadian Forces.

We take their rights to heart, and the compassion and respect they deserve will remain our primary concern.

Paul-André Massé
Chairperson

Management Representation

Management Representation

Report on Plans and Priorities

I submit, for tabling in Parliament, the 2001-2002 Report on Plans and Priorities (RPP) for the Canadian Forces Grievance Board

To the best of my knowledge the information:

- Accurately portrays the department's mandate, priorities, strategies and planned result of the organisation.
- Is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Pierre Beaudry
Executive Director

Date: _____

Section II - The Board's Overview

2.1 Mandate, Roles and Responsibilities

In response to the recommendations of the 1997 report of the Minister of National Defence to the Prime Minister, the Minister tabled in the House of Commons legislation containing comprehensive amendments to modernize the *National Defence Act* and, in particular, the *Code of Service Discipline*. There was a recognized need for institutional separation of the investigative, defence, prosecutorial and judicial functions. In addition, it was necessary to clarify the roles and responsibilities of the principal actors in the military justice system and to strengthen oversight and review of grievances. All these factors led to the establishment of the Canadian Forces Grievance Board under the statutory amendment.

The Board was established to bring added value to the grievance review process in the Canadian Forces, in the form of an external, independent review. The added value of the Board's review helps to ensure the objectivity, transparency and efficiency required to deal informally, expeditiously and compassionately with military grievances.

The Canadian Forces Grievance Board (CFGB) is a separate, independent body, created by an amendment to the *National Defence Act* in Bill C-25, Chapter 35, enacted on December 10, 1998. This amendment established the Board as an organization under Schedule I.1 of the *Financial Administration Act* (with a reference to the Minister of National Defence in column II) and Part I of Schedule I of the *Public Service Staff Relations Act*. On March 1, 2000, the legislative provisions of Bill C-25 allowing for establishment of the Board came into force. On June 8, 2000, the Governor in Council approved amendments to the regulations published by the Chief of the Defence Staff (CDS) in the Queen's Regulations and Orders for the Canadian Forces. These amendments came into force on June 15, 2000.

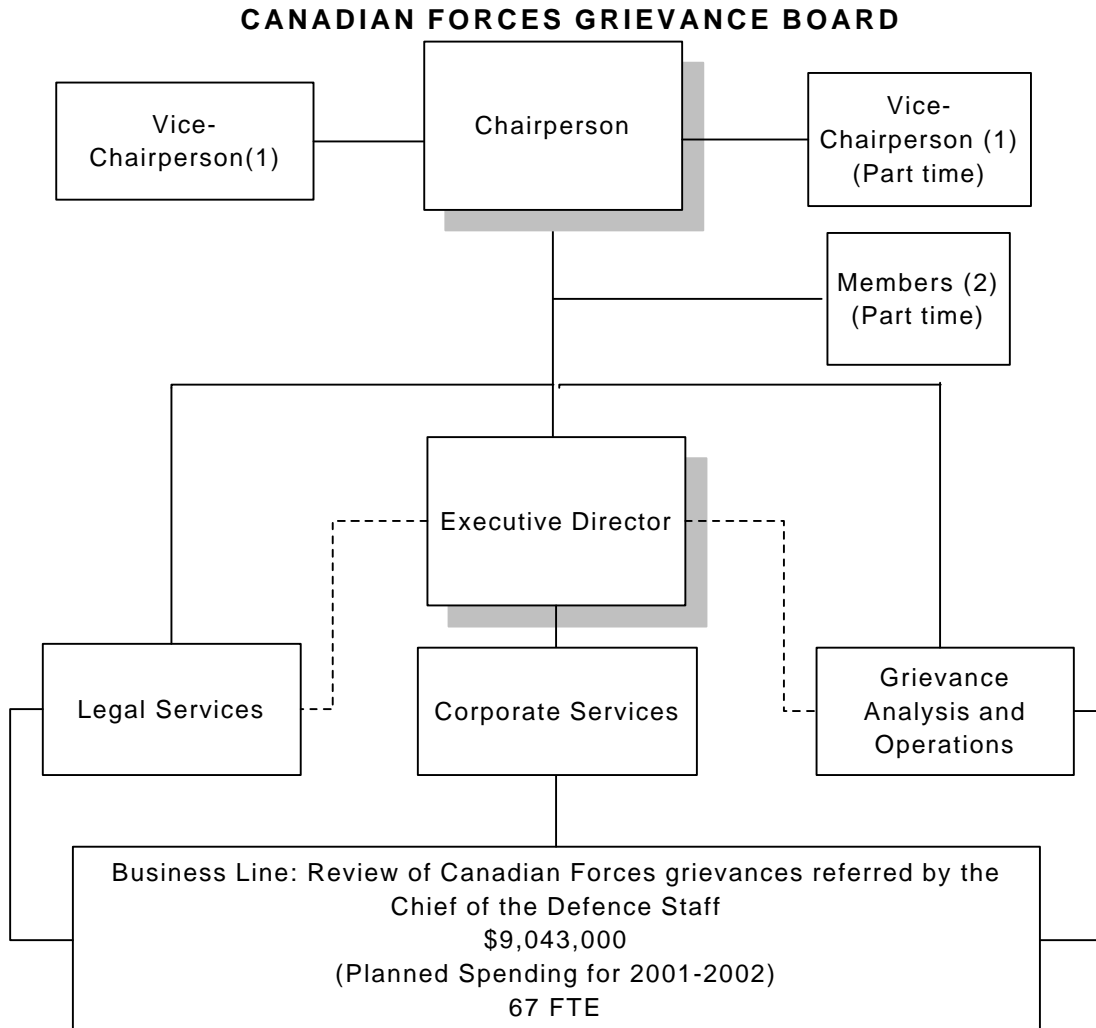
The Board is an administrative tribunal. As such it may conduct investigations, summon witnesses and hold hearings for the purpose of determining the relevance and validity of grievances referred to it by the CDS.

In accordance with section 29.16 of the *Act*, the Canadian Forces Grievance Board consists of a Chairperson, at least two Vice-Chairpersons and any other members appointed by the Governor in Council that are required to allow it to perform its functions. The Chairperson and one Vice-Chairperson are each full-time members. The other members are appointed as full-time or part-time members.

In addition to the members appointed by order, the CFGB normally operates with 50 FTEs (full-time equivalents) appointed in accordance with the *Public Service Employment Act*. However, for fiscal year 2001-2002, it will operate with 67 FTEs, including additional resources for reviewing cases from the former system and for putting the Board into effect.

The Chairperson shall submit to the Minister of National Defence, within three months after the end of each year, a report of the activities of the Grievance Board during that year and its recommendations, if any.

Organization Structure



2.2 Program Objective

The Board was established as a result of the government's desire to modernize the military justice system in the Canadian Forces and make it more efficient, transparent and human, to help improve staff relations for CF members. Specifically, the Board's objective may be expressed as follows: *To act as an independent administrative tribunal and conduct a fair and impartial review of all grievances that are to be submitted to it in accordance with the National Defence Act.*

The Board's task is to investigate, review and hear the grievances referred to it by the CDS, and to provide its findings and recommendations to the CDS and the grievor.

2.3 Planning Context

An officer or non-commissioned member of the Canadian Forces who has been aggrieved by any decision, act or omission in the administration of the affairs of the Canadian Forces is entitled to submit a grievance before the effective date of the member's release from the Canadian Forces, if no process for redress is provided under the *National Defence Act* and if the decision, act or omission in question is not specifically excluded in the *Queen's Regulations and Orders (QR&O) 7.01*. There are now only two levels of authority at the time the grievance is filed. The first, or initial grievance authority, is the person who is given the power to allow the grievance. The second and final authority is the CDS. The Board intervenes at the second and final level of a grievance review.

Mandatory Referral of Grievances to the CFGB by the CDS

The Chief of the Defence Staff shall refer to the Canadian Forces Grievance Board any grievance relating to the following matters:

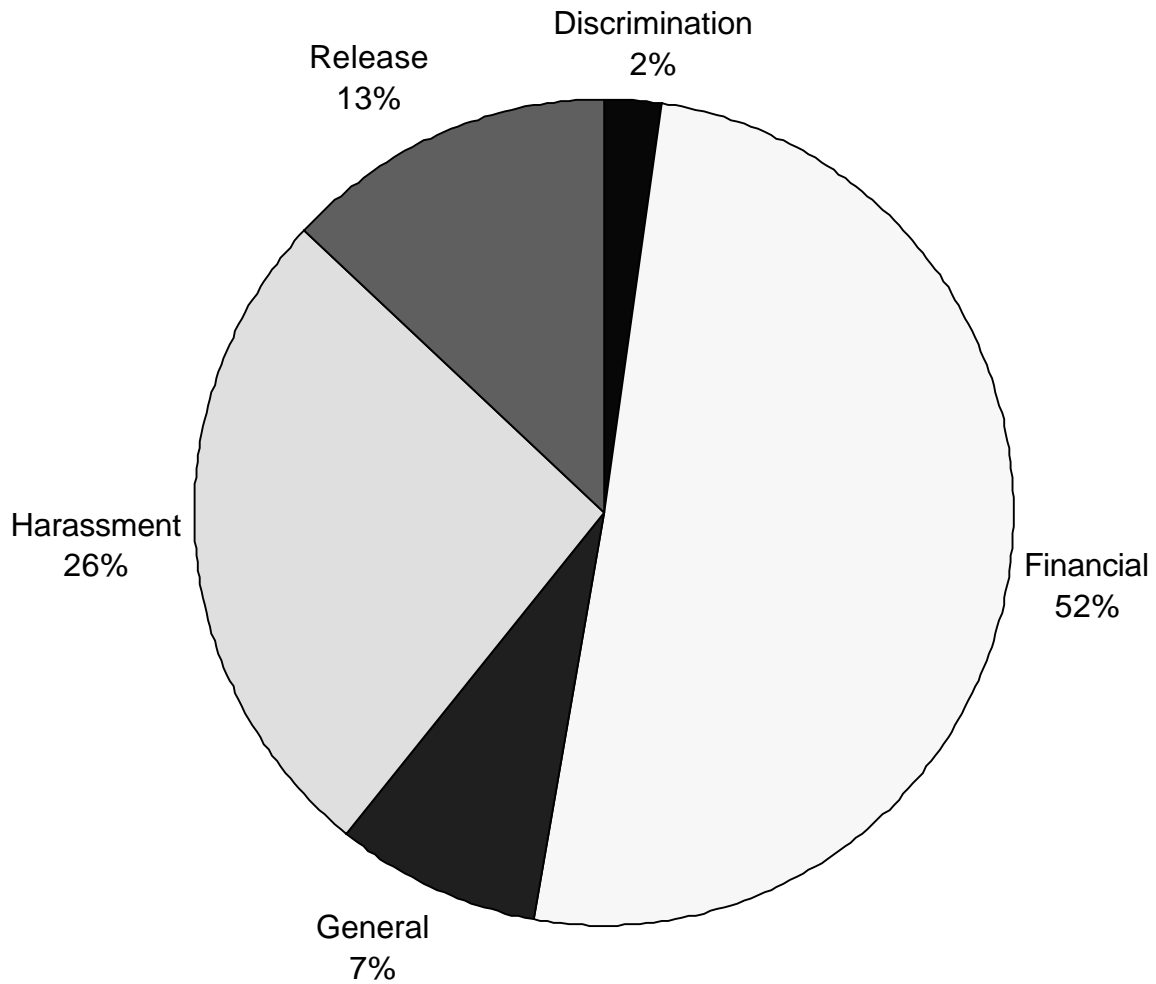
- ▶ administrative action resulting in the forfeiture of, or deductions from, pay and allowances, reversion to a lower rank or release from the Canadian Forces;
- ▶ the application or interpretation of Canadian Forces policies relating to expression of personal opinions, political activities and candidature for office, civil employment, conflict of interest and post-employment compliance measures, harassment or racist conduct;
- ▶ pay, allowances and other financial benefits;
- ▶ the entitlement to medical care or dental treatment.

In addition, the CDS shall refer to the CFGB every grievance concerning a decision, act or omission of the CDS in respect of an officer or non-commissioned member.

As of December 31, 2000, of the total 191 grievances (Figure 1) referred to the CFGB for review, 4 deal with discrimination, 97 deal with financial matters; 15 with general matters (medical/dental, reversion in rank, termination of service); 50 with harassment; 25 with releases.

| CATEGORIES | |
|-------------------|------------|
| Discrimination | 4 |
| Financial | 97 |
| General | 15 |
| Harassment | 50 |
| Release | 25 |
| Total | 191 |

Figure 1 Grievances by Categories



The CFGB is currently operating under two systems: the current system, which refers to the review of grievances that were filed after the amendments to the *National Defence Act* came into force; and the former system, which refers to grievances that were being reviewed at different levels in the Canadian Forces or were awaiting a decision by the CDS at the time the amendments to the *National Defence Act* came into force. It is estimated that, under the current system, the CFGB will review between 60% and 80% of all the grievances received by the CDS. At present, most of the grievances received since June 15, 2000, the date on which the Board began operating, belong to the former system, in some cases going as far back as 1994. The Board anticipates that it will have finished reviewing grievances from the former system that are received prior to April 1, 2001 before the end of fiscal year 2001-2002. In addition to the permanent organizational structure the CFGB needs to carry out its mandate, a temporary structure is set up to finish reviewing the grievances submitted under the former system.

Furthermore, the Board has no control over the volume of grievances it will receive under the current system or when they will be referred to it. However, it is anticipated that, under the current system, the CFGB will review about 285 grievances a year. As well, during the 2001-2002 period, we anticipate holding a number of hearings in different parts of the country.

The Board is endeavouring to review the grievances referred to it while at the same time setting up its operating structure and implementing these different infrastructure and management systems; and this particularly during fiscal year 2001-2002. Because of its unique character, one of the Board's biggest challenges is to recruit and train grievance review personnel. In addition, it must establish a flexible organizational structure to be able to provide the administrative and operational resources necessary to adapt to the current workload.

2.4 The Board's Planned Spending

| | Forecast *** Spending 2000-2001 | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|--|---------------------------------------|----------------------------------|----------------------------------|----------------------------------|
| (\$ thousands) | | | | |
| Budgetary Main Estimates (gross) | 5 133 | 9 043 | 6 134 | 6 134 |
| Non-Budgetary Main Estimates (gross) | | | | |
| Less: Respendable Revenue | | | | |
| Total Main Estimates | 5 133 | 9 043 | 6 119 | 6 119 |
| Adjustments ** | | | | |
| Net Planned Spending | 5,133* | 9 043 | 6 119 | 6 119 |
| Less: Non-respendable revenue | | | | |
| Plus: Cost of services received without charge | 208 | 389 | 265 | 265 |
| Net cost of Program | 5 341 | 9 432 | 6 384 | 6 384 |
| Full Time Equivalents | 53 | 67 | 46 | 46 |

* Reflects the best forecast of total net planned spending to the end of fiscal year

** Adjustments are to accommodate approvals obtained since the Main Estimates and are to include Budget initiatives, Supplementary Estimates etc.

*** The forecast spending 2000-2001 is included in the National Defence budget. The CFGB will be a reporting entity as of FY 2001-2002.

Section III - Plans, Results, Activities and Resources

3.1 Business Line Details

Business Line Title

The Canadian Forces Grievance Board has just one line of business, described as "The review of grievances submitted by members of the Canadian Forces and referred by the Chief of the Defence Staff" in accordance with the *Act* and related regulations.

Business Line Objective

To guide it in its service delivery and its management philosophy, the Board has adopted the following general strategic objectives:

1. Establish the Board's credibility:

- by making fair, equitable, expeditious and impartial recommendations;
- by ensuring all the transparency necessary in its grievance review process; and
- by communicating clearly and precisely the rationale of its recommendations.

2. The Board is a leader within the Government of Canada and at the national level with respect to the review of grievances

- by establishing an exemplary grievance review process;
- by using leading-edge systems and methods; and
- by promoting its *raison d'être* to improve staff relations within the Canadian Forces.

3. Create within the Board a work environment and working conditions of enviable quality that encourage the commitment, performance, development and growth of its staff members:

- by demonstrating organizational and decision-making leadership;
- by ensuring that all the required skills are available;
- by ensuring that its staff members have the attitude required to work well in the Board's environment;

- by establishing a professional development program focussed on skills and attitudes; and
 - by creating an atmosphere that fosters the growth of its staff members.
4. With the strategic objectives 1 and 2 the Board resolved to establish its credibility and be on the leading edge with respect to grievances, these become key factors for its success. The fourth strategic objective becomes a direct support **by establishing a system and effective, leading-edge management controls** that will allow it to measure the achievement of its strategic objectives and targets.

Business Line Description

To carry out its mandate, the Board relies on a process that is designed to be transparent and equitable. Its recommendations will be clear and justified, to help ensure that they are understood and applied by all the parties involved.

Bringing the components of an expeditious, independent and objective grievance review process, including the analyst and registry functions into line, ensures the Board can carry out its mandate. The members of the Board and the staff assigned to grievances are supported in their work by legal opinions, corporate and communication services.

3.2 Key Results Commitments, Planned Results, Related Activities and Resources

| Key Results Commitment #1 | | Resources | | |
|--|---|--|--|--|
| | | (\$ thousands) | | |
| The Board's credibility is recognized by the Canadian Forces | | 2001-2002 | 2002-2003 | 2003-2004 |
| Planned Results | Related Activities | \$5,878 | \$3,977 | \$3,977 |
| Issuing of fair, equitable, expeditious and objective findings and recommendations | <ul style="list-style-type: none"> Establish a sound and well-documented grievance review process that will be understood by everyone involved. Integrate into the grievance review process, at critical points, control measures ensuring the quality of results. Finish reviewing grievances from the former system¹ received prior to April 1, 2001 by the end of FY 2001-2002. Review the majority of grievances within the time limits prescribed by the Board, while at the same time ensuring fair, equitable and impartial treatment. Establish a feedback system allowing measurement of the Board's effectiveness in issuing findings and making recommendations. | Represents 65% of total planned spending | Represents 65% of total planned spending | Represents 65% of total planned spending |

¹ Grievances that were being reviewed at different levels in the Canadian Forces or were awaiting a decision by the CDS at the time the amendments to the *National Defence Act* came into force.

Key Results Commitment #1

The Board's credibility is recognized by the Canadian Forces

| Planned Results | Related Activities | | | |
|---|---|--|--|--|
| <p>Clear and accurate understanding of the rationale of the Board's recommendations</p> | <ul style="list-style-type: none"> • Develop and adopt an approach, a format and a uniform, clear and precise style in drafting the Board's recommendations. • Establish a feedback system that will allow measurement of the Board's effectiveness in explaining the rationale of these recommendations. | | | |
| <p>Greater awareness among members of the Canadian Forces and the people of Canada with regard to the Board's existence, role, mandate and procedures</p> | <ul style="list-style-type: none"> • Develop a communication strategy that will clearly target the various audiences and use the various means of communication to best advantage. • Tour Canadian Forces bases and establishments. • Keep the Board's Web site current. • Develop the information materials necessary to raise the awareness of military personnel, the people of Canada and stakeholders. | | | |

Key Results Commitment #2

The Board is a leader within the Government of Canada and at the national level with respect to the review of grievances

Resources
(\$ thousands)

2001-2002

2002-2003

2003-2004

| Planned Results | Related Activities | \$452 | \$306 | \$306 |
|---|---|--|--|--|
| <p>More knowledge of what is being done in the field of grievance review.</p> | <ul style="list-style-type: none"> • Participate in and contribute to the various forums for administrative tribunals. • Participate in and contribute to various related groups: in law and particularly labour law; and in staff relations and industrial relations. • Develop and maintain a data base of internal and external precedents that are relevant to the Board's affairs. • Perform a comparative analysis with other, similar organizations to measure the Board against them and identify the best practices. • Keep up our knowledge of what is being done outside the federal public service: in other levels of government and in the private sector. | <p>Represents 5% of total planned spending</p> | <p>Represents 5% of total planned spending</p> | <p>Represents 5% of total planned spending</p> |

Key Results Commitment #2

The Board is a leader within the Government of Canada and at the national level with respect to the review of grievances

| Planned Results | Related Activities | | | |
|--|---|--|--|--|
| The Board demonstrates leadership within the federal public service. | <ul style="list-style-type: none">• Study the possibility of establishing a network of analysts and investigators dealing with grievances in the federal public service.• Maintain a network and effective communication with Canadian Forces intervenors. | | | |

Key Results Commitment #3

The Board has created an atmosphere conducive to learning and growth.

Resources
(\$ thousands)

2001-2002

2002-2003

2003-2004

| Planned Results | Related Activities | \$904 | \$612 | \$612 |
|--|---|---|---|---|
| <p>Have committed staff members whose attitudes and expertise reflect all the skills and aptitudes required by the Board to fulfil its responsibilities and obligations.</p> | <ul style="list-style-type: none"> • Identify all the skills and aptitudes required by the organization. • Identify the skills and aptitudes required for each position. • Establish a hiring policy and training programs to ensure that employees as a whole meet the needs and requirements of the organization, and that employees have the attitudes and expertise necessary to perform their duties. • Establish a feedback system to identify gaps between the requirements and the actual situation, to allow these gaps to be filled through corrective measures such as training, mentorship. | <p>Represents 10% of total planned spending</p> | <p>Represents 10% of total planned spending</p> | <p>Represents 10% of total planned spending</p> |

Key Results Commitment #3

The Board has created an atmosphere conducive to learning and growth.

| Planned Results | Related Activities | | | |
|--|---|--|--|--|
| <p>The Board demonstrates leadership at the organizational and decision-making levels.</p> | <ul style="list-style-type: none"> • Appoint a member of the executive as a "champion of learning", who will be responsible for ensuring that exemplary practices are documented and applied, and that all these activities are coordinated. • Establish processes that allow knowledge to be acquired, and that organize and make use of everyone's knowledge to improve the Board's performance. • Adopt an organizational values system that is consistent with the desired results and will serve to define the ethical framework. • Adopt a code of ethics that will guide Board members and employees in their actions, to ensure compliance with standards of professional conduct in dealing with the Board and its clients. • Establish a flexible organizational management system to provide the administrative and operational resources necessary for efficient handling of the workload. | | | |

| Key Results Commitment #4 | | Resources | | |
|---|--|--|--|--|
| | | (\$ thousands) | | |
| The Board has established a system and effective, leading-edge management controls | | 2001-2002 | 2002-2003 | 2003-2004 |
| Planned Results | Related Activities | \$1,800 | \$1,223 | \$1,223 |
| Continuing improvement of the Board's processes. | <ul style="list-style-type: none"> Establish a feedback process that will ensure continuing improvement of the Board's practices and processes. | Represents 20% of total planned spending | Represents 20% of total planned spending | Represents 20% of total planned spending |
| Sound performance management | <ul style="list-style-type: none"> Establish and maintain a balanced trend chart, to help identify gaps between anticipated performance and actual performance in relation to the key factors for success. Establish and maintain a management system that will allow effective management of the Board's work loads, budgets and costs. Integrate strategic management with operations management, to ensure the Board's activities are aligned with its strategies. Establish a system for managing grievances that will allow them to be continuously monitored. Improve the foreseeability of the volume and converging of grievances at the Board. | | | |

Section IV - Financial Information

Net Cost of Program for the Estimates Year

| (\$ thousands) | Total |
|--|--------------|
| Net Planned Spending (Gross Budgetary and Non-budgetary Main Estimates plus adjustments) | 9 043 |
| <i>Plus: Services Received without Charge</i> | |
| Accommodation provided by Public Works and Government Services Canada (PWGSC) | — |
| Contributions covering employees' share of employees' insurance premiums and expenditures paid by TBS | 389 |
| Workman's compensation coverage provided by Human Resources Canada | — |
| Salary and associated expenditures of legal services provided by Justice Canada | — |
| | 9 432 |
| <i>Less: Non-respendable Revenue</i> | |
| 2001-2002 Net cost of Program | 9 432 |

Section V - Other Information

References

List of reports required by the Act and departmental reports

- Annual report of the Canadian Forces Grievance Board (*The first report will be tabled no later than March 31, 2001.*)
- Performance report of the Canadian Forces Grievance Board (*The first report will be tabled in 2002*)
- Annual report on the *Access to Information Act*
- Annual report on the *Privacy Act*
- Annual report on official languages

For more information

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