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Chair

Mr. Pat Martin

Standing Committee on Government Operations and Estimates

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• (1105)

[English]

The Vice-Chair (Mr. Peter Braid (Kitchener—Waterloo, CPC)): Good morning, everyone. Welcome to the 86th meeting of the Standing Committee on Government Operations and Estimates.

This morning, under our orders of the day, we will begin with a presentation by representatives from the Public Service Labour Relations Board. With us this morning is Mr. David Olsen, acting chairperson. In addition, we have Monsieur Guy Lalonde, who is the executive director of the board. And we also have Madame Sylvie Guilbert, who is the general counsel for the Public Service Labour Relations Board.

We will be hearing a presentation from Mr. Olsen of five to ten minutes, sir, and then you will have the opportunity to take questions from members of the committee.

At the end of our hour we will need to set aside about ten minutes to deal with the business of estimates and supply and to pass votes on interim supply here at committee while we're still in a public forum.

With that, Mr. Olsen, please proceed.

Mr. David Olsen (Acting Chairperson, Public Service Labour Relations Board): Mr. Chair, thank you very much for the opportunity to speak with the committee today about the Public Service Labour Relations Board.

Established in 2005, the board is an independent quasi-judicial tribunal. This board replaced the Public Service Staff Relations Board, which had existed since 1967, when collective bargaining was first introduced into the federal public service.

We are mandated by the Public Service Labour Relations Act to administer the collective bargaining and grievance adjudication systems in the federal public service. We are also mandated by the Parliamentary Employment and Staff Relations Act to perform that same function for the institutions of Parliament and, in addition, for the Yukon. Under the Budget Implementation Act of 2009, responsibility for pay equity complaints arising from the public service was also transferred to this board.

The board provides three main services: adjudication, mediation, and compensation analysis and research.

Our adjudication services set us apart from other labour relations boards. Not only do we provide the traditional labour board services, which are certifying trade unions to represent employees in

bargaining units for the purposes of collective bargaining, hearing unfair labour practice complaints, and administering the conciliation and arbitration process for the resolution of interest disputes; we also hear all of the grievances arising from the interpretation and application of collective agreements in the federal public service as well as cases relating to discipline, other forms of termination, and so forth. That is the largest part of our adjudication practice—the resolution of rights disputes.

Now, the seventh report of the Prime Minister's Advisory Committee on the Public Service, on modernizing the employment model, states that labour relations issues “take too long to resolve”, and the best interests of both employees and the public can be “lost in the process”.

While our board is just one participant, along with the trade unions and the employer, in this labour relations regime, we share this view. As such, we are focused on providing more streamlined, responsive, and effective adjudication techniques. We also seek to promote timely mediation to help the parties reach mutually satisfactory resolutions to their issues short of full-blown arbitration.

This, we believe, will contribute to a productive, disruption-free workplace that will ultimately benefit Canadians through the smooth delivery of essential programs and services.

I'll just break that down a little bit. For us, streamlining our processes first means understanding the caseload generated by the parties. We're the labour board. The parties refer their cases to us for resolution. To do that, we have developed innovative ways to strategically manage a robust caseload that has grown from about 1,200 a decade ago to over 6,500 today. We do close or resolve more cases than we receive in any given year, and that's up around 1,600 cases a year, but there is still a backlog. Our goal is to deal with that caseload efficiently.

We do that by managing our schedule more aggressively, by doing up-front analysis on the types of cases we have, and, of interest, we're also prepared to customize our processes unless they're embedded in the regulations. We'll customize our processes for the employer and the trade union to find a process that will work for them.

•(1110)

Over half of our caseload is generated by employees in one bargaining unit. We have established a special task force to address the particular needs of that group. Because there are a large number of grievances, we will group them and try to have a representative case decided, and hopefully the parties will apply the rationale for that case to resolve all of the grievances. We attempt to consistently appoint adjudicators who are familiar with these parties.

In consultation with the federal employers and the trade unions—this is very recent—we have established a representative working group to look into a greater use of using expedited arbitration, which would allow for many cases to be heard on the same day before an adjudicator. It has been used in the past and has fallen into disuse in recent years. We're trying to revive that. That will cut down on the need for formal hearings and so on, which is really a Cadillac form of grievance resolution.

Other efficiency initiatives include better managing of the hearing processes by up-front analysis. When we do that we can decide that maybe we don't need a full-blown hearing. On some cases, perhaps, if the facts aren't in dispute, we can use written submissions without going into a full hearing to resolve the cases.

We're also making use of pre-hearing conferences to attempt to get agreements on facts so that we can reduce the need for full-blown hearings and make sure there are no procedural surprises coming up at the hearings.

We're making some headway in these areas.

I should point out that a single adjudicator hears our cases, unlike other tribunals that have panels of three. We can use them, but we don't use them very often. Most of our cases are resolved by one adjudicator sitting alone, and there is no registrar or administrative person sitting with that adjudicator to take care of exhibits, so the adjudicator has to do all of that work himself or herself.

We also attempt to make use of part-time adjudicators, especially on the east and west coasts, to save travel time for our full-time adjudicators.

Unlike some boards, we don't have regional offices, so in order to save on the costs of having to pay for hotel rooms and so on, we've made arrangements with the Federal Court and with other administrative tribunals wherever possible to minimize our costs. Recently we've taken some initiatives to use video conferencing in cases where the facts aren't in dispute in order to save on travel costs as well.

Another priority of the board that contributes to our efficiency is to continue to modernize our information technology and information management infrastructure. I am pleased to announce that we will be launching our state-of-the-art electronic labour relations information system within the next few weeks. That system will provide us with even stronger analytical capabilities. In the same timeframe we are introducing an information management system for our records management.

I'm confident that both systems, which are built on a sustainable technology platform, will serve us for years to come and will help us realize significant cost savings.

The other area that the Public Service Labour Relations Act stipulates as part of our mandate is compensation analysis and research services. The government announced in its most recent budget its interest and commitment in comparing the total compensation of federal public servants with the private sector. As I said, our board is mandated by the act to do this comparison. We are currently analyzing the wages and benefits of workers in other public sector jurisdictions. We plan to publish our findings in the coming months. Following that, we hope to start the comparison with the private sector later in the year.

•(1115)

A well-managed organization must remain focused on ensuring that the right resources are properly allocated. While the board is a small organization with direct annual expenditures of \$11.5 million and 72 full-time equivalent positions to support the board's activities, we attempt to remain as effective and efficient as possible.

We constantly review our operations, and we attempt to identify efficiencies and where we can save money. We've rationalized our staff, including the deletion of some senior-level positions, to meet the board's strategic needs.

Over the past few years, we've made strides in achieving other efficiencies as well. Of particular note, we recognized the need and took the lead for a small organization such as ours to avoid duplication of effort by engaging in partnerships. We provide back-office services, such as information technology, web, finance, library, compensation, and other human resources services to the Public Service Staffing Tribunal. We provided those services as well to the Canadian Artists and Producers Professional Relations Tribunal, which has now been incorporated into the Canada Industrial Relations Board, and Environmental Protection Review Canada under formal shared agreements.

We also entered into arrangements with the Canada Industrial Relations Board with respect to using their hearing facilities. They have hearing facilities in several regional offices across the country, so we've entered into arrangements with them, as well as for the use of their video conferencing facilities. Our board does not have those facilities, and that board has kindly entered into an arrangement with us to use theirs.

We've also consolidated our office space and rationalized our library service, reducing our print collection to only those resources that are strictly necessary and moving to digital formats wherever possible.

In conclusion, what sets us apart is our unique role and mandate of independent adjudication, mediation, and compensation analysis and research. What also sets us apart is that we work closely with the federal workplace parties in supporting their efforts to address the evolving needs of Canadians.

Moving forward, we will continue to regularly review our systems and processes and improve our practices and approaches to further enhance our efficiency and effectiveness. We strive to meet the needs of our clients and to fulfill our mission, which is to resolve labour relations issues in an impartial manner in the federal public service.

I thank you very much for your attention. I'd be willing to take questions along with my colleagues.

Thank you.

The Vice-Chair (Mr. Peter Braid): Thank you very much, Mr. Olsen. We will now provide members with the opportunity to ask a few questions, both relating to the content of your very helpful and informative presentation this morning and any questions relating to the main estimates for the Public Service Labour Relations Board.

We will begin with Mr. Ravnagat.

[Translation]

Mr. Mathieu Ravnagat (Pontiac, NDP): Thank you, Mr. Chair.

I would like to thank the witnesses for being here today.

My first question has to do with the fact that you said that you resolve about 1,600 cases a year and that the volume and complexity of your workload was continuing to increase.

What are the main reasons for the workload increase? Is there a direct link between the chaotic way this government is assigning officials and making cuts to the public service?

• (1120)

[English]

The Vice-Chair (Mr. Peter Braid): Would you like that question translated again?

Mr. David Olsen: I didn't have my microphone handy, so thank you.

[Translation]

Mr. Mathieu Ravnagat: Would you like me to repeat my question, Mr. Chair?

[English]

The Vice-Chair (Mr. Peter Braid): I'll just ask if the translator is able to translate the question once again.

Or would you like to proceed to ask it again, Mr. Ravnagat? Why don't you proceed?

[Translation]

Mr. Mathieu Ravnagat: Okay.

You said that you handle about 1,600 cases a year and that you expect the volume and complexity of the workload to continue to increase.

My question is simple. What are the main reasons for that workload increase? Is there a direct link with the chaotic way the government has assigned officials and made cuts to the public service?

[English]

Mr. David Olsen: I think, sir, the question would be better placed to the parties, the collective bargaining parties, as opposed to the board, but as I indicated in my remarks, we have identified one party that generates by far the greatest caseload. I believe it's half or more of the caseload and....

[Translation]

Mr. Mathieu Ravnagat: Which partner are we talking about?

[English]

Mr. David Olsen: The grievances come from the trade union that represents the employees at the Correctional Service of Canada, sir.

[Translation]

Mr. Mathieu Ravnagat: Thank you for that very interesting detail.

Last week, I asked the Treasury Board president how much money the government had spent on legal fees because of employee or union disagreements. Do you think there has been a significant increase in this government's legal costs and fees in the past two years?

[English]

Mr. David Olsen: This board would not be privy to that information, sir. The legal fees.... Well, first of all, the employer, the Treasury Board, is represented by the Department of Justice, their in-house counsel. For the trade unions, some use external counsel, but the Public Service Alliance of Canada, for example, the largest trade union, has quite a number of in-house counsel on staff and—

[Translation]

Mr. Mathieu Ravnagat: I am talking about the government, sir.

[English]

Mr. David Olsen: I'm sorry, sir. From the government side...?

[Translation]

Mr. Mathieu Ravnagat: Have there been more cases? If there had been more cases, logically, the government would have had to spend more on legal fees.

[English]

Mr. David Olsen: That's a question, sir.... As I say, Treasury Board uses the justice department counsel. They would be in a position to answer that.

[Translation]

Mr. Mathieu Ravnagat: That's fine. Thank you very much. I understand the answer.

I will move on to something else.

[English]

I've noted that in section 13 of the PSLRA mandate the board is to undertake compensation research for the employers and unions covered by the act. I'd like to have a sense of the status of their research, or your research, on total compensation, particularly on comparing the private versus the public sector.

[Translation]

Mr. Guy Lalonde (Executive Director of the Board, Public Service Labour Relations Board): The program is fairly new. We conducted a pilot project in 2008 that focused on health care classes. It involved a comparison of the various health care professions across the country.

We relaunched the program in the past year. We wanted to start with a comparison of the various public and parapublic sectors. A study that does a federal-provincial comparison is under way. In fact, we have completed the matching of positions. We are at the stage of collecting data on overall compensation.

For the private sector—

• (1125)

Mr. Mathieu Ravignat: Thank you for that information. That's enough.

However, I will ask you this question.

[*English*]

Has there been any consultation with bargaining agents at this point?

Mr. Guy Lalonde: Yes. In setting up the program, in fact, there have been extensive consultations with all parties involved, and we continue to have these consultations.

In fact, as we're—

Mr. Mathieu Ravignat: But to my understanding, the joint committee, which is requested by the act, has not been set up yet. Is that true?

Mr. Guy Lalonde: Actually, the advisory committee was set up initially. It had an initial mandate. It lasted its full term. Nobody was reappointed to the advisory committee, so in lieu of, we launched our own consultative processes.

Mr. Mathieu Ravignat: Can I ask you why?

[*Translation*]

That's it?

Thank you, Mr. Chair.

[*English*]

The Vice-Chair (Mr. Peter Braid): Thank you, Mr. Ravignat. You had slightly exceeded your time.

Our next questioner is Monsieur Gourde.

[*Translation*]

You have five minutes.

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Thank you, Mr. Chair.

I would like to thank the witnesses for being here this morning.

In its 2013-14 report on plans and priorities, the Public Service Labour Relations Board mentioned that it is putting in place a case management system to facilitate the analysis, follow-up and monitoring of its workload, as well as to improve efficiency and strengthen its activities. How many cases has the board received? How many decisions have been made on those cases in each of the past three years? Is the board in a position to foresee its future workload?

[*English*]

Mr. David Olsen: In the appendix, sir—

A voice: No, they don't have that.

Mr. David Olsen: Oh, they don't have the appendix.

Forgive me, I didn't realize you didn't have the appendices to the presentation.

I can give you the number of files we have resolved over the past three years: for 2010-11, 1,368; for 2011-12, 1,587; and for 2012-13, 2,101.

You will appreciate that we receive the cases; we have no control over the volume of cases or references that are being made. We have no way of realistically predicting what volume we will receive. All I can tell you is that we're doing our very best to adapt our processes so that we can resolve the most cases in the most efficient way.

[*Translation*]

Mr. Jacques Gourde: Are the chronic problems that arise in some federal organizations or that affect a larger number of employees addressed more quickly than other cases that are considered less problematic?

[*English*]

Mr. David Olsen: We do have a set of priorities that we apply to our caseload. Clearly, board work, traditional labour board work, gets a priority, especially unfair labour practices complaints, or bad faith bargaining complaints that interfere with collective bargaining. Often in the grievance adjudication process we give priority to discharge cases. Clearly, if people have lost their jobs and are grieving, we give priority to them.

As I say, we are striving to work with all of the workplace parties. I mentioned the one with Corrections Canada, with UCCO-SACC, to deal with their issues.

We attempt to establish priorities with each of the bargaining agents and the employers to resolve the cases that they think are most important.

Thank you.

• (1130)

[*Translation*]

Mr. Jacques Gourde: Among the grievances you receive, some are no doubt recurrent, and some are probably similar. Do you give indications or take preventative measures so that fewer of those grievances come back or to address them more quickly? Surely, there are cases that are similar and that are repetitive. You might have 150 similar grievance cases year after year. What do you do in those situations?

[*English*]

Mr. David Olsen: I think the best example is the special task force that we set up with Corrections and its trade union, where we attempt to identify similar cases raising similar issues. What we will do is get the parties to agree on a representative case, and then an adjudicator will decide that case on its merits. We will attempt, then, to apply that rationale to all of the similar cases.

I hope that's responsive to your question, sir.

[*Translation*]

The Vice-Chair (Mr. Peter Braid): Thank you very much.

[English]

I want to try to stay as tight to our allotted five minutes for questions and answers as possible, given that we're somewhat tight for time this morning, and I want to make sure that we get through our first full round of questioning.

Our next questioner is Madam Duncan.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): If I can be really concise, I'm sharing my time with my colleague, Monsieur Blanchette.

I'm very interested in these streamlined responses that you have introduced. I have two questions.

First, were the public service and the House of Commons employees consulted on these new streamlining processes, and have they been introduced by regulation? I know it's under section 237 of the Public Service Labour Relations Act. If you're going to establish rules of procedure for grievances, and you seem to be introducing all kinds of new procedures, including by teleprompter, have the employees been consulted on these new streamlined approaches? Do you have consistent rules set up for these processes by regulation?

Mr. David Olsen: We meet with our clients on a regular basis. It's called a client consultation committee. Present are the federal employers and the federal unions. This is the forum in which we have had these discussions about using expedited processes and so on. It's with the trade unions and the employers. It's not with the employees per se, but with their representatives.

The other major initiative, as I say, is with Corrections Canada and UCCO-SACC—which is the affected trade union. I'm not aware that we've introduced any of these processes at the House of Commons under that legislation.

Ms. Linda Duncan: So you advise that you have done consultation, but I'm not getting a clear yes or no that the unions have consented to using written submissions, group cases, hearings by teleconference.

•(1135)

Mr. David Olsen: They are participating in that process with us.

In terms of the use of teleconferencing, I think that's an appropriate technology that the adjudicators can use. They're masters of their own procedure.

Ms. Linda Duncan: I won't belabour it any more.

Mr. David Olsen: Okay.

Ms. Linda Duncan: I'm not getting a yes or no.

Can you tell the committee what percentage of your workload this past year—I notice there's been an increase, which my colleague asked about, in a number of cases—has been related to the layoffs and notices?

The Vice-Chair (Mr. Peter Braid): I would like to quickly intervene and clarify that any of the representatives at the table may respond.

Mr. David Olsen: What I can say is that most of those types of cases go to the Public Service Staffing Tribunal, not to our board. We're not monitoring it. There may be a few policy issues that have come before our board, but they're very few.

Ms. Linda Duncan: Okay.

I'll go to my colleague, Monsieur Blanchette.

[Translation]

Mr. Denis Blanchette (Louis-Hébert, NDP): Thank you, Mr. Chair.

I will try to be brief.

Mr. Olsen, you said that the number of cases is increasing and that they are becoming more complex, but that the budget remains the same. Beyond new technologies, what are you doing to manage these complex cases with the same budget?

[English]

Mr. David Olsen: I would observe that the board, for the first time in some time, has a full complement of adjudicators. A number of positions have been vacant over the past few years. With the exception of the chair's position, which is vacant, we now have a full complement of adjudicators. I would have to credit the executive director and his staff for reducing the budget in other areas so that we could compensate that full staff of adjudicators.

[Translation]

Mr. Guy Lalonde: Our strategy has been, wherever possible, to find ways to be efficient and reinvest in the organization in order to address priority issues like the increase in the caseload.

[English]

The Vice-Chair (Mr. Peter Braid): Thank you for those precise answers.

Our next questioner is Ms. Kelly Block.

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Thank you very much, Mr. Chair.

I would like to welcome our guests here this morning. I appreciate the opening remarks you made, as well as looking through your report on plans and priorities.

I have two questions. My first is to ask if you would be able to describe for us how your organization differs from the litigation management unit under the Treasury Board Secretariat.

Mr. David Olsen: Sure.

In another lifetime I was part of that. Treasury Board is the employer, for collective bargaining purposes, under the public service labour relations regime. The Department of Justice has always had a unit at the Treasury Board that provides legal representation to the Treasury Board in its capacity as employer. Those Department of Justice lawyers are the lawyers who would appear before this board representing the interests of the employer.

Mrs. Kelly Block: Thank you very much.

For my second question, I'm looking at your message and picking up on something you spoke to when you stated that you would continue to enhance your information management framework to ensure that you efficiently retrieve, manage, and dispose of your information assets. You also speak to the fact that some initiatives will involve launching an updated records management system—I know you've been asked questions about that—and creating an IM centre of expertise.

I'm wondering if you could tell us if you're currently working with Shared Services Canada to develop some of your systems...as well as some of the questions that came out of the teleconference-video conference capabilities.

• (1140)

Mr. Guy Lalonde: As far as Shared Services Canada goes, we were already well ahead in the development of our systems, so the government, Shared Services and those involved then, agreed that we should just pursue the initiative that we'd already launched. In fact, we're launching it this coming month.

There are a number of other agencies that I'm aware of that are looking at working together to develop a case management system. Ours was already nearing completion. That's why we proceeded and completed it.

Both the information management system and our case management system will be launched.

Mrs. Kelly Block: Okay.

Are you working at all with them on the teleconference and video conference capabilities?

Mr. Guy Lalonde: Yes.

Mr. David Olsen: Perhaps I could answer that.

I was previously a member of the Canada Industrial Relations Board. As I mentioned in my presentation, it has regional offices, and it has video conferencing facilities in Ottawa at its head office, which is in the same building where we're located, and in its regional offices.

This board does not have video conferencing facilities, so when I was appointed to the board, ultimately we were able to enter into an agreement with the Canada Industrial Relations Board to use their facilities, where appropriate, for video conferencing.

Does that help?

Mrs. Kelly Block: Yes. Thank you.

The Vice-Chair (Mr. Peter Braid): Thank you very much, Madam Block.

Our next questioner is Mr. McCallum.

Hon. John McCallum (Markham—Unionville, Lib.): Thank you, Chair.

Welcome to all of you.

I was very struck by your statement that approximately half of your caseload is from Correctional Services, which is hugely disproportional in terms of the size of Correctional Services relative to the total public service.

Can you tell us something about the nature of these grievances? It must be a huge issue.

Ms. Sylvie Guilbert (General Counsel, Legal Services, Public Service Labour Relations Board): The cases mainly have to do with collective agreement interpretations. The task force so far has been focusing on overtime grievances, scheduling grievances, and other allowances that have more of a monetary component to them.

Hon. John McCallum: But why is this relatively small group so hugely engaged with your group?

Mr. Guy Lalonde: I think the question should be put to the parties themselves. I think it's a matter of process.

Hon. John McCallum: Well, does this indicate a very bad state of labour relations? It would seem, to an outsider, to point in that direction.

Mr. Guy Lalonde: I don't think that's for the board to comment. Again, the parties would be better able to answer that question.

Hon. John McCallum: Can you elaborate a bit on the nature of the grievances you mentioned earlier?

Ms. Sylvie Guilbert: What we have issued so far are decisions that are principle-based. Because they're part of that task force, they do lead the way on what should be implemented on a go-forward basis. We're working closely with the parties to make that happen.

Hon. John McCallum: All right. You said a lot of it is related to overtime issues?

Ms. Sylvie Guilbert: Yes.

Hon. John McCallum: So this group seems to have way more overtime concerns than other groups.

Ms. Sylvie Guilbert: The decisions will have to speak for themselves, but the decisions do deal with the application of overtime entitlements under the collective agreements to particular fact situations in various institutions across the country.

Hon. John McCallum: Okay.

That's it. Thank you, Mr. Chair.

The Vice-Chair (Mr. Peter Braid): Thank you, Mr. McCallum.

Next we have the Honourable Ron Cannan.

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Thank you, Mr. Chair.

Thank you for being here today to take questions on the main estimates.

Your report on plans and priorities, section I, states that you represent approximately 244,000 public officials who fall within the Financial Administration Act under schedule 1.

Could you maybe clarify what role you play when there's a disagreement with a public service union?

• (1145)

Mr. David Olsen: Disagreements can take two forms. There are interest disputes, which are otherwise known as collective bargaining disputes. The act sets out a process for the resolution of collective bargaining disputes.

Of course, you can go down one of two processes. The trade union can either elect to go to binding arbitration or go through the public interest commission dispute resolution process, which would ultimately lead to the right to strike. So there are two processes for resolving interest disputes.

The other type of disputes we deal with, of course, are the grievance adjudication disputes. These are disputes arising under the collective agreements that have been signed relating to the interpretation or application of the collective agreement, or discipline, all forms of termination, and so on.

So there are two types of basic disputes—the rights disputes and the interest disputes—and our act sets out processes to deal with both of those, sir.

Hon. Ron Cannan: Thank you.

You talked about finding efficiencies and streamlining, so how do you propose to streamline your adjudication and the mediation process?

Mr. David Olsen: What we have at present, and what we've had, at least in rights disputes—grievance adjudications—since 1967 is a Cadillac dispute resolution process. That is free to the parties, and it involves, for the most part, full-blown hearings before adjudicators.

I think in order to address the backlog we have to be smarter and more efficient in terms of the services we provide. Not every case needs a Cadillac dispute resolution process. For one-day suspensions, for example, that took place a number of years ago and where the disciplinary notation for which is now off the employee's file...it's hard to justify putting the resources into a full-blown hearing on a one-day suspension, or for many minor grievances regarding the application of a collective agreement. I think this is why we're very interested in looking at expedited arbitration, grouping cases and so on, and looking, as Sylvie described with Corrections, for representative cases as opposed to having to go on every case.

I think the private sector, the federal private sector, is moving in that direction. I think the whole grievance and arbitration sector in all jurisdictions has moved to, where possible, expedited arbitration or other forms of addressing these questions. There's also an increased use of mediation to avoid the cost of full-blown hearings.

I think that's very much what we're looking to.

Hon. Ron Cannan: Those are excellent initiatives.

I've served in a union and I've been in management, so I understand the challenges. I think that's a great idea, taking the private sector ideas into the public sector.

In your opening comments you talked about reviewing wages and benefits in the public sector, and that you'll be looking at the private sector later this year. Do you have any idea when that report will be tabled?

Mr. Guy Lalonde: We're going to be launching the job matching process in the private sector at the end of June. That's going to be our call to the private sector to participate. The first cut will be organizations. There are some 80 organizations across the country that we've identified that employ 5,000 employees, so that will be the first cut.

Obviously, we have resource challenges. We're managing the program with the limited funding we have, but certainly in June we'll be launching for the larger organizations of the private sector.

• (1150)

Hon. Ron Cannan: That's the launch. When will it wrap up?

Mr. Guy Lalonde: I would think, if all goes well in the private sector, by the end of the calendar year or the beginning of the new year we should have some findings. Our objective is not to publish a report but to publish data. So as soon as we have sufficient data to protect the confidentiality of the respondents, even though we don't have a full set, we will start publishing the data. We will start making it available.

The Vice-Chair (Mr. Peter Braid): Thank you very much.

Just before we proceed with our next round of questions, I want to inform the committee—I'll take the prerogative as the chair—that we have our guests with us until no later than 12 noon. We had a bit of a staggered start, so I would suggest that we keep our guests until 12 noon at the latest. That will allow two more rounds of questions, one for the NDP and one for Conservatives. At that time we will suspend very briefly, allow our guests to leave, and then come back in public to deal with our votes on the estimates. Do I have the consent of the committee to do that?

An hon. member: Yes.

The Vice-Chair (Mr. Peter Braid): Excellent.

We will now proceed with our next round of questioning with Madam Duncan.

Ms. Linda Duncan: Thank you, Mr. Chair.

I'll share my time with Mr. Ravnat.

There's been a lot of controversy, gentlemen and ladies, about new competency proposals and the potential for the Treasury Board sitting in on some of those discussions. I'm concerned that this may violate the PSLR act, subsection 150(2), unless the union is also consulted and agrees to that kind of a process. Can you speak to that? Is that going to be impacting your work in any way?

Mr. David Olsen: I don't think this will impact on the work of this board. From what little I know about it and from what I've read in the media, my understanding is that it relates to Canada Post, the CBC...and there was one other organization. In any event, those organizations are not subject to the Public Service Labour Relations Act. All of those organizations fall under the Canada Labour Code, part I, for their labour relations.

Ms. Linda Duncan: Thank you for that clarification.

I have a quick question. Where you refer matters to mediation, does the board then impose that determination by order so that it's binding?

Mr. David Olsen: I'll ask Ms. Guilbert to address that.

Ms. Sylvie Guilbert: Mediation under our regime is always up to the parties, and the parties are free to determine the resolution for themselves. The orders that are issued by the board are after hearings. We do have methodologies for the parties to make sure that a deal that has been struck between them can be enforced.

I would refrain from answering that question directly, because there are some pending issues at the board that have not been decided yet on that very issue.

Ms. Linda Duncan: Could I just ask the chair if we could make sure we receive those appendices that were mentioned in the presentation, which we haven't seen yet?

The Vice-Chair (Mr. Peter Braid): The appendices that were mentioned earlier. Yes.

Monsieur Ravnignat.

Mr. Mathieu Ravnignat: You were talking about how most cases are going to the public service tribunal, but that there have been cases in which the tribunal has referred certain policy issues to you. Can you tell me more about what those policy issues are, and what advice you have provided with regard to those issues, if any?

Ms. Sylvie Guilbert: The board has issued one decision to date that applies to the workforce adjustment. It is a policy determination. Four questions were asked of the adjudicator by the parties on consent. Those answers were provided to the parties, mainly dealing with the issue of alternation, which is a system that is found within the workforce adjustment policy.

Again, I would refer you to those decisions, as they do speak for themselves.

Mr. Mathieu Ravnignat: Would it be possible for you to provide those decisions to our committee?

Ms. Sylvie Guilbert: Absolutely.

Mr. Mathieu Ravnignat: Given that you do know, and you are witnessing here, what was the main concern with regard to all parties?

Ms. Sylvie Guilbert: Bear with me, I'm going on memory here, but the main questions that were being asked were about the role of the Treasury Board as opposed to the departments in providing alternation services.

Again, I'd rather refer you to the question, but to answer the question that has been asked of us, the finding on that particular question was that the Treasury Board has a role to play in alternation. The other questions were incidental to the role played by Treasury Board.

Mr. Mathieu Ravnignat: Does that have any relationship with Treasury Board's decision to get involved in the crown corporations' collective bargaining process?

Ms. Sylvie Guilbert: The question should be asked to Treasury Board.

•(1155)

Mr. Mathieu Ravnignat: Okay.

The Vice-Chair (Mr. Peter Braid): Thank you very much, Monsieur Ravnignat.

Our final questioner today is Mr. Trottier.

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): Thank you, Mr. Chair.

I'd like to ask some questions about your spending profile and also about your performance indicators. I was looking at the report on plans and priorities from 2010-11. You broke your spending down into two areas, resolution and internal services. In the area of resolution, there was spending of \$8.3 million, and then moving up to \$9.9 million for 2013-14. That's an increase of 19% over three years, so an increase of roughly 6% a year. The total—and I notice you're looking at some reductions in internal services—of \$11.9 million is up to \$13.8 million for 2013-14. That's an increase of 16% over three years, a little bit less than 6%.

We see an increase in spending year over year. I'm just concerned about the caseload. You mentioned in your remarks a caseload of about 6,500 active cases currently, compared to only 1,200 ten years ago. Will the additional resources that you've been deploying result in a lowering of that caseload, or is this something that's unsustainable? The caseload will just keep getting worse and worse and the backlog will just keep getting worse.

Mr. Guy Lalonde: As Mr. Olsen said, we're only one party in this regime, so as to whether the workload will keep increasing or not, that question should be for the parties. We don't know what's going to be filed with the board.

But certainly the board is doing everything it can. When you're seeing a shift of funding...yes, I've been carefully reviewing each of our internal services, to start, and some of our other programs, and identifying efficiencies where I can, reducing personnel where I can, and reducing our collection. We've talked about a number of initiatives that we introduced at the board level to make ourselves more efficient, and all these funds are being redirected and reinvested to address exactly that priority and the compensation analysis and research priority. Those are our two priorities where we are reinvesting.

Mr. Bernard Trottier: If I recall, in your remarks you mentioned some smart initiatives, I'd say, in the sense of trying to address problems as far upstream as possible and trying to prevent cases from coming to adjudication to begin with. Are there things you can do with the parties even before they come to your attention and to address a case before it's even filed with your division?

Mr. David Olsen: I know that we have engaged in what they call "preventive mediation". This is where the parties have approached the board and have asked for assistance in mediating their disputes prior to the referral of a case to the board. I know that we have had some considerable success in that area as well, sir.

Mr. Bernard Trottier: I have just a couple of questions on the performance indicators that you have in your report on plans and priorities. You talked about one of your performance indicators being the percentage of "clients who are satisfied with the impartiality" of the board's services, and you have targeted 75%.

I understand that in anything that's a negotiation or an arbitration, everybody gives away something, so in some ways, I suppose, you could have zero per cent of your clients who are satisfied and you're actually doing a good job. Can you comment, though, on what that means, on why 75% is the target?

Mr. Guy Lalonde: We conduct a client satisfaction survey every three years. In fact, this year is a survey year, so this fall we'll be launching a survey. We ask a number of questions of the parties that have been through a process here at the board.

We ask them to provide us information on the approach, the impartiality, and the adjudicator or the mediator they faced. We have a number of indicators. In fact, our results are above 80%. Our success rate has been very, very good. It's equally good in terms of our mediation services.

• (1200)

Mr. Bernard Trottier: Thank you for that.

Finally, another performance indicator is on the number of cases that are “resolved through adjudication in accordance with the principles of law”, with the performance indicator being, “Among decisions referred for judicial review, percentage of challenges upheld in relation to the total number of decisions issued over a 5-year period”. The target is less than 2%.

I'm a bit perplexed by that target. What does that mean? As I read that, it is that the percentage of challenges that are upheld is less than 2%.

Ms. Sylvie Guilbert: In short, what we aim for is that the Federal Court of Appeal will confirm the decisions issued by adjudicators, and only 2% of the decisions are actually overturned. Now, in any statute, sometimes you have decisions that go to court because there's a fundamental question of definitions of terms, and the court may intervene. We see, quite successfully, that our decisions are upheld most of the time. Only in 2% are the decisions changed and sent back to our board for a redetermination.

Mr. Bernard Trottier: Thank you.

The Vice-Chair (Mr. Peter Braid): Thank you, Mr. Trottier. Your time has expired.

Ladies and gentlemen, thank you very much for your rounds of questions.

Thank you to our guests from the Public Service Labour Relations Board for appearing before us today.

As I mentioned a few moments ago, we will now suspend very briefly to allow our guests to leave, and we will return in public.

Committee proceedings are now suspended.

• (1200)

(Pause)

• (1200)

The Vice-Chair (Mr. Peter Braid): We will now resume our proceedings in public and continue with our next order of business, which is to approve estimates and supply.

Colleagues, with the consent of the committee, just to help expedite this process a little bit, I would suggest that we group like votes together under one category. For example, we would vote on all of the Canadian Heritage votes as one block. Do I have the consent of the committee to proceed in that way?

Some hon. members: Agreed.

The Vice-Chair (Mr. Peter Braid): Very good.

We will start with the votes pertaining to Canadian Heritage, and I will call the question. Shall votes 95, 100, 105, and 110 under Canadian Heritage, less the amount voted in interim supply, carry?

CANADIAN HERITAGE

Public Service Commission

Vote 95—Program expenditures.....\$76,778,690

Public Service Labour Relations Board

Vote 100—Program expenditures.....\$12,470,076

Public Service Staffing Tribunal

Vote 105—Program expenditures.....\$4,832,445

Registry of the Public Servants Disclosure Protection Tribunal

Vote 110—Program expenditures.....\$1,646,091

(Votes 95, 100, 105, and 110 agreed to on division)

Thank you.

• (1205)

The Vice-Chair (Mr. Peter Braid): Shall vote 1 under Governor General, less the amount voted in interim supply, carry?

GOVERNOR GENERAL

Vote 1—Program expenditures.....\$17,126,153

(Vote 1 agreed to on division)

The Vice-Chair (Mr. Peter Braid): Thank you.

Shall vote 1 under Parliament, less the amount voted in interim supply, carry?

PARLIAMENT

The Senate

Vote 1—Program expenditures.....\$58,169,816

(Vote 1 agreed to on division)

The Vice-Chair (Mr. Peter Braid): Thank you.

Shall votes 1, 5, and 10 under Privy Council, less the amount voted in interim supply, carry?

PRIVY COUNCIL

Department

Vote 1—Program expenditures.....\$109,008,095

Canadian Intergovernmental Conference Secretariat

Vote 5—Program expenditures.....\$5,597,587

Canadian Transportation Accident Investigation and Safety Board

Vote 10—Program expenditures.....\$26,063,130

(Votes 1, 5, and 10 agreed to on division)

The Vice-Chair (Mr. Peter Braid): Thank you.

Shall votes 1, 5, 10, 15, and 20 under Public Works and Government Services, less the amount voted in interim supply, carry?

PUBLIC WORKS AND GOVERNMENT SERVICES

Department

Vote 1—Operating expenditures.....\$1,904,455,475

Vote 5—Capital expenditures.....\$573,195,732

Old Port of Montreal Corporation Inc.

Vote 10—Payments to the Old Port of Montreal Corporation Inc. or to the Crown corporation to which it is amalgamated for operating and capital expenditures of the Old Port of Montreal Division.....\$24,472,000

Shared Services Canada

Vote 15—Operating expenditures.....\$1,119,458,822

Vote 20—Capital expenditures.....\$178,694,263

(Votes 1, 5, 10, 15, and 20 agreed to on division)

The Vice-Chair (Mr. Peter Braid): Thank you.

Shall votes 1, 5, 10, 20, 25, 30, 33, 40, and 50 under Treasury Board, less the amount voted in interim supply, carry?

TREASURY BOARD

Secretariat

Vote 1—Program expenditures.....\$214,344,779

Vote 5—Government Contingencies.....\$750,000,000

Vote 10—Government-wide initiatives.....\$3,193,000

Vote 20—Public Service insurance payments.....\$2,267,261,397

Vote 25—Operating budget carry forward.....\$1,200,000,000

Vote 30—Paylist requirements.....\$600,000,000

Vote 33—Capital budget carry forward.....\$600,000,000

Canada School of Public Service

Vote 40—Program expenditures.....\$42,231,200

Office of the Commissioner of Lobbying

Vote 45—Program expenditures.....\$3,988,757

Public Sector Integrity Commission

Vote 50—Program expenditures.....\$5,154,100

(Votes 1, 5, 10, 20, 25, 30, 33, 40, 45, and 50 agreed to on division)

The Vice-Chair (Mr. Peter Braid): Thank you.

Finally, shall the chair report the main estimates for 2013-14, less the amount voted in interim supply, to the House?

Some hon. members: Agreed.

The Vice-Chair (Mr. Peter Braid): That is carried. We shall report the main estimates for 2013-14, less the amount voted in interim supply, to the House.

Thank you very much, colleagues. That concludes that business on estimates and supply.

We will now suspend and return in camera for committee business.

[Proceedings continue in camera]

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