

Public Service Staff Relations Board

**2004-2005
Estimates**

A Report on Plans and Priorities

Approved

Minister

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SECTION I: CHAIRPERSON'S MESSAGE

The public service is entering a new era with the recent approval of the *Public Service Modernization Act (PSMA)*. The Public Service Staff Relations Board (the Board) is pleased to play a significant role in this legislative reform of human resources management that aims, among other things, to foster more constructive labour-management relations. The Board's practices and the importance it has given to alternative dispute resolution methods are very much in line with the principles underlying the *PSMA*. Indeed, improved communications and co-operation between the parties in addressing workplace issues and resolving workplace problems are the foundation of the new legislation.

The transition to the new legislative framework will bring about important changes at the Board. Over a twelve-month period, the Board will develop new regulations, design and implement a new operational framework, expand its mediation services, implement a more elaborate training program on dispute resolution, establish a compensation research and analysis capability and prepare for the receipt and handling of grievances dealing with human rights issues and the establishment of Public Interest Commissions. Adequate consultations with key stakeholders will ensure that their needs are understood and met, whenever possible.

As we go through this transition period, the Board must also continue to administer the current collective bargaining and grievance adjudication systems effectively in the federal public service. This could prove to be challenging as the Board must rely to a considerable extent on its current human resources both to deliver its current statutory mandate and to establish a new legislative and operational framework.

In addition, sufficient transition and ongoing funding from Central Administration to support the Board's expanded mandate will be critical to the success of the legislative reform. Reference levels allocated to the Board will need to be permanently and adequately adjusted in order to support the new mandate of the Public Service Labour Relations Board which will include, as mentioned earlier, expanded mediation services and a compensation research and analysis capacity.

It is with enthusiasm that I look forward to the transformations that lie ahead and I am confident that with the right resources, the Board will successfully meet the challenges that are presented to it.

Yvon Tarte
Chairperson



MANAGEMENT REPRESENTATION STATEMENT

I submit, for tabling in Parliament, the 2004-2005 Report on Plans and Priorities (RPP) for the Public Service Staff Relations Board.

This document has been prepared based on the reporting principles and disclosure requirements contained in the *Guide to the Preparation of the 2004-2005 Report on Plans and Priorities*.

- It accurately portrays the Board's plans and priorities.
- The planned spending information in this document is consistent with the directions provided in the Minister of Finance's Budget and by the Treasury Board Secretariat.
- It is comprehensive and accurate.
- It is based on sound underlying departmental information and management systems.

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.

Yvon Tarte
Chairperson

April 2004

SECTION II: RAISON D'ÊTRE

Our mission is to promote and support harmonious employer-employee relations in the federal Public and Parliamentary Service, hence enabling the government to provide its services to Canadians with a minimum of disruption.

We shall:

- Conduct hearings in accordance with the law, the principles of natural justice and render timely decisions;
- Assist the parties, where possible, to resolve their differences on their own;
- Ensure that all processes are impartial and open;
- Consult with the parties to facilitate and improve the Board's processes;
- Educate and inform clients and the public on the Board's role, services and jurisprudence;
- Promote a work environment that fosters the development of a knowledgeable and co-operative staff; and,
- Ensure efficient and effective use of our resources.

SECTION III: PLANNING OVERVIEW

The Board is funded through operating expenditures. This funding is used to support the essential and non-discretionary functions performed by the Board at the request of the parties.

Further to the approval of the *PSMA* in November 2003, the Board has already begun the twelve-month transition phase required to develop and implement a new legislative and operational framework in time for the coming into effect of the new *Public Service Labour Relations Act* (Part 1 of the *PSMA*) anticipated for the fall of 2004. The Board has identified and will be working on eleven major areas of change during that period. More information on these critical areas is provided in Section IV of this report. Key stakeholders will be consulted throughout the process.

The Board is well aware of the risks that could jeopardize the success of the transition period and has identified appropriate mitigation measures to deal with these challenges. For example, extensive training activities for employees and Board Members will be held over the twelve-month period to ensure the acquisition of knowledge and expertise in new fields acquired by the Board. Additional employees will be recruited and activities will be redistributed to ensure that the Board can manage the increase in volume of cases and prevent major backlogs. A strong governance structure has been established to ensure close monitoring and reporting of progress on projects. Internal and external communication strategies will be developed to share information with key stakeholders, clients, employees and the public in general, hence facilitating the change and adaptation to the new legislative framework.

An important risk pertains to not having necessary funding to implement and deliver the new mandate. Transition funding has been allocated to the Board for 2003-2004; however, no transition funding for 2004-2005 and permanent funding has been appropriated to the Board to support the development and ongoing delivery of these new and/or enhanced services.

Throughout the transition period, the Board must continue to administer the current legislative framework for collective bargaining and grievance adjudication. Current human resources will be stretched to their limit as they will be expected to contribute actively to the transition phase while continuing to deliver the Board's current statutory mandate.



SECTION IV: PLANS AND PRIORITIES

Strategic Outcome	Priorities	Associated Resources	Type of Priority
Maintain an environment that fosters harmonious labour relations in the federal Public Service workplace, thereby minimizing the possibility of labour unrest which could result in the disruption of the implementation of government programs.	<p>Implement and administer the <i>Public Service Labour Relations Act</i>:</p> <ul style="list-style-type: none"> • Develop and implement new Board regulations; • Develop and implement a new operational framework; • Establish a new governance structure for the Board; • Expand mediation services and dispute resolution training program; • Establish a compensation research and analysis capability; • Prepare for the establishment of Public Interest Commissions; • Enhance and coordinate outreach, consultations, training and education activities; • Expand capabilities of new Board Members; • Manage change within the Board; • Establish a management infrastructure; • Obtain adequate accommodation. 	<p>\$1,050,000 in 2003-2004</p> <p>Funding for future years has not yet been secured. Additional permanent annual funding requirements have been estimated at \$12,000,000</p>	New



Strategic Outcome	Priorities	Associated Resources	Type of Priority
Maintain an environment that fosters harmonious labour relations in the federal Public Service workplace, thereby minimizing the possibility of labour unrest that could result in the disruption of the implementation of government programs.	Administer the current legislative framework Implement a modern management framework	Annual base budget of \$ 6,672,000	Ongoing Ongoing

Through an intensive two-day strategic planning meeting, the Board identified eleven major areas of change that will need to be addressed during the transition period.

The first area of change pertains to the development and implementation of new and streamlined Board Regulations required to administer the new legislative framework as soon as the *PSLRA* comes into force. This will include a complete revision of the Board's Regulations following extensive consultations with key stakeholders.

Improved service delivery remains a priority for the Board. In light of changes in the legislative framework, the Board will proceed with the design and remapping of some processes, redrafting of policies, development of practice notes to communicate pertinent information to key stakeholders, adaptation of its case management system and restructuring of its Operations division; these activities should result in a more streamlined process that is understood by key stakeholders and the Board's employees.

The *PSLRA* provides for a new structure of the Board that will include three vice-chairpersons; currently, there is only one. This revised structure is reflective of the three major activities that will be part of the PSLRB's mandate, namely adjudication, mediation, and compensation analysis and research. In light of this new structure, the Chairperson has decided to delegate responsibilities to the vice-chairs in keeping with the new mandate. Those changes need to be defined and communicated.

Over the last few years, the Board has placed significant emphasis on innovative approaches to the resolution of workplace conflict, as an alternative to the more formal and traditional rights determination process. This preventive approach of

conciliation and mediation has gained wider acceptance as a way to avoid formal confrontations, hence dispute resolution services of the Board are more and more in demand. The Board's practices and the importance it has given to alternative dispute resolution methods are very much in line with the principles underlying the *PSMA*. Indeed, improved communications and co-operation between the parties in addressing workplace issues and resolving workplace problems are the foundation of the legislation. The Board needs to expand its mediation services and dispute resolution training programs to meet the expected increased level of demand from clients.

A new compensation analysis and research function has been added to the Board's mandate and, therefore, needs to be established. This new function will consist of compiling, analyzing compensation data and sharing the information with the parties and the public and conducting market-based compensation research. This information will be used by parties in the collective bargaining process. A statutory advisory board will be established by the designated Minister (Minister of Canadian Heritage) to provide objective and independent advice to the Chairperson of the new Board on compensation analysis and research issues.

The Board also needs to prepare for and implement the new Public Interest Commission (PIC) regime that will replace the current Conciliation Board process used in collective bargaining. The first step will involve the creation by the Chairperson of a list of labour experts who could be considered by both parties to act as single PICs or Chairpersons of PIC. To attract and retain well-known labour experts whose views and recommendations will be respected by parties, remuneration must be set at market value.

As the Board moves forward in its transition to the new legislative framework, it must ensure that parties and the public in general have a clear understanding of the new labour relations regime and of the PSLRB's expanded mandate. The Board will develop and implement early in the transition process a communication plan and strategy that will aim to increase visibility and awareness of the Board through the use of its website, library, training programs, educational videos, annual reports, practice notes and any other communications activities that are deemed appropriate.

Under the new regime, Board Members will be expected to render decisions dealing with human rights issues. Thus, the Board needs to ensure that adequate training activities are in place for the development of new expertise for Board Members prior to the coming into force of the *PSLRA*.

The *PSLRA* brings considerable change to an organization that has been relatively stable over the last ten years. As employees of the Board go through the transition period, they will need to adapt to, among other things, a new legislative framework, new policies and procedures, considerable growth in the number of employees and a possible move to accommodate the expected

growth, while at the same delivering the current mandate. To facilitate the transition of employees and ensure their engagement and participation throughout the process and beyond, the Board is committed to communicating timely and ongoing information to employees using tools such as the Intranet, employee meetings, and training activities. An internal communications strategy will be developed and implemented early in the transition period. Employees will also be encouraged to participate as members of various committees, thereby contributing directly in the decision-making process.

The Board is committed to establishing a modern management framework that will support the new mandate of the Board and provide a shared vision and understanding of the expected results. Its strategy and plans to put in place the appropriate management infrastructure include the development of a risk assessment framework, performance measures and a results-based management accountability framework, the review of its organizational structures and delegation of authorities instruments and the establishment of an ongoing performance measurement framework. These activities, along with others listed in this section, will only be possible if adequate transition and permanent funding is allocated to the Board, hence a business plan and resource model will be developed and submitted to Treasury Board early in the process to secure funding for future years.

As mentioned earlier, expansion at the Board will require additional space to accommodate new employees joining the Board. Furthermore, the Board will be expected to move out of its current location when its lease expires in March 2006. With the current shortage of rentable space in Ottawa, finding a suitable work environment that will be functional and efficient could be challenging. The Board has already begun discussions with representatives from Public Works and Government Services Canada on this important issue, both for short-term and long-term requirements.

Once the transition period is over and the *PSLRA* comes into effect, the Board will begin to administer the new legislative framework and manage the many challenges that it will bring. Up until that moment, the Board will continue to administer the current legislative framework.

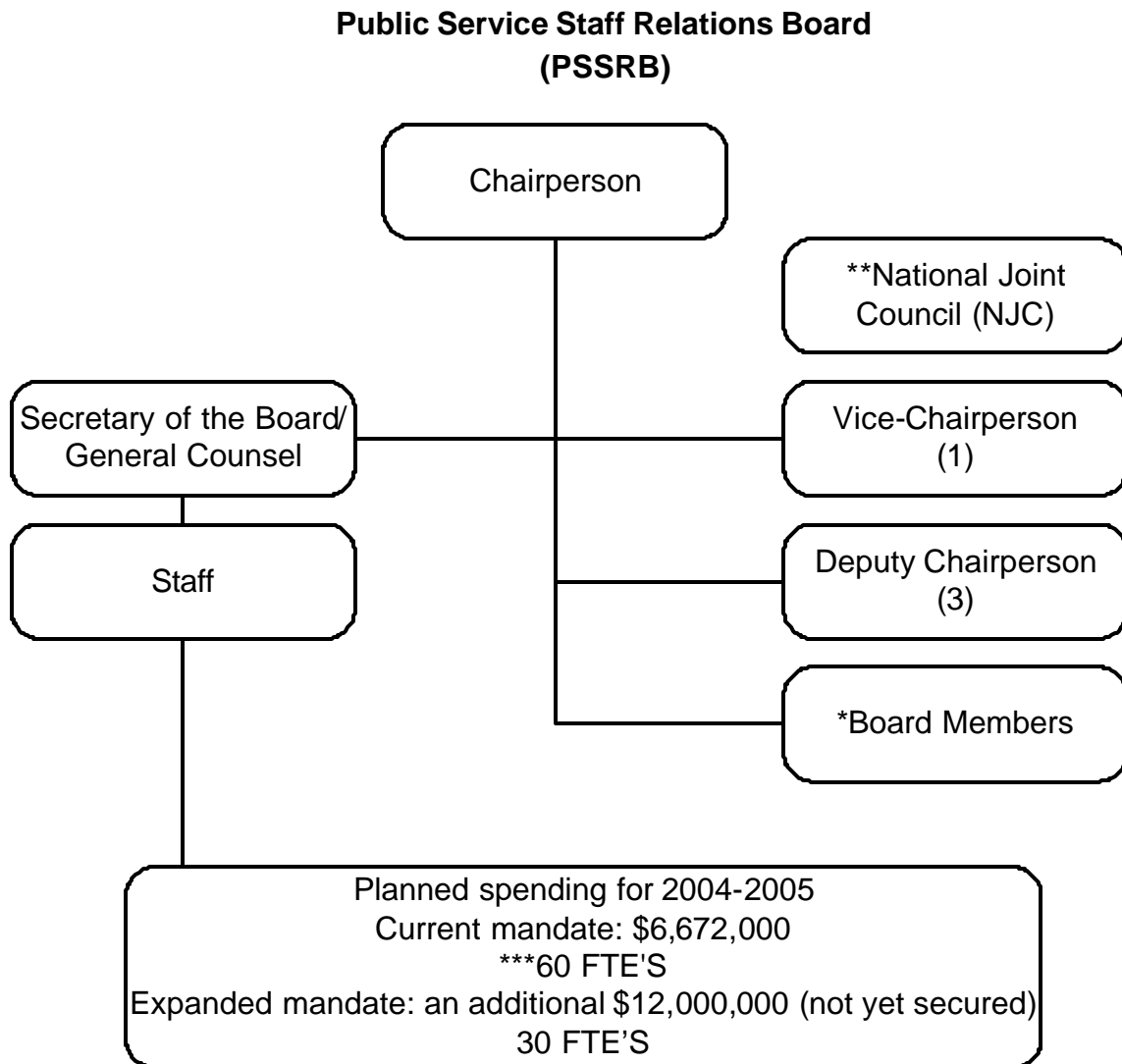
As mentioned earlier, the Board will also pursue its initiatives to integrate modern management as a key element of its management improvement agenda. Finally, it will continue to update its website in accordance with Government On-Line requirements, when appropriate.

SECTION V: ORGANISATION

5.1 Business Line

The Public Service Staff Relations Board has one business line: public service staff relations.

5.2 Accountability



* The number of Board members is determined by the Governor in Council. Members may be appointed on a full-time or part-time basis.

** The Board has no direct involvement in the operations of the National Joint Council.

*** Includes new positions to deliver new mandate that have been staffed on an indeterminate basis as of March 31st, 2004.



The Board is responsible to Parliament through such Minister of the Crown, other than a member of the Treasury Board, as the Governor in Council may designate. During virtually all of the years since the Board's inception, the designated Minister has been the President of the Queen's Privy Council for Canada. However, following the restructuring of the government announced on December 12, 2003, the designated Minister is now the Minister of Canadian Heritage. The Minister's responsibility under the Act is to table the Board's annual report before Parliament each year and to sign such documents as are required pursuant to the *Financial Administration Act*. The Minister is also the line of communication with the Governor in Council for purposes of appointments to the Board.

5.3 Departmental Planned Spending

(\$ thousands)	Forecast Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007
Budgetary Main Estimates	6640	6355	6349	6349
Adjustments *	1056	317	17	17
Net Planned Spending	7696	6672	6366	6366
Plus: Cost of services received without charge	1892	1858	1858	1858
Net Cost of Program	9588	8530	8224	8224
Full time Equivalents	57	60**	60**	60**
<p>* The 2003-04 adjustments accommodate the approvals obtained after the Main Estimates and include the Supplementary Estimates, which include the Public Service Modernization initiative. Planned spending for 2004-05 and subsequent years does not include that initiative, since the Treasury Board Secretariat has not yet established the framework for funding requests. The 2004-2005 adjustment reflects reprofiling from 2003-2004 approved by Treasury Board as well as the Supplementary Estimates.</p> <p>** Includes new positions to design and implement the new legislative framework, which have been staffed on an indeterminate basis as of March 31st, 2004.</p>				

The Board began the transition to its new mandate thanks to additional funding from Treasury Board in 2003-2004. However, if only the current base budget is maintained in future years, it will be impossible for the Board to go ahead with implementing all the plans and priorities set out in this report and to meet the salary obligations created when additional staff were hired to design and implement the new legislative framework.

The nature and type of spending have remained relatively constant over the last few years. The number of FTEs and the percentage of funds for salaries have stayed basically the same. The same is true for operating expenditures, which are mainly non-discretionary expenditures such as telecommunications, translation, printing and travel costs for various hearings.

ANNEX A: NET COST OF PROGRAM FOR THE ESTIMATES YEAR

(\$ thousands)	Public Service Staff Relations \$
Net Planned spending	6672
Plus: Services received without charge	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	1548
Contributions covering employer's share of employees' insurance premiums and expenditures paid by Treasury Board Secretariat	309
Salary and associated expenditures of Legal services provided by Justice Canada	1
2004-2005 Net Program Cost	8530



ANNEX B: OTHER INFORMATION

Statutes and Regulations Administered by the Public Service Staff Relations Board

- *Public Service Staff Relations Act*, R.S.C. 1985, c. P-35
- *P.S.S.R.B. Regulations and Rules of Procedure*, 1993, SOR/93-348
- *Parliamentary Employment and Staff Relations Act*, R.S.C. 1985 (2d Supp.), c. 33
- *P.E.S.R.A. Regulations and Rules of Procedure*, SOR/86-1140
- Certain provisions of Part II of the *Canada Labour Code*, R.S.C. 1985, c. L-2
- *Education Staff Relations Act*, (Yukon), R.S.Y. 2002, c. 62
- *Yukon Teachers Staff Relations Board Regulations and Rules of Procedure*, O.I.C. 1992/095
- *Public Service Staff Relations Act*, (Yukon), R.S.Y. 2002, c. 185
- *YPSSRB Regulations and Rules of Procedure*, C.O. 1970/26

References:

Statutory and Departmental Reports

- Public Service Staff Relations Board Annual Report
- Public Service Staff Relations Board Performance Report
- *Parliamentary Employment and Staff Relations Act* Annual Report
- Yukon Public Service Staff Relations Board Annual Report
- Yukon Teachers Staff Relations Board Annual Report
- *Access to Information Act* Annual Report
- *Privacy Act* Annual Report
- Annual Management Report on Official Languages
- PSSRB Summaries of Decisions (a summary of decisions of the Public Service Staff Relations Board issued twice yearly)



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