



2018 – 2019

ANNUAL REPORT

REPORT OF THE OFFICE OF THE OMBUDSMAN FOR NATIONAL DEFENCE AND
THE CANADIAN ARMED FORCES TO THE MINISTER OF NATIONAL DEFENCE

WE ARE READY TO HELP



Contact Us

Online: www.ombudsman.forces.gc.ca

Secure Online Complaint Form: www3.ombudsman.forces.gc.ca/ocf_e.php

Telephone: 1-888-828-3626

Fax: 1-877-471-4447

Mail:

Office of the Ombudsman for the
Department of National Defence and the Canadian Armed Forces
100 Metcalfe Street, 12th Floor
Ottawa, Ontario
Canada
K1P 5M1

E-mail: ombudsman-communications@forces.gc.ca
(non-confidential information only)

Twitter: @DNDCF_Ombudsman

Facebook: www.facebook.com/dndcfombudsman

Instagram: @dndcfombudsman

D70E-PDF
1495-7086

Letter to the Minister

16 April 2019

The Honourable Harjit Sajjan, PC, OMM, MSM, CD, MP
Minister of National Defence
National Defence Headquarters
Major-General George R. Pearkes Building
101 Colonel By Drive
13th Floor, North Tower
Ottawa, ON
K1A 0K2

Dear Minister,

I am pleased to submit to you the 2018-2019 Annual Report for the Office of the Ombudsman for the Department of National Defence and the Canadian Armed Forces. This report provides an overview of our activities and operations from 1 April 2018 to 31 March 2019.

Pursuant to paragraph 38(2)(a) of the Ministerial Directives, please be advised that we intend to publish this report on the expiration of 60 days from this date.

Should you or your office have any questions or concerns, please do not hesitate to contact me or my office directly. We very much welcome any feedback you may have.

My team will be in touch with your staff to arrange for final printed copies and a date for tabling in Parliament.

Warmest regards,

Gregory A. Lick
Interim Ombudsman

Table of Contents

Contact Us	3
Letter to the Minister	5
Table of Contents	6
Ombudsman's Message	7
An Office That Can Help	8
The Year in Review	9
◆ Individual Cases	9
◆ Communication with the Office	11
Highlights	12
◆ Reports, Reviews and Investigations	12
• Positions over People: An Investigation into delays in the administration of civilian classification at the Department of National Defence	12
• Progress Reports on Recommendations	14
◆ Helpful Information	15
• Military Benefits Browser	16
• Interactive Map	17
Constituent and Stakeholder Engagement	18
◆ Visits to Bases and Wings	18
◆ Interacting with Constituents at Departmental Events	19
◆ Parliamentary Engagements	19
◆ International Engagements	19
◆ Online Engagements	20
Corporate Priorities and Initiatives	21
Ombudsman's Advisory Council	23
Liz Hoffman Memorial Commendation	24
◆ Recipients of the 2018 Liz Hoffman Memorial Commendation	25
Appendix I — Disposition of Cases	27
Appendix II — Financial Report	28
Our Successes Are Your Successes	29
Quotes	33
20 th Anniversary	34

Ombudsman's Message

This year, I was humbled and honoured to be named interim Ombudsman and to have the opportunity to support our constituents. This office has an important mandate: to ensure that those who give, or have given so much in their service to our country are treated fairly by the Department of National Defence and the Canadian Armed Forces.

First of all, I want to take this opportunity to thank Gary Walbourne for his leadership as Ombudsman. During his tenure, Gary brought forward many recommendations that are leading to long-term positive change and represented this important constituency courageously in pursuit of fairness for all.

As our 20th anniversary year winds down, we continue to ensure that members of the Defence community are able to access the information they need. Our work helped identify a need to make information on resources available to families more accessible. As a result, we helped develop an interactive map to assist families in the process of relocation – now being used by the Family Information Line. As well, our new Military Benefits Browser is a step-by-step tool providing critical benefits information to Canadian Armed Forces members. Finally, our new ABCs of Military Postings video helps explain the posting process in plain language; all to reduce the stress of moving for members and their families.

The Minister accepted all recommendations in our latest report published this past fiscal year. *Positions Over People* focused on the civilian workforce in the Department of National Defence and the impact of delays in the administration of classification, which can directly and negatively affect the employees who occupy those positions.

The coming fiscal year provides new opportunities for our office. We expect to provide final progress reports on three older investigative reports early in fiscal year 2019-2020. We look forward to the possibilities that may arise with movement on the Seamless Canada initiative and the Comprehensive Military Family Plan. Both require buy-in from other levels of government and stakeholders, and we will work with all involved in order to ensure their success.

We work diligently to ensure that those who contact our office are treated fairly. This report includes testimonials from our constituents, and highlights the real outcomes we are achieving for the Defence community. In fact, I am proud to say that we are respected internationally as a role model of ombudsmanry. This speaks to the professionalism of our staff and the creative approaches we use to conclude cases, including informal resolution and collaboration with our colleagues in the Department of National Defence and the Canadian Armed Forces.

Thinking about the passion and skills of the people in the Department of National Defence and the Canadian Armed Forces, we owe it to them to ensure they are treated fairly, and to the organizations themselves so that they can achieve their important mandates and become an employer and career of choice.

Gregory A. Lick
Interim Ombudsman

An Office That Can Help

The Office of the Ombudsman was created in 1998 to increase transparency in the Department of National Defence and the Canadian Armed Forces, and to ensure the fair treatment of members of the Defence community.

The Office acts as a direct source of information, referral, and education. It helps members of the Defence community navigate a large and complex organization in order to access existing channels of assistance or redress when they have a complaint or concern.

The Office is also responsible for reviewing and investigating complaints from constituents who believe they have been treated unfairly by the Department of National Defence or the Canadian Armed Forces.

Independent and Impartial. We are dedicated to fairness for all.

Ombudsman employees attempt to resolve complaints informally, and at the lowest level possible. However, complaints can also be the subject of thorough investigations and lead to a systemic review resulting in a formal report with findings and recommendations that are made public.

The Ombudsman is independent of the military chain of command and senior civilian management, reporting directly to the Minister of National Defence. The Office itself derives its authority from Ministerial Directives and their accompanying Defence Administrative Orders and Directives.

The Ombudsman is supported by an office of over 60 federal public servants, including investigators, intake officers, complaint analysts, and other specialist staff.

Any member of Canada's Defence community can approach the Ombudsman's Office.

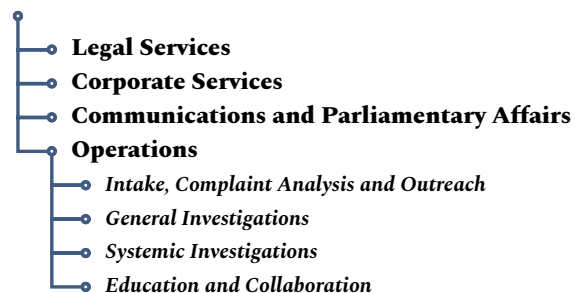
This includes:

- current and former members of the Canadian Armed Forces (Regular Force, Reservists and Rangers);
- current and former employees of the Department of National Defence;
- current and former members of the Cadets;
- current and former Non-public Fund employees;
- individuals applying to become a member of the Canadian Armed Forces;
- immediate family members of any of the above-mentioned; and
- individuals on exchange or secondment with the Canadian Armed Forces.

Members of the Defence community who bring a concern or complaint to the Ombudsman's Office can do so without fear of reprisal.¹ In addition, all information obtained by the Office during the handling of cases is treated as confidential. When dealing with complaints, the Office will not provide any information related to a case or investigation to anyone without written consent from the complainant.

Organizational Chart

Ombudsman



¹ Canada, Minister of National Defence, Ministerial Directives Respecting the Ombudsman for the Department of National Defence and the Canadian Forces, Refusal or Failure to Assist the Ombudsman, para 31(1)(i).

The Year in Review

Over the past year, the Office of the Ombudsman achieved real and positive results for Canada's Defence community.

Individual Cases

The Office received 1,553 new cases in fiscal year 2018-2019, and re-opened 224 cases.

The Ombudsman's Office also assisted members of the Defence community with questions and concerns related to grievances, posting, promotions, leave, access to information, training, and disciplinary action.

In total, we handled 1,932 cases (this includes new cases, re-opened cases, and cases carried over from previous fiscal years) and closed 1,732 cases.

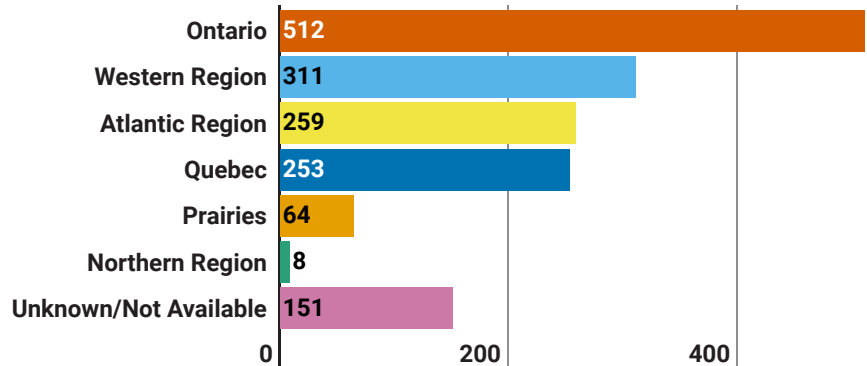
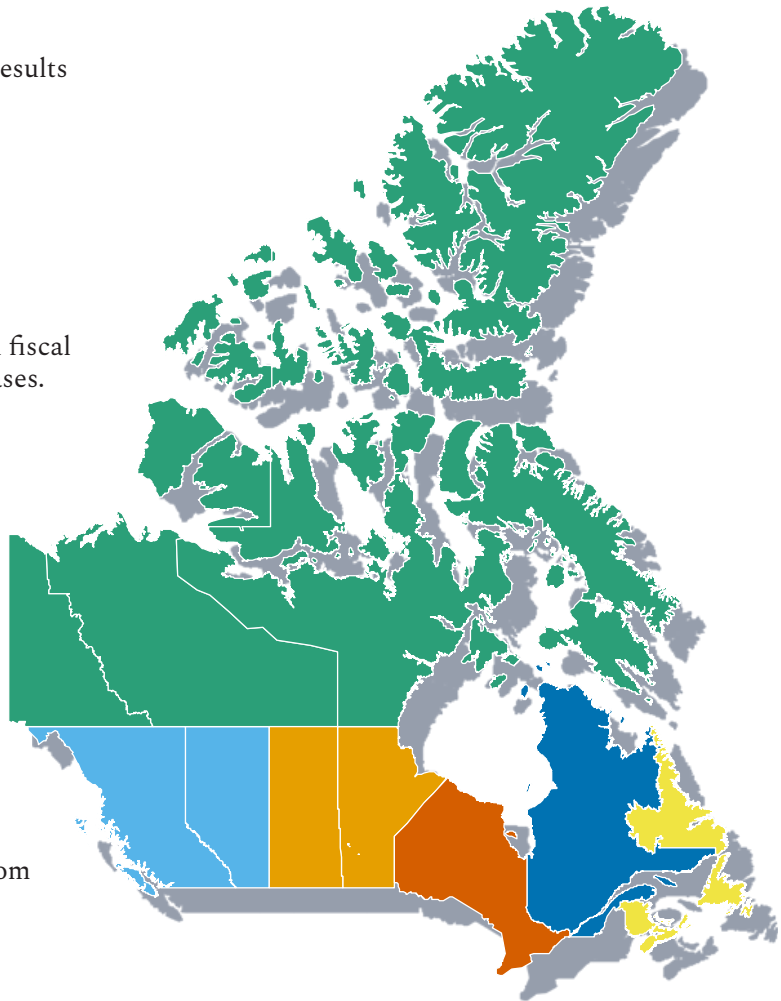
Every year, the majority of cases come from members of the Canadian Armed Forces.

Total Cases 2017-2018: 1,650

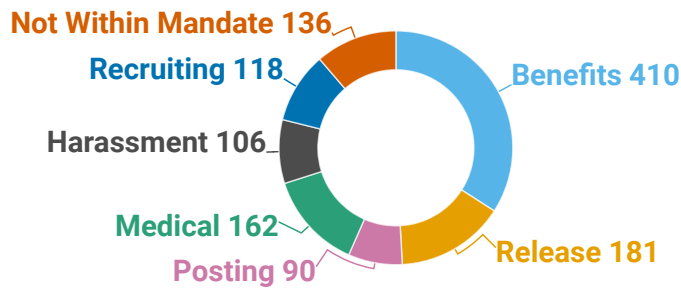
Total Cases 2018-2019: 1,553

This year, the largest number of cases came from the following regions:

1. Ontario
2. Western Region
3. Atlantic Region

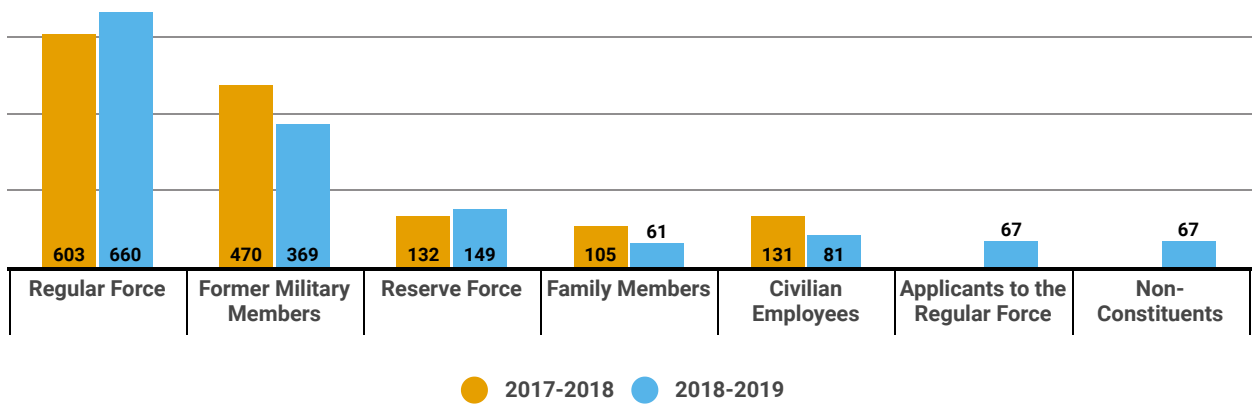


New Cases: Top Seven Categories

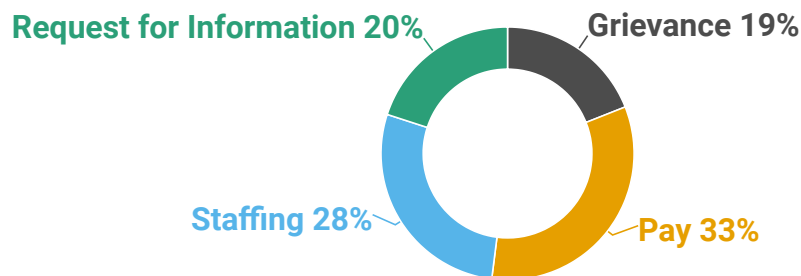


Not within mandate refers to cases that are outside of our authority to investigate.

New Cases: Top Seven Constituent Groups



New Cases: Civilian Categories





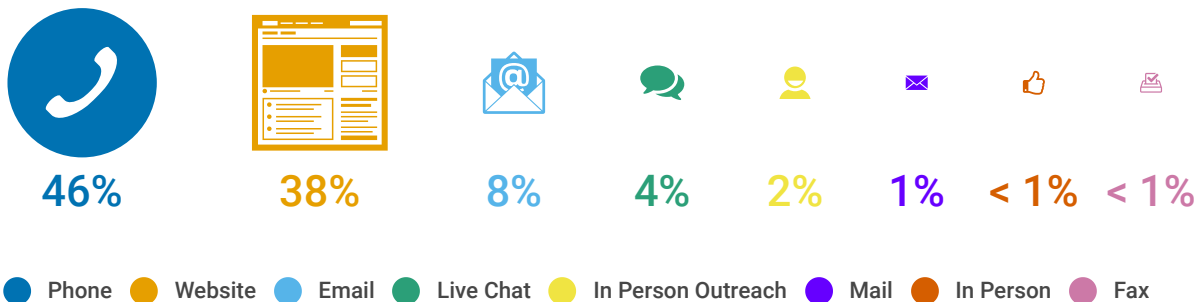
Communicating with the Office

Over the past year, the majority of contacts made to the Ombudsman’s Office were through our toll-free telephone number (1-888-828-3626) and our website. Our Live Chat feature is a convenient way for members of the Defence community to receive help completing our online complaint form, have basic questions answered, and to be pointed in the right direction when they are not sure where to turn.

Members of the Defence community also contacted us on social media, and through their Member of Parliament.

Since August 2017, our constituents can also schedule a telephone appointment with one of our intake officers through our website’s Online Booking Tool. This service is available in both official languages, and constituents can book appointments from either a desktop or a mobile device. Telephone appointments are available between 8:00 a.m. and 3:30 p.m. in any time zone in Canada (i.e. 6:30 a.m. to 6:30 p.m. Eastern Time).

Means of Communication



Highlights

Reports, Reviews and Investigations

We published one new systemic investigation in fiscal year 2018-2019.

Positions over People: An investigation into delays in the administration of civilian classification at the Department of National Defence

In summer 2018, we launched an investigation into delays in the administration of civilian classification at the Department of National Defence, and the barriers that exist within the classification process. We published our report in October 2018.

The classification process determines the relative value of public service positions based on factors such as the work required. Civilian employees whose positions are not properly classified may not be receiving salaries that are reflective of their contribution to the Defence team.

Throughout the course of this investigation, our systemic investigations team conducted interviews with civilian employees and managers who shared their experiences with the classification process. Our investigators also consulted key stakeholders who play a role in the classification process, including the Office of Chief Human Resources Officer at the Treasury Board of Canada Secretariat.

This report highlights that extensive delays, inconsistent management of information, lack of formalized communication practices as well as inadequate training and awareness are all impediments to the overall classification process. The report contains 13 recommendations to the Minister of National Defence. These recommendations, if implemented, will serve to improve the administration of the classification program at the Department of National Defence.

Recommendation 1: By October 2020, review all job descriptions on a five-year basis to ensure that they are current and accurate.

Recommendation 2: By October 2019, complete the processing of all classification requests that pre-date the start of the Three-year Cyclical Plan.

Recommendation 3: Achieve their goal of completing 80 per cent of classification requests within internal service standards by October 2019.

Recommendation 4: By January 2019, publish quarterly reports demonstrating

classification service standard rates and make this information available to all civilian employees on multiple platforms.

Recommendation 5: By January 2019, establish a process requiring managers to provide the Directorate Civilian Classification and Organization with documentary evidence showing that employees have been notified of changes to their job description. This includes cases of bulk mapping to standardized job descriptions.

Recommendation 6: Resolve all outstanding classification grievances by October 2019.



Recommendation 7: By October 2019, implement a plan to ensure future grievances are resolved within Treasury Board Secretariat mandated time limits moving forward.

Recommendation 8: By January 2019, publish quarterly reports demonstrating classification grievance completion rates and make this information available to all civilian employees on multiple platforms.

Recommendation 9: Immediately ensure that all extension requests are made prior to the expiration of the Treasury Board Secretariat 80-day time limit, are included in the grievance file, and are properly identified in the Grievance Tracking System.

Recommendation 10: By October 2019, undertake a total review and correction of data held in all active cases within the Civilian Classification Tracking System and the Grievance Tracking System, and strengthen data quality controls moving forward.

Recommendation 11: By October 2019, develop a formalized process that requires the reporting of labour relations grievances on job content to the Directorate Civilian Classification and Organization

Recommendation 12: Take measurable steps to improve the knowledge and awareness of classification for managers and supervisors (civilian and military), and employees at the Department of National Defence through:

- ◆ By October 2019, implement mandatory training for supervisors (civilian and military);
- ◆ By October 2019, integrate classification information in the civilian employees' orientation process; and
- ◆ By January 2019, implement tracking and monitoring of completion rates of mandatory training.

Recommendation 13: By January 2019, make information on the Department of National Defence's classification program available to all civilian employees on multiple platforms.

In December 2018, the Department released an action plan which responded to our report's recommendations. Our office met with officials at the Department of National Defence to offer to help promote new initiatives stemming from departmental efforts in this area.

We will continue to closely monitor the progress of these initiatives, and look forward to ongoing collaboration with the Department of National Defence in their improvement of the civilian classification program.



Progress Reports on Recommendations

It has been two years since our office began publishing progress reports on the recommendations we make to the Minister of National Defence in our investigative reports. These reports allow us to track the progress made by the Department of National Defence and the Canadian Armed Forces in implementing our recommendations. In addition to being an accountability tool, our progress reports keep the Defence community updated on the status of each recommendation made in our investigative reports.

In 2018-2019, we conducted follow-up activities on nine investigative reports. We are happy to report that the Department of National Defence and the Canadian Armed Forces have made progress in a number of areas.

The report cards can be found in the Reports and Statistics section of our website.



Helpful Information

A mandated function of our office is to act as a direct source of information and education for members of the Defence community. To promote this role, we publish educational products on the Helpful Information page of our website and address issues affecting our constituents in the Frequently Asked Questions section. We also publish *Did you know's* on our Twitter, Facebook and Instagram accounts.

In 2018-2019, we published the following education products for civilian employees and military families.

Civilian Employees

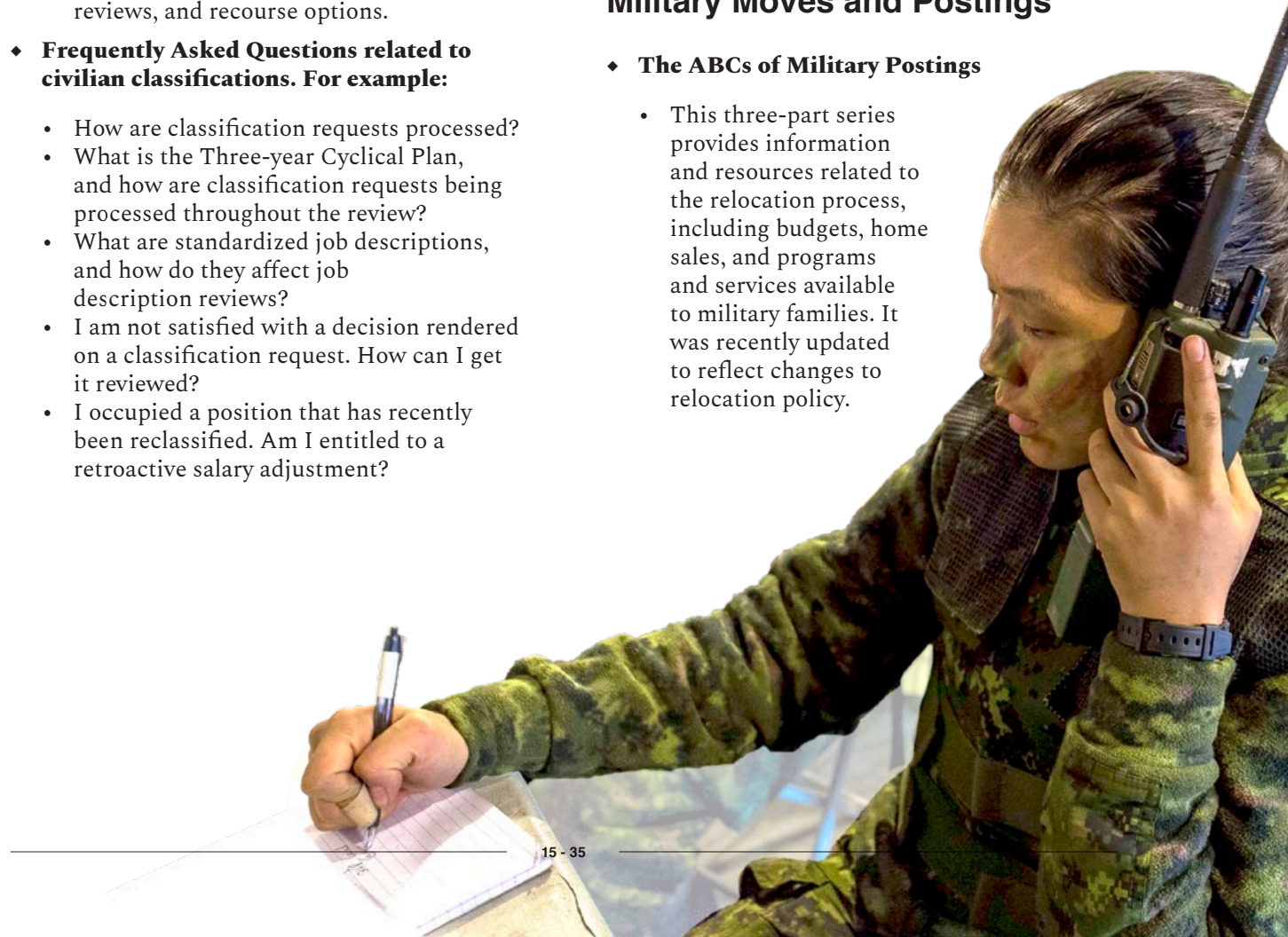
- ◆ **Civilian Classification**
 - A series of information and guidance regarding the administration of civilian classification, such as standardized job descriptions, cyclical job description reviews, and recourse options.
- ◆ **Frequently Asked Questions related to civilian classifications. For example:**
 - How are classification requests processed?
 - What is the Three-year Cyclical Plan, and how are classification requests being processed throughout the review?
 - What are standardized job descriptions, and how do they affect job description reviews?
 - I am not satisfied with a decision rendered on a classification request. How can I get it reviewed?
 - I occupied a position that has recently been reclassified. Am I entitled to a retroactive salary adjustment?

Military Families

- ◆ **Post-Secondary Scholarships and Bursaries for Military Members and their Families**
 - A resource for military members and their families outlining available scholarships and bursaries.
- ◆ **Employment Insurance available to Military Families**
 - Information related to military families' eligibility for employment insurance benefits and employment assistance during postings in Canada and abroad.
- ◆ **Military Families' Access To Health Care**
 - Resources available to military families regarding access to health care within Canada and locating a family physician.

Military Moves and Postings

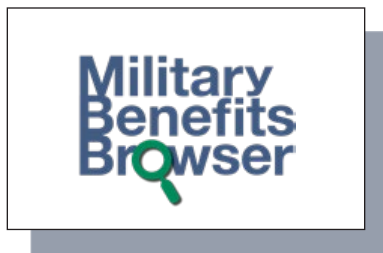
- ◆ **The ABCs of Military Postings**
 - This three-part series provides information and resources related to the relocation process, including budgets, home sales, and programs and services available to military families. It was recently updated to reflect changes to relocation policy.



Military Benefits Browser

On April 9, 2018, our office launched the Military Benefits Browser. This user-friendly tool helps military members who are ill, injured, or transitioning out of the Canadian Armed Forces, their families, and families of the deceased identify which benefits and services may be available to them.

The Military Benefits Browser was developed with Director Casualty Support Management. The information in the browser is directly from *The Guide to Benefits, Programs, and Services for Serving and Former Canadian Armed Forces Members and their Families*.



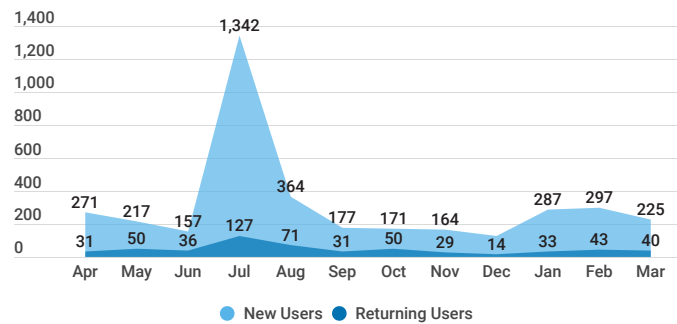
In January 2019, the Military Benefits Browser became available on the Canadian Armed Forces Transition Group internal website. This tool complements the My Transition Guide, and allows users to categorize information quickly and conveniently so they can view which benefits may apply to their unique situation.

Since its launch in April 2018, the Military Benefits Browser has been accessed by 3,855 users for a total of 4,589 sessions. In 86 per cent of all sessions, the user reached the final page of the browser, which provides a list of possible benefits and services. Approximately 10.6 per cent of users returned once or more to access the browser again. Approximately six per cent of all Browser sessions were launched in French through the *Navigateur des prestations militaires*.

In the 2018-2019 fiscal year, 29 per cent (1,119) of all users accessed the Military Benefits Browser from the Defence Wide Area Network (DWAN). Of these individuals, 12.43 per cent (157) were returning users whose subsequent visits were also through the DWAN.

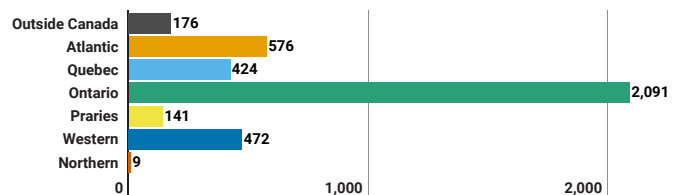
Access to the Browser increased significantly during the months when our office promoted it in base newspapers and military magazines. A large spike in visits occurred during the month of July 2018 when the Military Benefits Browser was featured in the Canadian Military Family Magazine. Smaller spikes can also be seen in April 2018 when we launched the Browser, and again in January 2019 when a link to the Military Benefits Browser was added to the Canadian Armed Forces Transition Group's internal website.

Users By Month



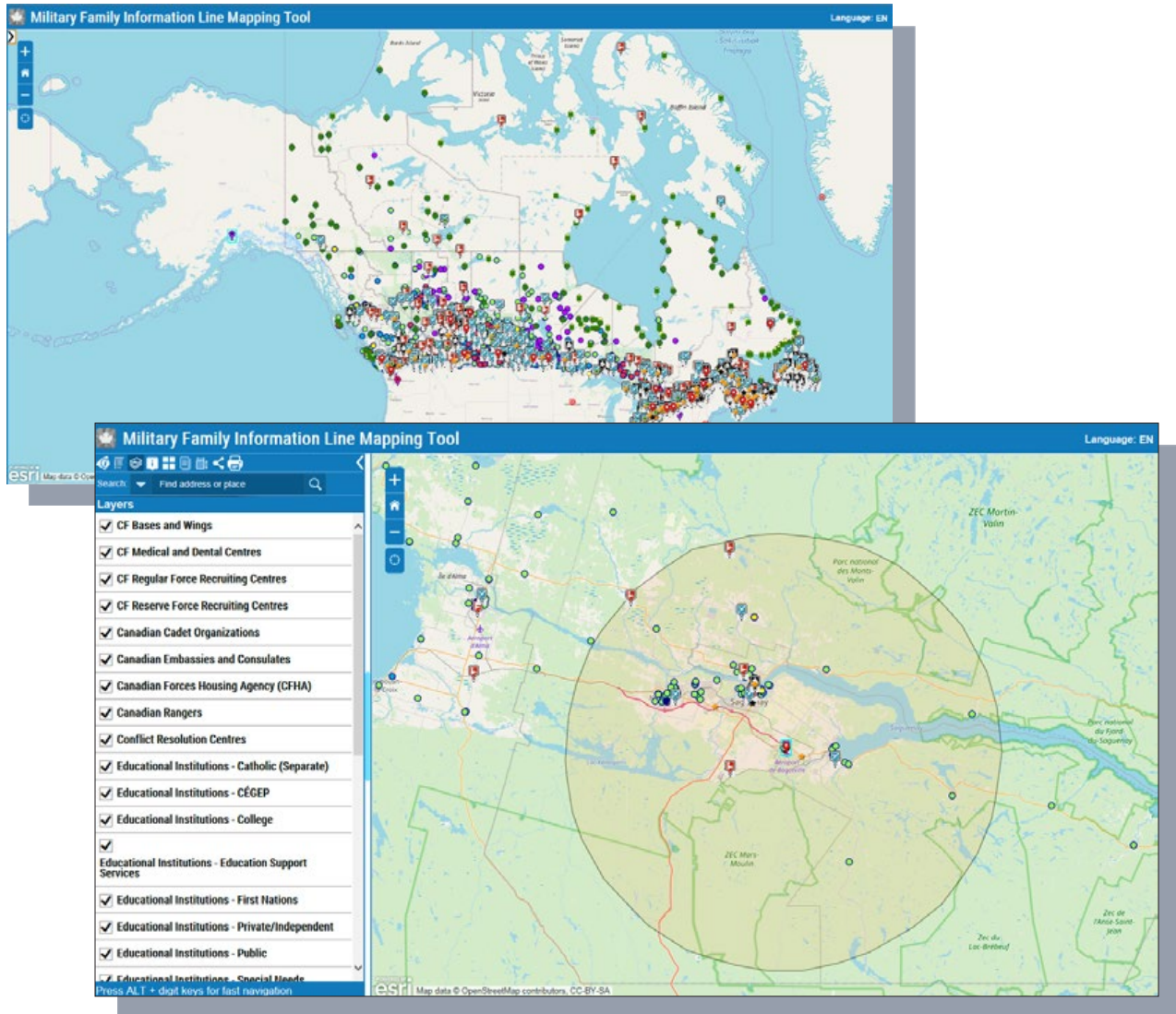
In the 2018-2019 fiscal year, the Military Benefits Browser was accessed primarily by users in Ottawa, Montreal, Toronto, Fredericton, and Kingston. Sessions also originated from outside of Canada, most frequently from the United States of America, the United Kingdom, South Korea, Peru, and Germany.

Users By Region



Interactive Map

In collaboration with the Mapping and Charting Establishment and Military Families Services, our office developed an interactive mapping tool currently used by the Family Information Line team. It offers a variety of resources on one single map to help ease some of the relocation stressors military families experience.



Constituent and Stakeholder Engagement

As part of our office efforts to enhance awareness and understanding of our role and mandate, we met with constituents at military bases, wings, and departmental events across the country—reaching out to military and civilian leaders, military families, stakeholders and like-minded organizations. These engagements provided us with a better understanding of the issues and challenges facing members of the Defence community and how we can support.

Visits to Bases and Wings

Our office connects directly with constituents where they live and work. We travel regularly to Canadian Armed Forces bases and wings where we meet with senior leaders, commissioned, and non-commissioned members of all ranks and occupations, family members, health care providers, chaplains, social workers and civilian and non-public fund employees. These sessions allow us to provide information on our services, discuss issues of importance, and receive complaints.

During the past fiscal year my staff and I met with more than 20,000 constituents, either individually or in group settings, at the following locations:

- ◆ **Canadian Forces Base 3 Wing Bagotville, Quebec from 25-29 March 2019**
- ◆ **Canadian Forces Base 4 Wing Cold Lake, Alberta from 25 February to 1 March 2019**
- ◆ **Canadian Cadet Organizations in Ontario from 3-6 July 2018**
 - Connaught Cadet Training Centre
 - HMCS ONTARIO Cadet Training Centre
 - Mountainview Cadet Flying Training Centre
 - Blackdown Cadet Training Centre
- ◆ **Canadian Cadet Organizations in the Yukon from 3-6 July 2018**
 - Whitehorse Cadet Training Centre
- ◆ **Canadian Cadet Organizations in Nova Scotia and New Brunswick from 3-6 July 2018**
 - Argonaut Cadet Training Centre
 - HMCS ACADIA Cadet Training Centre
 - Greenwood Cadet Training Centre
 - Debert Cadet Flying Training Centre
- ◆ **Canadian Cadet Organizations in British Columbia from 3-6 July 2018**
 - Albert Head Cadet Training Centre
 - Comox Cadet Flying Training Centre
 - HMCS Quadra Cadet Training Centre
 - Vernon Cadet Training Centre
- ◆ **Canadian Cadet Organizations in Québec from 25-29 June 2018**
 - Bagotville Cadet Training Centre
 - Eastern Region Cadet Flying Centre, Cadets de Saint-Jean
 - Valcartier Cadet Training Centre
 - Mont St-Sacrement Cadet Music Training Centre

Interacting with Constituents at Departmental Events

In 2018-2019, our office met with constituents at a series of military and departmental events. This type of engagement allows us to reach out in formal and informal settings and provide valuable information about our office and the services available.

- ◆ **Commemorative and diversity events at National Defence Headquarters** in Ottawa, Ontario, including the International Day for the Elimination of Racial Discrimination, Indigenous Awareness Week and the International Day for Persons with Disabilities
- ◆ **Orientation programs for new civilian employees** at the Carling Campus in Ottawa, Ontario
- ◆ **Presentations to various groups** across the country such as Military Family Resource Centres, the Joint Personnel Support Units and the Integrated Conflict and Complaint Management group
- ◆ **Canadian Institute for Military and Veteran Health Research** in Regina, Saskatchewan
- ◆ **Military family events** in Ottawa Ontario; Saint-Jean, Québec; and Borden, Ontario
- ◆ **The Eight Annual Defence Community Family Appreciation Day** at the Uplands military site in Ottawa, Ontario
- ◆ **Kiosks aimed at civilian employee groups** in the National Capital Region such as the Career Boot Camp 2019, the Managers Exchange Conference, Public Service Week, and the Union of National Defence Employees
- ◆ **Presentations to military personnel at a number of leadership courses** including the Senior Leadership Program in St-Jean, Québec.

Parliamentary Engagements

As part of our commitment to foster and maintain constructive working relationships, this office regularly meets with parliamentarians to discuss issues of importance and concerns brought forward by constituents.

This past fiscal year, our office provided updates on key issues through individual meetings with members of Parliament as well as through an appearance before the House of Commons Standing Committee on Veterans Affairs.

International Engagements

As an office, we participate in international events and often meet with ombudsman organizations from other countries to help advance issues of fairness and human rights for armed forces personnel—an area in which Canada is recognized as a world leader.

In July 2018, we hosted Nicola Williams, Service Complaints Ombudsman for the United Kingdom Armed Forces, to discuss our common interest in the welfare of military members.

In March 2019, we met with South African Deputy Military Ombud, Simphiwe Damane-Mkosana and members of her team, Nthabiseng Ntloedibe and Annelize Welgemoed. Our relationship with the South African Military Ombud's Office is longstanding since we first hosted a delegation of South African officials in November 2011. At that time, South Africa was in the process of establishing its own ombudsman's office for armed forces personnel.

Online Engagements

Constituents want to be heard without necessarily meeting with us in person. By engaging the Defence community via our website and on social media, they can access information 24/7 and we can ensure our services are meeting their needs.

Throughout this past year, we continued our efforts to reach out to our constituents using our social media platforms (Instagram, Facebook, and Twitter) as well as our website.

Live Chat continues to be a positive option where members of the Defence community and visitors to our website have immediate and easy access to a bilingual intake officer who will help with completing our online complaint form or answering basic questions.

Our constituents can also visit our website to book a telephone appointment with an intake officer using our Online Booking Tool. We understand that normal Ottawa business hours are not always convenient for everyone. With the Online Booking Tool, members of the Defence community can book a telephone appointment that will start any time between 8:00 a.m. and 3:30 p.m. in any time zone in Canada (6:30 a.m. to 6:30 p.m. Eastern Time).

With an increased focus on education, the Frequently Asked Questions section continues to be one of the five most visited pages of our website. The Messages from the Ombudsman section also receives a lot of attention. These messages highlight new initiatives and educational products as well as summarize our reviews and reports.



Corporate Priorities and Initiatives

The work of this office continues to align with *Strong, Secure, Engaged: Canada's Defence Policy* in terms of strengthening the Defence team while ensuring Defence stewardship and affordability.

Our office offers a broad range of services such as providing information, referral, and education; individual complaint resolution; systemic investigations; and reporting.

In fiscal year 2018-2019, we continued to focus on the following four priorities to ensure we met the needs of the Defence community while delivering quality services and value for money for Canadian taxpayers.

1. Engaging the Defence Community

In order to fulfill our responsibilities effectively, we must ensure all members of the Defence community are aware of and understand our mandate and role within the Department of National Defence and the Canadian Armed Forces. However, awareness is only one part of being able to help. We also need to provide easy access to our services. By regularly reaching out to constituents where they live and work, we as an office can actively listen and ensure we are meeting their needs.

With this in mind, we continued to enhance awareness of the ombudsman role and mandate by increasing engagements with new recruits, Cadets, Canadian Rangers, and Reserve Force units, as well as visits to bases and wings across Canada. We enhanced our online presence through improvements to our website content and regular participation in social media activities.

We reached out to non-departmental stakeholders such as military family associations, Members of Parliament, Senators, provincial and municipal representatives, and other provincial and federal departments about key issues affecting the Defence community.

2. Assisting and Educating the Defence Community

This office built upon progress made in previous fiscal years with respect to improving our ability to be a direct source of information, referral, and education as well as providing impartial, evidence-based investigations. In particular, our activities included:

- ◆ continuing to deliver informal and early resolution of complaints by giving our staff the tools to resolve issues at the lowest possible level;
- ◆ reviewing service standards with monthly tracking and data measurement to ensure a continued commitment to service excellence; and
- ◆ continuing our emphasis on education and awareness with clear and effective communications products and tools ranging from social media posts to investigative and progress reports.

3. Effectively Addressing Systemic Issues

In 2018-2019, this office continued to quickly identify and address systemic issues affecting the Defence community.

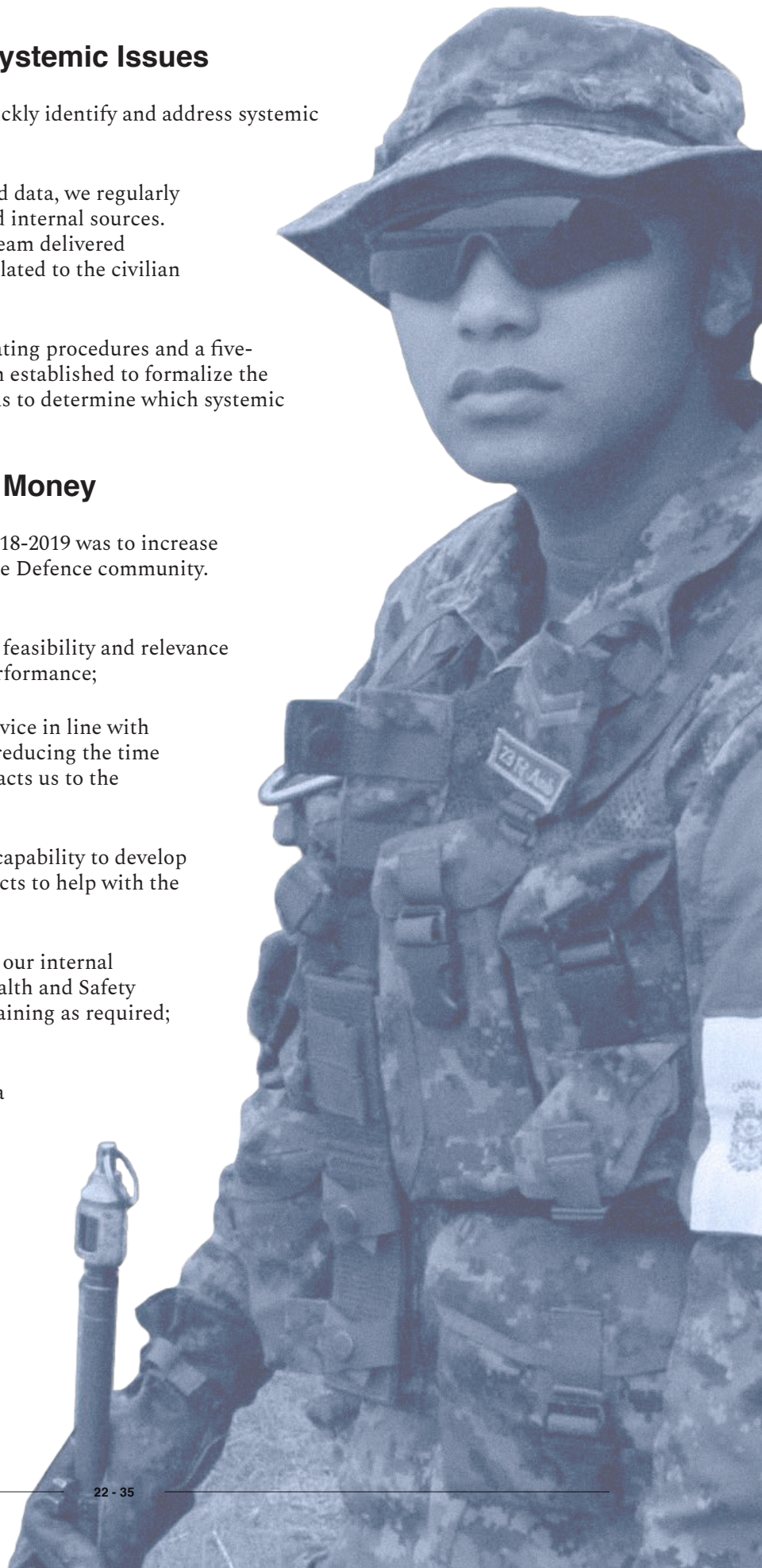
To remain effective and ensure fact-based data, we regularly monitored information from external and internal sources. As a result, our systemic investigations team delivered effective and timely recommendations related to the civilian classification process.

We constantly update our standard operating procedures and a five-year systemic investigation plan has been established to formalize the process. Long-term planning will allow us to determine which systemic issues need to be addressed.

4. Demonstrating Value for Money

The final key priority for this office in 2018-2019 was to increase our performance and relevance within the Defence community. Initiatives included:

- ◆ reviewing service standards to ensure feasibility and relevance and to track and measure monthly performance;
- ◆ ensuring we provided high quality service in line with community needs and with an eye to reducing the time it takes from when a constituent contacts us to the resolution of their file;
- ◆ maximizing our in-house publishing capability to develop new communications tools and products to help with the education goals of the organization;
- ◆ continuing to ensure the efficiency of our internal Return to Work and Occupational Health and Safety programs and providing awareness training as required; and
- ◆ continuing to audit financial files on a quarterly basis to ensure compliance with government and departmental regulations and policy.



Ombudsman's Advisory Council

The Ombudsman's Advisory Committee consists of volunteers with specialized expertise in the Department of National Defence and the Canadian Armed Forces, and comprehensive knowledge of the ombudsman profession. They play an integral part in guiding our office through the myriad of issues and challenges we face daily. The Committee provides advice related to the mandate, professional principles, and structure of our office.

The following individuals were valuable members of the Ombudsman's Advisory Committee during fiscal year 2018-2019:

Colonel J.L.G. Bélisle joined the Canadian Armed Forces in 1986 as an infantry officer with the Royal 22e Régiment. After 12 years of service, he changed trades to Canadian Forces Chaplain. With many overseas deployments and missions under his belt, he is currently Director of the Royal Canadian Chaplain Service.

Colonel (Retd) John Conrad is a published author, lecturer, and a former Reserve Brigade Commander of 41 Canadian Brigade Group in Calgary, Alberta. For over 32 years, he served in the Canadian Armed Forces regular and reserve components. In 2006, he served as Commanding Officer of the Canadian Logistics Battalion, the unit responsible for sustaining the Canadian Task Force in Southern Afghanistan. Colonel Conrad retired in 2017.

Commander Deborah-Lynn Gates joined the Air Reserves in 1988 as a non-commissioned member and transferred into the Regular Force in 1996. She accepted her commission in 1999 as a Naval Logistician, and has served on both coasts. She is currently the Executive Assistant to the Commander for the Royal Canadian Navy in Ottawa.

Chief Warrant Officer (Retd) Sharon Gosling served in the Canadian Armed Forces for more than 27 years before retiring at the rank of Chief Warrant Officer. Since 2008, Ms. Gosling has provided administration and support to ill and injured soldiers first as

the Officer in Charge of the Service Personnel Holding List followed by Services Manager/Coordinator at the Integrated Personnel Support Centres in Cold Lake, Alberta and Comox, British Columbia.

Captain (Navy) (Retd) Kimberly Kubeck joined HMCS Donnacona in 1980, and received her commission in 1989. Throughout her career, she served in a variety of positions including a secondment to Maritime Staff following the events of September 11, 2001. In June 2011, she was appointed as Director Reserves at National Defence Headquarters in Ottawa and Naval Reserve Regional Advisor for Eastern Region. After more than 32 years of service, Captain (Navy) Kubeck retired in January 2013.

Captain Mike Scarcella enrolled in the Canadian Armed Forces as a Weapons Technician Air in 1981. He served most of his career as a non-commissioned member attaining the rank of Chief Warrant Officer in December 2006. Having served at bases in Canada and abroad, including a posting to Baden, Germany in 1987, Captain Scarcella held numerous leadership team positions and appointments including 407 Squadron Chief Warrant Officer, Theatre Support Element Chief Warrant Officer at Camp Mirage, 17 Wing Chief Warrant Officer and 1 Canadian Air Division/CANAR Divisional Chief Warrant Officer. He took his commission in 2017, and now serves as the Officer Commanding the Readiness Training Flight at 12 Wing Shearwater.

Lieutenant-General (Retd) Walter Semianiw spent 32 years in the Canadian Armed Forces. As he rose through the ranks, he notably served with the Privy Council Office, as the Commandant of the Canadian Forces College, as the Canadian Contingent Commander in Afghanistan, as the Chief Military Personnel and as the Commander of Canada Command. He was also an Assistant Deputy Minister for Policy, Communications and Commemoration at Veterans Affairs Canada.

Liz Hoffman Memorial Commendation

The *Liz Hoffman Memorial Commendation* is awarded annually to recognize members of the Canadian Armed Forces, civilian employees, and family members who have gone the extra mile and exceeded expectations in bringing about positive and lasting change to the Department of National Defence and the Canadian Armed Forces.

At a special ceremony held in Ottawa on 18 October 2018, it was our honour to recognize the outstanding contributions of seven members of the Defence community. Many distinguished guests attended including Major-General Guy Chapdelaine, Chaplain General of the Canadian Armed Forces; Rear-Admiral Art McDonald, Deputy Commander Royal Canadian Navy; Colonel Heather Thorne-Albright, Royal Canadian Air Force Family Advocate; Lieutenant-General Charles Lamarre, Commander of Military Personnel; as well as parliamentarians and other members of the Defence community.



(L-R) Major-General Guy Chapdelaine (Chaplain General of the Canadian Armed Forces), Rear-Admiral Art McDonald (Deputy Commander Royal Canadian Navy), Colonel Heather Thorne-Albright (Royal Canadian Air Force Family Advocate), Lieutenant-General Charles Lamarre (Commander Military Personnel), Dr. Andrea Hoffman, Mr. Gary Walbourne (Ombudsman), Major Normand Cholette, Sub-Lieutenant Khean Murphy, Sub-Lieutenant Nathan Sukhdeo, Lieutenant(N) Justin Milley, Lieutenant-Commander Shane Denny, Major Kathryn Foss.

Recipients of the 2018 Liz Hoffman Memorial Commendation

Major Normand Cholette

As Canadian Armed Forces Senior Chaplain with Formation Europe, Major Normand Cholette provides the highest possible pastoral care to the Canadian Armed Forces personnel and family members he serves.

With exceptional compassion and concern, Major Cholette engages with local resources to ensure former and current Canadian Armed Forces members and their families are supported spiritually as well as emotionally during times of need.

Extremely professional in his approach to problem solving, Major Cholette fulfills personal demands that require the highest level of dedication and altruism in a manner that demonstrates the passionate pursuit of fairness and concern for others.

The provision of spiritual care and services by Major Cholette to those in need throughout Formation Europe and beyond is extraordinarily ambitious and selfless. He devotes countless hours and tremendous energy to determining and then ministering to the needs of the community, all the while showing vital qualities of integrity, approachability, and a respect for individual confidentiality. In turn, this serves to boost teamwork amongst social workers and medical teams, foster a collegial and multidisciplinary approach, and enhance the care provided to the needy.

Major Cholette's efforts have so improved the outcomes for those he has supported, they have directly diminished the level of care required from health services, reduced repatriations, and improved workplace relations.

Major Kathryn Foss

As Military Co-Chair of the Defence Women's Advisory Organization in the National Capital Region, Major Foss has proven herself to be a tireless and tenacious champion of the Positive Space program and the LGBTQ+ community within National Defence and the Canadian Armed Forces.

Major Foss is a transgender Canadian Armed Forces member who has helped other members of the Defence community come out in the workplace and navigate gender transitions.

Using an admirable ability to engage stakeholders, policy makers, and subject matter experts, Major Foss has worked towards resolving long-standing issues that are not in line with diversity and inclusion – such as uniform policies and respectful and inclusive language in policy and in the workplace.

Major Foss has reached out to the Commander Military Personnel Command and the Surgeon General concerning the implementation of policies and the effects of these policies on the LGBTQ+ community.

Major Foss helps people by sharing her story to support and educate others. She is a founding member of the Positive Space Program to make National Defence and the Canadian Armed Forces a more inclusive workplace. In addition, her willingness to assist members of the Defence Women's Advisory Organization is incredible, and often at a personal sacrifice.



The Officers of HMCS Nanaimo

As officers with the HMCS Nanaimo, Lieutenant-Commander Shane Denny, Sub-Lieutenant Nathaniel Sukhdeo, Sub-Lieutenant Khean Murphy, Navy Lieutenant Jeriel Soriano, and Navy Lieutenant Justin Peter Milley showed courage and compassion as they sought to improve relations between non-Indigenous and Indigenous people within the Royal Canadian Navy.

Through speaking with Indigenous community leaders during a recruitment community relations day sail, the officers of HMCS Nanaimo were made aware that current and past Indigenous Canadian Armed Forces members felt marginalized and disconnected from the whole.

Armed with this knowledge, the officers sought to bring about a deeper understanding and appreciation of Indigenous cultures. Initiatives included the engagement of local artists to create a unique and meaningful piece of art for the ship, the creation of a unit morale patch honouring the local Indigenous peoples, and attendance at a symposium on Indigenous and non-Indigenous relations. They now also recognize the traditional lands the HMCS Nanaimo arrives upon when it comes alongside a foreign port in Canada.

In pursuing these and other measures with no precedents to follow, the officers of the HMCS Nanaimo have demonstrated that greater knowledge and appreciation of Indigenous peoples can transform military culture in a manner consistent with the Government of Canada's overall pursuit of truth and reconciliation among non-Indigenous and Indigenous peoples across Canada.

Appendix I – Disposition of Cases

Total Cases Handled*	
Cases Closed	1,732
Cases in Progress (as of March 31, 2019)	174
Cases Closed at Intake	
Information or Assistance Provided	1,179
Outside Mandate	87
Referred to Existing Mechanisms	54
Withdrawn	47
Abandoned	124
Contact Provided Information	14
Cases Closed at Complaint Resolution	
Informal Resolution	34
Information or Assistance Provided	54
Withdrawn	12
Referred to Existing Mechanisms	1
Abandoned	3
Cases Closed at Investigation	
Information or Assistance Provided	63
Unfounded	13
Informal Resolution	1
Referred to Existing Mechanisms	1
Investigated: No Follow Up Required	31
Abandoned	8
Withdrawn	5
Cases Closed at Systemic Investigation	
Information or Assistance Provided	2

* This includes new cases, cases re-opened, and cases carried over from previous fiscal years. Any discrepancies in totals are a result of rounding and the transition to a new case management system.

Appendix II — Financial Report

Summary of Expenditures

In 2018-2019, the Minister of National Defence approved a budget of \$7,372,006 for the Office of the Ombudsman. Actual expenditures totaled \$6,475,323 of which \$5,396,553 was related to salaries.

The difference between the approved budget and actual expenditures represents final spending as provided in the Public Accounts of Canada. Money that remained unspent was returned throughout the year.

	(\$)
Mail and courier services	1,815
Supplies/furniture	45,440
Training and professional dues	135,731
Acquisition/rental of office equipment	7,948
Network maintenance and support	68,183
Telecommunications and IT connections	116,847
Travel and transportation	72,330
Communications and public outreach	94,669
Professional and special services	535,807
Salaries	5,396,553
Total	6,475,323



Our Successes Are Your Successes

Reservist's medical release delay solved

A Reserve Force member on a Class C contract contacted our office concerned about a delay in their medical release process.

The member was on a Permanent Medical Category with Medical Employment Limitations assessed as a high risk to breach Universality of Service. The Director of Military Careers Administration was reviewing the member's file but there was a hold on the processing of certain files due to a review of Universality of Service criteria. This meant the member could receive no news about the release.

With the end of the Class C contract looming, the member was anxious to receive the medical release as quickly as possible. There was a risk of financial hardship if the release was not processed before the contract ended. The member submitted a waiver for disclosure, but heard nothing.

Reserve Force members who are ill or injured face unique challenges when medically releasing due to the nature of Reserve Force employment and the associated pay and compensation implications.

An ombudsman investigator spoke with the Director of Military Careers Administration to pursue the waiver submission as well as the possibility that the Director of Military Careers Administration could grant an exception given the Reserve member's financial situation.

Following our intervention, Director of Military Careers Administration was able to make an exception and allow the member's release.

The member informed our office the release message was received on the day the member's contract expired.

CAF Applicant allowed to enrol despite tattoo

An applicant to the Canadian Armed Forces contacted our office after being refused admission into the Regular Force minutes before the swearing-in ceremony.

The applicant had several tattoos which the recruitment medical team documented during the recruitment process. After the final interview, the applicant obtained a new tattoo on the hand. A letter of offer followed.

At the swearing-in ceremony, the applicant was not allowed to complete the swearing-in. The explanation was that a new recruitment policy implemented two days after the applicant's final interview did not allow for the new tattoo. A Canadian Armed Forces review upheld this decision, and four days following the ceremony, the applicant was informed there could be no appeal.

An ombudsman investigator contacted those involved in interviewing the applicant and was informed that the applicant hadn't been told about the new recruitment policy, nor that any new tattoo designs had to be cleared by Canadian Forces Recruiting Group before obtaining them.

The investigator passed this information on to recruitment authorities. As a result, the applicant was allowed to enrol.

A civilian's re-classification delay ended

Having reached the two-year point waiting for a job reclassification and feeling extremely frustrated, a civilian National Defence employee contacted our office for help.

Due to a unit reorganization and additional duties that were added to the employee's job description, National Defence told the employee the position would be reclassified to a higher level. The employee and supervisors submitted the required reclassification paperwork, only to have it disappear. The paperwork was resubmitted but in the meantime, the Department expected the employee to train casual contractors they hired and paid at the higher level.

After six months of no news about the resubmitted reclassification paperwork, the employee requested our office's assistance. An ombudsman investigator spent three months pursuing the delay with several National Defence civilian human resources representatives. Finally, the employee received word that the position had been reclassified, and that the Department would provide back pay just in time for Christmas. The employee was thankful for our help.

Family member's BGRS reimbursement case resolved

A National Defence employee who is the spouse of a military member contacted our office for help in getting Brookfield Global Relocation Services (now BGRS) to pay an expense claim for a family move. BGRS was unwilling to reconcile this and many other claims due to a contract dispute.

Although the move itself occurred in the summer of 2016, the family incurred related expenses for months after the move. As a result, the family submitted its reimbursement claim to BGRS at the end of 2017. The company replied that it would only handle open cases for moves conducted after 1 December 2017. Therefore, BGRS referred the family back to their Canadian Forces Integrated Relocation Program coordinator, who in turn

informed one of the staff members at Director Relocation Business Management (DRBM) of the situation. It was at this point that the family contacted our office for help.

An ombudsman investigator informed the family that BGRS was in a contract dispute with the Canadian Armed Forces over the handling of "grandfathered" reimbursement cases. The family's reimbursement claim for their move was delayed by this contract dispute. Our office was in contact with DRBM, and had reached an agreement that they would take on these cases.

During a meeting with our office, Director Relocation Business Management confirmed they would be taking over the reimbursement claims that had been adjudicated or were in limbo due to BGRS's refusal to handle them. They felt that Defence community claimants should no longer be in limbo waiting for a resolution of the contract dispute that was not likely to happen in the short term.

Other claims involving over 125 other cases were also delayed. However, thanks to our office's intervention, Director Relocation Business Management resolved these cases.

Former CAF member's demotion reversed

A former member who was demoted after releasing from the military, believed the demotion to be unfair and against policy.

The former member was enrolled in the University Training Plan Non-Commissioned Members (UTPNCM) and successfully completed all academic requirements. The former member also had attained the Basic Military Occupation Qualification prior to attending university and believed that all of the promotion requirements were satisfied in 2016. The promotion was deferred due to a temporary medical category (TCAT), which later became a permanent category (PCAT). The former member was medically released at the substantive rank of acting second Lieutenant. After being released, the Release Personnel Pay Office informed the former member that it had deleted the promotion from its pay system and had sent the release

file for audit. The member had a pay statement confirming the promotion, but the following pay statement showed a return to the member's previous rank of Officer Cadet.

An ombudsman investigator interviewed the member, reviewed related personnel records, pay, and release documentation, and contacted various Canadian Armed Forces authorities including the Canadian Defense Academy, Release Benefits Administration, Director Pay and Social Policy, Director General Compensation and Benefits, and Director Military Careers Policy and Grievances.

In January 2017, the Canadian Armed Forces released CANFORGEN 012/17 CMP 009/17 181340Z JAN 17 - DE-LINKING OF MEDICAL CONDITION FROM PROMOTION CRITERIA, and announced that if ill and injured members have a condition that is preventing them from achieving fitness or training promotion prerequisites, they can be promoted in an acting capacity with no time pressure for meeting these conditions.

The Office of Primary Interest determined that the member was not eligible for promotion due to their interpretation of a Frequently Asked Question (FAQ) which stated that members in this situation would need to reach their Operational Functional Point to be promoted. The investigator disagreed with this interpretation and requested a second review.

After the second review, the Director General Military Careers agreed that pursuant to the UTPNCM policy, there was no requirement for a member to reach their Operational Functional Point. The former member's promotion was approved, effective the date of the CANFORGEN, with appropriate amendments to pay, severance and pension benefits. The FAQ document was also clarified.

The former member was presented with a revised Certificate of Service and Commissioning Scroll.

CAF member's dispute with housing agency resolved

A Canadian Armed Forces member contacted our office for help resolving a dispute with the Canadian Forces Housing Authority (CFHA). The member was away on deployment when the furnace in the member's Residential Housing Unit (RHU) malfunctioned and the bathroom pipes froze. CFHA charged the member over \$1,300 for repairs to cover the damages.

Prior to deployment, the member attended a briefing for personnel to pursue a "one-stop" shopping with agencies offering pre-deployment services such as vehicle storage and home monitoring. As a result of this briefing, the member signed a contract with a local vacant home monitoring company. In accordance with typical home insurance requirements, the company agreed to monitor the member's unit every 3.5 days for a monthly fee. The member spoke with a local base representative attending the briefing about the contract, and was told the agreement was suitable and that CFHA did not require a copy of the contract. CFHA had no representatives at the briefing.

While the member was away, the furnace in the member's unit failed causing the temperature in the RHU to fall below zero. The home monitoring company contacted CFHA which ordered regular and after-hours furnace repair, pipe replacement, and new drywall. Local CFHA representatives billed the member for the total cost, claiming member neglect because the vacant home monitoring company was not checking the unit on a daily basis as required under the agency's Occupant Handbook and because the member did not inform CFHA about the deployment. At our office's recommendation, the member appealed this billing to the CFHA's national office which upheld their local representatives' decision. CFHA suggested the member submit an insurance claim or sue the monitoring company.

Further investigation by our office led to three important findings. First, the office found there are significant legal and insurance industry differences of opinion about the CFHA Occupancy Agreement requirement that RHUs must be inspected daily during

prolonged member absence. These differences are aggravated by the fact that National Defence housing is federally-owned and as such, not subject to any provincial landlord-tenant legislation. Secondly, our office found CFHA's original proposal that the member submit an insurance claim or sue the home monitoring company would only result in the member suffering unfair premium increases, especially given that the company fulfilled its contract with the member. Thirdly, CFHA agreed the member may have been "misled" with incorrect information at the pre-deployment meeting where no agency representatives were present.

As a result, at the urging of our office, the member and the Canadian Forces Housing Agency agreed to a "good faith" resolution with the member paying a revised bill that was half of the original CFHA charge for the repairs.

We have updated our website to alert Canadian Armed Forces members about their requirements should a unit be left vacant during a deployment, and encouraging them to contact their Local Housing Services Centre (HSC) prior to leaving.

CAF Member's specialty pay delays fixed

A Canadian Armed Forces member on deployment faced financial hardship due to a delay receiving specialty pay (spec pay) amounting to several thousands of dollars.

The member contacted our office and an intake officer advised the member to contact their Base Orderly Room Clerk. The Base Orderly Room Clerk discovered that a negative amount had been recorded in the member's pay account. This resulted in a credit for the member and meant the Canadian Armed Forces would not pay allowances owed for a recent deployment.

The member approached our office again for help. An ombudsman investigator contacted G1 (Personnel) Army Staff as well as personnel with Director Military Pay and Allowances Processing (DMPAP) to pursue the member's situation.

Based on numerous calls our office received about delays in receiving spec pay for Army Communications and Information Systems Specialists (ACISS), it was found that the delays were caused by an attempt to resolve a discrepancy which affected over 500 members of that occupation, including the member. As an interim measure, DMPAP placed an arbitrary "credit" on the files of those affected until the issue was resolved. While well-intended, it was poorly communicated and prevented members from receiving pay allowances and deployment benefits they were entitled to receive.

By opening the lines of communication, our investigator confirmed the member was entitled to the deployment allowances. In addition, the investigator suggested Director Military Pay and Allowances Processing reach out to the member's orderly room clerk to state that, the credit notwithstanding, the member's specialty pay and benefits should be paid.

Following swift action by the pay office, the member confirmed receiving the deployment allowance and was thankful for our intervention.

Director Military Pay and Allowances Processing trained new analysts, and assigned them to the spec pay list to ensure other members in the same situation were also treated fairly. To improve communication, they worked with G1 (Personnel) Army Staff to send more regular and widespread emails and communiques to affected members, clerical staff, and our office so that there would be a better understanding of the situation and solutions being sought.

Quotes

“The only thing I have for the Ombudsman office staff is praise. The way my case was handled exceeded my expectations. The level of care, compassion, understanding and empathy is commendable. It was validating and provided me with hope that my issue could be resolved, and it has. I believe in time of need, other members could benefit of the Ombudsman Office services.”

—

“I want to thank [ombudsman investigator] and your office for stepping in when my Chain of Command did not. Thanks again for all your help.”

—

“I had the best service from the ombudsman [investigator], she was very helpful and respectful. There is nothing to suggest because the ombudsman office did everything right, and looked after my issue in a timely manner. Thank you again for the assistance.”

—

“From the onset when I first contacted the Office of the Ombudsman I was treated with the upmost dignity and respect. [The investigator] contacted me right away and she listened with such empathy I cannot tell you how much this meant. Follow-up emails and calls were even conducted in the late evenings and I truly appreciate all the work and effort. I appreciated all the suggestions/different avenue and brainstorming assistance as it helped both myself and my family in dealing with the possible different outcomes. Again my sincerest thanks to the staff!”

—

“I must close the file on my first and only Ombudsman case by expressing my appreciation for the efforts of my case holder, [ombudsman intake officer], and for the smooth progression of the matter through the Ombudsman system. As I expected, there was little scope for Ombudsman action and nothing could be done. Nonetheless, in a release experience marred by problems, [Ombudsman intake officer] handled my case very well. He was informative, assuring me that the problem will be looked into but cautioning as well as that the prospects are always uncertain. [Ombudsman intake officer] always responded to my e-mail in a timely way, and passed on information promptly. In short, notwithstanding the negative outcome for my case, he made the Ombudsman office look good. Given my cynicism when it comes to the modern military establishment that is quite an accomplishment.

In closing, thanks again for your efforts, which were much appreciated. While understanding the limits to your power and action, I have come to appreciate that it is very important that the service member have someone he or she can approach, even if that means you have to deal with much frivolity in addition to legitimate complaints and concerns. I hope the scope of your brief will someday be extended to permit more effective representation of the member in problems with a very powerful bureaucracy and its problematic culture.”

—

“I am very grateful for all you have done for us both professionally and personally. The feedback I received after the conference was all very positive and you made a great impression on the HRA [Human Resource Assistant] community.”

—

20th Anniversary

Twenty years ago, in 1998, the Office of the National Defence and Canadian Armed Forces Ombudsman opened its doors and offered its services to the Defence community. Since then, we have been ensuring fairness, and increasing transparency within the Department of National Defence. Although engagement with our office has not always resulted in a favourable decision, the team of intake officers, complaint analysts and investigators have resolved 97% of cases as a result of their intervention.

To celebrate our 20th anniversary, we participated in various “acts of kindness” throughout the year for the local community, as well as troops deployed abroad. The acts included donating clothes to a local women’s shelter, collecting children’s books and DVDs for the Ottawa Public Library, providing children at the local Military Family Resource Centre with backpacks and school supplies for back to school, and sending care packages for our deployed troops during the holiday season.

It has been a pleasure serving the Defence community for the past 20 years. We look forward to serving you for many more.



Ombudsman

National Defence and
Canadian Armed Forces



Défense nationale et
Forces armées canadiennes

**WE ARE READY TO HELP.
NOUS SOMMES PRÊTS
À VOUS AIDER.**

1-888-828-3626

OMBUDSMAN.FORCES.GC.CA



Canada 