



Public Service Staff Relations Board

Performance Report

For the period ending
March 31, 1999

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 82 Departmental Performance Reports and the government's report *Managing for Result* - Volume 1 et 2.

This *Departmental Performance Report*, covering the period ending March 31, 1999, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's pilot *Report on Plans and Priorities* for 1998-99. The key result commitments for all departments and agencies are also included in Volume 2 of *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government.

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
<http://www.tbs-sct.gc.ca/tb/key.html>

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Public Service Staff Relations Board



Performance Report

**For the period ending
March 31, 1999**

The Honourable Stéphane Dion
President of the Queen's Privy Council
for Canada and Minister of
Intergovernmental Affairs

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EXECUTIVE SUMMARY

The Public Service Staff Relations Board is an independent, quasi-judicial statutory tribunal responsible for administering the collective bargaining and grievance adjudication systems in the federal Public Service. The Board also provides mediation and conciliation services to help parties resolve differences without resorting to a formal hearing.

This Performance Report outlines the Board's mandate and mission, reports on the commitments made to Parliament in the 1998 Treasury Board President's Report and the plans outlined in its 1998-1999 Part III Report on Plans and Priorities.

The Board achieved a high compliance rate with respect to all of the performance measures set out in its Planning, Reporting and Accountability Structure (PRAS). These measures are: timeliness, fairness and openness of Board processes; client satisfaction; guidance to the parties; and quality of Board decisions.

A major issue identified by its clients through a Client Satisfaction Survey conducted in 1998, was a need for greater use of mediation services coupled with a need to improve the administration of the services. The Board responded to those issues through the launching of a grievance mediation pilot project and by integrating the administrative aspect of mediation services within the Operations Branch.

In keeping with its policy of conducting independent and objective internal audits on a regular basis, three areas were the subject of review by Consulting and Audit Canada: the Board's Management Control Framework; Information Management and Production Services; and Management Information Technology and Year 2000 Preparedness.

Collective Bargaining continued on a broad scale in 1998-1999 with conciliation as the only method of dispute resolution. Conciliators were involved in assisting the parties in 64 cases. In addition, the establishment of several conciliation boards was requested.

The Board continued to work closely with the employer and bargaining agents to facilitate the designation process for essential services, in particular the mechanisms for informing incumbents of designated positions.

BENEFITS TO CANADIANS

The Public Service Staff Relations Board benefits Canadians by promoting and supporting a harmonious and regulated relationship between public servants and their employers. The Board's activities contribute to minimizing the possibility of labour unrest which could lead to disruption in the delivery of government programs.



CHART OF KEY RESULTS COMMITMENTS

The Public Service Staff Relations Board has a mandate

to provide Canadians with:	to be demonstrated by:	Achievement reported in:
<p>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 in the implementation of government programs</p>	* timeliness, fairness and openness of Board processes	DPR pages 10, 11
	* client satisfaction	DPR page 12
	* guidance to the parties	DPR page 13
	* quality of Board decisions	DPR page 14

SECTION I: CHAIRPERSON'S MESSAGE

As an independent quasi-judicial statutory tribunal responsible for the administration of the systems of collective bargaining and grievance adjudication in the Public Service, the Public Service Staff Relations Board (the Board) contributes an essential support function to all programs of the federal government which are provided in whole or in part by federal public servants.

A staff relations regime should not be founded on or provide a framework for a test of wills and economic strength between labour and management. The Board's objective, therefore, is to administer a system which assumes fairness and equity to government employees and to the Canadian public. It is within this context that the Board strives to provide a flexible and multi-faceted array of tools to assist the parties in the conduct of their labour relations.

The activity of the Board affects the public interest by promoting and supporting a harmonious and regulated relationship between public servants and their employers. The cost of the activity is mitigated by the overall benefit of enabling the government to provide its services with a minimum of disruption.

The essential functions performed by the Board are non-discretionary in nature and must be provided at the request of the parties. The Board, nevertheless, recognizes that it is imperative that these functions be provided in the most cost effective manner.

Labour relations traditionally have been adversarial. In any workplace, however, the interests of management, labour and employees overlap. All concerned must identify common and shared interests and develop a system which engages all of its stakeholders in finding solutions to problems.

The fundamental differences between private and public sector labour relations which in 1967 prompted the creation of the Board continue to exist to this day. Public interest dictates that certain special rules and systems define the collective bargaining process in the federal public service.

The *Public Service Staff Relations Act* has now existed for more than 30 years. The time has come to revisit its tenets and devise a system of labour relations that will serve the government and its employees well into the new millennium.

A comprehensive review involving consultation with labour management and neutrals could lead to improved workplace relationships, enhanced collective bargaining structures and reduced conflict.



In the interim, the Board will continue to work within its existing mandate to develop and innovate practices to help labour and management better resolve their differences.

Yvon Tarte
Chairperson

SECTION II: BOARD OVERVIEW

MANDATE AND MISSION

The mandate of the Public Service Staff Relations Board is to effectively and efficiently administer the systems of collective bargaining and grievance adjudication established under the *Public Service Staff Relations Act* (PSSRA) and the *Parliamentary Employment and Staff Relations Act* (PESRA), as well as certain provisions of Part II of the *Canada Labour Code* concerning occupational safety and health applicable to employees in the Public Service. The Board also administers the *Yukon Public Service Staff Relations Act* and Part 10 of the *Yukon Education Act*.



Our Mission: The Public Service Staff Relations Board is the impartial federal public service labour relations organization. We are committed to promoting and supporting harmonious employer-employee relations in the Federal Public and Parliamentary Service.

We Shall:

- Assist the parties, where possible, to resolve their own differences
- Ensure that all processes are impartial and open
- Make quality Board and adjudication decisions that are issued expeditiously
- 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
- Ensure efficient and effective use of our resources

The Board provides a mediation and conciliation service to assist the parties in the resolution of their differences. This service enables many matters to be settled without resort to formal proceedings before the Board.



In addition, the Board provides physical premises and administrative support services to the National Joint Council which is an independent consultative body of representatives of employers and employees for the determination of service-wide issues that do not lend themselves to unit by unit bargaining. However, the Board has no direct involvement in the operations of the National Joint Council.

OPERATING ENVIRONMENT

Ultimately the everyday concerns of public servants normally expressed through their bargaining agents and the concerns of the public service employers in managing the public service and implementing the programs approved by the government of the day, become the factors determining the workload of the Board, both in quantity and type of dispute requiring attention.

The decision by the Government to reconfigure certain of its operations and reorganize bargaining units has resulted in an increased workload for the Board in the areas of certification, managerial or confidential exclusions and successor rights.

The introduction of the Universal Classification Standard in 1999-2000 will result in a significant increase in grievances that may be submitted to adjudication. The judicial extension of the broad parameters of human rights principles to labour relations matters continue to result in more lengthy and complex proceedings before the Board.

The Board is in the process of expanding its dispute resolution capabilities by embarking upon a pilot project in grievance mediation, involving Board members acting as mediators. This has the potential of reducing the number of adjudication hearings while allowing the parties to achieve more mutually satisfactory resolution to their disputes through the grievance mediation programme.

The resumption of collective bargaining in the Public Service following a 6 year freeze saw increased activity by the Board in 1998-1999. As the overwhelming majority of collective agreements negotiated are due to expire during the 1999 calendar year, 1999-2000 will see a continuation of this activity. Since its inception the Board has been responsible for responding to requests for both conciliation and arbitration as part of the process for resolving collective bargaining disputes. The continued suspension of arbitration through 1999-2000 as a means of dispute resolution in the public service, but not under the PESRA, will result in the same level of requests for the appointment of conciliators and the establishment of conciliation boards as experienced in 1998-1999.

Board appointed conciliators were involved in disputes involving 64 bargaining units in 1998-1999. Requests for the establishment of conciliation boards affecting 39 bargaining units were received. Settlements were reached with the assistance of either a conciliator or a conciliation board in all but 16 cases, one involving

14 bargaining units negotiating jointly. Only 2 strikes took place during this first round of bargaining since 1991.

Prior to March 1999, many bargaining units represented by single bargaining agents grouped together to bargain collectively. Since the new bargaining unit structure established by the Treasury Board in March 1999, in many instances, reflects the 'master table' system established in the late 1980's, it is not anticipated that the number of conciliators appointed and conciliation boards established will be significantly reduced.

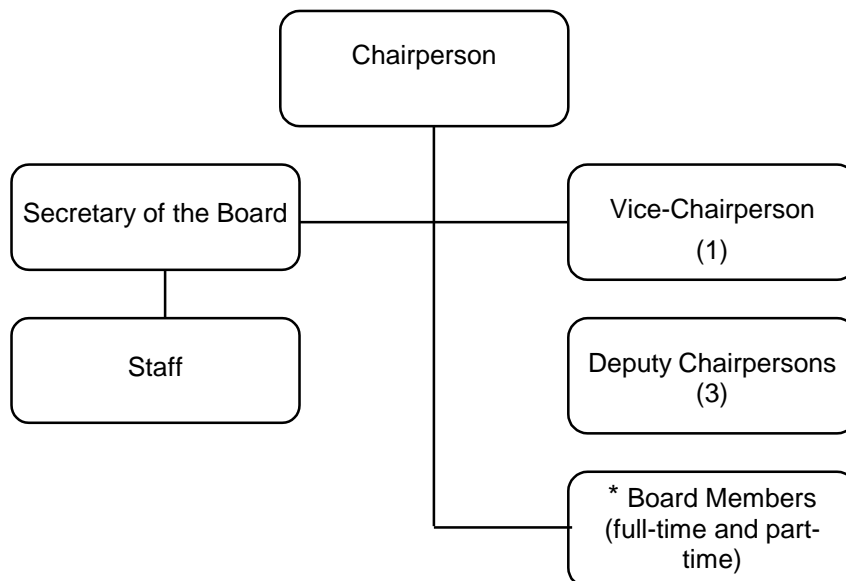
DEPARTMENTAL ORGANIZATION

The *Public Service Staff Relations Act* provides for a Board composed of a Chairperson, a Vice Chairperson, not less than 3 Deputy Chairpersons and such full-time and part-time members as the Governor in Council considers necessary to discharge the responsibilities of the Board.

The Chairperson is the Chief Executive Officer. The Secretary of the Board reports to the Chairperson and is responsible for the supervision and direction of the work and staff of the Board. The Board is responsible to Parliament through the President of the Queen's Privy Council for Canada. The Board has its offices in Ottawa.

ORGANIZATION CHART

Public Service Staff Relations Board (PSSRB)



* The number of Board members is determined by the Governor in Council



SECTION III: BOARD PERFORMANCE

Public Service Staff Relations Board (thousands of dollars)

Planned Spending	\$5,482.0
Total Authorities	\$6,057.2
1998-1999 Actuals	\$5,592.8

- Note:
- 1) Included in the Public Service Staff Relations Business Line is .5 M and 8 FTEs allocated to the National Joint Council Secretariat (NJC). In addition, the administrative support provided to the NJC is estimated at 174 person days.
 - 2) The summary financial information presented includes three figures. These are intended to show the following:
 - what the plan was at the beginning of the year (Planned Spending);
 - what additional spending Parliament has seen fit to approve for departments to reflect changing priorities and unforeseen events (Total Authorities); and
 - what was actually spent (1998-1999 Actuals).

The 1998-1999 expenditures are 7.7% or .5 million lower than the 1998-1999 budget. This lapse is primarily due to:

- 1) Costs related to the collective bargaining workload in 1998-1999 were less than projected. Therefore, the supplementary funds allocated for this purpose were not used.
- 2) Transportation and other costs related to the adjudication process were lower than planned due to greater use of part-time Board members who are generally located close to the hearing sites.

PERFORMANCE EXPECTATIONS

In its Report on Plans and Priorities for 1998-1999 the Board presented the following as its performance expectations:

- **A high rate of compliance with the performance measures set out in its Planning, Reporting and Accountability Structure**
- **Completion and follow up of a client satisfaction survey**

Other planned initiatives such as exploring the viability of video conferencing in the hearing process and encouraging the use of expedited adjudication were reported on in the Board's 1998 Performance Report.

The infrastructure for video conferencing is now in place and available for use in appropriate cases. The Board has also utilized teleconferencing in selected cases to facilitate the reception of evidence during hearings.

The use of expedited adjudication has expanded to include the participation of another bargaining agent. During the past year a total of 11 sessions of expedited adjudication hearings, each normally lasting no more than 1/2 day, were held resulting in the disposition of 42 cases which would otherwise have required a minimum of 40 hearing days.

The Board also stated its intention to explore the usefulness of pre-hearing conferences and to encourage the parties to make greater use of its Mediation Services to resolve disputes. Following consultation with its clients, the Board decided not to pursue the matter of pre-hearing conferences at this time. In response to the client satisfaction survey and after extensive consultation with its clients, the Board decided to direct its resources and energies into the development of the pilot grievance mediation project, a description of which is contained under Performance Accomplishments.



PERFORMANCE ACCOMPLISHMENTS

◆ Compliance with Performance Measures

The Board has identified timeliness, fairness and openness of Board processes; client satisfaction; guidance to the parties; and quality of Board decisions as significant and meaningful performance measures and has established the mechanisms by which to track them.

● Timeliness, Fairness and Openness of Board Processes

In accordance with the rules of natural justice the Board has set the following standards for the expeditious handling of proceedings referred to it from the initial application, complaint or reference to final disposition:

- Letters of acknowledgement are to be issued to clients within 2 working days from the date of receipt of an application at the Board;
- Cases are to be scheduled for hearing within 5 months from the date of receipt, with the exception of termination cases which are now to be scheduled within 4 months of receipt. Previously, there was a 3 month waiting period for the scheduling of termination cases. However, at the request of the parties, the Board, this year, decided to change the time period from 3 to 4 months;
- Clients are to receive a notice of hearing 30 or more days prior to the hearing date except in emergency cases where notices are issued immediately;
- Decisions are normally to be completed by Board members within 2 months after the completion of a hearing and sent to the parties concerned 1 day after being signed by the Board member;
- Decisions are to be made available to the general public within 2 days of release to the parties;
- Decisions are translated in compliance with the Official Languages Act.

The following table illustrates compliance with the foregoing standards during 1998-1999 (figures have been rounded to the nearest percentage point).

ACTIVITY	PERFORMANCE STANDARD	COMPLIANCE RATE
Letters of Acknowledgement	Clients issued a letter of acknowledgement within 2 working days from date of receipt at the Board.	Of the 1212 cases processed by the Board 93% complied with the standard. The remaining cases were group files or incomplete which require more time to process.
Scheduling of cases not involving termination	Cases are to be scheduled within 5 months from date of receipt.	Of a random sample of more than 23% of cases, 92% complied with the standard. The rate of compliance has been affected by the parties lack of resources to cope with the scheduling of cases.
Scheduling of termination cases	Cases involving termination of employment are to be scheduled within 4 months from date of receipt.	Of the 54 cases involving termination of employment 89% complied with the standard, 7% were scheduled within 5 months, and the remaining 4% were held pending at the request of the parties. The rate of compliance has been affected by the parties lack of resources to cope with the scheduling of cases.
Notice of Hearing	Clients are to receive Notice of Hearing 30 or more days prior to the hearing date except in emergency cases where Notices are issued immediately upon receipt.	Of a random sample of more than 23% of cases, 98% of the Notices of Hearing were issued in compliance with the standard. The remaining 2% were issued at least 25 days prior to hearing.
Completion of Decisions	Decisions are to be rendered by Board members in the 2 months after the hearing or other process is completed.	Of the 158 decisions issued, 90% complied with the standard. Of the remaining 10%, 8 decisions exceeded the standard as a result of lengthy hearings.
Issuance of Board Decisions	Board decisions are to be sent to the parties within 1 day after the decision is signed by the Member.	Of the 158 decisions issued by Board Members, 100% complied with the standard.
Availability of Decisions to the Public	Decisions are to be made available to the general public within 2 days of release to the parties.	91% of decisions issued complied with the standard. With one exception variance with the standard did not exceed 2 additional days.



The Board monitors issues of fairness and openness through any written complaints received from its clients. During fiscal year 1998-1999 no written complaints were received.

- **Client Satisfaction**

Given the adversarial nature of the hearing process, it is unlikely that both parties in any given case will be pleased with its outcome. Accordingly, the Chairperson provides an opportunity for discussion of any issues that may arise with respect to Board processes through meetings and exchanges with representatives of the employers and bargaining agents.

In addition, the Board has decided to solicit client feedback with respect to its services in a formal way through the conduct of periodic client satisfaction surveys.

The first survey was conducted in early 1998 and the results, which were reported on in last year's Performance Report, showed a high level of satisfaction with all components of the Board's service delivery.

A major issue identified by clients was a need for greater use of mediation services coupled with a need to improve administration of the services. The Board has responded to those issues through the launching of a grievance mediation pilot project (see p. 15) and by integrating the administrative aspect of mediation services within the Operations Branch.

Another issue raised was that of enhancing electronic access to Board decisions. An initiative to upgrade the Board's Web site is currently underway to respond to this client requirement.

- **Guidance to the Parties**

The Board ensures that its jurisprudence is available to assist individuals, the immediate parties to collective bargaining and the staff relations community at large through the publication and distribution of its decisions. The principal vehicle is a publication issued twice yearly called *PSSRB Decisions* which contains a digest of decisions issued in the previous year. A survey of clients undertaken in 1995-1996 confirmed the usefulness of the publication but identified a need to accelerate the production schedule. In 1998-1999 both volumes were produced within the established 6 month time frame.

PSSRB Website

The popularity of the PSSRB Web site has grown increasingly since its launch in January 1998. The number of 'hits' recorded on the Website during the first half of 1999 averaged 19,000 per month. The web site provides clients with electronic access to the PSSRB Decisions publication as well as the Board's annual reports, major statutes, and a report entitled Status of Negotiations which is updated monthly. An initiative to upgrade the Board's Web site is currently underway.

In addition, the Board makes its decisions available through Quick Law (QL) an electronic database. Decisions of the Board are to be downloaded within 1 week of the date of official release. In 1998-1999, 99% of decisions were downloaded within the established time frame.

The Board also provides its decisions to its major clients on diskette as well as in hard copy. This facilitates the dissemination of Board decisions throughout the Public Service.

As well, the Board has set standards for responding to its clients. Information requests are to be responded to by letter within 3 working days and telephone inquiries returned within 1 working day. A review of information requests to the Board's Operations Services over a 9 month period during 1998-1999 showed a 90% compliance rate. The compliance rate concerning telephone inquiries to Operations Services was 100%.

Assistance is given to unrepresented individuals by means of a letter explaining the Board's hearing procedures to be appended to the hearing notification sent 2 months prior to the hearing date. The formal Notice of Hearing is sent 30 or more days prior to the hearing date. A review of files of unrepresented individuals over a 6 month period during 1998-1999 showed a compliance rate of 100%.



- **Quality of Board Decisions**

A major factor in determining the quality of the decisions rendered by the Board is the degree to which they are accepted by the parties and the extent to which they are set aside on judicial review. The following chart provides a synopsis of the judicial review of Board decisions over the past 5 fiscal years under the *Public Service Staff Relations Act* and the *Parliamentary Employment and Staff Relations Act*. The figures for the last 3 fiscal years are not complete as not all the judicial review applications filed in those years have made their way through the Court system.

Synopsis of applications for judicial review of decisions
rendered in the 5 fiscal years beginning
April 1, 1994, and ending March 31, 1999

	Decisions rendered ¹	Number of applications	Applications dismissed	Applications allowed	Applications withdrawn ²	Applications pending ³	Appeals of applications pending ⁴
YEAR 1 (April 1, 1994 to March 31, 1995)	162	16	9	3	4	0	0
YEAR 2 (April 1, 1995 to March 31, 1996)	134	21	14	0	4	0	3
YEAR 3 (April 1, 1996 to March 31, 1997)	131	12	6	1	2	0	3
YEAR 4 (April 1, 1997 to March 31, 1998)	170	19	4	2	4	4	5
YEAR 5 (April 1, 1998 to March 31, 1999)	158	16	0	0	2	13	1
TOTAL	755	84	33	6	16	17	12

¹ Decisions rendered do not include cases settled or withdrawn or dealt with under the expedited adjudication process.

² Refers to originating applications and does not include appeals withdrawn.

³ Applications that have yet to be dealt with by Federal Court. Does not include appeals pending before the Federal Court of Appeal or the Supreme Court of Canada.

⁴ Results of appeals disposed of have been integrated into statistics in this table.

◆ Client Satisfaction Survey – A Follow up

A client satisfaction survey was conducted in early 1998 by Consulting and Audit Canada to provide client feedback with respect to the Board's Services. The results of the survey, which were reported on in last year's Performance Report, showed a high level of satisfaction with all components of the Board's service delivery.

A major issue identified by clients, however, was a need for greater use of mediation services coupled with a need to improve administration of the services.

The Board responded to the administrative concerns raised by assigning the tracking and administrative management of mediation cases to Operations Services and incorporating these cases into the central case management system. This has allowed Mediation staff to focus on the process of mediation.

The identified need for a greater use of mediation services reinforced the results of a prior review of the Board's Legal and Mediation Services which had found that clients were particularly interested in having a formal opportunity to mediate a grievance prior to a Board hearing. Clients also expressed the need for training in dispute resolution. In response the Board sponsored 2 joint training sessions on grievance mediation involving Board members, management and employee representatives. The training sessions, which were conducted in the Spring and Fall of 1998, laid the foundation for the Board's Grievance Mediation Pilot Project. As a result, we have been moving from the traditional adversarial approach to the more positive, mutually satisfactory process of mediation.

● Grievance Mediation Pilot Project

In order to expand the mediation resources available to it, the Board decided to use Board members in the pilot project. The Board's clients agreed with this proposal as long as the Board members doing grievance mediation on any given case would not subsequently adjudicate in the matter.

The 12 month pilot project, which was originally scheduled to start formally in the Spring of 1999, was deferred to September 1999 at the request of the parties. In the interim, the Board has been using its in house mediators to further train Board members. In addition, Board members and staff mediators are involved in a mentorship/co-mediation process in selected cases.



Funding for the project has been allocated from the Department of Justice Dispute Resolution Fund. This has allowed the Board to retain the services of experts in the field to evaluate the project according to the following criteria:

- Improving Conflict Resolution in the Workplace Environment
- Achieving Time and Cost Efficiency
- Enhancing the credibility of grievance mediation
- Enhancing mediator effectiveness

A final report on the project is expected by February 2001.

Electronic Access to Board Decisions

Another issue raised by clients was the enhancement of electronic access to Board decisions. An initiative to upgrade the Board's Web site is currently underway to respond to this client requirement. The Board is also exploring the cost effectiveness of alternate means of electronic distribution of its decisions.

◆ Internal Management

KEY REVIEWS AND AUDITS

It is the Board's policy to conduct independent and objective internal audits on a regular basis of all major functions, systems and organizational units performing significant responsibilities. To this end the Board has contracted with Consulting and Audit Canada (CAC) to provide internal audit services. CAC prepares an annual audit plan and periodically updates the Board's Long Term (3 year) Audit Plan as required. Audits are carried out in accordance with the Internal Auditing Standards in the Government of Canada as issued by the Treasury Board.

The following Reviews were carried out in 1998-1999:

- ***Review of the management control framework of the Public Service Staff Relations Board***

The main objective of the review was to evaluate and test the design of the management control framework. The review focused on the planning, organizing and controlling components of the framework. The review concluded that,

“planning at PSSRB was effective and done efficiently with due regard for the limited resources available;

the organizational structure is supportive of PSSRB operations and comparable to structures of other administrative tribunals; and

PSSRB results conform with the Board’s goals and objectives.”

□ ***Review of information management and production services (IMPS)***

The objectives of the review were to evaluate the effectiveness and efficiency of records management and of responses to access to information and privacy requests, the effective use of human resources and the extent of compliance to PSSRB and central agency requirements. The review concluded that,

“IMPS is effectively carrying out its assigned responsibilities and in an efficient manner. The clients of IMPS expressed that service is timely and of high quality.”

Suggested areas for improving efficiency were the better use of electronic filing and dissemination of information. These recommendations were accepted and form part of an action plan with specific time frames and accountabilities.

□ ***Review of management information technology and Year 2000 Preparedness***

In late 1998, Treasury Board Secretariat strongly recommended that all departments and agencies of the Federal Government conduct independent reviews of their Year 2000 activities to determine the effectiveness of their Year 2000 programs and the accuracy of the associated reporting to departmental management and to Treasury Board Secretariat. The review was conducted, in part, to address this requirement. In a preliminary Report the auditor concluded that,

“Year 2000 Preparedness was an integral element of the PSSRB IM/IT upgrade and renewal process. The management of Year 2000 preparedness was conducted in parallel with the day to day management of the IM/IT functions of PSSRB. We concluded that Year 2000 activities are effectively managed and accurately reported. The status of Year 2000 activities to date indicates that PSSRB Year 2000 remediation should be achieved in time, consistent with TBS targets.”



Copies of the above mentioned Reviews are available upon request.

Shared Services

The Board has undertaken a shared services agreement with the Canada Industrial Relations Board for the provision of financial services. The arrangement is expected to provide both cost and administrative efficiencies.

◆ Volume of Cases

The Board processed 1,212 new matters during the year under review, a slight decrease over the previous year. These cases were filed under the *Public Service Staff Relations Act* (PSSRA) and the *Parliamentary Employment and Staff Relations Act* (PESRA) and include: grievance adjudication, certification, complaints relating to unfair labour practices and collective bargaining matters.

Grievance adjudication under the PSSRA represents the largest single component of the Board's workload. The complexity of the cases has increased for grievances relating to harassment, discrimination, and termination for incompetence and incapacity. In such cases more time is required for hearing days and decision writing.

In 1998-1999 the adjudication workload under the PSSRA totalled 1,307 cases comprising 499 new cases received during the fiscal year and 808 cases carried over from fiscal year 1997-1998. Cases can be carried over for a variety of reasons including cases that were heard and were awaiting decisions at year end, were scheduled for hearing, or were held in abeyance at the request of the parties pending discussions or other decisions from the Board, other tribunals or courts. The number of adjudication cases disposed of during 1998-1999 was 577, thus leaving 730 cases carried over to 1999-2000.

Collective bargaining resumed on a broad scale in 1998-1999 with conciliation as the only method of dispute resolution. Conciliators were involved in assisting the parties in 64 cases. In addition, 10 conciliation boards were established in response to requests from 31 bargaining units.

The Board continued to consult with the parties in an effort to facilitate the designation process, in particular the mechanisms for informing incumbents of designated positions.

The process under the Public Service Staff Relations Act for designating positions the duties of which are necessary in the interest of the safety or

security of the public was amended in 1993. Employees who occupy designated positions are prohibited from taking strike action.

A designated position is identified by its position number. Each time a position number is changed due to a reorganization within a department or the reclassification of a position, the record of the designation has to be changed by a decision of the Board and a new form prepared to notify the incumbent of the position that he or she occupies a designated position.

From the outset it was recognized by the Board, the employers and bargaining agents that the revised process did not take into account the dynamic nature of the public service. Through a series of meetings with the Treasury Board and the larger bargaining agents, the Board established a framework that enabled the designation process to work, despite the inadequacies of the legislation.

During the course of the last round of collective bargaining, in addition to its normal activities, the Board's Operations Branch processed some 45,000 forms by which the employees who occupy designated positions are notified of the designation. This onerous undertaking was further complicated by the large number of ongoing changes required once the initial notices were issued.

While the parties continued to settle the majority of designation proposals submitted there were, nevertheless, 32 Designation Review Panels established. The panels were successful in assisting the parties to resolve their dispute in the majority of cases. Only 1 dispute was submitted to the Board for determination.



SECTION IV: CONSOLIDATED REPORTING

Special Travel Policies

The PSSRB Travel Policy reflects the Treasury Board Travel Directive in its application to all PSSRB staff, as well as to Board Members who are Governor in Council appointees (GIC's). In the case of its GIC's the Board generally adheres to the GIC Special Travel Authorities Directive (which forms part of the Treasury Board Travel Directive) with restrictions on meals and accommodations. The PSSRB Travel Policy, in its entirety, is available upon request.

Year 2000 (Y2K) Readiness

The PSSRB is not responsible for any Government Wide Mission Critical Systems. It is, however, dependent on 3 government shared systems (Common Departmental Financial System (CDFS), Human Resource Information System (HRIS) and On-line Pay. Accordingly, the Board must rely on the assurance given by Public Works and Government Services Canada that these shared systems are Y2K compliant.

The Staff Relations System (SRS), a computerized case management and scheduling system, represents the Board's primary mission critical system required to support its business priorities. The SRS, which was developed specifically for the Board is Y2K compliant. All other applications considered mission critical to the Board have been certified compliant by their originators.

An independent review of the Board's Year 2000 readiness conducted by Consulting and Audit Canada (see p. 17) concluded that the PSSRB Information Management/Information Technology infrastructure will be Year 2000 compliant in time.

The Board has submitted a contingency plan to the National Contingency Planning Group.

SECTION V: FINANCIAL PERFORMANCE

Since 1992, the Board has introduced structural efficiencies by reducing the number of management and supervisory positions as well as matching resources with service levels and workload. Further operational efficiencies have been achieved through consolidation of hearing locations in major centres across Canada, implementation of a policy dealing with the granting of postponements, streamlining of the case management process and piloting an expedited adjudication process. The use of part-time Board members, since 1997 has contributed to greater cost effectiveness in the area of adjudication. All of these initiatives have enabled the Board to maintain its workload at reduced costs while maintaining a satisfactory level of service to its clients.

The following Financial Tables apply to the Public Service Staff Relations Board:

Financial Table 1

Summary of Voted Appropriations				
Authorities for 1998-1999				
Financial Requirements by Authority (thousands of dollars)				
Vote		1998-1999		
		Planned Spending	Total Authorities	Actual Spending
Public Service Staff Relations				
35	Operating expenditures	4,800.0	5,341.2	4,876.8
(S)	Contributions to employee benefit plans	682.0	716.0	716.0
	Total Agency	5,482.0	6,057.2	5,592.8
Total authorities are main estimates plus supplementary estimates plus other authorities				



Financial Table 2

Departmental Planned versus Actual spending (thousands of dollars)			
Public Service Staff Relations	1998-1999		
	Planned Spending	Total Authorities	Actual Spending
FTEs	55	55	51
Operating	5,482.0	<i>6,057.2</i>	5,592.8
Cost of services provided by other departments	<u>1,256.0</u>	<u>1,256.0</u>	1,220.0
Net cost of the program	6,738.0	<i>7,313.2</i>	6,812.8

Notes: Numbers in Italics denote total authorities for 1998-1999 (main and supplementary estimates and other authorities)

Bolded numbers denote actual expenditures in 1998-1999

Financial Table 3

Historical Comparison of Total Planned Spending to Actual Spending (thousands of dollars)					
	Actual 1996-1997	Actual 1997-1998	1998-1999		
			Planned Spending	Total Authorities	Actual Spending
Public Service Staff Relations Board	4,681.0	5,125.8	5,482.0	<i>6,057.2</i>	5,592.8
Total Agency	4,681.0	5,125.8	5,482.0	6,057.2	5,592.8

Total Authorities are main estimates plus supplementary estimates plus other authorities

SECTION VI: SUPPLEMENTARY INFORMATION

A. Listing of 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 Decisions (a summary of decisions of the Public Service Staff Relations Board issued twice yearly)
- Operational Review of Legal and Mediation Services
- Public Service Staff Relations Board - Client Satisfaction Survey
- Status of Negotiations Report

B. Legislation Administered by Public Service Staff Relations Board

- *Public Service Staff Relations Act*, R.S.C. 1985, c. P-35
- *Parliamentary Employment and Staff Relations Act*, R.S.C. 1985 (2d Supp.), c. 33
- Certain provisions of Part II of the *Canada Labour Code*, R.S.C. 1985, c. L-2
- *Yukon Education Act* - Part 10 - Teachers Staff Relations, S.Y. 1989-90, c. 25
- *Yukon Public Service Staff Relations Act*, R.S.Y. 1986, c. 142



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