



# RCMP External Review Committee

2000-2001  
Estimates

Part III – Report on Plans and Priorities

Canada

## The Estimates Documents

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

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

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

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

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

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

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**RCMP  
EXTERNAL REVIEW  
COMMITTEE**

**2000-2001  
Estimates**

**Report on Plans and Priorities**

Approved

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Solicitor General of Canada

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## Section I: Messages

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### A. *Chair's Message*

1999-2000 marked a turning point for the RCMP External Review Committee. It succeeded in completely eliminating the backlog of cases that had accumulated over several years. At the same time, the Committee significantly reduced the amount of time required to dispose of grievances and disciplinary appeals referred to it. It is to be noted that several grievances referred to the Committee could not be heard because they were not part of the grievance categories over which the Committee has jurisdiction. Furthermore, compliance with the deadlines established by the *RCMP Act* for filing grievances is an issue which came up time and time again in grievances referred to the Committee. On several occasions, the Committee recommended to the Commissioner that he exercise the discretionary authority granted by the *Act* to extend the deadline for presenting a grievance either at Level I or Level II, due to extenuating circumstances which accounted for the delay in the grievance presentation.

In 2000-2001, the Committee will aim to increase awareness of its role within the RCMP and disseminate information throughout the organization about the most important principles established by the Committee since its creation in 1988. Hopefully, the result of the various communication initiatives being launched by the Committee will be to give all members a broader understanding of the legislative and police framework that governs labour relations within the RCMP.

The ability of the External Review Committee to do its job well is largely contingent on the willingness of the RCMP to share information. The Committee has to know that the Force will make available whatever information it needs so that its analysis of grievances and disciplinary appeals it receives is complete. As a general rule, there is an obvious willingness on the part of managers to be transparent and they display a high level of confidence towards the Committee.

In meetings during the past year in several regions of the country with members at all levels of the RCMP, it was apparent to me that the issue of labour relations within the RCMP is of great interest to all.

Philippe Rabot  
Acting Chair

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**B. Management Representation Statement**

I submit, for tabling in Parliament, the 2000-2001 Report on Plans and Priorities (RPP) for the RCMP External Review Committee.

To the best of my knowledge, the information :

- accurately portrays the Committee's mandate, priorities, strategies and planned results of the organization;
- is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*;
- is comprehensive and accurate; and
- is based on sound underlying information and management systems.

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

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

Bernard Cloutier  
Executive Director

January 30, 2000

## Section II: Departmental Overview

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### A. *Mandate, Roles and Responsibilities*

Under the *RCMP Act*, the RCMP Commissioner refers all appeals of formal discipline and all discharge and demotion appeals to the Committee unless the member of the RCMP requests that the matter not be referred. In addition, pursuant to section 33 of the *RCMP Act*, the RCMP Commissioner refers certain types of grievances to the Committee in accordance with regulations made by the Governor in Council. Section 36 of the *RCMP Regulations* specifies the grievances which the RCMP Commissioner is obliged to refer to the Committee, namely grievances respecting:

- a) the Force's interpretation and application of government policies that apply to government departments and that have been made to apply to members;
- b) the stoppage of pay and allowances of members made pursuant to subsection 22(3) of the *RCMP Act*;
- c) the Force's interpretation and application of the Isolated Posts Directive;
- d) the Force's interpretation and application of the RCMP Relocation Directive; and
- e) administrative discharge on the grounds of physical or mental disability, abandonment of post, or irregular appointment.

In each case, the member may request that the matter not be referred, in which case the RCMP Commissioner has the discretion whether to refer the matter or not.

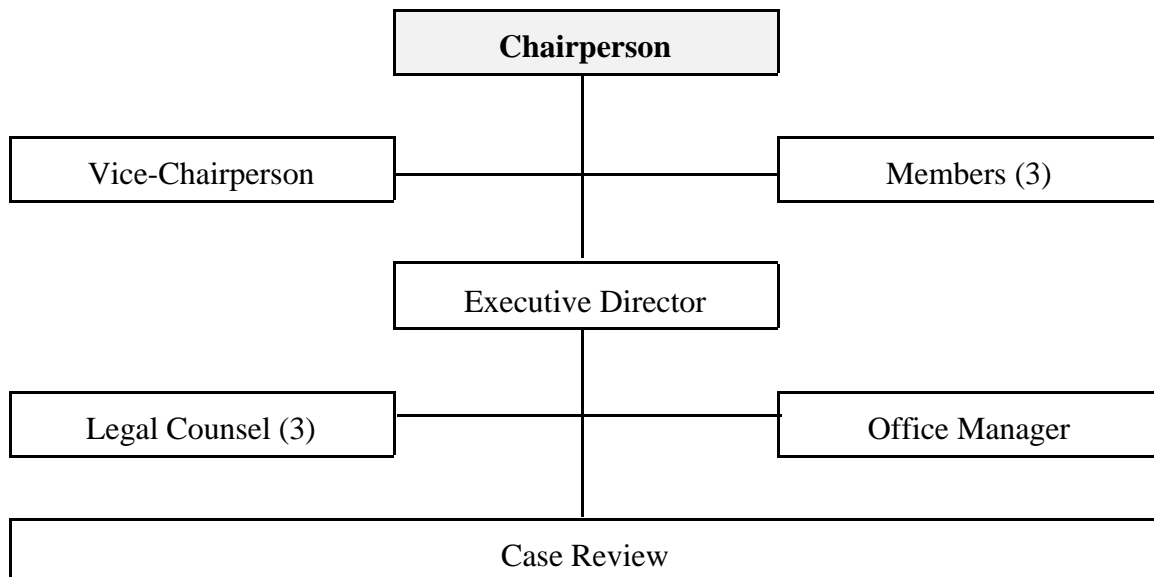
The Chair of the Committee reviews all matters referred to it. Where the Chair is not satisfied with the RCMP's disposition of the matter he or she may

- a) advise the RCMP Commissioner and the parties of his Findings and Recommendations resulting from his review; or
- b) initiate a hearing to consider the matter. At the end of the hearing the Committee member(s) designated to conduct the hearing will advise the RCMP Commissioner and the parties of the Committee's Findings and Recommendations.

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In practice, even when the Chair is satisfied with the original disposition, he advises the RCMP Commissioner and the parties of the reasons by means of Findings and Recommendations. The RCMP Commissioner may accept or reject the Committee's recommendations but if he rejects a recommendation, he must provide written reasons for so doing.

In conducting its review of matters referred to it, the Committee attempts to achieve a balance amongst the many complex and different interests involved while ensuring that the principles of administrative and labour law are respected and the remedial approach indicated by the *RCMP Act* is followed. In each case, the Committee must consider the public interest, ensure respect for the right of RCMP members to fair treatment in accordance with the spirit of the Act and of the Public Service's internal regulations, and ensure that RCMP management is in a position to manage its labour relations in such a way as to maintain public confidence.



***B. Departmental/Program Objective***

To provide external review of appeals of formal discipline, appeals of discharge or demotion, and certain types of grievances referred to it by the Royal Canadian Mounted Police.



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### ***C. External Factors Influencing the Department***

Several factors affect how the Committee conducts its business:

- *Committee's lack of control over the number and nature of referrals*

The Committee does not control the number or the nature of cases referred to it. These may vary considerably from year to year. The number of referrals depends, in part, on members' decisions as to whether they should submit their cases to level II, and on the Force's interpretation of the *RCMP Regulations* which establish the Committee's jurisdiction. The Committee is not involved in the decision as to whether a matter should be referred to it, and it has no power to consider grievances that have not been referred to it. Section 36 of the *RCMP Regulations* enumerates the categories of grievance that must be referred to the Committee. While paragraphs 36(b) through (e) are specific, this is not so with paragraph 36(a)—grievances related to the Force's interpretation and application of government policies that apply to government departments and that have been made to apply to members of the RCMP. Whether or not a matter is referable to the Committee under section 36 requires an interpretation in each case. While the vague wording of paragraph 36(a) only affects this one paragraph, it has disproportionate effects given that it accounts for a large proportion of the Committee's grievance referrals. The fact that certain types of very important grievances cannot be referred has given rise to a number of questions. The Committee has therefore undertaken to work with the RCMP to thoroughly review this matter, in order to determine whether it might be opportune to propose amendments to section 36.

- *Legislative and Policy Changes*

Any initiative undertaken by the RCMP to change legislation or policy in the area of labour relations could have a significant impact on the Committee's workload. For example, under section 31 of the Act, a decision cannot be grieved if some other process for redress is provided by a Standing Order of the Commissioner. It is rather unusual to see the mandate of a tribunal being narrowed or enlarged in scope by a mere administrative measure, but this is precisely what can be done by the RCMP Commissioner, without involvement of the Legislator.

- *Ever-increasing complexity of cases referred to the Committee*

While the number of cases referred to the Committee has remained relatively stable in the past three years, the cases themselves have presented an increasing number of unusual legal issues. In the majority of cases, the disciplinary action sought has been discharge. Although the Committee's resource allocations have not been increased, the cases before

it demand meticulous analysis, and in the past year this requirement has brought some increase in the average time that the Committee needs to complete its review of a case and submit its recommendation to the Commissioner.

- *Fast-changing RCMP environment*

In the past three years, the RCMP has taken several initiatives to bring about a change in its organizational culture. One key initiative was the establishment of a dispute resolution system. This might have been expected to reduce the number of referrals to the Committee but the reality was otherwise, partly because the program must not be regarded as a panacea. The lightning pace of change within the RCMP in recent years, due to the regionalization of its organizational structure, the impact of financial cutbacks and the adoption of new approaches to ethics and values issues, has had repercussions in all regions of Canada. And, reflecting the general trend among Canadians toward a heightened awareness of the rights of the individual, the members of the RCMP are more willing to assert themselves to ensure that they are treated with respect and dignity by their employer. This has made them readier to challenge decisions that they consider unfair. Consequently, it would not be surprising to see the Committee's workload increase significantly in the years to come.

#### **D. Departmental Planned Spending**

(thousands of dollars)	Forecast Spending 1999-2000	<b>Planned Spending 2000-2001</b>	Planned Spending 2001-2002	Planned Spending 2002-2003
Budgetary Main Estimates (gross)	799	<b>811</b>	811	811
<b>Total Main Estimates</b>	799	<b>811</b>	811	811
Adjustments **	47	<b>0</b>	0	0
<b>Net Planned Spending</b>	846*	<b>811</b>	811	811
Plus: Cost of services received without charge	80	<b>80</b>	80	80
<b>Net Cost of Program</b>	926	<b>891</b>	891	891
<i>Full Time Equivalents</i>	5	<b>5</b>	5	5

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

\*\* Adjustments are to accommodate approvals obtained since the Annual Reference Level Update (ARLU) exercise and to include Budget initiatives.

### **Section III: Plans, Results and Resources**

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#### **A. *Business Line Objective***

To provide impartial, useful and timely reviews of matters referred to the Committee in a manner that respects and balances the interests of the RCMP, its members, and members of the Canadian public.

#### **B. *Business Line Description***

The RCMP External Review Committee has only one program or business line: *Case Review*.

The Committee, which reports annually to Parliament, is a neutral third party providing an independent and impartial review of cases referred to it by the RCMP. The Committee may institute hearings, summon witnesses, administer oaths and receive and accept such evidence or other information as the Committee sees fit. The findings and recommendations of the Chairperson, or Committee, are sent to the parties and the RCMP Commissioner.

#### **C. *Key Results Commitments, Planned Results, Related Activities and Resources***



**Key Result Commitment # 1** - *The provision of Committee leadership in assisting the RCMP in its labour relations*

#### **Planned Results**

- The provision of impartial, useful and timely *Findings and Recommendations* to the RCMP Commissioner; and
- the provision of useful informal advice to RCMP management and membership.

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## Related Activities

- The processing of 60% of grievances within three months, and 60% of appeals within 6 months;
- the implementation of specific plans designed to further increase awareness of the Committee's role within the RCMP and the dissemination of information throughout the RCMP about important principles established by the Committee since its creation;
- the provision of research, best practices studies and advice on specific issues affecting labour relations within the RCMP;
- the provision of input into proposed amendments to RCMP labour relations policies and procedures;
- the maintenance of regular contacts with all levels of the Force;
- the completion of the review of the Committee's mandate as it relates to grievances;
- the redesigning of the Committee's *Communiqué* to make it more useful to the Committee's stakeholders;
- the maintenance of a web page which includes all of the work the Committee has achieved since its beginning.



**Key Result Commitment # 2** - *Further improving internal management of the Committee*

## Planned Results

- a more effective and efficient way of conducting Committee business

## Related Activities

- enhancing communications with the RCMP to better predict the Committee's future workload;

- 
- creating opportunities for the Committee staff in order for them to further improve their knowledge and skills;
  - completing the work involved in the creation of the Committee's electronic data base with a view to making it a useful management tool.

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## Section IV: Financial Information

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**Table 4.1: Net Cost of Program for the Estimates Year**

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(thousands of dollars)	<b>Total</b>
<b><i>Net Planned Spending</i></b>	<b>811</b>
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	<b>63</b>
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS	<b>17</b>
Workman's compensation coverage provided by Human Resources Canada	<b>0</b>
Salary and associated expenditures of legal services provided by Justice Canada	<b>0</b>
	<hr/> <b>891</b>
<i>Less: Non-Respendable Revenue</i>	<b>0</b>
<b><i>2000-2001 Net Cost of Program</i></b>	<b>891</b>

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## Section V: Other Information

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### Statutes and Regulations Currently in Force

Parts II, III, IV and V of the <i>Royal Canadian Mounted Police Act</i> .....	(R.S.C., 1985, c. R-10), as amended
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### References

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