

Public Service Labour Relations Board

**2006-2007
Estimates**

Report on Plans and Priorities

Approved

**The Honourable Beverley J. Oda
Minister of Canadian Heritage
and Status of Women**

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SECTION I: OVERVIEW

Acting Chairperson's Message

I am pleased to present the 2006-2007 Report on Plans and Priorities for the Public Service Labour Relations Board (the PSLRB).

The PSLRB was established on April 1st, 2005 with the coming into force of the *Public Service Labour Relations Act (PSLRA)*, building on the accomplishments of its predecessor, the former Public Service Staff Relations Board (PSSRB).

An objective under our new mandate is to deliver compensation data that is accurate, timely and useful to our clients. Although some important progress has been accomplished over the last year to establish this new function, a priority remains the identification and development of appropriate and acceptable methodologies for data collection and reporting, the staffing of positions in the new division, the negotiation of cooperative or partnership agreements with provincial governments, and the establishment of contractual arrangements with suppliers in order to deliver useful compensation data to parties for future rounds of collective bargaining. The establishment of the Advisory Board responsible for providing me with advice with respect to the compensation analysis and research services and composed of employer and employee representatives, provides instrumental support. We are mindful of the high expectations from parties in regard to this new responsibility and we continue to build on our status as a neutral and independent third-party to deliver this service in a manner that takes into account their concerns and their needs.



The expeditious handling of proceedings referred to the PSLRB for adjudication remains a priority. We will continue to focus on our backlog, take the necessary steps to reduce the time used to process cases, encourage the use of alternate dispute resolution approaches, and pursue our discussions with the Treasury Board Secretariat to secure a permanent adjustment to our A-base budget in order to support our expanded mandate and increased workforce.

Finally, we will continue to focus on the sound management of resources and effective decision making, based on the principles of the Management Accountability Framework.

I trust that this report will provide you with a clear presentation of our plans and priorities for 2006-2007.

Sylvie Matteau
Acting Chairperson



Management Representation Statement

I submit for tabling in Parliament, the 2006-2007 Report on Plans and Priorities (RPP) for the Public Service Labour Relations Board.

This document has been prepared based on the reporting principles contained in the Treasury Board Secretariat (TBS) *Guide for the Preparation of 2006-2007 Part III of the Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on our approved Program Activity Architecture reflected in the Management Resources and Results Structure (MRRS);
- It presents consistent, comprehensive, balanced and accurate information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to us; and
- It reports finances based on approved planned spending numbers from the TBS.

Sylvie Matteau
Acting Chairperson
Public Service Labour Relations Board



Program Activity Architecture

April 1st, 2005 marked a new era for labour relations in the federal public service as the new *Public Service Labour Relations Act (PSLRA)* became reality. The *PSLRA* established a new Public Service Labour Relations Board (PSLRB) building on the former Public Service Staff Relations Board (PSSRB), an institution that was established in 1967 with the inception of collective bargaining in the public service of Canada. Under the new Act, the PSLRB is vested with an expanded mandate consisting of three major components: adjudication, mediation, and compensation analysis and research.

The Program Activity Architecture (PAA) for the new PSLRB was approved by the Treasury Board in 2005-2006 and builds on the PAA of the former PSSRB while integrating the new compensation analysis and research function. Hence, the program activity of the PSLRB reads as follows: Administration of collective bargaining and grievance adjudication systems in the federal public and parliamentary services, including mediation and compensation analysis and research.



Summary Information

Our mission is to promote and support harmonious employer-employee relations in the federal public and parliamentary services. We accomplish this by:

- Conducting hearings in accordance with the law, the principles of natural justice and rendering timely decisions;
- Assisting the parties, through facilitation and mediation efforts, to resolve their differences on their own;
- Delivering compensation data that is accurate, timely and useful to our clients;
- Ensuring that all processes are impartial and open;
- Consulting with the parties to facilitate and improve our processes;
- Educating and informing clients and the public on our role, services and jurisprudence;
- Promoting a work environment that fosters the development of a knowledgeable and co-operative staff; and,
- Ensuring efficient and effective use of our resources.

Benefits to Canadians – We benefit Canadians by promoting and supporting a harmonious relationship between public servants and their employers. Effective labour-management relations represent a cornerstone of good human resource management and contribute to minimizing the possibility of labour unrest that could lead to disruption in the delivery of government programs. Collaborative efforts between the parties, through communication and sustained dialogue, improve the ability of the public service to serve and protect the public interest.



Financial Resources*:

2006-2007 ¹	2007-2008 ²	2008-2009 ²
\$17,924	\$6,618	\$6,618

*(\$ Thousands)

Human Resources:

2006-2007	2007-2008	2008-2009
90 FTEs	93 FTEs	93 FTEs

¹ Includes supplementary funds approved until 2006-07 for NJC.

² Does not include the funding that will be requested by the PSLRB to pursue its mandate.

Priorities by Strategic Outcome:

Strategic Outcome: Harmonious labour relations in the federal public and parliamentary services.

Program Activity: Administration of the collective bargaining and grievance adjudication systems in the federal public and parliamentary services, including mediation and compensation analysis and research.

Priority	Type	Planned Spending (\$ Thousands)		
		2006-2007	2007-2008	2008-2009
Deliver compensation data	previously committed	6,330	6,330	6,330
Manage our backlog	previously committed	-	-	-
Improve our infrastructure	ongoing	625	110	100
Continue to enhance our management framework	ongoing	25	25	25



Plans and Priorities

The following section provides details on specific initiatives identified for the planning period that support our strategic outcome. The efficient administration of our new statutory mandate remains our number one priority, along with the requirement to secure a permanent adjustment to our A-base to support our new and expanded functions.

We will deliver compensation data

Labour-management relations are enhanced when all parties have equal access to credible, accurate and comprehensive compensation information to support the collective bargaining and compensation determination processes. Under our new mandate, we are responsible for offering compensation analysis and research services which consist of compiling, analyzing and disseminating impartial, accurate and timely information on rates of pay, employee earnings, conditions of work, benefits and related data prevailing in the public and private sectors. These findings will then be made available to parties to the collective bargaining process and disseminated to other public institutions, the private sector, and the general public.

Some important progress has been made over the last 12 months in this regard, mostly in the form of conducting a series of formal consultations with the parties and provincial governments, the assessment of existing methodologies and the evaluation of recent compensation surveys. These activities have confirmed the challenges associated with identifying a survey methodology that meets the divergent expectations of parties. We are still planning to deliver some, albeit limited, compensation data in 2007, in time for the next round of collective bargaining. This will require that we make a determination on a methodology for data collection and reporting, negotiate cooperative or partnership agreements with provincial governments, continue to staff positions in the new division, establish contractual arrangements with suppliers and implement the appropriate technology to manage the data. We will continue to build on our status as a neutral and independent third-party to achieve these objectives, in consultation with the parties. We will also rely on the objective and independent advice of the Advisory Board. Members of this Advisory Board were appointed in December 2005 and represent both employer and employee interests.

We will manage our backlog of grievances and complaints

The expeditious handling of proceedings referred to the PSLRB in accordance with the rules of natural justice and fairness is fundamental to maintaining our integrity and credibility and in carrying out our statutory mandate. Grievances referred for adjudication, which are the results of disputes arising from the application or interpretation of collective agreements or arbitral awards or from major disciplinary action including termination, make up the largest number of our proceedings and account for approximately 80% of the applications received annually. As reported in our 2004-2005 Performance Report:



- the number of new grievance adjudication cases received in 2004-05 has increased by 3% over that of the previous year, and 133% over the volume of 2002-03;
- the number of open files has increased by 35% over the previous year;
- the number of cases carried over to the next year has increased by 56% (and by 200% over the volume of 2002-03).

These increases, along with capacity issues of our parties in dealing with such a high volume of cases, have made it a challenge to deal with the backlog issue, despite the increased internal resources that we have allocated to our registry office and the revision of some processes.

We remain very committed to bringing our caseload to a more manageable level and will pursue various avenues to reduce the backlog. We plan to proceed with a thorough analysis of our backlog to identify common areas for which strategies could be developed. We will establish targets for backlog reductions over the next few years. In close consultation with parties, we will implement changes to our process in regards to the hearing schedule and granting of postponements. The participation of parties at preparatory fact-finding meetings will be encouraged. We will also continue to promote alternative dispute resolution processes such as mediation and expedited adjudication.

We will improve our infrastructure

The Treasury Board Secretariat introduced in May 2004 new security standards in response to an enhanced requirement to protect the Government of Canada infrastructure and information from potential threats. These standards provide a framework for the security of information technology (IT) that is coordinated and uniformed throughout the federal government. We have developed an action plan in line with the many requirements of the standards, keeping in mind our internal capacity to deliver. Our focus over the next 12 months will be on business continuity planning, IT policy development and risk management, based on threats and risks assessments of our programs, services and systems. We will rely on government-wide initiatives and strategies to deliver on other elements of the standards.

The increase in volume and complexity of our cases has put considerable strain not only on our employees and parties, but also on our case management system. The limitations of the technology supporting our current system have become even more apparent with our requirement for closer tracking of cases, more complex reports, and electronic management of cases. Following the successful development of a prototype in 2005-2006, we will proceed over the next 18 months with a phase-in, modular implementation of a new case management system that is based on the electronic management of cases from the initial intake to the distribution and posting of the decision on our website. We are hopeful that this phase-in modular approach will minimize impact on our employees, provide sufficient time for training, produce gradual and, eventually, all expected results, and allow realignments along the way.



The documentation of key internal processes remains a priority. We will therefore continue our objective to document and regularly update internal processes that are unique to our organization, hence facilitating the transition during turnover of employees.

We will continue to improve our management framework

The new *Public Service Employment Act* which came into effect on December 31, 2005 introduces a new way of staffing positions, based on the principles of flexibility, access, fairness and transparency. We have established at the PSLRB the policy framework that enables us to exercise our new authorities. However, the new staffing regime goes beyond policy development. It requires us to change our way of thinking, to integrate human resources planning in every business-related decision we make and to seek innovative ways to attract, develop and retain the right people for the job. We will develop human resources plans for each of our divisions, in line with the overall plan. We plan to identify operational requirements and organizational needs for the next three years and reflect them in our staffing actions. We will also assess opportunities for alternative service delivery, such as partnerships with other independent tribunals in the delivery of specific corporate services.

Employees must be provided with the opportunity to continuously update their knowledge base in order to meet the evolving challenges of their duties and, should they wish so, seek advancement opportunities. As part of our new Learning Policy to be implemented in 2006-2007, we will encourage and support the development of individual multi-year learning plans for employees. We will also continue to organize in-house training sessions on management issues such as conflict management, supervision and health and safety.

Our values are the core of every service that we provide. As stated in our mission statement, we believe that:

- Every client, whether internal or external, is entitled to a service that is respectful, efficient, courteous and timely;
- The high integrity of the PSLRB can only be maintained through honest, discreet and impartial services;
- A knowledgeable, open-minded and diversified workforce working as a team is critical to the success of the organization;
- Employees at all levels must serve the public interest by demonstrating loyalty and commitment to the success of the organization; and
- Employees are to be held accountable for their decisions and actions.



As part of our Management Accountability Framework action plan, we will develop an integrated, comprehensive code of conduct for our employees that builds on the current ethics and values framework. A code of conduct is already in place for Board Members.



SECTION II: ANALYSIS OF PROGRAM ACTIVITY BY STRATEGIC OUTCOME

Description of Program Activity

We administer the adjudication systems in the federal public and parliamentary services. Board members hold grievance adjudication and complaint hearings throughout Canada. Adjudication cases consist of individual, group or policy grievances arising from the application or interpretation of collective agreements or arbitral awards, or individual grievances arising from disciplinary actions which have a financial implication, or from termination. Our mandate includes grievances in which human rights discrimination is an aspect of the case, except for ones related to pay equity.

We also provide a range of mediation services, which include:

- assisting parties through conciliation and arbitration in the negotiation and renewal of collective agreements;
- assisting parties in handling issues arising from the implementation of collective agreements;
- helping parties work together to resolve grievances and complaints and thus avoiding a formal adjudication hearing.

We offer a two-and-a-half day interactive training session at the national level on interest-based negotiations and mediation, geared specifically to labour relations in the federal public service. The high demand for such training, along with the joint union-management approach that we use, makes this training program a unique and critical activity for our clients.

We are currently establishing a compensation analysis and research function that will produce data to be used in the collective bargaining process and also be made available to other public institutions and the private sector.

We handle other proceedings including applications for certification, revocation of certification, displacement, complaints of unfair labour practices, identification of positions whose duties are of a managerial and confidential nature, essential services agreements, determination of successor rights, enforcement of obligations of employer and employee organizations, and complaints of reprisals that resulted from federal employees having exercised their rights relating to workplace health and safety under Part II of the *Canada Labour Code*.

We provide physical 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

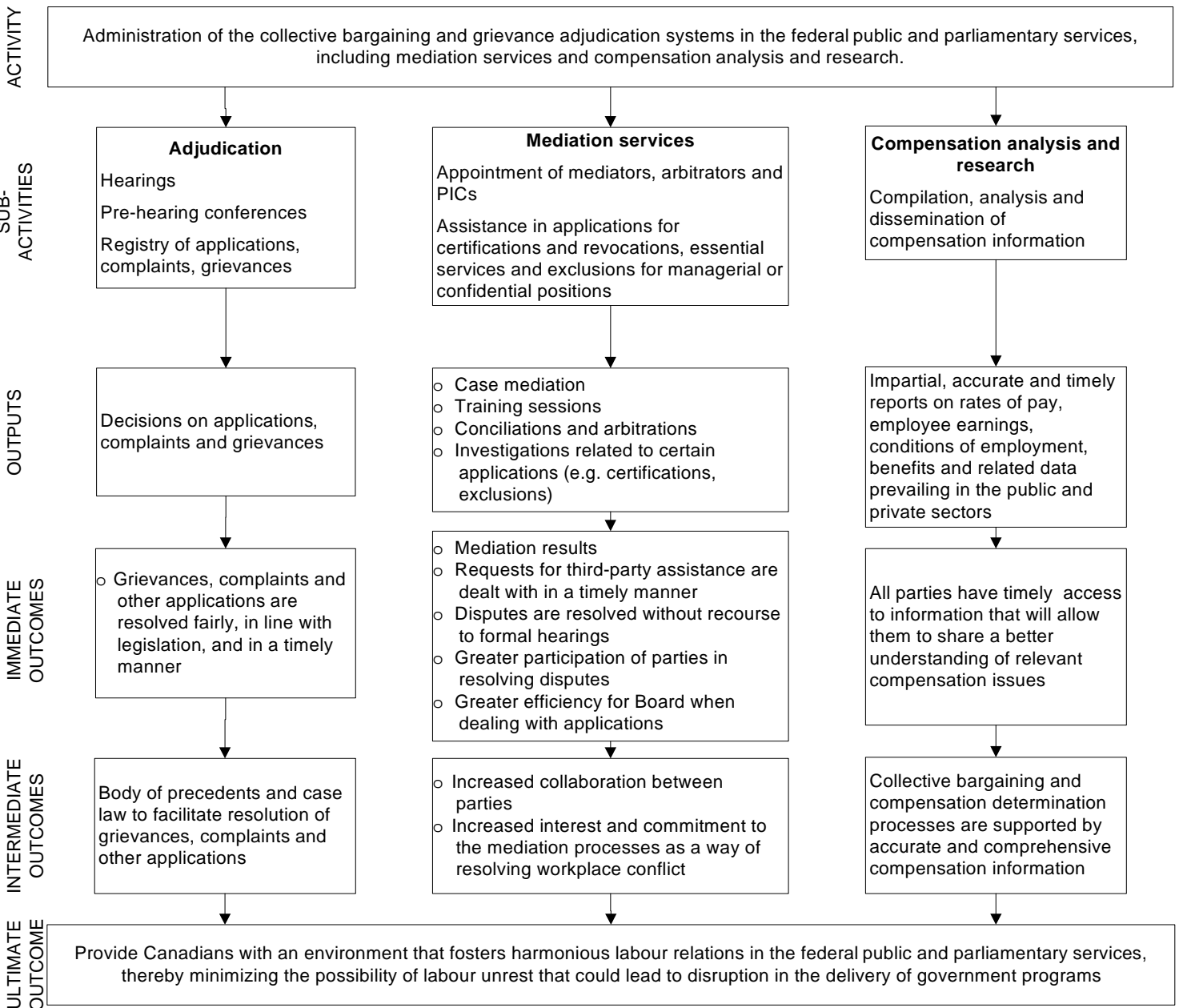


unit-by-unit bargaining. We play no direct role in the administration and operations of the National Joint Council.

Finally, under an agreement with the Yukon government, we administer the collective bargaining and grievance adjudication systems under the Yukon *Education Labour Relations Act* and the Yukon *Public Service Labour Relations Act*. When performing these functions funded by the Yukon government, we act respectively as the Yukon Teachers Labour Relations Board and the Yukon Public Service Labour Relations Board.

The following chart illustrates the links between our activity and sub-activities and their expected results to Canadians:





Performance Measurement

We are in the process of developing and establishing a performance measurement framework adapted to our realities and those of our clients. For example, we indicated earlier in this report that the expeditious handling of proceedings referred to us has always been and remains a priority. However, the increase in volume and complexity of cases, along with capacity issues of our parties in dealing with such increases, require that we re-evaluate our performance standards to make them more realistic and achievable for all concerned. We also want to produce more performance information on a more regular basis, not only for reporting purposes but more importantly to support decision making.

Client satisfaction, timeliness of our processes, quality of our decisions and success of mediation services will continue to be part of the indicators we use to measure our performance. We will also introduce indicators related to the compensation information that we will collect, analyze and make available, to the quality and availability of our on-line services and information, and to our performance against the Management Accountability Framework (MAF) expectations. Finally, we will develop and implement performance indicators pertaining to our workplace and workforce.

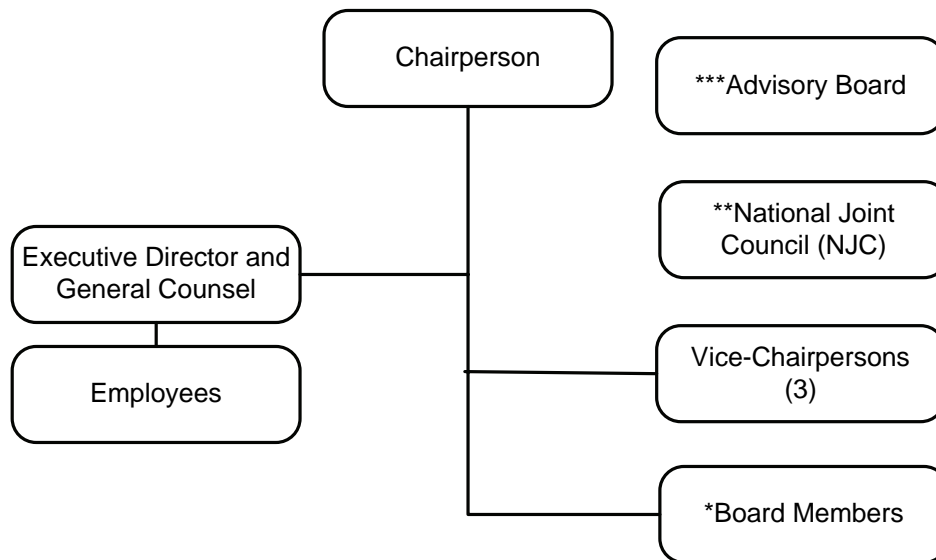
Data sources used for performance measurement include our case management system which records data on all types of cases and their progress through the system, statistics on cases submitted for Judicial Review, the client satisfaction survey which is administered every three years and uses common questions so that responses can be tracked through time, and other formal and informal consultations with clients to obtain regular feedback.



SECTION III: SUPPLEMENTARY INFORMATION

Organizational Information

**Public Service Labour Relations Board
(PSLRB)**



- * The number of Board members is determined by the Governor in Council. Members may be appointed on a full-time or part-time basis.
- ** The PSLRB has no direct involvement in the operations of the National Joint Council.
- *** Section 53. (1) of the *PSLRA* provides for the establishment of an advisory board responsible for providing advice to our Chairperson with respect to the compensation analysis and research services.

The PSLRB is responsible to Parliament through such Minister of the Crown, other than a member of the Treasury Board, as the Governor in Council may designate. The Minister of Canadian Heritage, the designated Minister, is responsible under the Act to table our annual report before Parliament each year and to sign such documents as are required pursuant to the *Financial Administration Act*. The Minister is also the line of communication with the Governor in Council for purposes of appointments to the PSLRB.



Table 1: Planned Spending and Full Time Equivalents

(\$ thousands)	Forecast Spending 2005-2006 ¹	Planned Spending 2006-2007	Planned Spending 2007-2008	Planned Spending 2008-2009
Administration of collective bargaining and grievance adjudication systems in the federal public and parliamentary services, including mediation and compensation research and analysis.	10,570	17,924	6,618 ²	6,618 ²
Total Main Estimates	10,570	17,924	6,618	6,618
<i>Adjustments:</i>				
Adjustment entry to reconcile to best estimate of forecast spending	(700)	-	-	-
<i>Total Adjustments</i>	<i>(700)</i>	-	-	-
Total Planned Spending	9,870	17,924	6,618	6,618
Plus: Cost of services received without charge	2,256	2,267	2,246	2,249
Net cost of Program	12,126	20,191	8,864	8,867
Full Time Equivalents	77	90 ³	93 ³	93 ³

¹ Reflects the best forecast of total net planned spending to the end of the fiscal year.

² Does not include the funding that will be requested by the PSLRB to pursue its mandate.

³ Includes new positions to design and implement the new legislative framework, which have been staffed or are scheduled to be staffed on an indeterminate basis, but for which the funding has not yet been guaranteed (*PSMA*), also includes new positions for the workload issue.

The decrease of \$11,306,000 between the 2006-2007 and the 2007-2008 and 2008-2009 planned spending is attributed to:

- \$5,700,000: temporary funding received for *PSMA* priorities and to cover the PSLRB's increased costs related to its expanded mandate (this funding sunsets in March 2007);
- \$5,165,000: temporary funding received for Compensation Analysis and Research activities (this funding sunsets in March 2007);
- \$442,000: temporary funding received for workload pressures for the National Joint Council (NJC) (this funding sunsets in March 2007).

As previously noted, the PSLRB will be seeking additional funding in order to cover *PSMA* priorities and its expanded mandate which include the Compensation Analysis and Research activities and to address the NJC workload pressures.



Table 2: Voted and Statutory Items listed in Main Estimates

(\$ thousands)			
Voted & Statutory Item	Public Service Labour Relations Board	Current Main Estimates 2006-2007	Previous Main Estimates 2005-2006
100	Program expenditures	17,073	9,269
(S)	Contributions to employee benefit plans	851	1,301
	Total Voted and Statutory Items	17,924	10,570

Note: The Voted and Statutory Items reflect the PSLRB approved funding. An adjustment during the year to the statutory item to better reflect the PSLRB increase in salary costs will reduce the variance from year to year.

Table 3: Services Received Without Charge

(\$ thousands)	2006-2007
Accommodation provided by Public Works and Government Services Canada	1,871
Contributions covering employers' share of employees' insurance premiums and expenditures paid by Treasury Board of Canada Secretariat	336
Salary and associated expenditures of legal services provided by the Department of Justice Canada	60
2006-2007 Services received without charge	2,267



APPENDIX A: OTHER INFORMATION

Statutes and Regulations Administered by the Public Service Labour Relations Board

- *Public Service Labour Relations Act*, S.C. 2003, c. 22, s. 2
- *Public Service Labour Relations Board Regulations*, SOR/2005-79
- *Public Service Staff Relations Act*, R.S.C. 1985, c. P-35 (repealed as of March 31, 2005)
- *P.S.S.R.B. Regulations and Rules of Procedure*, 1993, SOR/93-348 (repealed as of March 31, 2005)
- *Parliamentary Employment and Staff Relations Act*, R.S.C. 1985 (2d Supp.), c. 33, SI/2005-24
- *P.E.S.R.A. Regulations and Rules of Procedure*, SOR/86-1140 (amended SOR/2005-80)
- Certain provisions of Part II of the *Canada Labour Code*, R.S.C. 1985, c. L-2
- *Education Labour Relations Act*, (Yukon), R.S.Y. 2002, c. 62 (amended 2004, c.8)
- *Yukon Teachers Staff Relations Board Regulations and Rules of Procedure*, O.I.C. 1992/95
- *Public Service Labour Relations Act*, (Yukon), R.S.Y. 2002, c. 185 (amended 2004, c.8)
- *YPSSRB Regulations and Rules of Procedure*, C.O. 1970/226



How to Reach Us

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