



Public Service Staff Relations Board

1997-98
Estimates

Part III

Expenditure Plan

The Estimates Documents

The Estimates of the Government of Canada are structured in three 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 Part III documents provide additional detail on each department and its programs primarily in terms of the results expected for the money spent.

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Approved

Preface

This document is a report to Parliament to indicate how the resources voted by Parliament have or will be spent. As such, it is an accountability document that contains several levels of details to respond to the various needs of its audience.

The Part III for 1997-98 is based on a revised format intended to make a clear separation between planning and performance information, and to focus on the higher level, longer term plans and performance.

The document is divided into four sections:

- The Chairperson's Executive Summary;
- Departmental Plans;
- Departmental performance; and
- Supplementary Information

It should be noted that, in accordance with Operating Budget principles, human resource consumption reported in this document will be measured in terms of employee full-time equivalents (FTEs).

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I Chairperson's Executive Summary

As long as the government engages employees to provide services to the public, it is appropriate and necessary to provide for the administration of its labour relations with those employees. In order for such a system to be effective, the perception of impartiality and neutrality is essential.

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 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 does not directly affect the public interest. However, the public interest is served indirectly 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.

As a federal operation that deals only with employees of the federal government the Board's functions cannot be re-aligned with other levels of government or with partnerships in the private sector which would raise several concerns related to the loss of continuity and consistency of decisions rendered.

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.

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 centers across Canada; implementation of a policy dealing with the granting of postponements; streamlining of the case management process and piloting an expedited hearing process.

In 1995-96 the Board implemented an action plan to address Program Review targets 1 and 2. As a result of actions taken Program Review targets 1 and 2 will likely be met.

All of these initiatives have enabled the Board to maintain its workload at reduced costs without decreasing the level of service to its clients.

The resumption of collective bargaining in 1997-98 will have an impact on the workload of the Board. Key plans and priorities in this area include:

- continuing to encourage the parties to jointly focus on a dispute before and after it is referred to the Board.
- working closely with the parties to facilitate the process of designating positions deemed necessary in the interest of the safety and security of the public.
- maximizing the use of technology in establishing electronic communication links with our clients.

Yvon Tarte
Chairperson

II Departmental Plan

A. Summary of Departmental Plans and Priorities

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.

In support of this mission the Board assists the parties, where possible, to resolve their own differences; ensures that all processes are impartial and open; ensures that quality Board and adjudication decisions are issued expeditiously; consults regularly with the parties to facilitate and improve the Board's processes; educates and informs clients and the public on the Board's role, services and jurisprudence; promotes a work environment that fosters the development of a knowledgeable and co-operative staff and ensures efficient and effective use of resources.

B. Departmental Overview

Roles and Responsibilities

The Public Service Staff Relations Board is a quasi-judicial statutory tribunal responsible for the administration of the Public Service Staff Relations Act and the Parliamentary Employment and Staff Relations Act. In addition, it is responsible for the administration of certain provisions of Part II of the Canada Labour Code concerning occupational safety and health applicable to employees in the Public Service. Proceedings before the Board include grievance adjudication, applications for certification, revocation of certification, complaints of unfair labour practices, the designation of positions as necessary in the interest of the safety or security of the public, the identification of managerial or confidential positions and references of safety officers' decisions and complaints under the safety and health provisions of Part II of the Canada Labour Code. The Board also administers the Yukon Public Service Staff Relations Act and Part 10 of the Yukon Education Act. As well, 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.

The Board also 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.

Organization and Program Composition

The Public Service Staff Relations Act provides for a Board composed of a Chairperson, a Vice Chairperson, not less than three 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/General Counsel 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.

Corporate Objective and Priorities

The Board administers legislation which provides a system within which the various rights and responsibilities of participants to collective bargaining in the Public Service are to be exercised.

Resource Plans and Financial Tables

In all Board operations the volume of work is dependant upon the demand for its services by employers, bargaining agents and individual employees. Predictions with respect to workload and financial resources are based on a review of past experience coupled with a knowledge of the economic, political and social environment in which employer/employee relationships are developing.

A. Authorities for 1997-98 — Part II of the Estimates

		1997/98 Main Estimates	1996/97 Main Estimates
Public Service Staff Relations Board			
35	Program expenditures	4,988	5,129
(S)	Contributions to employee benefit plans	568	494
Total Agency		5,556*	5,623

Included in the Staff Relations Administration Activity is \$ 499K allocated to the National Joint Council Secretariat (NJC). In addition, the administrative support provided by the Board to the NJC is estimated at 174 person days.

*The financial requirements are 1.2% or 67K lower than the 1996-97 requirements. This decrease is due primarily to:

• Program Review Reduction	(300,000)
• 1993 Operating Budget Reduction	(93,000)
• Transfer of resources from Treasury Board Secretariat to the National Joint Council Secretariat	247,000
• Adjustment to employee benefit plans	<u>79,000</u>
	(67,000)

Votes - Wording and Amounts

Vote (dollars)	1997-98 Main Estimates
Public Service Staff Relations Board	
35	Public Service Staff Relations Board - Program expenditures
	4,988,000

B. Departmental Overview

	Main Estimates 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Total Main Estimates	5,623	5,556	5,353	5,353
Estimated cost of Services provided by other Departments	1,803*	1,252	1,247	1,247
Net Cost of the Department	7,426	6,808	6,600	6,600

*See Appendix 3 on page 17 for additional information.

C. Details by Business Line

Business Line Objective

The Board has a single business line which is to administer, in an efficient and expeditious manner, the legislative framework within which labour relations are conducted in the federal Public Service. This includes dealing with such matters as:

- grievances referred to the Board for adjudication
- complaints of unfair labour practices
- applications for certification and revocation of certification
- designation of positions the duties of which are required to be performed in the interest of the safety or security of the public
- requests for the establishment of designation review panels and conciliation boards
- references of safety officers' decisions and complaints under the safety and health provisions of Part II of the Canada Labour Code
- providing assistance to the parties when appropriate, in the resolution of disputes

Operating Context and Key Initiatives

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 current economic climate together with the reorganization of government operations and the general reduction in the number of employees has the potential of creating an atmosphere of uncertainty and stress in the work force. Employees in such an environment are more inclined to exercise their rights to protect their interests. This coupled with recent

jurisprudence extending the broad parameters of human rights principles to labour relations matters will result in more lengthy and complex proceedings before the Board.

The resumption of collective bargaining will result in an increase in the number of Board cases associated with this process into 1997-98 and beyond. In addition, the new process for the designation of positions deemed necessary in the interest of the safety and security of the public will require the appointment of designation review panels and will result in an increase in the Board's workload.

Our response to this environment includes:

- continuing to encourage the parties to jointly focus on a dispute before and after it is referred to the Board.
- continuing to encourage the parties to utilise where appropriate a system of expedited adjudication.
- working closely with the parties to facilitate the process of designating positions necessary in the interest of the safety and security of the public.
- maximizing the use of technology in establishing electronic communication links with our clients. This initiative is in keeping with government-wide communication and information sharing objectives.

Business Line Results Expectation

In providing assistance to the parties for the resolution of both interest and rights disputes and by rendering reasoned decisions the Board expects to foster harmonious labour relations in the workplace and to minimize the possibility of labour unrest which could result in disruption in the implementation of government programs.

III Departmental Performance

A. Summary Of Departmental Performance 1995/96

In total the Board disposed of 879 cases during the year under review. These cases were filed under the various Acts administered by the Board and include: adjudication, certification, complaints relating to unfair labour practices and arbitration of interest disputes. (See Appendix 5 for Workload Statistics).

Grievance adjudication under the *Public Service Staff Relations Act* 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. The number of adjudication cases disposed of during 1995-96 was 817.

In 1995-96 the adjudication workload totalled 1,919 cases comprising 712 new cases received during the fiscal year and 1,207 cases carried over from 1994-95 fiscal year. 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 or the Federal and Supreme Courts.

In 1994-95 the Board piloted an alternative system of dispute resolution called expedited adjudication. During 1995-96 this program was expanded to include an additional bargaining agent. A total of 10 sessions of expedited hearings were held resulting in the disposition of 40 cases.

During 1995-96 the Board implemented its action plan to address Program Review targets 1 and 2. As a result of actions taken Program Review 1 and 2 targets will likely be met. The Board is also in a position to report that such actions have not decreased the level of service to our clients. Employee productivity remains high and all employees identified as affected have either taken retirement, cashed out or have new assignments elsewhere in the Public Service.

B. Departmental Overview

Development of Performance Measures

In all Board operations the volume of work is dependent upon the demand for its services by employers, bargaining agents and individual employees. The requirement for resources is based on forecasts of the Board's workload. Predictions with respect to workload and resources are based on a review of past experience coupled with a knowledge of the economic, political and social environment in which employer/employee relationships are developing.

The achievement of results is measured by the efficient utilisation of the Board's resources in the administration of the legislation in a manner that earns the respect of those parties and individuals who are involved in its proceedings and that establishes and maintains the integrity of the Board.

The appointment of Board members does not come under the authority of the Board's management. The resources required to support them are non-discretionary and form a significant portion of the program activity budget.

C. Details By Business Line 1995-96

Overview of Performance Indicators

Within this context the following are significant and meaningful performance indicators:

Timeliness, Fairness and Openness

The expeditious handling of proceedings referred to the Board from the initial application, complaint or reference to final disposition, in accordance with the rules of natural justice.

Guidance to the Parties

The provision of guidance to the parties to collective bargaining and to employees as to their rights and obligations under the Act and collective agreements.

The Board is currently developing the mechanism for reporting on these indicators in the 1997 fall performance report.

Departmental Appropriated, Planned and Actual Spending

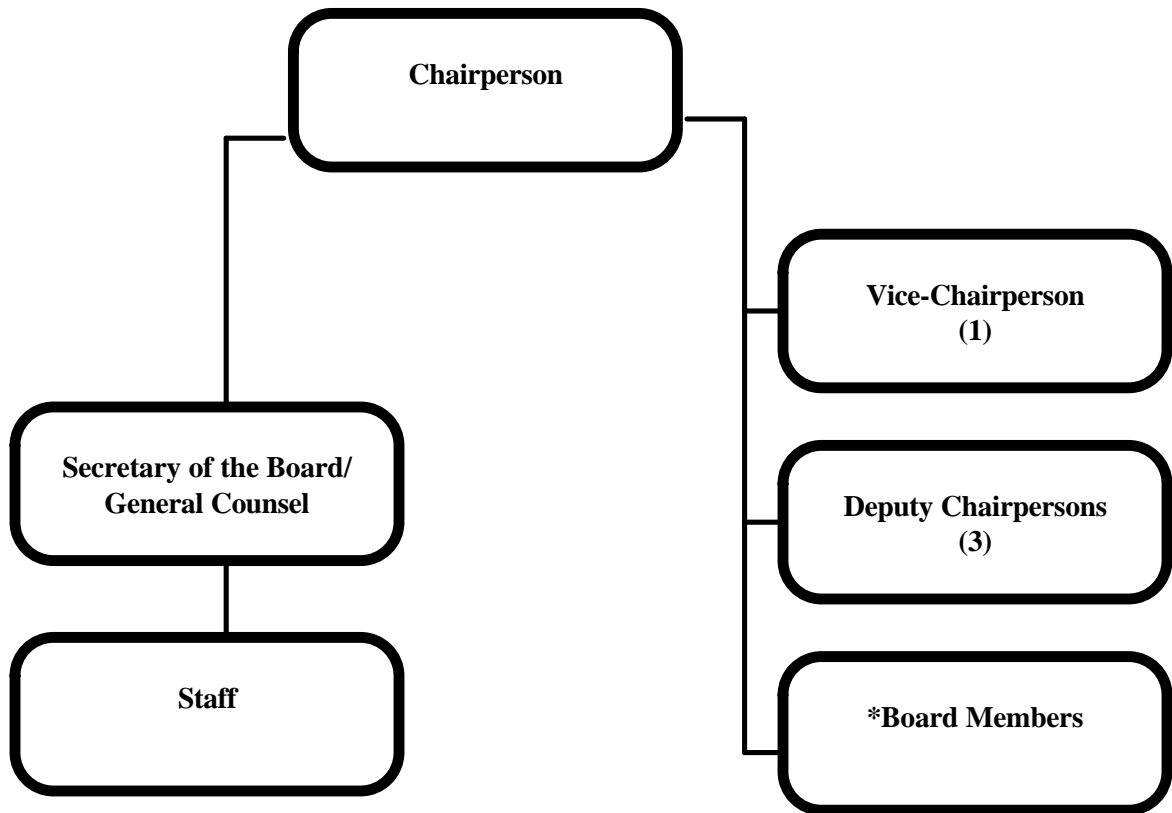
Vote	(dollars)	Actuals 1993-94	Actuals 1994-95	Main Estimates 1995-96	Actuals 1995-96
Public Service Staff Relations Board					
35	Program expenditures	5,789,604	5,097,236	5,473,000	5,069,462
(S)	Spending of proceeds from the disposal of surplus Crown assets	-	1,368	-	-
(S)	Contributions to employee benefit plans	572,000	520,000	480,000	480,000
Total Program - Budgetary		6,361,604	5,618,604	5,953,000	5,549,462

Included in the Staff Relations Administration Activity is \$252K allocated to the National Joint Council Secretariat (NJC).

IV Supplementary Information

Appendix 1 - Organization Chart

**Public Service Staff Relations Board
(PSSRB)**



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

Appendix 2 - Resource Requirements by Standard Object

(thousands of dollars)	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Personnel						
Salaries and Wages	3,916	3,566	3,410	3,338	3,248	3,248
Contributions to employee benefit plans	520	480	494	568	553	553
	4,436	4,046	3,904	3,906	3,801	3,801
Goods and Services						
Transportation and Communications	378	379	399	427	427	427
Information	50	60	88	88	68	68
Professional and Special Services	460	746	655	614	546	546
Rentals	22	24	38	38	38	38
Purchased repair and upkeep	21	16	45	45	35	35
Utilities, materials and supplies	137	207	155	139	139	139
Minor Capital	115	71	91	91	91	91
Other subsidies and payments	-	-	248	208	208	208
	1,183	1,503	1,719	1,650	1,552	1,552
Total Operating Expenditures	5,619	5,549	5,623	5,556	5,353	5,353

Included in the Staff Relations Administration Activity is \$252K allocated to the National Joint Council Secretariat (NJC) for fiscal years 94/95 to 96/97 and \$499K beginning in fiscal year 97/98.

Appendix 3 - Estimated Cost of Services Provided by Other Departments

	Main Estimates 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Accommodation received without charge from Public Works and Government Services Canada	1,599	1,056	1,056	1,056
Employee benefits covering the Employer's share of insurance premiums and costs paid by Treasury Board Secretariat	198	190	185	185
Cheque issue and other accounting services received without charge from Public Works and Government Services Canada	6	6	6	6
Total	1,803	1,252	1,247	1,247

Appendix 4 - Personnel Requirements

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Order-in-Council Appointments	11	10	11	11	11	11
Executive	5	4	4	4	3	3
Scientific and Professional	4	4	4	4	4	4
Administrative and Foreign Service						
Administrative Services	10	8	7	5	5	5
Computer Systems						
Administration	3	3	3	3	3	3
Financial Administration	1	1	1	1	-	-
Information Services	2	1	2	2	2	2
Personnel Administration	1	2	-	3	3	3
Program Administration	3	2	4	4	4	4
Technical	1	1	1	1	1	1
Administrative Support						
Clerical and Regulatory	17	12	14	14	14	14
Secretarial, Stenographic and Typing	9	7	9	7	7	7
Total	67	55	60	59	57	57

In fiscal year 97/98, 4 additional FTE's were allocated to the National Joint Council Secretariat bringing it's total staff complement to 8 FTE's.

Appendix 5.1 -Workload Statistics

**All Board Proceedings
Public Service Staff Relations Act
Fiscal Year 1995-96**

Cases Series	Cases Carried over from 1994-95	Cases Received during 1995-96	Total Cases	Carried forward 1996-97
125 Request for Review	1	1	2	0
142 Certification	0	1	1	1
147 Determination of of Membership	2	1	3	1
148 Section 21 Application	5	16	21	6
149 Extension of Time	4	5	9	3
150 Revocation of Certification	2	1	3	0
160 Complaint (CLC)	3	3	6	2
161 Complaint	33	32	65	22
162 Enactment of Parliament	1	0	1	1
165 Safety Officer Decision	2	4	6	1
166 Adjudication	1207	712	1919	1102
169 Reference (Section 99)	21	12	33	14
172 M&C Objections	32	36	68	23
185 Request for Arbitration	1	4	5	4
189 Conciliation	0	2	2	0
Total for Act	1314	830	2144	1180

Appendix 5.2 -Workload Statistics

**All Board Proceedings -Yukon Education Act,
Yukon Public Service Staff Relations Act
Fiscal Year 1995-96**

Cases Series	Cases Carried over from 1994-95	Cases Received during 1995-96	Total Cases	Carried forward 1996-97
266 Adjudication (Col. Agr.)	12	6	18	10
267 Adjudication (Discipline)	15	7	22	7
269 Adjudication (Sec. 84)	2	1	3	1
270 M&C Objection	2	0	2	0
282 Deadlock Declaration	1	0	1	0
367 Adjudication	2	1	3	1
382 Deadlock in Negotiations	1	0	1	0
Total for Act	35	15	50	19

Appendix 5.3 -Workload Statistics

**All Board Proceedings
Parliamentary Employment and Staff Relations Act
Fiscal Year 1995-96**

Cases Series	Cases Carried over from 1994-95	Cases Received during 1995-96	Total Cases	Carried forward 1996-97
447 Determination of Membership	0	2	2	1
466 Adjudication	26	7	33	15
467 Adjudication	13	21	34	32
469 Reference (Sec. 70)	0	4	4	3
472 M & C Objection	2	0	2	1
Total for Act	41	34	75	52

Appendix 5.4 - Workload Statistics

**Adjudication - Public Service Staff Relations Act
1 April 1992 - 31 March 1996**

Fiscal year	Brought Forward	Receipts	Overall Total	Dispositions
1996-97	1102			
1995-96	1207	712	1919	817
1994-95	1502	748	2250	1043
1993-94	1233	1706	2939	1437
1992-93	560	1691	2251	1030

Appendix 5.5 - Workload Statistics

**Adjudication Hearing Workload -
Public Service Staff Relations Act**

	Estimates 1997/98	Projected 1996/97	Actual 1995/96
Hearings Scheduled	400	400	343
Hearings Held	225	225	164
(Number of days)	400	400	419

Appendix 6 -Statutes Administered by the 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

Appendix 7 - References

- Public Service Staff Relations Board Annual Report
- Parliamentary Employment and Staff Relations Act Annual Report
- PSSRB Decisions (a summary of decisions of the Public Service Staff Relations Board issued twice yearly)
- Yukon Public Service Staff Relations Board Annual Report
- Yukon Teachers' Staff Relations Board Annual Report