

PREVIOUS COLLECTIVE BARGAINING NEGOTIATIONS PROPOSED RESPONSES TO THE PROVINCES & TERRITORIES' QUESTIONS RECEIVED IN 2022

#	TOPIC	ITEM or DESCRIPTION	QUESTIONS FROM PTs	RESPONSE (S)
1	Collective Bargaining Process	Collective Bargaining Proposals	<p>Provide scope of what issues/items that are anticipated to be considered and negotiable during bargaining. (Q1)</p> <p>Provide information about what is "on and off the table" for the upcoming round of bargaining would be beneficial. (Q18)</p> <p>Provide agreed-upon joint statements from TBS and NPF that outline bargaining priorities, items in scope for negotiation, timelines, and progress updates. (Q8)</p>	<p>The Treasury Board of Canada Secretariat (TBS) presented an update on Collective Bargaining at the Contract Management Committee Meeting held February 14, 2023, which included information on the scope of collective bargaining, employer priorities, information related to the total compensation model and an overview of the collective bargaining landscape in the police universe. Please refer to TBS's <i>Collective Bargaining Update</i> presentation delivered at CMC on February 14, 2023 (<i>See Annex A</i>) for more information.</p> <p>The Employer's bargaining priorities are to preserve management rights in order to maintain operational effectiveness, while ensuring negotiated increases are competitive and fair for members and Canadians.</p> <p>The NPF's bargaining priorities are geared towards becoming the most competitive police force in the country in terms of salary and total compensation.</p> <p>Out of respect for the collective bargaining process and the principles of negotiations confidence, TBS cannot speak to specific bargaining proposals.</p> <p>Once a new collective agreement is ratified, Public Safety will facilitate a closing meeting with TBS to communicate collective bargaining negotiation outcomes in alignment with the Engagement Framework presented at CMC on February 14, 2023 (<i>Annex C</i>).</p>
		Updating PTs on collective bargaining process and status	<p>Provide briefing material after each of the sessions with NPF providing summaries on discussions (i.e. issues identified, updates of timelines, impact analysis). (Q4)</p> <p>Schedule CMC ad hoc meetings (bi-weekly tel. conf.) to discuss issues that may possibly be tabled to get the PT/M perspective of the potential impacts before going into bargaining. For example, items impacting how police services are delivered. (Q6)</p>	<p>Public Safety will facilitate regular and ongoing engagement opportunities between contract jurisdiction and TBS in alignment with the Engagement Framework presented at CMC on February 14, 2023 (<i>See Annex C</i>).</p> <p>To date, bargaining sessions have been scheduled up to June. Specifically, sessions are planned for May 9-11 and June 6-8.</p> <p>As previously mentioned, TBS is not in a position to share information related to issues or proposals. As such, it is important to note that until parties reach an agreement, the scope of updates from TBS will be limited.</p>

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			<p>Request that update be provided at the beginning of the bargaining process and after key milestones are achieved and/or negotiations on specific items are concluded. (part of Q8)</p> <p>Keep CMC informed on progress of negotiations. (Q11)</p> <p>Facilitate direct communications with contract partners municipalities. (Q12)</p> <p>Ensure that appropriate communications flow back to CMC partners in a timely manner as the process unfolds (Q16)</p> <p>Identify key contacts to provide further information and answer to contract partners' questions, as reasonably requested. (Q22)</p> <p>Inform contract partners that a new round of negotiations is forthcoming. (Q14 a)</p> <p>Outline what contract partners can expect in terms of negotiation timelines, progress updates, and future communications on this topic. (Q14 b)</p> <p>Ensure that appropriate communications flow back to CMC partners in a timely manner as the process unfolds. (Q16)</p> <p>Provide overview of the expected negotiation timeline, including clear information about when and how updates will be communicated to contract partners throughout the process. (Q19)</p>	<p>That being said, provinces, territories and municipalities are welcome to table considerations that they feel are relevant with respect to <u>in-scope issues</u>.</p> <p>The Contract Management Committee (CMC) will be leveraged as the forum for discussion and information sharing for the Second Round of Collective Bargaining between TBS and the NPF. To ensure that municipalities are aware of discussions among CMC members, Municipal Associate Members* representing municipalities at CMC will be responsible for disseminating information received to its municipalities. Public Safety Canada may organize separate meeting(s) with municipalities as needed to complement information disseminated by CMC Municipal Associate Members.</p> <p>Additionally, provincial representatives can represent jurisdictions that do not currently have a designated Municipal Associate Member.</p>

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			<p>Provide clear and mutually agreeable delineation of roles, responsibilities, and key contacts for communications between PS Canada and the RCMP to contract partners, including expected communication in the event of any changes to these items. (Q20)</p> <p>Provide regular (quarterly?) updates through CMC on any sharable news regarding the state of the negotiations and any changes to the mandate or timelines previously communicated to contract partners. (Q21)</p>	
		Previous round of collective bargaining: How PTMs issues from 2019 were addressed.	<p>Review response/feedback on the items PT/Ms submitted for consideration (i.e. Sept 2019 paper) and if/how PT/M issues were considered during the negotiations. (Q5)</p> <p>Communicate previous bargaining priorities from the first round of negotiations (such as the proposals that NPF withdrew after the competitive wage increase was offered). (Q10)</p>	<p>In the first round, the employer's priority was to re-establish competitive wages while maintaining status quo given it was the first collective agreement. The National Police Federation's priority in the first round, was to make RCMP unionized members the most competitive police force in the country in terms of salary and total compensation, as well as ensuring standing in different facets of RCMP operations.</p> <p><i>Annex B</i> (provides an overview of how the 2019 issues were addressed) – see page 7-8 of this document.</p>
		Regional considerations during collective bargaining	<p>Consider jurisdictional realities in the negotiation process. (Q15)</p> <p>Decisions impacting staffing requirements for small, rural and remote detachments may significantly impact certain jurisdictions. (Yukon)</p> <p>Decisions impacting national policies and standards may significantly impact northern jurisdictions and the territories. Potential impacts must be considered.</p>	<p>As Canada's National Police Force, TBS is cognizant of regional pressures and the varying circumstances across the country. TBS and RCMP are working closely to assess all bargaining proposals and to evaluate their impact across different jurisdictions big and small.</p> <p>Overall, staffing requirements, national policies and standards are considered outside the scope of collective bargaining and are to be addressed through RCMP/Public Safety Canada normal communication channels (i.e. CMC).</p>

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			Need for clarification for PSA vs First Nation and Inuit Policing Program agreements <i>(To be addressed separately)</i>	
	Costs	Conducting analysis to determine cost implications stemming from collective bargaining proposals	<p>Early forecasting on how the possible outcomes of the process may impact various aspects of contract policing, from a federal perspective. (Q23)</p> <p>Provide adequate lead time to enable cost-bearing partners to forecast and plan for financial impacts. (Q17)</p>	<p>As previously mentioned, TBS presented an update on Collective Bargaining at the Contract Management Committee Meeting held February 14, 2023, which included an overview of the collective bargaining landscape in the police universe.</p> <p>Overall, TBS conducts comprehensive analyses under each of the four guiding principles provided in their presentation (i.e., external comparability, internal relativity, individual/group performance and affordability). A risk analysis and analyses on cost impacts are also conducted however, this information is protected under “negotiations confidence”.</p> <p>Finally, police operations are under RCMP Commissioner authorities and management rights. Through CMC and its sub-committees, the RCMP may communicate as applicable any critical operational requirements that may have significant service delivery/cost impacts once the collective agreement has been ratified.</p>
		Communicating or sharing cost implications	<p>Communicate possible critical operational requirements that may have significant service delivery/cost impacts and risk analysis. (Q2)</p> <p>Signal when the cost reach specific thresholds with engagement on significant decisions respecting affordability and provide opportunity for “meaningful consultations”. (Q3)</p> <p>Communicate potential cost impacts ranges and timelines; Communicate estimated range of the next impact on costs to contract partners. (Q7 & Q9)</p> <p>Better communicate cost impact to contract partners and provide explanation. (Q13)</p> <p>Provide clear and timely communications regarding the final cost impacts for PTMs and the timelines. (Q24)</p>	<p>Police operations remain with the RCMP Commissioner authorities and management rights. Through CMC and its sub-committees, the RCMP will communicate as applicable any critical operational requirements that may have significant service delivery/cost impacts.</p> <p>Cost impacts will be communicated as early as possible and after negotiations have concluded in collaboration with RCMP Finance.</p>

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			Provide adequate lead time to enable cost-bearing (Q17)	
3	Items considered outside the Scope of Collective Bargaining	Out of scope items: Legislation	Clarify around items that are considered non-negotiable as a result of legislation (i.e., pension) and how they are handled in the negotiating process. (Q3 a)	<p>Items considered non-negotiable as a result of legislation are not negotiated. Any legislative amendments to the <i>Financial Administration Act (FAA)</i>, <i>RCMP Act</i>, <i>RCMP Superannuation Act</i> or <i>the Federal Public Sector Labour Relations Act</i> follow established procedures.</p> <p>TBS under the FAA is responsible for human resources management in the public service, including determining terms and conditions of employment, pensions, compensation and benefits. Some of these responsibilities have been delegated to deputy heads and in the case of the RCMP, its Commissioner.</p> <ul style="list-style-type: none"> Pensions are managed under the <i>RCMP Superannuation Act</i>; which, similar to all legislation, is outside the scope of the collective bargaining.
		Out of scope items: Total compensation approach	For items not included in negotiations, how are they being contemplated outside of the process to allow a total compensation approach? (Q3 b)	<p>As TBS indicated in their presentation, the value proposition of the TBS, as the Employer for the Core Public Administration and the RCMP, revolves around its total compensation regime: Base Salary; Paid Leave; Allowances and Premiums; Pension; Canada Pension Plan/Quebec Pension Plan Contributions; Benefits; and Employment Insurance Contributions.</p> <p>Even though benefits such as health and dental are considered to be outside the scope of collective bargaining, there is nothing legislative barring these items from being raised or discussed. TBS will seek to establish a separate forum in near future to discuss benefits outside of the collective bargaining process.</p> <p>Topics that fall under existing National Joint Council (NJC) policies are out of the scope of collective bargaining. Bargaining agents are reminded to contact the NJC directly should they need to discuss issues with policy or participate in consultation processes during policy cyclical reviews.</p>
		Out of scope items: management rights	Clarify what items are considered to be management rights (e.g., staffing two person/car). (Q3 c)	<p>As per TBS's <i>Collective Bargaining Update</i> presentation delivered at CMC on February 14, 2023 (<i>See Annex A</i>), items considered to be management rights include:</p> <ul style="list-style-type: none"> Police Operations; Conduct; Resourcing, Staffing and Promotions;

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				<ul style="list-style-type: none"> • Classification; • Performance Management; and • RCMP Policies. <p>As previously mentioned, Deputy Heads under the <i>Financial Administration Act</i>:</p> <ul style="list-style-type: none"> • Establish learning, training and development needs, • Provide awards; • Set standards of discipline; • Demote or terminate employees; • Assess performance; and • Determine organizational and work requirements. <p>The above are considered “management rights”.</p> <p>PTs have in the past identified the following “management rights” as issues that they would like discussed and addressed. Examples are:</p> <ul style="list-style-type: none"> • Flexibility in service delivery • Staffing - Back up/Scheduling • Staffing - Performance Management • Staffing - Promotions and Placement • Staffing - Two person/car • Standards - Training, equipment, health policies

ANNEX B- Round 1: PTM Priorities and Achieved Outcomes (From last round of collective bargaining)

PTM Priorities/Interests	Achieved Outcomes
<p>Service Delivery – Flexibility - Maintain flexibility, responsiveness and diversity of police operations by leveraging civilian supports (e.g. tax and forensic accountants) to combat modern day crime - Maintain regional integration and reporting relationships (e.g. municipal leadership) - Flexibility to adopt alternative delivery models and tier policing (e.g. civilian analyst) - Specialized training and certification maintenance - Ability to address peak periods (e.g. seasonal, special events...etc.) and regional variances</p>	<ul style="list-style-type: none"> Flexibility in terms of service delivery and operational requirements to ensure effective policing were maintained as a management right and safeguarded under the authority of the Commissioner. This allows the RCMP to adjust its operations based on the policing needs of each PTM.
<p>Police Duties/Obligations under the PSA - Maintain ability to address emergencies (e.g. natural disasters, fires) and respond to planned/unplanned major events (e.g. Olympics/Leadership gatherings...etc.) - Continue providing regional specific services (e.g. prisoner transport)</p>	<ul style="list-style-type: none"> Duties and obligations under the various PSAs remain unchanged and these functions continue to be fulfilled by the RCMP.
<p>Standards - Training, equipment, health policies etc. - Maintain kit and equipment, training, including training specific to the region which would consider cultural variances</p>	<ul style="list-style-type: none"> Training, equipment and standards continue to be managed by the RCMP, with regional variances managed by the CO of each region/division. Although the collective agreement does not directly impact training and equipment standards, the NPF now sits on various RCMP committees (e.g. Health and Safety, Uniform and Equipment) which provides a unique lens/perspective leading to more informed decision making.
<p>Staffing – Minimum Staffing - Mandated minimum staffing levels could result in increase costs and administration which may be unsustainable by certain PTMs</p>	<ul style="list-style-type: none"> Minimum staffing levels were not open to negotiations in the last round.
<p>Staffing – Back up/Scheduling - Recognition of resource shortages, soft vacancies and the effect on member wellness (i.e. lack of unfettered time off)</p>	<ul style="list-style-type: none"> Resourcing shortages were not explicitly addressed in the collective agreement, however, there are some provisions which strengthen a member's ability to obtain unfettered time off (e.g. Voluntary OR/OA).
<p>Standard schedules - Standard schedules contained in the CA may result in higher overtime costs</p>	<ul style="list-style-type: none"> Standard scheduling is not contained in the collective agreement and continues to be managed by the RCMP based on regional needs.

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<p>Staffing – Leave & Access to Services – Unlimited sick leave results in prolonged absences, inadequate police coverage and excessive overtime to back-fill soft vacancies. - Support services are not readily available in certain isolated regions resulting in members having to be away from post to obtain support.</p>	<ul style="list-style-type: none"> • Unlimited sick leave was maintained via an MOU for the first round in order for the parties to discuss and explore solutions. Availability of support services locally was not the subject of negotiations last round.
<p>Staffing – Performance Management - Poor performers can be detrimental to service delivery (e.g. reliability, risk, workload) and collective agreements generally do not provide for an efficient process to manage this group.</p>	<ul style="list-style-type: none"> • Performance management is considered a management right and was not subject to negotiations.
<p>Staffing Promotions and Placement Member allocation is unbalanced, wherein we find junior ranks assigned to rural/remote areas and senior Members in larger urban centres.</p>	<ul style="list-style-type: none"> • Resource allocation is considered a management right and was not subject to negotiations.
<p>Staffing – Post Duration - PTMs would like discretion in deciding how long postings should be based on realities of the divisions.</p>	<ul style="list-style-type: none"> • Post duration was not the subject to negotiations.
<p>Compensation - Recognition of higher costs of living in remote and major cities - Unpredictable housing markets due to external factors - Incentives to attract police to the North - Incentives to attract police to the LDP - Subsidized housing and home equity programs specific to isolated posts and not in areas with viable housing markets - Competitive national pay rates may make policing rural areas less attractive and sustainable</p>	<ul style="list-style-type: none"> • Regional allowance which recognize variations in cost of living were maintained under the IPGHD. • It is hoped that retention and recruitment issues will be partially addressed through the competitive total compensation package offered by the current collective agreement.