



## NATIONAL JOINT COUNCIL

The National Joint Council (NJC), established in 1944, is a consultative body bringing together representatives of management and public service unions.

As our bargaining agent, the Public Service Alliance of Canada (PSAC) represents the interests of Agriculture Union members at the NJC. Issues of specific concern to the Agriculture Union and its members are brought forward by the PSAC on our behalf. While the Council meets quarterly, NJC committees meet on an ongoing basis.

The NJC was designed to establish uniform employment practices, working conditions and benefits across the federal public service. The range of matters under the NJC's authority includes:

- Consultation on medical and disability benefits;
- Relocation and travel reimbursement;
- Health and Safety Directives;
- Isolated Posts and Crown-Owned Housing Directives; and
- Official languages matters.

Once agreed upon, some of these items are then included in our collective agreements. A significant breakthrough at the NJC in the late 1970s was the agreement upon a grievance procedure for settling disputes on the interpretation of NJC policies.

A classic example of the value of the NJC is the Public Service Disability Insurance Plan. The PSDIP was introduced in 1970 through the NJC. This plan provides income for members whose illness or injuries prevent them from working for a long period of time. When these benefits were made taxable in 1974, the NJC provided for higher benefit levels and annual indexing to protect the value of these benefits. The plan was extended to seasonal employees in the early 1970s and to part-time employees in 1982.

Since 1978, NJC Directives such as commuting assistance, first-aid allowances and travel directive have been integrated into our collective agreements. The PSAC has been instrumental in improving relocation and travel regulations, such as mileage rates, as well as provisions regarding real estate and legal fees. Furthermore, the PSAC pushes for improvements regarding living accommodations for Crown-owned housing, protective clothing and Isolated Posts and Foreign Service Directives.

Job security is a major concern of federal public service workers. The early 1980s saw the development at the NJC of a new Work Force Adjustment Policy (WFA) that partially met the needs of persons faced with job loss. Since its inception, the original WFA has been amended and improved substantially in the areas of notice, salary protection and retraining opportunities. The Work Force Adjustment Policy is now an appendix to most PSAC-negotiated collective agreements.

Achievements through the National Joint Council in recent years have been many. Some of the more significant ones are:

- Vision Care and Hearing Aid benefits;
- Child Care Expense reimbursement;
- Personal Travel on Weekends expense provisions;
- Mortgage Interest Cost Differential;
- Equal treatment for single and married employees regarding Temporary Dual Residence Assistance;
- Maintenance of the Environment Allowance level for those on zone rates of pay
- Rationalization in the setting of allowances under both the Isolated Posts and Foreign Service Directives;
- Expansion of Vacation Travel Assistance benefits; and
- New Isolated Posts Schedule and a new provision regarding Special Location Allowances.

## **NJC GRIEVANCES**

The NJC Grievance process is a very successful example of alternate dispute resolution which has been in place for many years. The National Joint Council grievance procedure is a grievance procedure within the meaning of the Public Service Labour Relations Act (PSLRA). The parties to Council have agreed that any employee who feels aggrieved by the interpretation or application of an NJC directive or policy must process his/her grievance through the NJC procedure.

- Grievances must be supported by the bargaining agent concerned. If a grievance is not resolved through the NJC process, the employee, with the agreement and support of the PSAC, may proceed to adjudication under the PSLRA.
- Employees in excluded positions do not have the right to grieve through the NJC procedure.

The NJC procedure differs from the normal grievance procedure in three ways:

1. The NJC procedure involves only three steps regardless of the department or agency of the grievor.
2. The third step of the procedure is the NJC Executive Committee. The Executive Committee consists of three Employer side members and three Bargaining Agent side members.
3. Grievances are decided on the basis of the intent of the directive or policy concerned and are not decided by strict consideration of the wording of the directive or policy.

## Grievance Levels

The **first** level of the procedure is the same as the first level of a standard grievance procedure.

The **second** level of the procedure is the Departmental Liaison Officer (DLO) or Agency Liaison Officer, who is appointed by the deputy head.

Grievances processed to the **final** level of the procedure are submitted to the National Joint Council General Secretary.

Who better to determine the intent than the parties who were responsible for the directive in the first place? At a final level NJC hearing, committee members from **both** management and bargaining agent sides who **co-developed** the directive weigh whether or not the directive has been applied as they intended. While there is sometimes disagreement between the parties about intent, much more often both sides reach consensus about how an employee should have been treated. This process is very different from conventional final level hearings where only one side hears and decides the issue.

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