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# Policy on People Management

## 1. Effective Date

- 1.1 This policy takes effect on April 1, 2021.
- 1.2 This policy replaces the following Treasury Board policies and directives:
  - *Directive on Performance Management* (2014)
  - *Employment Equity Policy* (1999)
  - *Occupational Health Evaluation Standard* (2013)
  - *Performance Pay Administration Policy for Certain Non-Management Category Senior Excluded Levels* (2008)
  - *Policy on Classification* (2015)
  - *Policy on Conflict of Interest and Post-Employment* (2012)
  - *Policy on Employee Assistance Program* (1999)
  - *Policy on Harassment Prevention and Resolution* (2013)
  - *Policy on Interchange Canada* (2012)
  - *Policy on Learning, Training, and Development* (2006)
  - *Policy on Occupational Safety and Health* (1994)
  - *Policy on People Management* (2020)
  - *Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service* (2002)

- *Policy on the Management of Executives* (2007; modified 2012)
- *Standard for Fire Safety Planning and Fire Emergency Organization* (1994)
- *Student Employment Policy* (1999)
- *Telework Policy* (1999)
- *Term Employment Policy* (2003; modified 2011)
- *Workplace Fitness Program Policy* (1991)

## 2. Authorities

- 2.1 This policy is issued pursuant to sections 7 and 11.1 of the *Financial Administration Act*, subsections 30(3) and 51(4) of the *Public Service Employment Act*, and subsection 4(7) of the *Employment Equity Act*.
- 2.2 The Treasury Board has delegated to the President of the Treasury Board the authority to:
- 2.2.1 Determine the effective dates of this policy, in whole or in part, and the associated directives, standards, mandatory procedures and other appendices, unless otherwise specified;
  - 2.2.2 issue, amend or repeal directives associated with this policy on the recommendation of the Secretary and the Chief Human Resources Officer, providing the amendments are consistent with the overall intent of the policy and there are no financial implications.
- 2.3 The Treasury Board has delegated authority to the Secretary of the Treasury Board to:

2.3.1 Determine mandatory training requirements that must be completed:

- 2.3.1.1 For effective performance of the government's financial, human resources, information management, information technology, security, and administrative responsibilities, in consultation with the Comptroller General of Canada, the Chief Information Officer of Canada, and the Chief Human Resources Officer;
- 2.3.1.2 By all persons newly appointed to the core public administration to orient them to the public service;
- 2.3.1.3 By all persons employed because it is in the best interest of the public service; and

2.3.2 Identify the current and future needs of the public service as provided for in subsection 30(3) of the *Public Service Employment Act*, which may include requirements other than those specified in the Treasury Board Qualification Standards.

2.4 The Treasury Board has delegated authority to the Chief Human Resources Officer to:

- 2.4.1 Provide for the classification of positions and persons employed in the public service by making amendments to job evaluation standards, occupational group, or subgroup definitions, and the Treasury Board Qualification Standards,

so long as the amendments neither entail a classification conversion nor have material financial implications;

2.4.2 Determine the effective dates of the instruments specified in subsection 2.4.1, where the dates have not been specified by the Treasury Board or the President;

2.4.3 Direct deputy heads with respect to:

2.4.3.1 Their responsibilities related to organization and classification, terms and conditions of employment, compensation, human resources management, employment equity, diversity and inclusion, labour relations, collective bargaining, grievances under the *Federal Public Sector Labour Relations Act*, workplace harassment and violence, conflict of interest, occupational health and safety; and

2.4.3.2 Any oversight, systems, information requirements, or reporting in respect of those responsibilities;

2.4.4 Make technical amendments to this policy and related instruments;

2.4.5 Make amendments to mandatory procedures and standards issued under this policy provided they are consistent with the overall intent of this policy and the directive to which they apply and do not have financial implications; and

- 2.4.6 Stipulate any training that must be completed or validated prior to exercising the responsibilities described in this policy and supporting instruments.

## 3. Objectives and expected results

- 3.1 The objective of this policy is a high-performing workforce that ensures good governance and service to Canadians, and that embodies public service values, such as respect, integrity, stewardship, and excellence in its actions and decisions.
- 3.2 The expected results of this policy are as follows:
  - 3.2.1 The core public administration attracts, develops, and retains a talented, representative and diverse workforce, able to serve the public in both official languages;
  - 3.2.2 The work environment is healthy, safe, accessible, respectful, fair, and modern;
  - 3.2.3 The workforce upholds the values of the public sector;
  - 3.2.4 The workforce is well organized and well managed to meet business requirements; and
  - 3.2.5 People management practices optimize delegated authorities.

# 4. Requirements

## Deputy heads

4.1 Deputy heads are responsible for the following:

### Governance

4.1.1 Designating a head of human resources to:

4.1.1.1 Lead the departmental human resources management function;

4.1.1.2 Represent the deputy head's interests to the Treasury Board of Canada Secretariat;

4.1.1.3 Provide strategic human resources advice, support and services to deputy heads and their management teams;

4.1.2 Designating one or more senior officials to whom responsibility is assigned or authority is delegated with regard to:

4.1.2.1 Prevention and resolution of workplace harassment and violence;

4.1.2.2 Prevention and resolution of conflict of interest and conflict of duties situations;

4.1.2.3 Deciding and responding to classification grievances;

4.1.2.4 Employment equity, diversity, and inclusion; and

- 4.1.2.5 Organizational emergencies and evacuations;
- 4.1.3 Exercising the following authorities exclusively, which may not be assigned or delegated:
  - 4.1.3.1 Making directed classification decisions in accordance with the mandatory requirements in Appendix A;
  - 4.1.3.2 Authorizing the provisions pertaining to Interchange Canada in accordance with the mandatory requirements in Appendix B;
  - 4.1.3.3 Making decisions about periods of specified term employment used to determine eligibility for conversion to indeterminate status in accordance with the mandatory requirements in Appendix C;
  - 4.1.3.4 Waiving the post-employment limitation period in subsection 4.1.32; and
  - 4.1.3.5 Authorizing attestations, reports, or audits as provided for in this policy;
- 4.1.4 Assigning responsibility or delegating authority for people management requirements in writing and to as low a level as reasonable to afford managers the flexibility to manage and lead their staff to achieve results;
- 4.1.5 Delegating classification authority, other than the authority to decide and respond to classification grievances, only to

persons who are accredited in organization design and classification;

- 4.1.6 Ensuring that managers and human resources staff to whom responsibility is assigned or authority is delegated:
  - 4.1.6.1 Are made aware of their people management responsibilities and possess the knowledge, competencies, or other requirements determined by the Chief Human Resources Officer, to exercise the specific authority;
  - 4.1.6.2 Fulfill their people management responsibilities in accordance with the relevant legislation and collective agreements, the *Values and Ethics Code for the Public Sector*, this policy, and its associated directives;
- 4.1.7 Ensuring that talent management and succession plans are developed that:
  - 4.1.7.1 Demonstrate that the department has ongoing strategic leadership capabilities and capacity to lead the human resources management function; and
  - 4.1.7.2 Support the Chief Human Resources Officer's public service-wide talent management and community development initiatives;
- 4.1.8 Consulting with the Chief Human Resources Officer before replacing the departmental head of human resources;



## **Planning, organizing and reporting**

4.1.9 Planning, managing and utilizing the organization's workforce effectively, which includes:

- 4.1.9.1 Determining human resources requirements based on the organization's mandate and core responsibilities;
- 4.1.9.2 Implementing sound people management practices on a continuing basis;
- 4.1.9.3 Evaluating the organization's people management performance in accordance with direction provided by the Chief Human Resources Officer;
- 4.1.9.4 Providing upon request organizational information or reports about processes, activities, transactions, or data pertaining to people management, conflict of interest, and employment equity requirements to enable oversight, support decision-making, and perform research, or for the conduct of litigation, as directed by the Chief Human Resources Officer;

## **Organizational design, job and position management**

4.1.10 Ensuring equitable, fair, and appropriate compensation management within their organization, which includes:

- 4.1.10.1 Organizational structures that are cost-effective and appropriate to business requirements;

- 4.1.10.2 Administering classification in accordance with the mandatory requirements in Appendix A;
- 4.1.10.3 Classification relativity that is sound and consistent with the relative value of work across the core public administration;
- 4.1.10.4 Providing managers access to advice from persons accredited in organization design and classification, or from persons working under the guidance of a person accredited in organization design and classification; and
- 4.1.10.5 Dealing with classification grievances in a manner that is consistent, fair, and transparent, in accordance with the mandatory procedures in Appendix A;

## **Resourcing and employee integration**

- 4.1.11 Attracting, developing and retaining a high-performing and diverse workforce that upholds the values of the public sector in its actions and decisions, and is able to serve the public in both official languages;
- 4.1.12 Contributing to an agile public service by considering any current or future needs of the public service that may have been identified in accordance with subsection 30(3) of the *Public Service Employment Act*;
- 4.1.13 Authorizing Interchange Canada assignments in accordance with the mandatory requirements in Appendix B;

- 4.1.14 Ensuring that volunteers are recruited and managed in a manner that protects the Crown and the volunteers against the risks to which they may be exposed;
- 4.1.15 Ensuring that persons newly appointed to the public service are provided the necessary information and training to enable them to carry out their responsibilities in a safe and healthy manner;
- 4.1.16 Ensuring that resourcing decisions are guided by appropriate use of casual, temporary, or indeterminate employment to meet business needs;
- 4.1.17 Administering the mandatory requirements for term employment and conversion to indeterminate status as provided for in Appendix C;

### **Compensation, leave, and benefits**

- 4.1.18 Ensuring that persons employed are informed in writing of:
  - 4.1.18.1 The compensation, leave, and benefits to which they are entitled based on the work to be performed;
  - 4.1.18.2 The relevant terms and conditions applicable to their employment, including with regard to conflict of interest and post-employment;
- 4.1.19 Ensuring that terms and conditions of employment are applied effectively, consistently, and on a timely basis within their organization;

- 4.1.20 Authorizing dual remuneration from the Consolidated Revenue Fund providing it would not impair the effectiveness of a person's performance in the original position in which the person is employed;
- 4.1.21 Ensuring that students are compensated unless student visa or work permit requirements abroad preclude payment of a salary;

### **Manage personal information**

- 4.1.22 Ensuring that privacy is protected pursuant to the Privacy Act through effective management and appropriate collection, use, access, and disclosure of personal information about a person currently or formerly employed in the core public administration, their family members, dependants, or beneficiaries;

### **Employee performance, learning, and talent management**

- 4.1.23 Fostering leadership that encourages excellence by:
  - 4.1.23.1 Providing persons employed with clear performance objectives annually relative to the work to be performed;
  - 4.1.23.2 Managing talent to meet business objectives;
  - 4.1.23.3 Understanding the organization's needs and employees' career aspirations;
  - 4.1.23.4 Managing and reviewing employee performance in a fair and consistent manner in accordance

with the direction provided by the Chief Human Resources Officer;

4.1.23.5 Taking action to address poor performance based on a consistent and fair approach to withholding performance pay and to demotion or termination for unsatisfactory performance;

4.1.24 Supporting and promoting a continuous learning environment within their organization that encourages and enables persons employed to:

4.1.24.1 Acquire and maintain the knowledge, skills, and competencies to succeed in their work;

4.1.24.2 Complete mandatory training established in accordance with this policy;

## Recognition

4.1.25 Ensuring that mechanisms are in place to recognize persons employed for meritorious achievements and performance in a manner that encourages engagement and continuous improvement;

## Separation

4.1.26 Ensuring persons employed are informed about their post-employment obligations and the implications of an oath or solemn affirmation taken in accordance with the *Public Service Employment Act*;

## Career transition

- 4.1.27 Managing workforce adjustment responsibly, respectfully, and in accordance with the relevant collective agreement;

### **Respect, fairness, and recourse**

- 4.1.28 Creating and maintaining a respectful and fair workplace in which:

- 4.1.28.1 Measures are in place to safeguard respect for human rights and prevent discrimination for any individual with regard to the prohibited grounds in the *Canadian Human Rights Act*;
- 4.1.28.2 Positive measures are established to create and maintain an accessible workplace that is barrier-free, diverse, and inclusive, including but not limited to ensuring compliance with the *Employment Equity Act*;
- 4.1.28.3 Where barriers cannot be removed, processes are in place and made known so that individuals may request and be accommodated to the point of undue hardship for the core public administration;

### **Conflicts of interest**

- 4.1.29 Ensuring that the risk of any real, apparent, or potential conflict of interest or conflict of duties is mitigated in a manner that upholds the *Values and Ethics Code for the Public Sector*;

- 4.1.30 Ensuring that conflicts are resolved appropriately and in favour of the public interest in the event of:
- a. A conflict between the private interests and official duties of a person employed;
  - b. benefits provided or offered to the organization by outside entities or individuals with whom the organization has, had or may have official dealings;
  - c. A conflict involving one or more concurrent and competing responsibilities that are part of the official duties of a person employed;
- 4.1.31 Designating positions that may be at risk for post-employment concerns and determining the appropriate mitigation measures;
- 4.1.32 Approving or denying, in whole or in part, a request to waive the post-employment limitation period;

### **Healthy and safe workplace and workforce**

- 4.1.33 Safeguarding the health and safety of their workforce and workplace, including that:
- 4.1.33.1 Wellness measures are promoted and implemented within their organization, including with regard to mental health, physical health, and stay-at-work and return-to-work mechanisms;
  - 4.1.33.2 An employee assistance program is available to persons employed and their dependants;

- 4.1.33.3 Persons employed are able to formally request flexible work arrangements, including working remotely and flexible start and finish times, and that these requests be supported where operationally feasible, in accordance with the relevant collective agreement and Treasury Board policy requirements;
- 4.1.33.4 An occupational health and safety policy and program (compliant with the requirements of the *Canada Labour Code*) are established in consultation with the Policy Health and Safety Committee;
- 4.1.33.5 Measures are in place to prevent and address all forms of workplace harassment and violence, in accordance with the *Canada Labour Code*, Part II;
- 4.1.33.6 Occupational health evaluations are conducted in accordance with Health Canada's Public Service Occupational Health Program;

## Labour relations

- 4.1.34 Contributing to effective labour-management relations and to collaborative efforts with bargaining agents to improve the ability of the public service to serve and protect the public interest, consistent with the preamble of the *Federal Public Sector Labour Relations Act*;
- 4.1.35 Planning for and managing an effective response to job action and/or any lawful or unlawful strike activity, including



the negotiation of essential services agreements with bargaining agents, subject to any direction that may be provided by the Chief Human Resources Officer;

- 4.1.36 Proposing to the Chief Human Resources Officer any positions in their organization that should be excluded on the basis that they are a managerial or confidential position;

## **Documentation**

- 4.1.37 Ensuring that data and information about people management decisions and activities administered within their organization are retained only as long as necessary via applicable records or systems and in accordance with any time frames prescribed by the Chief Human Resources Officer;

## **Compliance**

- 4.1.38 Ensuring that there are adequate safeguards in place to enable sound people management practices and decision-making within their organization, including:
  - 4.1.38.1 Informing the Chief Human Resources Officer promptly of any major concerns or problems that may arise with regard to the application of this policy and related directives in the deputy head's organization;
  - 4.1.38.2 Investigating and addressing any issues of non-compliance that may be identified by the Chief

Human Resources Officer, including taking appropriate remedial action; and

- 4.1.38.3 Providing the Treasury Board of Canada Secretariat with the information or reports for assessing compliance with this policy, its related directives, and other policy instruments, as directed by the Chief Human Resources Officer.

## **Chief Human Resources Officer**

- 4.2 The Chief Human Resources Officer, Treasury Board of Canada Secretariat, is responsible for providing leadership for people management in the core public administration, including:
  - 4.2.1 Advising the President of the Treasury Board, the Secretary, and other employers on matters related to people management that are within the Treasury Board's authority;
  - 4.2.2 Providing direction, feedback, and functional leadership to deputy heads and heads of human resources with regard to human resources management matters that fall within the authority of the Treasury Board, and any associated tools, systems, and oversight, including reporting cycles;
  - 4.2.3 Providing leadership for the continuous improvement of the human resources management function and business process to achieve greater efficiencies and maximize effectiveness;
  - 4.2.4 Providing functional leadership regarding:

- 4.2.4.1 Knowledge and any other standards for heads of human resources and the human resources management community;
- 4.2.4.2 Development and sustainability of the human resources management community through talent management and community development strategies;
- 4.2.5 Providing direction to the President of the Canada School of Public Service about the policies, needs, and priorities that have been established by the Treasury Board, to be taken into consideration with regard to training, development, and orientation programs offered;
- 4.2.6 Determining the requirements for the Organization and Classification Learning Curriculum and issuing accreditation upon successful completion;
- 4.2.7 Determining and maintaining the occupational group structure, job evaluation tools, and people management initiatives, requirements, data, and services needed to support a high-performing public service;
- 4.2.8 Applying to the Federal Public Sector Labour Relations and Employment Board for orders excluding positions from bargaining units;
- 4.2.9 Overseeing the overall performance, compliance, and integrity of people management practices and performance pay expenditures in the core public administration;

- 4.2.10 Determining if an investigation or remedial action(s) may be warranted with regard to compliance with this policy;
- 4.2.11 Directing specific actions to avoid or correct anomalies, or imposing consequences in cases of non-compliance, where warranted; and
- 4.2.12 Deciding and responding to a grievance brought against a classification decision authorized by the deputy head concerned.

## 5. Roles of other government organizations

- 5.1 This section identifies other key government organizations with respect to this policy. In and of itself, this section does not confer an authority.

### Canada School of Public Service

- 5.2 The Canada School of Public Service plays a central role in the design, development, and delivery of learning that is common for federal public service organizations. In this capacity, the School:
  - 5.2.1 Provides the common learning curriculum for the public service, including respect of requirements that may be established with regard to effective performance of corporate and common services functions such as financial management, human resources, information management, information technology, evaluation, etc.;

- 5.2.2 Offers a range of learning activities to build individual and organizational capacity and management excellence in the public service; and
- 5.2.3 Delivers enterprise-wide learning and development in support of government priorities by providing learning services to build common knowledge, skills, and competencies that enable and support employees in fulfilling their responsibilities to deliver programs and services to Canadians.

## Canadian Human Rights Commission

- 5.3 The Canadian Human Rights Commission administers the *Canadian Human Rights Act*, including the process for handling complaints of discrimination, and is responsible for ensuring compliance with the *Employment Equity Act*.

## Employment and Social Development Canada

- 5.4 Employment and Social Development Canada is responsible for:
  - 5.4.1 Enforcing the *Canada Labour Code*;
  - 5.4.2 Collecting and providing the Treasury Board of Canada Secretariat with information on comparable labour markets to allow for the calculation of labour market availability as required by the *Employment Equity Act*; and
  - 5.4.3 The *National Occupational Classification* (NOC) 2011.

## **Health Canada**

- 5.5 Health Canada is responsible for determining and carrying out occupational health evaluations for candidates and persons employed in the core public administration.

## **Privy Council Office and the Clerk of the Privy Council**

- 5.6 The Clerk, as head of the public service, establishes broad corporate priorities, including with regard to people management, and sets individual performance objectives for deputy heads.

## **Public Service Commission of Canada**

- 5.7 The Public Service Commission of Canada is responsible for:
- 5.7.1 Promoting and safeguarding a non-partisan, merit-based, and representative public service;
  - 5.7.2 Identifying and eliminating barriers in recruitment and staffing, providing guidance on accommodation in staffing processes, and developing policies and practices that will help ensure that members of the designated groups are well represented in the federal public service; and
  - 5.7.3 Recruitment and administration of student employment or internship programs established by the Treasury Board.

## **Public Services and Procurement Canada**

- 5.8 Public Services and Procurement Canada (PSPC) is responsible for:

- 5.8.1 Supporting federal departments and agencies in the achievement of their mandated objectives as their pay and pension administrator; and
- 5.8.2 Providing support services to other government organizations such as office accommodation and facilities, and pay and pension services. The latter services are administered by the Public Service Pay Centre and the Government of Canada Pension Centre, respectively.

## 6. Application

- 6.1 This policy applies to persons employed in the core public administration and to the organizations that make up the core public administration as defined in section 11 of the *Financial Administration Act*, unless otherwise stipulated within this policy or excluded through specific acts, regulations, or orders-in-council.
- 6.2 Subsections 4.1.10, 4.1.27, and 4.1.36 do not apply with respect to persons or positions classified in the Executive Group in the core public administration.
- 6.3 This policy does not apply to persons appointed by the Governor in Council, to members of the RCMP, or to members of the Canadian Armed Forces.
- 6.4 For greater certainty:
  - 6.4.1 The authorities in this policy must be read consistently with the application of the requirements contained in each directive;

- 6.4.2 With regard to represented employees, if there is a conflict between a collective agreement and this policy or related directives, the provisions of the collective agreement shall take precedence;
- 6.4.3 With regard to Interchange Canada participants who are employed as executives, this policy and related directives take precedence over the provisions of any National Joint Council directives dealing with the same matter;
- 6.4.4 With regard to Executive (EX) Group positions and persons employed as executives, if there is a conflict between the *Policy on the Management of Executives* or related directives and this policy or related directives, the *Policy on the Management of Executives* shall take precedence.
- 6.5 Subsections 7.1, 7.2 and 7.3 do not apply to the following organizations whose deputy heads are solely responsible for monitoring and ensuring compliance with this policy within their organizations, as well as for addressing any situations of non-compliance in a manner that is consistent with section 7.
- Office of the Chief Electoral Officer
  - Office of the Commissioner of Lobbying
  - Office of the Commissioner of Official Languages
  - Office of the Information Commissioner of Canada
  - Office of the Privacy Commissioner of Canada
  - Office of the Public Sector Integrity Commissioner



## 7. Consequences of non-compliance

- 7.1 In cases of non-compliance with the *Policy on People Management* and related instruments, the Chief Human Resources Officer may direct deputy heads to take appropriate corrective actions to address issues or may impose any other measures deemed appropriate to assess whether requirements of this policy or its supporting directives and mandatory procedures have been met.
- 7.2 The costs of such measures that may arise as a result of errors or inappropriate application of this policy, associated directives, and mandatory procedures, will be paid from the organization's existing reference levels.
- 7.3 These measures may include recommendations by the Chief Human Resources Officer to the Treasury Board to add conditions to, modify, or revoke the authority of deputy heads, including any measures allowed by the *Financial Administration Act* that the Treasury Board may determine appropriate.

## 8. References

### 8.1 Legislation

- *Access to Information Act*
- *Accountable Advances Regulations*
- *Canada Labour Code*
- *Canada Occupational Health and Safety Regulations*
- *Canadian Human Rights Act*
- *Cheque Issue Regulations, 1997*
- *Criminal Code*

- Department of Public Works and Government Services Act
- Electronic Payments Regulations
- Employment Equity Act
- Federal Public Sector Labour Relations Act
- Financial Administration Act
- Garnishment, Attachment and Pension Diversion Act
- Government Employees Compensation Act
- Lobbying Act
- Maritime Occupational Health and Safety Regulations
- Official Languages Act
- On Board Trains Occupational Safety and Health Regulations
- Pay Disbursement Administrative Services Order
- Privacy Act
- Public Servants Disclosure Protection Act
- Public Service Collective Agreements Implementation Order
- Public Service Employment Act
- Public Service Employment Regulations
- Public Service Rearrangement and Transfer of Duties Act
- Public Service Superannuation Act
- Policy Committees, Work Place Committees and Health and Safety Representatives Regulations

## 8.2 Policies

- Foundation Framework for Treasury Board Policies
- Framework for Compliance Audits Under the Employment Equity Act: Audit Process and Statutory Requirements
- Policy Framework for the Management of Compensation
- Policy on Government Security
- Policy on Official Languages
- Policy on Privacy Protection

- *Policy on Results*
- *Policy on Terms and Conditions of Employment*
- *Values and Ethics Code for the Public Sector*
- *Workplace Day Care Centres*

### 8.3 Other

- *A Leadership Development Framework for the Public Service of Canada*
- *Integrated Planning Guide*
- *Key Leadership Competencies*
- *Management Accountability Framework*
- *Manager's Handbook: Canada Labour Code: Part II*
- *Managing for Wellness: Disability Management Handbook for Managers in the Federal Public Service*

## 9. Enquiries

- 9.1 Human resources advisors should direct enquiries about this policy to the departmental human resources office.
- 9.2 For interpretation of any aspect of this policy, contact Treasury Board of Canada Secretariat Public Enquiries.

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## Appendix A: Organizational design, job and position management

- A1 With regard to organizational design, job evaluation, and position management in subsections 4.1.3.1. and 4.1.10, deputy heads are responsible for ensuring that:

A1.1 The Chief Human Resources Officer is consulted before classification decisions are authorized that may have a significant impact on interdepartmental relativity or result in a significant increase of salary expenditures;

A1.2 Deputy head-directed classification decisions are:

A1.2.1 Approved in unique and exceptional circumstances only, where there is no clear and obvious fit with job evaluation standards;

A1.2.2 Used to support the development and testing of organizational design and classification innovation solutions approved by the Chief Human Resources Officer to address short-term, critical workforce needs to meet rapidly changing business requirements; and

A1.2.3 Not used to resolve a grievance.

A2 With regard to dealing with classification grievances in subsection 4.1.10.5, deputy heads are responsible for:

A2.1 Issuing final and binding classification grievance decisions for all classification levels, unless the classification decision was authorized by the deputy head concerned, in which case the grievance will be decided and responded to by the Chief Human Resources Officer;

A2.2 Responding to grievors with regard to their classification grievances; and

- A2.3 Implementing final and binding classification grievance decisions.

## Appendix B: Interchange Canada

- B1 With regard to Interchange Canada in subsection 4.1.13, deputy heads are responsible for ensuring that:
- B1.1 Measures are in place to support appropriate use of Interchange Canada as a means to:
    - a. Transfer knowledge and expertise;
    - b. Build a better understanding and improve networks between the core public administration and other business sectors;
    - c. Contribute to the professional development of participants;
    - d. Meet organizational needs;
  - B1.2 Interchange Canada assignments are free from conflict of interest and political influence;
  - B1.3 An employee-employer relationship does not develop between the Interchange Canada participant and the host organization;
  - B1.4 The indeterminate status of employees under the *Public Service Employment Act* is protected for the duration of the employees' participation in an outgoing Interchange Canada assignment;
  - B1.5 Consideration is given to diversity and inclusion; and

**B1.6** Authority for each of the following is reflected in the departmental instrument of delegation of authority:

- a. Assignment extensions up to a maximum of two additional years beyond the three-year assignment period;
- b. Waiving the requirement that participants must have been employees of the sponsoring organization, including a personal corporation, for a period of at least six months prior to the commencement of the assignment;
- c. Assignments of incoming participants employed and sponsored by a personal corporation;
- d. Payments to the sponsoring organization where the salary of incoming participant will exceed 125% of the total compensation that would be paid to an employee of the core public administration performing similar work;
- e. Waiving any or all provisions of the National Joint Council's Foreign Service Directives (FSD) if the employee wishes to proceed with an assignment outside Canada without these entitlements, in accordance with FSD 3;
- f. Refunding less than the full amount of the participant's salary, employer-paid benefits, and/or relocation costs; and
- g. Providing relocation assistance for Interchange assignments of less than one year for

executives, despite section 1.4 of the National Joint Council *Relocation Directive*.

- B2 Only the responsible deputy head may authorize the following:
  - B2.1 On an exceptional basis, assignments of more than one year where the incoming participant does not meet the language requirements for the duties they will be performing;
  - B2.2 Waiving a participant's two-year waiting period between Interchange assignments.

## Appendix C: Term Employment and Conversion to Indeterminate Status

- C1 With regard to administering term employment and conversion to indeterminate status provided for in subsection 4.1.17, deputy heads are responsible for:
  - C1.1 Ensuring that if an employee has been employed in the organization for one or more specified terms for a cumulative period of 3 years without a break in service longer than 60 consecutive calendar days, the employee is converted to indeterminate status at the level of the employee's term position, in accordance with section 59 of the *Public Service Employment Act*;
  - C1.2 Determining whether to exclude periods of specified term employment from the calculation of the cumulative working period described in C1.1 on the basis that either:

- C1.2.1 The salary is subject to sunset funding; or
- C1.2.2 It can be established that converting the employee's tenure from specified term to indeterminate would result in a workforce adjustment situation in the organization overall;
- C1.3 Reviewing at least annually any decisions made under C1.2 to determine whether to resume the calculation of the cumulative working period described in C1.1;
- C1.4 Ensuring that the term employee(s) concerned, the responsible bargaining agent(s), and the Office of the Chief Human Resources Officer are informed in writing when a decision is made pursuant to C1.2 or C1.3;
- C1.5 For greater certainty, the information to be provided pursuant to C1.4 shall include:
  - C1.5.1 For purposes of C1.2, the reason and the period of term employment that will not count in the calculation of the cumulative working period for conversion of the term employee to indeterminate status; and
  - C1.5.2 For purposes of C1.3, the date as of which the calculation of the cumulative working period for conversion of the term employee to indeterminate status will resume;
- C1.6 On an exceptional basis, reducing to one week the minimum written notice about termination of specified period



employment provided to term employees if they were hired in emergency situations related to health, safety, security, the environment, or to provide an essential service to the public.

## Appendix D: Definitions

### **accredited academic institution (institution reconnue d'enseignement)**

Any institution authorized by a province or territory to grant diplomas or degrees.

### **apparent conflict of interest (conflit d'intérêts apparent)**

A situation that could be perceived as a conflict of interest by a reasonable observer, whether or not it is the case.

### **audit (audit)**

An objective and systematic examination of activities that provides an independent assessment of the performance, risk management and control of those activities.

### **bargaining agent (agent négociateur)**

Has the same meaning as in subsection 2(1) of the *Federal Public Sector Labour Relations Act*.

### **barriers (obstacles)**

Include physical, architectural, technological or attitudinal obstacles, policies, practices, systems, or procedures that exclude or hinder the full and equal participation of persons protected from discrimination by the *Canadian Human Rights Act*, in employment.

### **break in service (interruption de service)**

For purposes of the *Directive on Term Employment*, a break of more than 60 consecutive days between eligible periods of employment.

**Canadian students (étudiants canadiens)**

For the purposes of the Policy on People Management, the Directive on Student Employment and the Directive on Terms and Conditions of Employment for Students, Canadian students includes students who are Canadian citizens and permanent residents of Canada in accordance with section 4 of the Student Employment Programs Participants Regulations.

**candidate (candidat(e))**

For the purposes of the *Directive on the Duty to Accommodate*, a person who has applied for a position for which a bona fide occupational requirement has been established.

**casual worker (travailleur occasionnel)**

A person who is appointed pursuant to subsection 50(1) of the *Public Service Employment Act*.

**certification (for purposes of credentials or professional competence) (certification)**

An attestation by a recognized organization that relevant requirements of an established professional standard, competency or other criteria are fulfilled, resulting in professional recognition.

**classification accreditation (accreditation en classification)**

An attestation by the Chief Human Resources Officer that an individual has successfully completed the requirements of the Organization and Classification Learning Curriculum.

**classification authority (pouvoir de classification)**

The power to authorize classification decisions.

**classification conversion (conversion en matière de classification)**

A change in the method of establishing the relative value of work for an occupational group or subgroup.

**classification decision (decision de classification)**

A decision made by the deputy head, a senior official designated by the deputy head for classification grievances purposes, or an accredited person exercising classification authority, which establishes or confirms the occupational group, subgroup (if applicable), level, or ratings assigned to a job.

**classification grievance (grief de classification)**

A written complaint by an employee against the classification (that is, the occupational group, subgroup if applicable, level, or ratings) of the work assigned by the responsible manager to the position the grievor occupies and described in the job description, excluding complaints regarding the job content or effective date of the job description.

**conflict of duties (taches conflictuelles)**

A conflict, whether real, apparent, or potential, that arises not because of the private interests of a person employed in the core public administration, but as a result of one or more concurrent and competing official responsibilities.

**conflict of interest (conflit d'intérêt)**

A situation, whether real, apparent or potential, in which the person employed has private interests that could influence the performance of their official duties and responsibilities or in which the person employed uses their office for personal gain.

**continuous employment (emploi continu)**

Is one or more periods of service in the public service, as defined in subsection 3(1) the *Public Service Superannuation Act*, with allowable breaks only as provided for in the terms and conditions of employment or collective agreement applicable to the person.

**conversion (conversion)**

For the purposes of the *Directive on Term Employment*, conversion means a change in tenure from specified term to indeterminate in accordance with subsection 59(1) of the *Public Service Employment Act*.

**custodian department (ministère gardien)**

Has the same meaning as in the Policy on Management of Real Property.

**dependant (personne à charge)**

For the purposes of the *Directive on Occupational Health Evaluations*, has the same meaning as in subsection Part I, FSD 2 of the National Joint Council Foreign Service Directives.

For the purposes of the *Directive on Employee Assistance Programs*, an individual who resides full-time with the person employed at their residence, or an individual who resides outside the residence and who is:

- a. the spouse or common-law partner of the person employed, or
- b. the biological child, stepchild, adopted child, or legal ward of that person employed or of their spouse or common-law partner who is both dependent on the person employed for support and:
  - i. under 21 years of age, or
  - ii. dependent on the person employed by reason of mental or physical disability, or
  - iii. who has not yet reached 25 years of age and is attending a recognized educational institution full time.

**deputy-head directed classification decision (décision de classification dirigée par l'administrateur général)**

A classification decision made by the responsible deputy head in unique and exceptional circumstances where there is no clear and obvious fit with job evaluation standards or where the decision is used to support the development and testing of innovative classification and organizational design solutions pursuant to prior agreement with the Chief Human Resources Officer.

**designated groups (groupes désignés)**

Has the same meaning as in section 3 of the *Employment Equity Act*.

**diversity (diversité)**

A workforce that comprises individuals who have an array of identities, abilities, backgrounds, cultures, skills, perspectives, and experiences that

are representative of Canada's current and evolving population. This includes but is not limited to differences in ethnicity or race, culture, religion, disability, sexual orientation, gender identity, age, educational background, region, and marital or parental status.

**emergency (urgence)**

An abnormal event or situation that requires prompt action, beyond normal procedures, in order to limit damage to persons, property, or the environment.

**employee (fonctionnaire)**

For the purpose of terms and conditions of employment, employee has the same meaning as in subsection 2(1) of the *Federal Public Sector Labour Relations Act*; for the purpose of classification grievances, "employee" has the same meaning as in subsection 206 (1) of the *Federal Public Sector Labour Relations Act*. For the purpose of the *Directive on Mandatory Training*, "employee" means any person who is required by the deputy head to perform functions related to a job.

**entitled to work in Canada (droit de travailler au Canada)**

Non-Canadian students with a Canadian employment authorization are entitled to work in Canada.

**essential service (service essentiel)**

Has the same meaning as in subsection 4(1) of the *Federal Public Sector Labour Relations Act*.

**executive (cadre supérieur)**

A person appointed or deployed to a position allocated to the Executive Group (EX-01 to EX-05). Unless specifically excluded in the application of the associated directives, standards, or mandatory procedures, this includes persons employed in the following excluded or unrepresented positions:

- i. Defence Scientific Service (DS) Group, levels 7A, 7B, and 8;
- ii. Medical Officer (MD-MOF) Group, levels 4 and 5; and
- iii. Medical Specialist (MD-MSP) Group, level 3; or

iv. Law Management (LC) Group, levels 1 to 4.

**flexible work arrangements (régimes de travail souples)**

Includes measures that allow for flexibility in scheduling hours worked and in the place of work, including but not limited to, telework and compressed workweeks.

**functional specialist (spécialiste fonctionnel)**

For the purposes of the *Directive on Mandatory Training*, employees who carry out roles and responsibilities that require function-specific knowledge, skills, or attributes in the following priority areas which may include, but are not limited to finances, human resources, internal audit, procurement, materiel management, real property, information technology, or information management.

**harassment and violence (harcèlement et violence)**

Has the same meaning as subsection 122(1) of the *Canada Labour Code*, Part II.

**host organization (organisme d'accueil)**

The organization where an Interchange Canada participant carries out their temporary assignment.

**in range increase (augmentation à l'intérieur de l'échelle de traitement):**

An increase in salary based on assessed level of performance that results in an upward movement within the salary range, not exceeding the maximum rate of pay applicable to the classified group and level of the position.

**inclusion (inclusion)**

Refers to creating a workplace that is fair, equitable, supportive, welcoming and respectful of all. It recognizes, values and leverages differences in identities, abilities, backgrounds, cultures, skills, experiences, and perspectives that support and reinforce Canada's evolving human rights framework.

**incoming participant (participant provenant de l'extérieur)**

An individual employed by a private, public, or not-for-profit sector organization who is on an Interchange Canada assignment to an organization in the core public administration.

**job (emploi)**

A collection of duties assigned by management and described in a job description.

**job evaluation (évaluation d'emploi)**

A systematic process to determine the relative value of work within the core public administration.

**job evaluation standard (classification standard) (norme d'évaluation d'emploi)**

An instrument that describes the factors, elements and other criteria used to establish the relative value of work for an occupational group or subgroup.

**knowledge standards (normes sur les connaissances)**

For the purposes of the *Directive on Mandatory Training*, parameters established by the Treasury Board related to the minimum common knowledge of legal and policy responsibilities required of persons employed, regardless of their function, organization, or profession, in the exercise of due diligence in relation to their duties.

**level (niveau)**

The number indicating the rank of a position within its occupational group, which has been established in accordance with the appropriate job evaluation standard.

**local-officer-in-charge (chef de service local)**

The position designated to receive grievances within an organization.

**lockdown (confinement)**

A situation in which employees stop work and gather in a room that can be locked or in another safe area when there is a major incident or threat of violence within the building or in relation to the building.

**lump-sum performance award (prime au rendement forfaitaire)**

An amount payable to an employee, based on assessed level of performance, whose salary has reached the maximum rate of pay of the applicable salary range.

**occupancy (occupation)**

The use or intended use of a building or part thereof for the shelter or support of persons or property.

**occupational group (groupe professionnel)**

A series of jobs or occupations related in broad terms by the nature of the functions performed.

**occupational group structure (structure des groupes professionnels)**

The suite of occupational groups established by the Treasury Board within the core public administration.

**occupational health evaluation (évaluation de la santé au travail)**

The combined activity of the occupational health examination and the occupational health assessment.

**organizational chart (organigramme)**

A depiction of the hierarchical arrangement of work and lines of authority.

**other tenant(s) (autre(s) locataires)**

Any occupants of the building to whom Part II: Occupational Health and Safety of the *Canada Labour Code*, and the *Directive on Building Emergency and Evacuation Teams* do not apply (for example, provincial and municipal governments and private businesses).

**outgoing participant (participant en affectation à l'extérieur)**

An employee from the core public administration on an Interchange Canada assignment with an outside private, public or not-for-profit sector



organization.

**people management (gestion des personnes)**

Any of the powers or functions in relation to human resources management, including organization and job classification, collective bargaining, terms and conditions of employment, labour relations, official languages, employment equity, values and ethics, performance management, total compensation, workplace harassment or violence, and employment that the employer is authorized to exercise under the *Financial Administration Act*, *Employment Equity Act*, *Public Service Employment Act*, or *Federal Public Sector Labour Relations Act*.

**performance pay (rémunération au rendement)**

The financial compensation based on the level of achievement of performance commitments identified in the performance agreement, which may be in the form of an in-range increase and/or a lump-sum performance award.

**performance rating (cote de rendement)**

A rating given to an employee by their manager based on an assessment of their achievements against commitments and competencies identified in the performance agreement.

**performance review period (période d'examen)**

The period starting on April 1 and ending on March 31 of the following year or a different period as prescribed by the Treasury Board or by legislation.

**person accredited (personne accréditée)**

For the purposes of the directives on classification, classification oversight and classification grievances, is an individual who has successfully completed the requirements of the Organization and Classification Learning Curriculum.

**personal corporation (corporation personnelle)**

For the purposes of Interchange Canada, an organization other than a sole proprietorship, that is solely or partly owned by an incoming participant,

and that is incorporated or continued under legislation in Canada or in another country.

**position (poste)**

A specific set of duties and responsibilities outlined in a job description, to be performed by one individual in a specific organizational context.

**potential conflict of interest (conflit d'intérêts potentiel)**

A conflict of interest situation that could reasonably be foreseen to happen in the future.

**primary tenant department (ministère locataire principal)**

The department, in a given location (for example, a building), that has the largest number of employees.

**real conflict of interest (conflit d'intérêt réel)**

A conflict of interest situation that exists at the present time.

**reclassification (reclassification)**

A change in the occupational group, subgroup and/or level of an existing job or position within the core public administration in accordance with the employer's classification program. A reclassification is not a classification conversion or a renaming exercise.

**relevant collective agreement (convention collective pertinente)**

The collective agreement for the bargaining unit to which the person is assigned or would be assigned if the person's position was represented or not excluded.

**renaming (renommer)**

A name change to an occupational group or subgroup where the existing job evaluation standard continues to apply and where the change is not part of a new classification decision, nor a classification conversion.

**shelter-in-place (mise à l'abri sur place)**

A situation when occupants are asked to remain where they are until further instructions are provided. Usually occurs when it is desirable to

secure the building because of a situation outside and not related to the building.

**sponsoring organization (organisme parrain)**

The home organization from which an Interchange Canada participant originates and where they must return following the completion of their temporary assignment.

**standardized job description (description d'emploi normalisée)**

A document that describes a job applied to more than one position where all positions are classified at the same occupational group and level.

**substantive position (poste de titularisation)**

A position to or from which a person has been appointed or deployed in accordance with the *Public Service Employment Act*, other than an acting appointment.

**sunset funding (financement temporaire)**

For the purposes of term employment, where the salary funding is from external sources and of a limited duration.

**term employee (fonctionnaire nommé pour une période déterminée)**

A person appointed for a specified period in accordance with subsection 58(1) of the *Public Service Employment Act*.

**volunteer (bénévole)**

An individual who provides services directly to or on behalf of departments, without compensation or any other thing of value in lieu of compensation, other than reimbursement for expenses actually incurred.

**workforce (effectif)**

Comprises the persons employed in the core public administration regardless their status, tenure, or bargaining agent affiliation, other than persons appointed by the Governor in Council, members of the Canadian Armed Forces, or members of the RCMP.

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