

# President meeting with David McGovern, President, Impact Assessment Agency of Canada November 28, 2019

## Introduction

### Deputy Head

Mr. David McGovern was appointed as the President, Impact Assessment Agency of Canada (IAAC) on August 28, 2019. This organization was formerly named the Canadian Environmental Assessment Agency (CEAA).

Mr. McGovern is exercising the Public Service Commission's (PSC) authority for the first time as DH. A copy of the New Direction in Staffing (NDS) highlights for DHs is attached as [Annex A](#).

## Organizational Context

### Mandate

On August 28, 2019, the *Impact Assessment Act*, the *Canadian Energy Regulator Act*, and the *Canadian Navigable Waters Act* came into force. The *Impact Assessment Act* created the new IAAC (formerly known as the CEAA). This change repeals the *Canadian Environmental Assessment Act*, created in 2012.

The IAAC is a federal body accountable to the Minister of Environment and Climate Change.

The IAAC delivers high-quality impact assessments that contribute to informed decision-making on major environmental projects, in support of sustainable development. Through its delivery of impact assessments, the IAAC serves Canadians by looking at both positive and negative environmental, economic, social and health impacts of potential projects of federal interest.

More specifically, the IAAC:

- Leads and manages the impact assessment process for all federally designated major projects;
- Leads Crown engagement and serves as the single point of contact for consultation and engagement with Indigenous peoples during impact assessments for designated projects;
- Provides opportunities and funding to support public participation in impact assessments;
- Works to ensure that mitigation measures are applied and are working as intended;
- Promotes uniformity and coordination of impact assessment practices across Canada through research, guidance and ongoing discussion with stakeholders and partners; and
- Works with a range of international jurisdictions and organizations to exchange best practices in terms of impact assessment.

The IAAC works with other bodies like the Canadian Energy Regulator (formerly the National Energy Board), the Canadian Nuclear Safety Commission, Offshore Boards and other federal departments and agencies. The IAAC also works in cooperation with provinces and territories, Indigenous jurisdictions, environmental organizations and industry.

## Challenges

Ensuring steady growth of the organization as a result of legislative changes in support of new impact assessment and regulatory processes will be a challenge due to the current scarcity of competent labor market talent and resources in the area of impact assessment on climate change.

For 2019-2020, the IAAC plans to have 446 FTEs, an increase of 117 employees from March 31, 2019.

## Experimentation

In support of the organization's need to increase flexibilities on matters of staffing, a presentation regarding the use of performance assessments in the context of staffing was conducted by the Staffing Support Advisor (SSA) in February 2019. As such, the previous CEAA and the new IAAC is continuing to plan to apply performance appraisals as a common assessment method (for competencies assessment and validation) for all upcoming appointment processes.

# Population and Staffing Activities

## Population

The IAAC (*formerly the CEAA-will be referenced herein for the purposes of data sourcing in support of this briefing*) is a small organization that has a population of 329 employees as of March 31, 2019.

## Staffing Activities

In 2018-2019, the CEAA processed a total of 284 staffing actions composed of the following:

- 136 appointments to the public service (includes casual and students);
- 64 promotions;
- 32 acting appointments (excluding appointments less than 4 months); and
- 52 lateral and downward movements.

Please refer to [Annex B](#) for additional details on staffing activities.

## Time to Staff

The median time of the public service for internal appointment processes is 176 days and for external appointments processes, it is 186 days.

The data is insufficient for providing results on internal and external processes times for the Impact Assessment Agency of Canada.

# Staffing Framework

## **New Direction in Staffing Implementation**

The CEAA has had a Policy on the Appointment Process which includes the use of advertised and non-advertised processes, the articulation of selection decision and a section on the area of selection. This policy came into effect on April 13, 2016. The SSA has been informed that the former CEAA staffing policies will be adapted to reflect the new name and scope of mandate of the new IAAC.

The CEAA had their sub-delegation instrument revised by PSC representatives and the latest version of this instrument was approved in May 2016.

In terms of monitoring, the PSC met with the CEAA on November 10, 2018, to discuss monitoring for staffing. The SSA shared some information with regards to ongoing monitoring and cyclical assessment reporting in April 2019. The CEAA indicated at that time that they planned on reviewing their monitoring framework for staffing activities in the near future.

As it is for all new Deputy Heads, the new IAAC President has full discretion to review and update these staffing instruments to reflect current and emerging needs of the organization.

## Appointment Delegation and Accountability Instrument Annex D Reporting

### **Use of the Public Service Official Languages Exclusion Approval Order and the Public Service Official Languages Appointment Regulations**

The CEAA reported that the organization made no use of the *Public Service Official Languages Exclusion Approval Order* and one use of the *Public Service Official Languages Appointment Regulations* for the period of April 1, 2018, and March 31, 2019. The PSC is supporting the organization on the management of the outstanding case.

### **Approved Deputy Head Exceptions to the National Area of Selection Requirements for External Advertised Appointment Process**

The CEAA reported one exception to the National Area of Selection approved by the DH. The exception was approved in support of an external advertised PC-03 process. The organization anticipated sufficient candidates in the St. John's area who would meet the education and the experience requirements.

### **Inquiries and Trends**

Since the implementation of the NDS, the CEAA's human resources advisors have consulted the PSC on a variety of topics, mostly regarding assessment, the Appointment Delegation and Accountability

Instrument (ADAI) and the Appointment Policy. The CEAA has demonstrated openness and willingness to share their tools with other organizations. Other topics of discussion between the CEAA and the SSA involved the articulation of the selection decision, the hiring of former students, reassessing official languages within the same appointment process and questions surrounding sub-delegated authorities and its conditions.

## Oversight

### **Audits**

No audits have occurred for both the IAAC and the CEAA since NDS. However, the PSC did conduct an audit of the CEAA in 2013 (pre-NDS). In November 2016, the PSC determined that it was satisfied with the CEAA's progress in implementing the audit recommendations.

As a smaller organization, the IAAC may consult the PSC on the possibility of establishing an arrangement to generate a cyclical assessment report on its behalf, as per section 3 of the ADAI. It is our understanding, however, that the organization plans to conduct and submit their cyclical assessment report by May 1, 2021.

## Investigations

Between September 2016 and September 2019, one case of fraud has been referred to the PSC, from the CEAA. This case was unfounded and the file closed.

Table 1 - Investigations

Nature of Issue	Cases Received	Cases Referred by Organization	Closed – Not Accepted	Completed Unfounded	Completed Founded	Ongoing
s.66 External Appointments (Merit, Error, Omission, Improper Conduct)	0	0	0	0	0	0
s.67.2 Internal Appointment - Deputy Head Request	0	0	0	0	0	0
s.68 Political Influence	0	0	0	0	0	0
s.69 Fraud	1	1	0	1	0	0
s.118 Improper Political Activities - Employees	0	0	0	0	0	0
Total	1	1	0	1	0	0

Note: The numbers may not add up as discontinued cases, cases resolved via early intervention and rare cases (s.119, s.67.1) are not included in this table.

Note: Each column is an independent calculation of the others. Cases received are cases received in the time period, cases completed are those completed in the period, not necessarily cases completed out of those received.

## Staffing and Non-Partisanship Survey Results

Overall, the CEAA's Staffing and Non-Partisanship Survey (SNPS) results are generally more favourable in comparison to other small organizations and the public service overall.

Below are some of the key findings of the CEAA SNPS results:

- 84% of employees indicated that people hired in their work unit can do the job, as compared to 67.1% in similar size organizations and 53.8% across all organizations in the federal public service;
- 81.7% of managers agreed that the NDS has improved the way they hire and appoint persons to and within their organization as compared to 69.7% in similar size organizations and 56.1% across all organizations in the federal public service;
- 79% of managers feel staffing is burdensome, as compared to 79.3% in similar size organizations and 87.9% across all organizations in the federal public service;
- 39% of managers agreed that they felt external pressure to select a particular employee, as compared to 9% in similar size organizations and 12.7% across all organizations in the federal public service;
- 0% of managers felt a sense of personal indebtedness to one or more employees, as compared to 5.5% in similar size organizations and 6.4% across all organizations in the federal public service; and
- 27.2% of managers' reported no or minimal understanding of the provisions that help veterans gain employment in the federal public service, as compared to 30.4% in similar size organizations and 34.2% across all organizations in the federal public service.

# Diversity Profile

## Employment Equity

Using data from 2017-2018, the statistics reveal that the CEAA was above public service workforce availability for women and Aboriginals. However, gaps were observed for persons with disabilities and visible minorities. The representativeness of the four designated groups will have to be reviewed once the new data on the Public Service Work Force Availability are released in 2019.

Table 2 - Employment Equity

Designated Group	Impact Assessment Agency of Canada (IAAC)* 2017-2018 Note: Data on Work Force Availability for organizations are not available for 2019	Representation across the Public Service of Canada 2017-2018 Note: Data for 2019 are not available
Women	65.1%	54.8%
Aboriginal Peoples	6.2%	5.1%
Persons with Disabilities	3.5%	5.3%
Members of Visible Minorities	10.5%	15.7%

Source: [Employment Equity in the Public Service of Canada 2017- 2018](#) Treasury Board of Canada Secretariat.

\*IAAC replaced the Canadian Environmental Assessment Agency on August 28, 2019. Consequently, data provided is for the latter. The following analysis applies to IAAC.

The following array of solutions may be useful as the IAAC continues to build a representative and diverse workforce:

The *Public Service Employment Act* includes provisions that enable managers to:

- Target designated group members through the area of selection for advertised appointment processes;
- Establish and apply an organizational need to appoint designated group members; and
- Use external and internal non-advertised appointment to appoint designated group members.

The PSC offers recruitment solutions that target designated group members such as:

- Request referrals of designated group members when using student programs such as the FSWEF and Post-Secondary Co-op and Internship Program, with a plan that could include eventually recruiting students into the public service;
- Advertising through the student program Research Affiliate Program to recruit students of designated group members; and
- Request referrals of designated group members when using certain inventories, such as Post-Secondary Recruitment.

# Priority Entitlements and Veterans

The IAAC currently has two (2) persons with priority entitlement (PPE) identified in the Priority Information Management System. Both have been identified as Leave of Absence Returnee Priorities. Since April 1, 2018, the CEAA appointed one (1) PPE. This PPE was an employee of this organization and as such, had a statutory priority entitlement.

Since the coming into force of the *Veterans Hiring Act* on July 1, 2015, priority persons with a former Canadian Armed Forces member entitlement have yet to be appointed to a position within the organization.

From April 1, 2018 to September 5, 2019, the CEAA submitted 309 requests for priority clearance.

# Non-Partisanship in the Public Service

The IAAC's Designated Political Activities Representative is Elaine Mignault. Over the years, the PSC has not received many political candidacy requests from the CEAA employees. Since April 1, 2015, the PSC has not received nor processed any requests from the organization in this regard.

The 2018 Staffing and Non-partisanship Survey results indicate that the CEAA employees' level of awareness regarding their legal rights and responsibilities for engaging in political activities is 84.1%, compared to 80.1% for the public service as a whole

# PSC Initiatives

The IAAC has participated and submitted requests for the employment opportunity for Aboriginal students and employment opportunity for students with disabilities. In summary, the organization hired:

- In 2016-2017, 2 Aboriginal students;
- In 2019-2020, 1 Aboriginal student and 1 student with disabilities.

The IAAC has not participated in the Federal internship program for Canadians with disabilities (FIPCD). Although the FIPCD is at-capacity at this time, there will be opportunities for new clients/organizations to participate in cohorts planned for 2020/21.



# Staffing Support

## **Public Service Commission Representatives and Organizational Contacts**

The SSA assigned to this organization is Caroline Fortin-Beaudry. The Head of Human Resources is Sylvain Campeau, Director, Human Resources and the main organizational contact is Marie-Claude Lemieux, Manager, Human Resources.

PREPARED BY:

Caroline Fortin-Beaudry,  
Staffing Support Advisor

Annexes:

- [Annex A – The New Direction in Staffing \(NDS\) highlights for DHs](#)
- [Annex B - Data on Population and Staffing Activities](#)

## **A New direction in Staffing – A merit-based system that is effective, efficient and fair**

### **Appointment Policy**

New focus on core requirements to provide sub-delegated persons greater discretion in making an appointment

- One Appointment Policy, no duplication with legal requirements
- Broader focus on values-based system, away from rules-based system
- Appointments Policy supported by streamlined guidance:
  - A roadmap to the requirements in legislation, regulations and policy
  - Options and considerations for decision-making where there is discretion
- Clear expectations for priority entitlements
- No restrictions to assessment methods for EX appointments
- Exceptions to National Area of Selection approved by deputy head

### **Delegation**

- New ability to customize organizational staffing system based on unique context and evolving business needs
- Deputy head establish a direction on the use of advertised and non-advertised appointment processes
- Deputy heads to establish requirement(s) for sub-delegated persons to articulate, in writing, their selection decision
- Clarity on requirements related to investigations
- Attestation form to reinforce the accountabilities of sub-delegated persons

All PSC monitoring and reporting requirements now found in the Appointment Delegation and Accountability Instrument

### **Monitoring and Reporting**

Monitoring built by organizations, targeted to their needs

- Annual Departmental Staffing Accountability Report no longer required
- Annual reporting to the PSC limited to:
  - Use of Public Service Official Language Exclusion Approval Order
  - Exceptions to the National Area of Selection approved by the deputy head
  - Results of any internal investigations
  - Actions taken following any PSC investigations or audits.
- Deputy head responsible for ongoing monitoring of organizational staffing system based on the organization's unique context

- Assessment of adherence to requirements, based on organization's own risks, at the minimum every five years

## **PSC Oversight**

### System wide-focus

- Government-wide compliance audit every two years
- Renewed Survey of Staffing administered in alternating years with government-wide audit
- System-wide effectiveness and efficiency reviews to support continuous improvement
- Targeted PSC audits as a result of identified system-wide or organizational risks or at the deputy head request
- Investigations conducted when there is a reason to believe there was political influence, fraud or improper conduct in an appointment process

This document should be read in conjunction with the Public Service Employment Act, the Public Service Employment Regulations, the PSC Appointment Policy and the PSC Appointment Delegation and Accountability Instrument.

# Population by tenure as of March 31

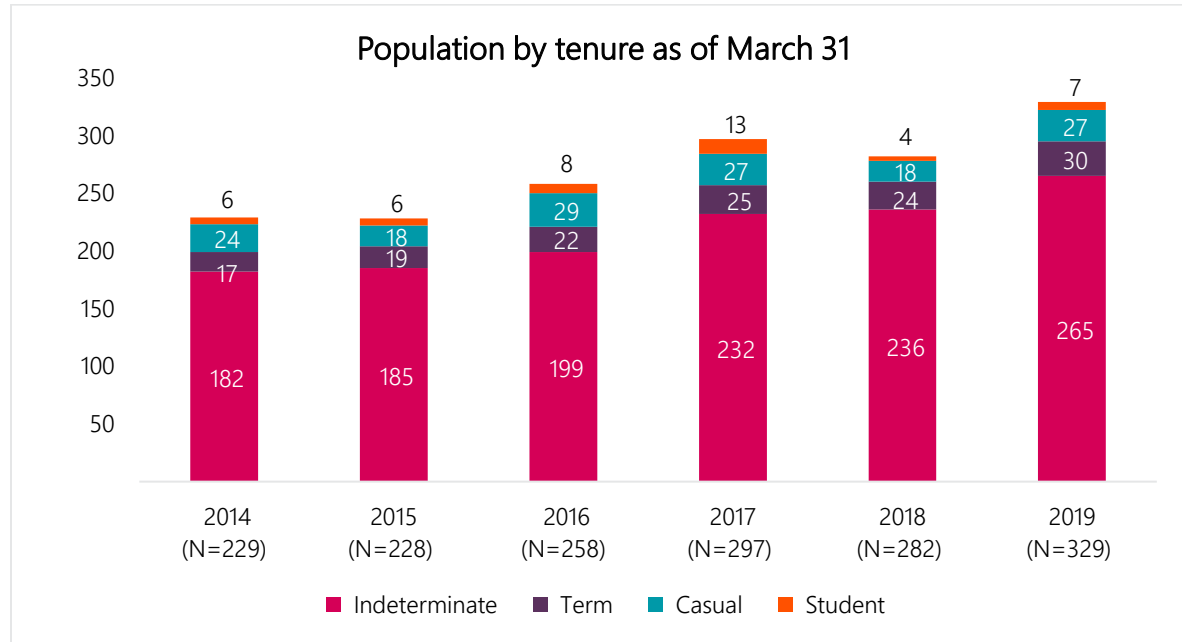


Figure 1 - Population by tenure as of March 31

Table 3 - Public Service Employment Act population by tenure as of March 31

Year	Indeterminate population	Term population	Casual population	Student population	Total population
As of March 31, 2014	182	17	24	6	229
As of March 31, 2015	185	19	18	6	228
As of March 31, 2016	199	22	29	8	258
As of March 31, 2017	232	25	27	13	297
As of March 31, 2018	236	24	18	4	282
As of March 31, 2019	265	30	27	7	329

# Population by language requirements as of March 31, 2019

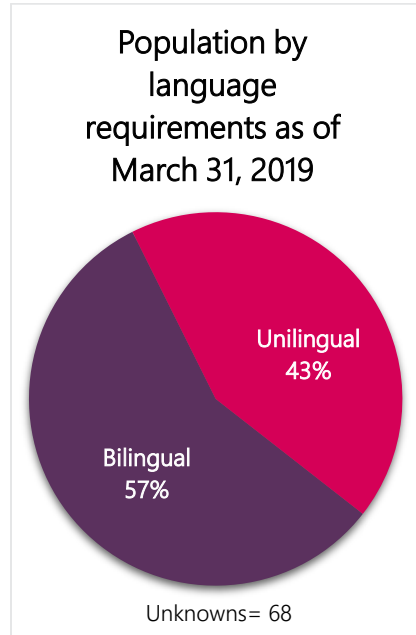


Figure 2 - Population by language requirements as of March 31, 2019

Table 4 - Public Service Employment Act population by language requirements of the position for fiscal year 2018 to 2019

Linguistic requirements of the position	Population as of March 31, 2019	Percentage of population as of March 31, 2019
Bilingual	149	57%
Unilingual	112	43%
Unknown	68	

# Population by occupational group as of March 31, 2019

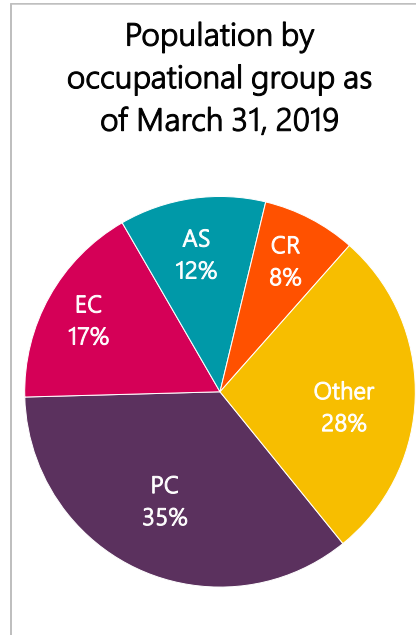


Figure 3 - Population by occupational group as of March 31, 2019

Table 5 - Top occupational groups, as a percentage of the Public Service Employment Act population for fiscal year 2018 to 2019

Occupational group	Population as of March 31, 2019	Percentage of population as of March 31, 2019
PC – Physical Sciences	114	35%
EC – Economics and Social Science Services	55	17%
AS – Administrative Services	39	12%
CR – Clerical and Regulatory	25	8%
Other	89	28%

# Population by region as of March 31, 2019

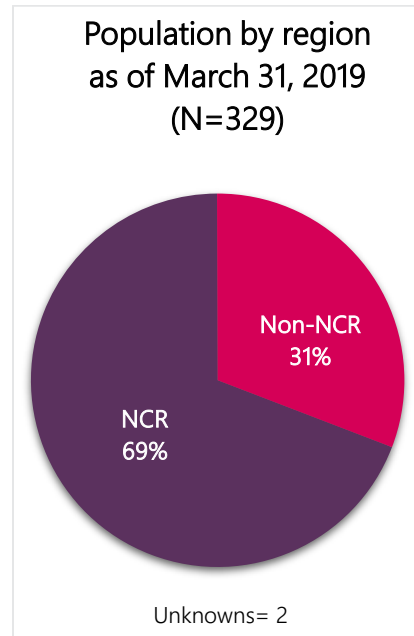


Figure 4 - Population by region as of March 31, 2019

Table 6 - Distribution by region, as a percentage of the Public Service Employment Act population for fiscal year 2018 to 2019

Region	Population as of March 31, 2019	Percentage of population as of March 31, 2019
National Capital Region (NCR)	226	69%
Non-NCR	101	31%
Unknown	2	



# External indeterminate hires by occupational group, 2018-19

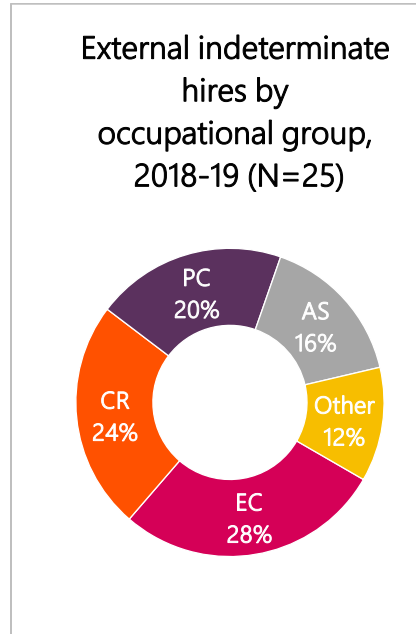


Figure 5 - External indeterminate hires by occupational group, 2018-19

Table 7 - External indeterminate hires by top occupational groups, for fiscal year 2018 to 2019

Occupational group	Number of indeterminate hiring activities	Percentage of all indeterminate hiring activities
EC – Economics and Social Science Services	7	28%
CR – Clerical and Regulatory	6	24%
PC – Physical Sciences	5	20%
AS – Administrative Services	4	16%
Other	3	12%
Total	25	100%

# Staffing by region

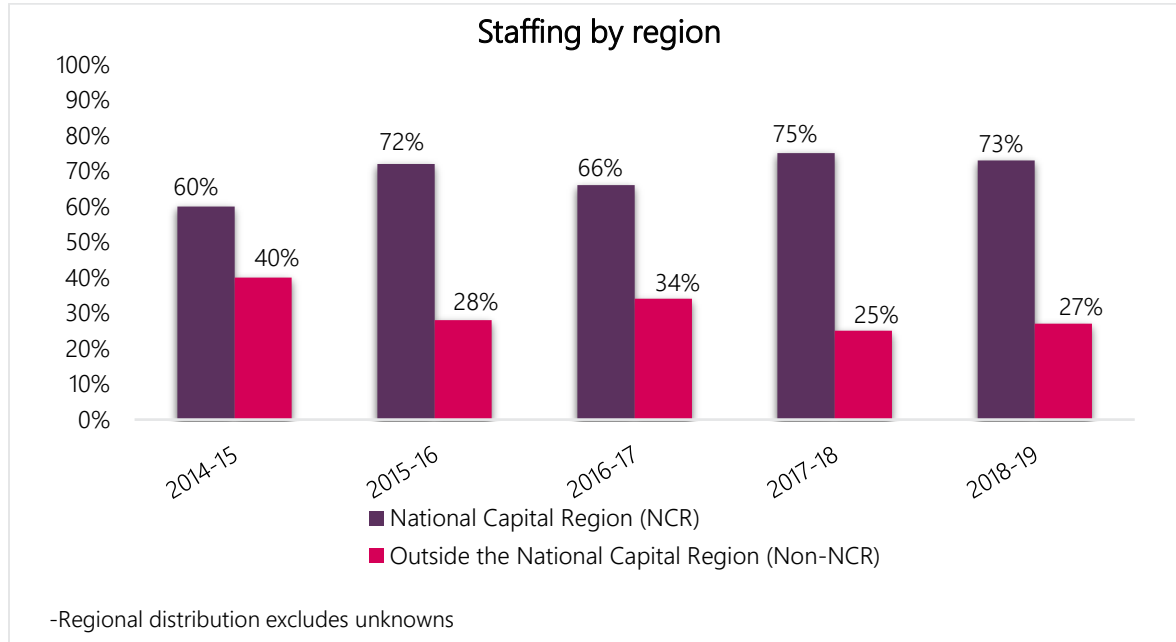


Figure 6 - Staffing by region

Table 8 - Percentage of staffing activities in the National Capital Region compared with all other regions by fiscal year

Fiscal year	Percentage of staffing activities in the National Capital Region (NCR)	Percentage of staffing activities in all other regions (Non-NCR)
2014 to 2015	60%	40%
2015 to 2016	72%	28%
2016 to 2017	66%	34%
2017 to 2018	75%	25%
2018 to 2019	73%	27%

# Staffing by process type

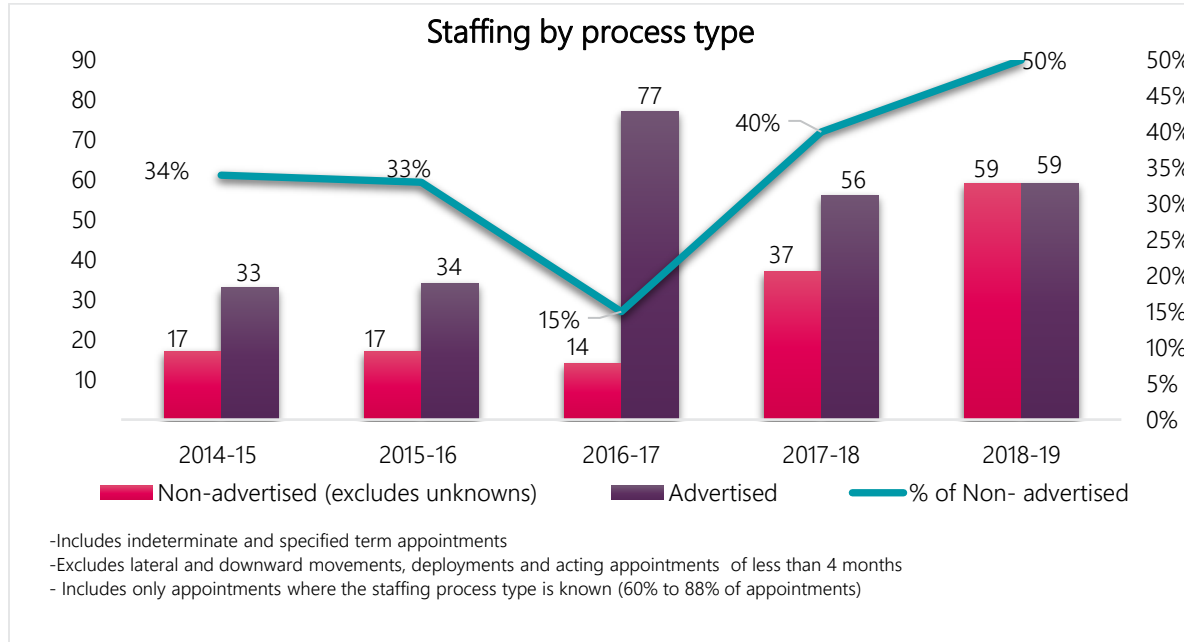


Figure 7 - Staffing by process type

Table 9 - Number and percentage of staffing activities by type of process and fiscal year

Fiscal year	Non-advertised processes (excludes unknowns)	Advertised processes	% of Non-advertised processes
2014 to 2015	17	33	34%
2015 to 2016	17	34	33%
2016 to 2017	14	77	15%
2017 to 2018	37	56	40%
2018 to 2019	59	59	50%

# Staffing by appointment type

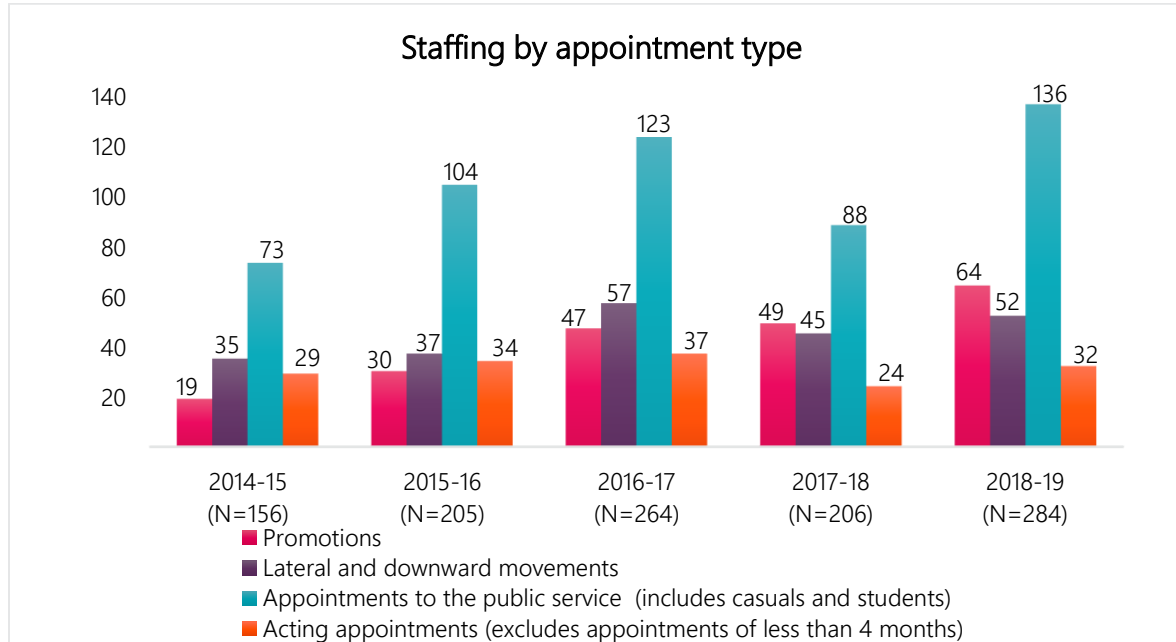


Figure 8 - Staffing by appointment type

Table 10 - Staffing activities by appointment type and fiscal year

Fiscal year	Promotions	Lateral and downward movements	Appointments to the public service (includes casuals and students)	Acting appointments (excludes appointments of less than 4 months)	Total
2014 to 2015	19	35	73	29	156
2015 to 2016	30	37	104	34	205
2016 to 2017	47	57	123	37	264
2017 to 2018	49	45	88	24	206
2018 to 2019	64	52	136	32	284

# Staffing by tenure

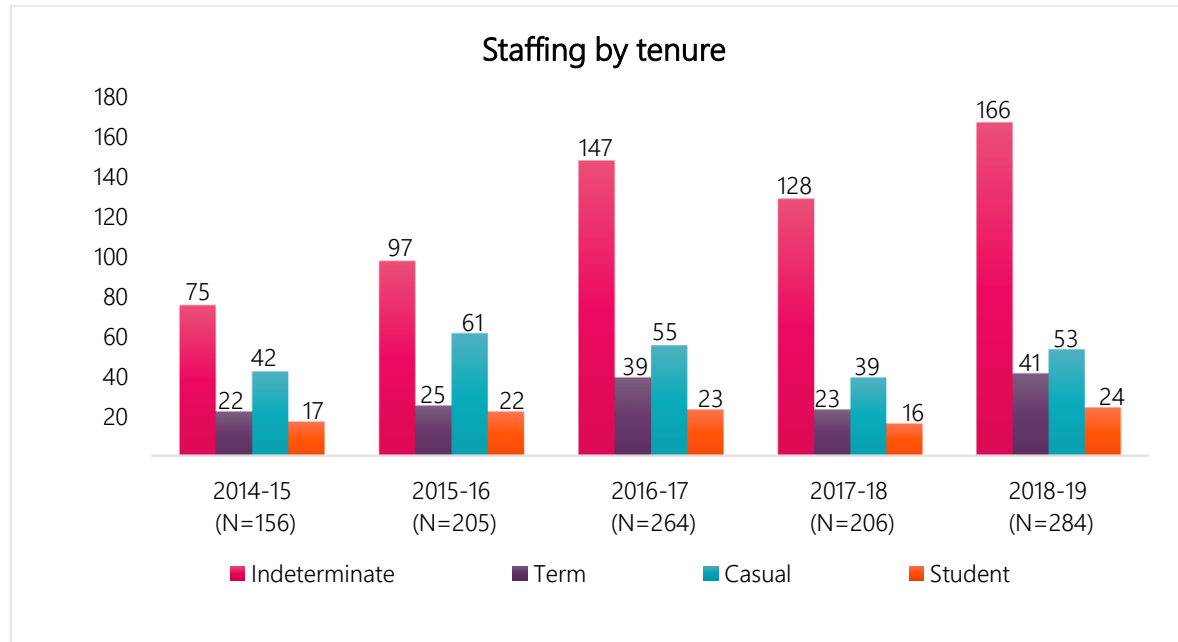


Figure 9 - Staffing by tenure

Table 11 - Staffing activities by tenure and fiscal year

Fiscal year	Indeterminate staffing activities	Term staffing activities	Casual staffing activities	Student staffing activities	Total staffing activities
2014 to 2015	75	22	42	17	156
2015 to 2016	97	25	61	22	205
2016 to 2017	147	39	55	23	264
2017 to 2018	128	23	39	16	206
2018 to 2019	166	41	53	24	284

## Key findings - Staffing and non-partisanship survey (2018)

- 84.0% of employees agreed that people hired can do the job, compared to 67.1% in organizations of similar size, and 53.8% in the federal public service
- 81.7% of managers agreed that the New Direction in Staffing has improved the way they hire and appoint persons to and within their organization, compared to 69.7% in organizations of similar size, and 56.1% in the federal public service
- 79.0% of managers agreed that within their organization, the administrative to staff a position is burdensome, compared to 79.3% in organizations of similar size, and 87.9% in the federal public service

# Student program hires

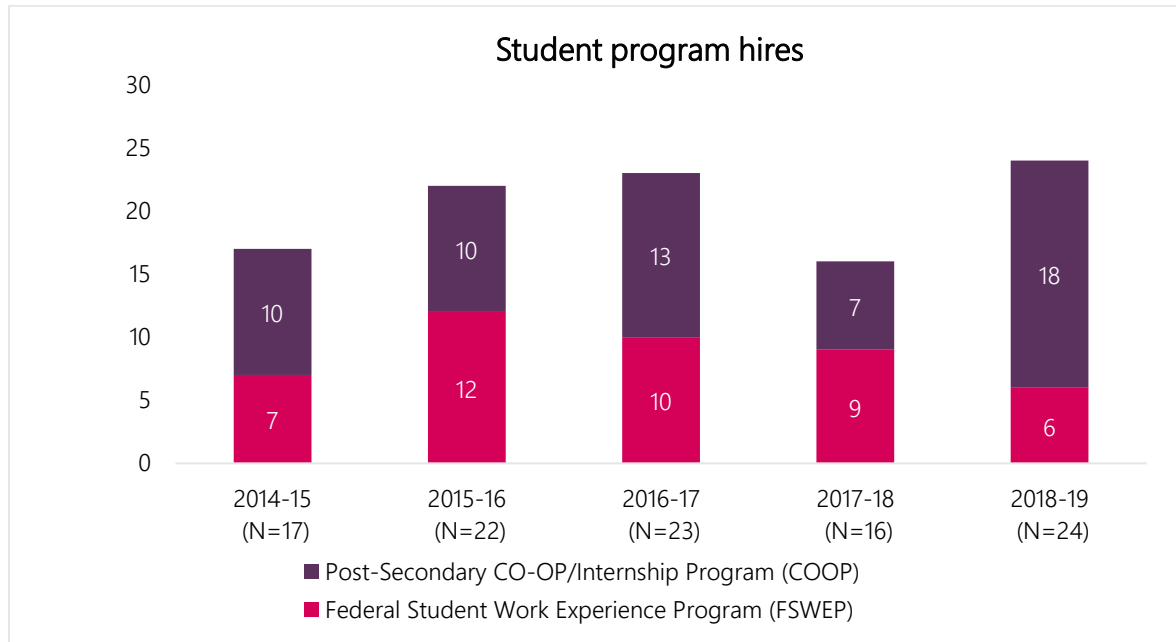


Figure 10 - Student program hires

Table 12 - Student staffing activities by recruitment program and fiscal year

Fiscal year	Federal Student Work Experience Program	Post-Secondary Co-op/Internship Program	Research Affiliate Program	Total
2014 to 2015	7	10	0	17
2015 to 2016	12	10	0	22
2016 to 2017	10	13	0	23
2017 to 2018	9	7	0	16
2018 to 2019	6	18	0	24

External indeterminate and term hiring activities: Post-Secondary Recruitment Program and former student hires

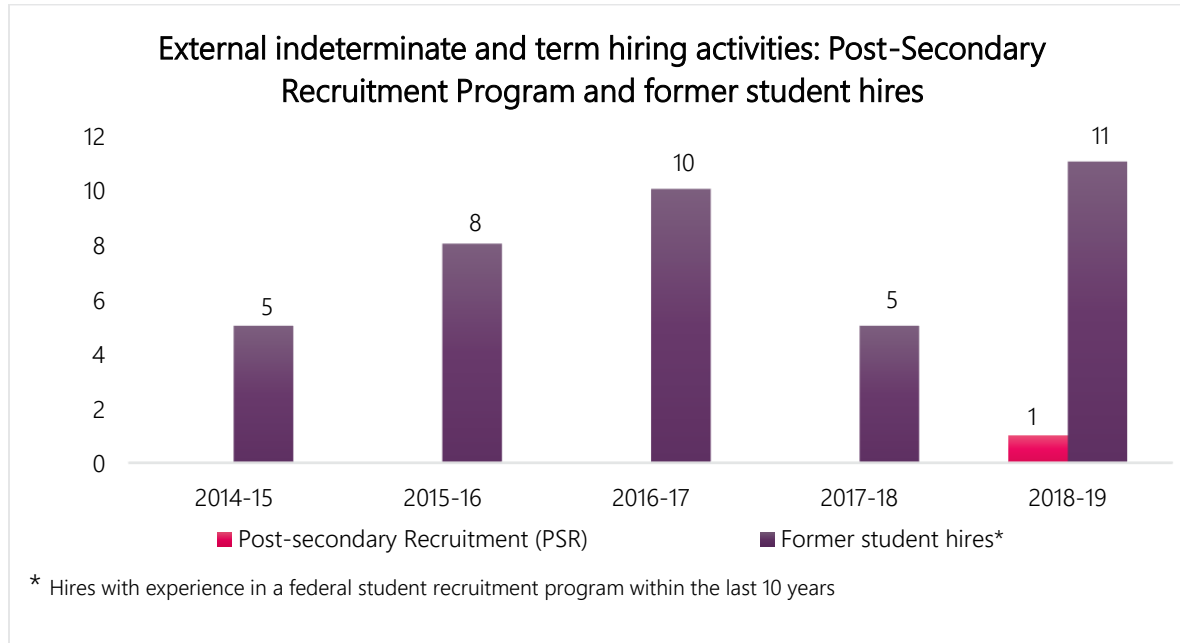


Figure 11 - External indeterminate and term hiring activities: Post-Secondary Recruitment Program and former student hires

Table 13 - External indeterminate and term hiring activities: Post-Secondary Recruitment Program and former student hires by fiscal year

Fiscal year	Post-Secondary Recruitment Program hires	Hiring of former students
2014 to 2015	0	5
2015 to 2016	0	8
2016 to 2017	0	10
2017 to 2018	0	5
2018 to 2019	1	11

# Internal and External Time to Staff

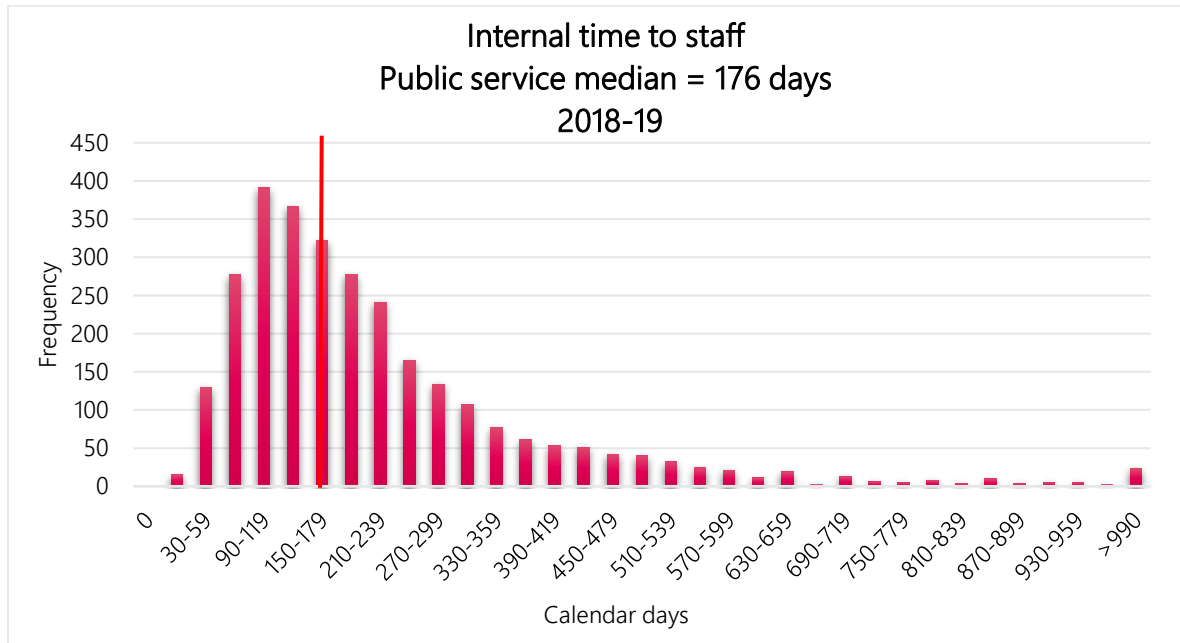


Figure 12 - Internal time to staff Public service median = 176 days 2018-19

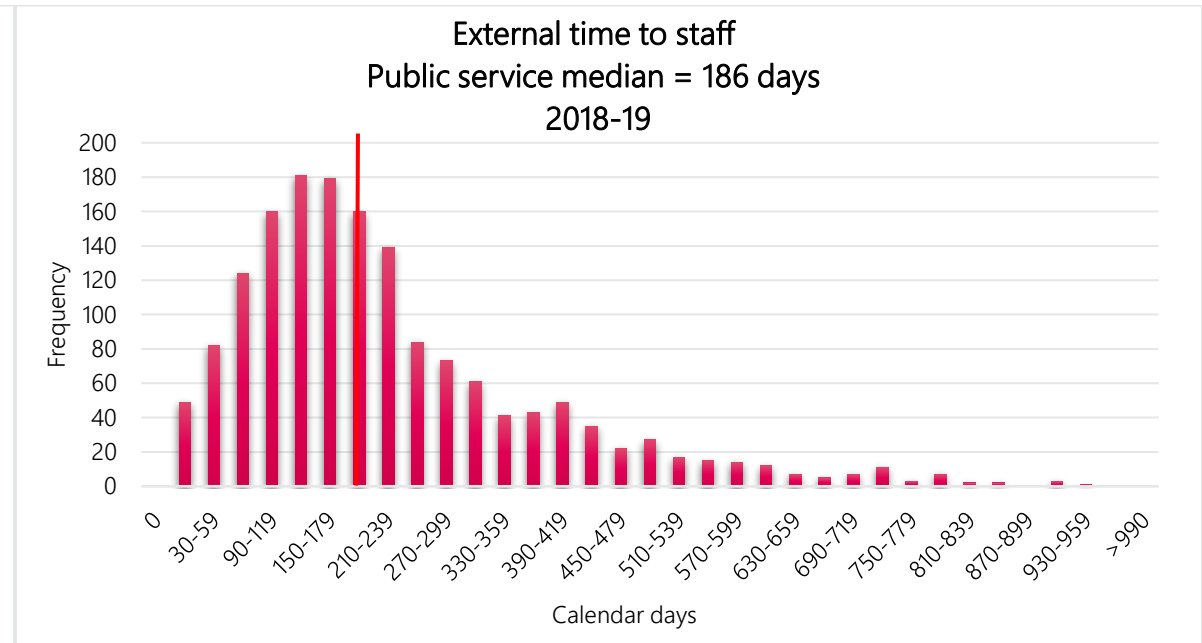


Figure 13 - External time to staff Public service median = 186 days 2018-19

[Internal and External time to staff data table available here.](#)

## Internal Time to Staff

The data is insufficient for providing results on internal process times for the Impact Assessment Agency of Canada.

Internal time to staff is calculated as the number of calendar days between the opening date of the advertisement and the date of the first notification.

Internal time to staff for fiscal year 2018 to 2019

The median internal time to staff for the public service (organizations subject to the Public Service Employment Act) for fiscal year 2018 to 2019 is 176 days.

The data is insufficient for providing results on internal process times for the Impact Assessment Agency of Canada

## External Time to Staff

The data is insufficient for providing results on external process times for the Impact Assessment Agency of Canada.

External time to staff is calculated as the number of calendar days between the opening date of the advertisement and the date of the first estimated external hire.

External time to staff for fiscal year 2018 to 2019

The median external time to staff for the public service (organizations subject to the Public Service Employment Act) for fiscal year 2018 to 2019 is 186 days.

The data is insufficient for providing results on external process times for the Impact Assessment Agency of Canada.



# Internal and External Time to Staff

Table 14 - Internal and External time to staff

<b>Number of calendar days</b>	<b>The number of internal appointments for which the TTS-IA was within the specified number of calendar days for organizations subject to the <i>Public Service Employment Act</i></b>	<b>The number of external appointment processes for which the TTS-EA was within the specified number of calendar days for organizations subject to the <i>Public Service Employment Act</i></b>
0 calendar days	0	0
0 to 29 calendar days	15	49
30 to 59 calendar days	130	82
60 to 89 calendar days	277	124
90 to 119 calendar days	391	160
120 to 149 calendar days	367	181
150 to 179 calendar days	322	179
180 to 209 calendar days	278	160
210 to 239 calendar days	241	139
240 to 269 calendar days	165	84
270 to 299 calendar days	134	73
300 to 329 calendar days	107	61
330 to 359 calendar days	77	41
360 to 389 calendar days	61	43
390 to 419 calendar days	53	49
420 to 449 calendar days	51	35
450 to 479 calendar days	42	22
480 to 509 calendar days	40	27
510 to 539 calendar days	32	17
540 to 569 calendar days	24	15
570 to 599 calendar days	21	14
600 to 629 calendar days	11	12
630 to 659 calendar days	19	7
660 to 689 calendar days	3	5
690 to 719 calendar days	13	7
720 to 749 calendar days	6	11
750 to 779 calendar days	5	3
780 to 809 calendar days	8	7
810 to 839 calendar days	4	2
840 to 869 calendar days	10	2
870 to 899 calendar days	4	0
900 to 929 calendar days	5	3
930 to 959 calendar days	5	1
960 to 989 calendar days	3	0
More than 990 calendar days	23	0

## Technical Notes

- The Time to Staff - Internal Appointments (TTS-IA) is the median number of calendar days between the opening date of an internal advertisement and the date of the first Notice of Appointment or Proposal of Appointment (NAPA) from the Public Service Resourcing System for internal term and indeterminate positions. As NAPAs are not required for all internal staffing actions, this measure is limited to reporting on internal promotional appointments
- Only estimated term and indeterminate appointments/notifications are included (deployments, casual and acting appointments are excluded)
- The Time to Staff - External Appointments (TTS-EA) is the median number of calendar days between the opening date of an external advertisement and the date of the first estimated appointment of an individual from outside an organization subject to the Public Service Employment Act for term and indeterminate positions. Only estimated term and indeterminate appointments/notifications are included (deployments, casual and acting appointments are excluded)
- Because data between systems is linked using a probabilistic match, errors in data linkage are a potential source of measurement error

## Sources

- Hiring and staffing activities data are derived from information received from the Treasury Board of Canada Secretariat Incumbent File. The Incumbent File is extracted from the Public Services and Procurement Canada's pay system. The data constitutes an estimate of hiring and staffing activities to and within organizations.
- Information from the Priority Information Management System and the Public Services Resourcing System is also used to determine if staffing actions are advertised or non-advertised as well as for calculating time to staff.
- The data are not expected to match an organization's human resources data, due to methodology and timing differences.