

LEGISLATIVE RETURN

SUBMITTED BY: Hon. Richard Mostyn

Minister responsible for the Public Service Commission



1. On _____,

asked the following oral question at page(s) _____ of *Hansard*

submitted the following written question – WQ No. _____

gave notice of the following motion for the production of papers – MPP No. _____

RE: _____

OR

2. This legislative return relates to a matter outstanding from discussion related to:

Bill No. 206: *First Appropriation Act 2018-19 – Vote 10, Public Service Commission*

on April 3, 2018 at page(s) 2376 of *Hansard*.

The response is as follows: - see attached document

18/04/11
Date


Signature

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Evaluation Framework for the Respectful Workplace System

Context: The Yukon Public Service Commissioner is implementing a newly designed process to enhance and sustain a respectful workplace. The new process involves a new organizational design, a new director and staff, new policy and process and a new governance steering committee.

The new policy requires the steering committee to establish an evaluation framework and outcome measures for the Respectful Workplace System (RWS) and to use it to formally evaluate the system and make recommendations for improvement to the Public Service Commissioner.

This document includes a logic model for the RWS that describes the inputs, activities, outputs and outcomes anticipated for the program.

It proposes an approach to evaluation of, and specific performance measures for, program outcomes. It also proposes that there be regular reports on program activity and outputs, as described in the logic model.

The evaluation framework is designed to lead to continuous improvement of the program.

Characteristics of Performance Measures:

1. Performance measures should be connected to the **outcomes** for a program rather than outputs or activities. For example, a measure for RWO could be the number of cases that are closed without investigation as a percentage of total cases (outcome) but it should not be the number of cases managed by the office (activity).
2. There should be no more than **3 or 4 measures** and they should bear the test of time. In other words, they can be tracked over a number of years to measure the program's performance over time rather than presenting just a one-year snap shot. To continue the above example, the number of cases closed without investigation and the total number of cases can be tracked every year by the RWO, so it is likely to be a measure that remains available and comparable over time.
3. Performance measures **do not have to align with a specific outcome**. They can apply to a number of outcomes or to the program or the workforce overall.
4. The performance measures selected should be **readily available** and not require extensive effort, time and cost. Performance measurement should not detract from the time and money available for the program itself or it will not be sustainable. To continue the example, cases are already tracked by RWO for a variety of reasons. It's not a measure that has to be created and managed just for the purposes of performance measurement. However, RWO may need to refine *how* it tracks cases to ensure it can measure performance. For example,

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how is a case defined? What are the possible routes it can take? What are the valid reasons for closing it?

5. **Performance benchmarks and targets** should be set for each performance measure. The benchmark is the starting place – What is the performance the first year we are tracking it? The target indicates whether the goal is to increase, decrease or maintain the performance. For example, year-over-year RWO would be trying to increase the number proportion of cases closed without investigation.
6. It takes a **number of years** to be able to accurately measure the performance of a program. In this case it will take some time for the RWO to be fully operating and for benchmarks to be determined. Then the performance against the benchmark will take another year or two. As a consequence, it's important to choose measures that can remain relatively unchanged year-to-year. If the measures change each year, then performance can't be tracked.

Approach:

1. **Detailed reporting to the steering committee on activities and outputs.** The committee mandate anticipates the committee will meet quarterly. The Respectful Workplace Office (RWO) Director will present a "Director's Report" at each meeting and a consolidated annual report. The report will describe the activities and outputs of the RWO. The steering committee will provide **advice and suggestions** for process and policy improvement based on the Director's Report and any other sources of information they have about the performance of the office.
2. **Performance Measures**, as described below, will be presented annually to the steering committee and also be a component of performance reporting by PSC as a whole to government and the public. The steering committee will use this performance report to make **formal recommendations** to the Public Service Commissioner for improvements in the program, policy and process.
3. There will be an **external program evaluation** under the direction of the steering committee every five years to provide an independent and more thorough assessment of whether the program is meeting the purposes described in the policy.

Suggested Performance Measures:

1. **Measure:** Number of cases closed without the need for investigation (internal or external) as a proportion of the total number of cases.
Outcome: This measure is relevant to all preferred outcomes (see Logic Model) and most specifically to "Appropriate problem solving processes & conflict resolution used to improve the workplace."
Benchmark and Target: The first year of operations of the new RWO (2013/14) is the benchmark. The steering committee will have to determine the target based on the benchmark. In other words, the target could either be to maintain (if the number is extremely low) or reduce the number of investigations as a portion of total cases.

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2. **Measure:** Percentage of clients that say the RWO process they were engaged in followed the principles described in the policy¹ (Section 2.4). In summary the principles call for:
- a. Preference for keeping responsibility in the workplace
 - b. Proportionality of process
 - c. Appropriate inclusivity of affected parties
 - d. Timeliness
 - e. Knowing the allegations against you
 - f. Opportunity to be heard
 - g. Safety
 - h. Appropriate transparency of outcome
 - i. Follow up.²

Due to the conflict-based nature of the cases and the objective of the policy to improve the workplace, rather than to provide individual compensation or satisfaction, testing whether the principles have been followed is a better measure of the program than a "customer satisfaction" measure. The proposed measure would rely on asking participants to answer a short survey by e-mail at the end of their involvement with an RWO process and then six months later to test the durability of the result. A range of participants would be surveyed, not just those making a complaint.

Outcome: This measure is relevant to all preferred outcomes and most relevant to "Appropriate problem solving process and conflict resolution used to improve the workplace."

Benchmark and Target: The benchmark could be the program evaluation completed in 2012 which found a very low level of satisfaction among participants in the RWO process and that the process did not achieve the purpose of the policy to "promote a respectful and harassment free work environment". The target would be to continuously increase the percentage of those who said the process followed the policy principles.

3. **Measure:** Attitudes toward the workplace expressed by the Aboriginal Employees Forum. This measure requires further refinement in discussion with Aboriginal Employees Forum members.

Outcome: This measure is relevant to all outcomes and most specifically to "Respectful and inviting workplace for aboriginal employees."

Benchmark and Targets: The measure could take the form of an opinion survey, an annual facilitated discussion or any other method that can be repeated to get a benchmark and then annual results.

4. **Measure:** Employee Engagement Scores. This is a very broad measure that is used to test employee attitudes toward the Yukon Government as an employer

¹ This would require that RWO create and administer a survey of participants. Therefore, the measure does require a specific allocation of time and resources.

² The principles in the policy would form the basis of the survey but appropriate survey questions would have to be created.

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and workplace. The respectful workplace system is only one factor among many that influence employee opinions. The scores are not the responsibility of the RWO. The scores would be used to give a big picture sense of whether Yukon government workplaces are improving. Tracking departments that have had involvement with the RWO may be another way to use the scores to see if there is improvement over time in problem areas.

There are five measures on the current Employee Engagement Survey that are relevant to the RWO. These include:

1. Direct Supervisor: "I have a positive working relationship with the person I report to."
2. Work Unit Cohesion: "I have a positive working relationship with my co-workers."
3. Work Unit Communication: "There is good communication among the members of my work unit."
4. Safe Workplace: (a) "My department creates a safe work environment for its employees." and (b) "I feel safe working in my job."

Outcome: This measure is relevant to all outcomes and most specifically to "Employees consider the workplace to be functional."

Benchmark and Target: The 2012 score would be the benchmark and the target would be to improve it over time, however as stated above, important though it is, this is not an outcome that is the responsibility of the RWO.

Suggested Content for Activity and Output Reports:

In addition to the performance measures selected, the RWO will need to keep records on its activity and outputs that can provide ongoing information to the director, steering committee, PSC and an external program evaluation. The director can use this program information for the quarterly and annual reports to the steering committee.

In the first year, the focus of the steering committee should be on ensuring a successful transition from the previous processes and policies. The Director's reports should report on activities and outputs related to the start up of the office and implementation of the new policy (staff recruitment and training; development of a guide on terminology and a procedures manual; development of a roster of external experts; workshops and promotional material to educate the workforce on the policy; increased collaboration with Disability Management Office, Staff Relations Office and unions.)

After the transition period the reports should be used to track continuous program improvements. As the RWO will be using a case management approach, the tracking and reporting should be by case³ and also capture the volume of other activities, as follows:

³ There is case management software developed by offices such as the BC Ombudsperson and used in a number of jurisdictions that may be a useful tool.

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1. **Requests:** This is the total number of requests for assistance and reports of workplace problems received.
Purpose: This is an indication of the volume of issues but also of the credibility of the office as a useful resource and an indicator of the resources it requires.
2. **Response:** This is the Director's decision. It could include categories such as: case accepted and processed; case declined; case dismissed; case referred to another agency.
Purpose: It is equally important to document and provide a rationale for cases declined, dismissed and referred as for cases accepted to ensure the office is responding appropriately.
3. **Result:** This tracks what happens to the accepted cases, for example: case is withdrawn; case is resolved by the parties; case is resolved after further involvement by RWO staff; case requires summary finding and recommendations to Commissioner; case requires external investigation and recommendations to Commissioner.
Purpose: This is a key indicator, and performance measure, of whether and how the ADR process is operating to achieve early resolution of conflict.
4. **Pro-active Services:** This is the number and type of services provided that are not case-related such as: employee orientation to policy and RWO; workshops for skill development in conflict management and communications; recruiting and training internal conflict management resource people; recruiting and orienting external mediators/investigators/arbitrators.
Purpose: The pro-active work of the RWO is important as a preventive measure and to help improve the workplace culture and the quality of the service provided by the office. It is of equal value to the management of cases. Consequently, it needs to be tracked and to have allocated resources.

LOGIC MODEL FOR THE RESPECTFUL WORKPLACE SYSTEM

