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2020

ANNUAL REPORT



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MISSION



The Commission de la fonction publique de Montréal (CFPM) (Montréal Public Service Commission) is an independent body whose primary mission is to handle complaints regarding staffing processes and labour management at the Ville de Montréal.

We are responsive to our clientele and handle all matters in a rigorous, impartial and professional manner with the aim of ensuring employees' and residents' trust in existing practices.

With a view toward continuous improvement, we make recommendations and prioritize a constructive and collaborative approach in all our actions, while remaining objective and neutral.

VISION

To become the reference for staffing and labour management issues at Ville de Montréal.

HIGHLIGHTS

The global pandemic affected the volume of requests received by the Commission in 2020. However, the arrival of a new chair and two new employees during the year breathed new life into the organization.

20

Information requests

33

Complaints submitted

19

Investigations conducted

45

Business days, on average,
to handle a complaint

3

New employees

MESSAGE FROM THE CHAIR



2020: An Unforgettable Year

In accordance with the provisions of the *Charter of Ville de Montréal, metropolis of Québec* (CQLR, ch. C-11, r. 4), I present you the Commission de la fonction publique de Montréal's (CFPM) Annual Report for the year ended December 31, 2020.

This past year has been notable in many ways. First, we can't ignore the COVID-19 pandemic and the challenges it created for the CFPM. I became Chair of the Commission in the midst of a lockdown. In addition, this fiscal year also marked the end of the Commission's 2017–2020 strategic plan.

COVID-19 has shaken up the way organizations do business, and the CFPM was no different. The staff had to work from home on a permanent basis, even though telework was already part of our working conditions. Face-to-face meetings with complainants and witnesses, along with team meetings, have made way for videoconferencing, which became the ultimate work tool. The number of requests significantly dropped from 86 in 2019 to 53 in 2020, down 38%.

This decrease can be explained by a 22% reduction in job postings by the city's Human Resources department in 2020 compared to the previous year. Like many organizations, Ville de Montréal has also had to adapt and change its ways of doing things, namely by further integrating technology into its staffing processes. This change was essential to address the labour needs of departments and boroughs, which had to continue providing services to the public and meeting operational needs. Applicant screening interviews that were previously in person are now conducted by videoconference and tests are administered online or have been suspended. We will need to start thinking about whether to keep these changes in place as we prepare for the end of the pandemic, given that the use of artificial intelligence in recruitment is part of a larger trend transforming human resources. There are major benefits for organizations that use this technology. These include greater flexibility in scheduling interviews, shorter staffing times, reduction in productivity lost through travel by selection committee members, and fewer withdrawals. More importantly, applicants also reap the benefits. The use of technology in recruiting plays a fundamental role in the "applicant experience", a key part in building an "employer brand". As applicants are becoming more demanding, recruiting the best talent in many areas of expertise remains a challenge despite the pandemic. Applicants are delighted that they no longer have to travel or take time off work to complete a step in a staffing process. Of course, the use of technology has its

limits. Organizations must have the financial means to acquire the technology infrastructure, and conducting interviews by videoconference entails a loss of human contact. There are also major risks of unstable or lost connections. Not to mention that applicants require a computer and a high-speed connection, which can pose a significant challenge. In addition, conducting an interview, even in the comfort of one's own home, can be stressful for the applicant if they do not have an appropriate space and cause distractions related to their personal environment. Lastly, the ability to use technology varies among different job categories and may even vary between individuals. It is entirely appropriate to ask whether the preferred method of conducting interviews or administering tests needs to be the same for everyone.

Moreover, 2020 also marked the end of the CFPM's 2017–2020 strategic plan. A number of promising projects were initiated to help achieve the objectives. The Commission pursued its primary mission of addressing complaints about Ville de Montréal's staffing processes and issuing recommendations when relevant and necessary. The complaint process implemented in 2018 continues to prove its efficiency, as 33 complaints were filed and reviewed. Among them, 19 investigations were conducted with an average handling time of 45 business days, which represents the target set. In addition, the team added three new employees. The CFPM also continued its efforts to improve visibility and communications. The website is updated regularly and remains the Commission's preferred communication tool to interact with its internal and external clientele. We also conducted a new needs analysis to support the development of a communications plan.

A new strategic planning process was launched in the fall of 2020, covering the years 2021 to 2024. A series of rewarding meetings were held throughout the fall with CFPM stakeholders, including elected officials, union representatives, management association representatives, members of the city's Human Resources department's staffing and employment diversity management team, and CFPM employees and members. Recommendations were made to consider revising the regulations governing the Commission's activities to restore the possibility of investigating complaints made in confidence and to conduct audits. I wish to thank all those who generously provided input on the future of the Commission.

The new strategic plan will focus on four areas of intervention:

1. Working closely with stakeholders
2. The CFPM's reputation, by putting at the forefront its role and expertise
3. The CFPM's independence, by strengthening its position as a neutral body
4. Efficiency, by developing its processes with a focus on continuous improvement

The accompanying action plan is under development and will provide for the implementation of the measures recommended to the CFPM in the Office de la consultation publique's report on systemic racism and discrimination.

In closing, I also wish to thank employees and members of the CFPM who worked on various projects throughout the year and who kept things running before I took office.

Isabelle Chabot, CRHA
Chairperson

STRATEGIC OBJECTIVES AND ACHIEVEMENTS

The Commission continued to implement actions to meet the objectives set out in its 2017–2020 strategic plan.

In 2017, the CFPM identified four organizational priorities to focus on until 2020. These priorities, as well as the actions taken this year to achieve them, are identified below. Table 1 shows the action plan for achieving the strategic objectives.

Priority No. 1 Improve credibility

In an effort to improve its credibility with stakeholders and optimize its ways of doing business, the CFPM continued to implement a new complaints procedure with regard to administrative investigations. Figure 1 on page 10 shows this procedure.

In addition, the Commission continued its efforts to reduce the average handling time for admissible complaints. For 2020, the average handling time was 45 business days, which is what the CFPM had targeted.

Priority No. 2 Improve visibility and communications

At the beginning of 2018, the Commission adopted a communications plan aimed at raising its various clienteles' awareness of its services. The plan's rollout was completed in 2020. The Commission also conducted a new needs analysis and began developing a new communications plan.

The website is updated regularly to provide the most recent information to internal and external clienteles. Posters and bookmarks also promote the Commission's services.

Priority No. 3 Leverage neutrality and expertise to deliver value-added services

The Commission initiated a project to conduct a study on the barriers to career progression for employees in the context of diversity at Ville de Montréal. Deliverables were submitted in late 2020 for a presentation in the spring of 2021.

Priority No. 4 Continue working closely with stakeholders

In 2020, the CFPM continued its efforts to increase collaboration with HR representatives as well as those of other administrative units. This objective was established when the Commission's by-law was amended in May 2016.

Ten meetings held in the form of information sharing also took place with the Commission's various partners, union and employee association representatives, the Director General's office and some elected officers, including Mr. Dorais, the Chairman of the city's Executive Committee, to gain a better understanding of everyone's issues and realities.

TABLE 1

2017–2020 STRATEGIC OBJECTIVES AND ACTION PLAN

Strategic objectives	Performance indicators and targets	Achieved	Not achieved
PRIORITY NO. 1: INCREASING THE CFPM'S CREDIBILITY			
Provide data on complaints in the Annual Report	Include complaint and complainant statistics › 2016 Annual Report › 2017 Annual Report › 2018 Annual Report › 2019 Annual Report › 2020 Annual Report	• • • • •	
Improve the average complaint handling time	› 2017: 50% reduction (49 business days) › 2018: 45 business days › 2019: 39 business days › 2020: 45 business days	• • • •	
Pursue the continuous improvement initiative regarding the quality of services	Audit of complaint handling process › December 31, 2017 › December 31, 2019 ¹	•	•
	Update of the internal investigation procedure and adoption of new tools › June 30, 2018	•	
Support employee skills development and maintenance	Implementation of onboarding plans for internal and external new hires › 2017 › 2018 › 2019 › 2020	• • • •	
	Percentage of employees who took part in training activities › 2017: 100% › 2018: 100% › 2019: 100% › 2020: 100%	• • • •	
Strengthen the governance framework	Review of the involvement and role of the Vice-Chairs › November 30, 2018	•	
PRIORITY NO. 2: INCREASING THE CFPM'S VISIBILITY			
Modernize the CFPM's image	Launch of new logo › April 30, 2018	•	
Execute the communications plan, including various actions aimed at promoting the CFPM	Launch of the first-ever CFPM website › April 30, 2018	•	
	Emails to elected officials, employees and unions; messages posted on the city intranet and Chair's LinkedIn page for the following initiatives: › CFPM website launch and release of benchmarking analysis › Release of the 2016 Annual Report › Release of the 2017 Annual Report › Release of the 2018 Annual Report › Release of the 2019 Annual Report › Release of the 2020 Annual Report	• • • • • •	
	Press release issued following the publication of the Annual Report › 2016 › 2017 › 2018 › 2019 › 2020	• • • • •	

TABLE 1 (CONT'D)

Strategic objectives	Performance indicators and targets	Achieved	Not achieved
PRIORITY NO. 2: INCREASING THE CFPM'S VISIBILITY (CONT'D)			
Execute the communications plan, including various actions aimed at promoting the CFPM (cont'd)	Overview of the CFPM's services <ul style="list-style-type: none"> › on the city's intranet › in an article in the city's employee newsletter <i>Échocité</i> › on a poster distributed internally › on the city's website › in emails to unsuccessful candidates sent from the HR department² 	<ul style="list-style-type: none"> • • • • 	<ul style="list-style-type: none"> •
PRIORITY NO. 3: LEVERAGE THE CFPM'S NEUTRALITY AND EXPERTISE TO DELIVER VALUE-ADDED SERVICES			
Increase the CFPM's monitoring role	Professional opinions published on staffing and labour management issues <ul style="list-style-type: none"> › 2017: one opinion published › 2018: one opinion published › 2019: one opinion published › 2020: none³ 	<ul style="list-style-type: none"> • • • 	<ul style="list-style-type: none"> •
	Publishing of benchmarking analysis of staffing practices at seven public organizations, including Ville de Montréal <ul style="list-style-type: none"> › April 30, 2018 	<ul style="list-style-type: none"> • 	
PRIORITY NO. 4: CONTINUE WORKING CLOSELY WITH STAKEHOLDERS			
Increase knowledge and information sharing with stakeholders	Number of meetings with the HR department's staffing and employment diversity management team <ul style="list-style-type: none"> › 2017: 3 › 2018: 3 › 2019: 5 › 2020: 7 	<ul style="list-style-type: none"> • • • • 	
	Number of meetings with main employee unions and associations <ul style="list-style-type: none"> › 2017: 6 › 2018: 3 › 2019: 4 › 2020: 10 	<ul style="list-style-type: none"> • • • • 	
	Number of meetings with the Director General's office and/or the Executive Committee <ul style="list-style-type: none"> › 2016: 1 › 2017: 2 › 2018: 1 › 2019: 2 › 2020: 8 	<ul style="list-style-type: none"> • • • • • 	
Improving the quality of the recommendations issued	Percentage of recommendations adopted or in the process of being adopted by the HR department or by administrative unit involved <ul style="list-style-type: none"> › 2017: Not quantified › 2018: 80% › 2019: 80% › 2020: 100% 	<ul style="list-style-type: none"> • • • 	

1: Not achieved because of the chair's departure.

2: The Human Resources department's staffing and employment diversity management team denied the CFPM's request to that end.

3: A study has been undertaken but will not be completed until 2021.

ACTIVITY REPORT

The CFPM is an independent body reporting to the city council. Its mandate is to investigate complaints submitted by individuals that feel aggrieved by a city staffing process.

Commission meetings

In 2020, the CFPM held five regular meetings (March 25, June 18, October 8, November 12 and December 16) and one special meeting (August 25). During the meetings, members of the Commission are informed of the complaints recently dealt with by the investigator assigned to the file, who explains the elements of the investigation related to said file. Following the presentation of files, the members decide on the merits of the complaints and may, if needed, issue recommendations to the administrative unit or individual concerned. Amendments to the investigation report may be requested following the submission of the findings of a complaint. In these cases, a special meeting is organized for a second presentation of the file by the investigator taking into account the proposed amendments.

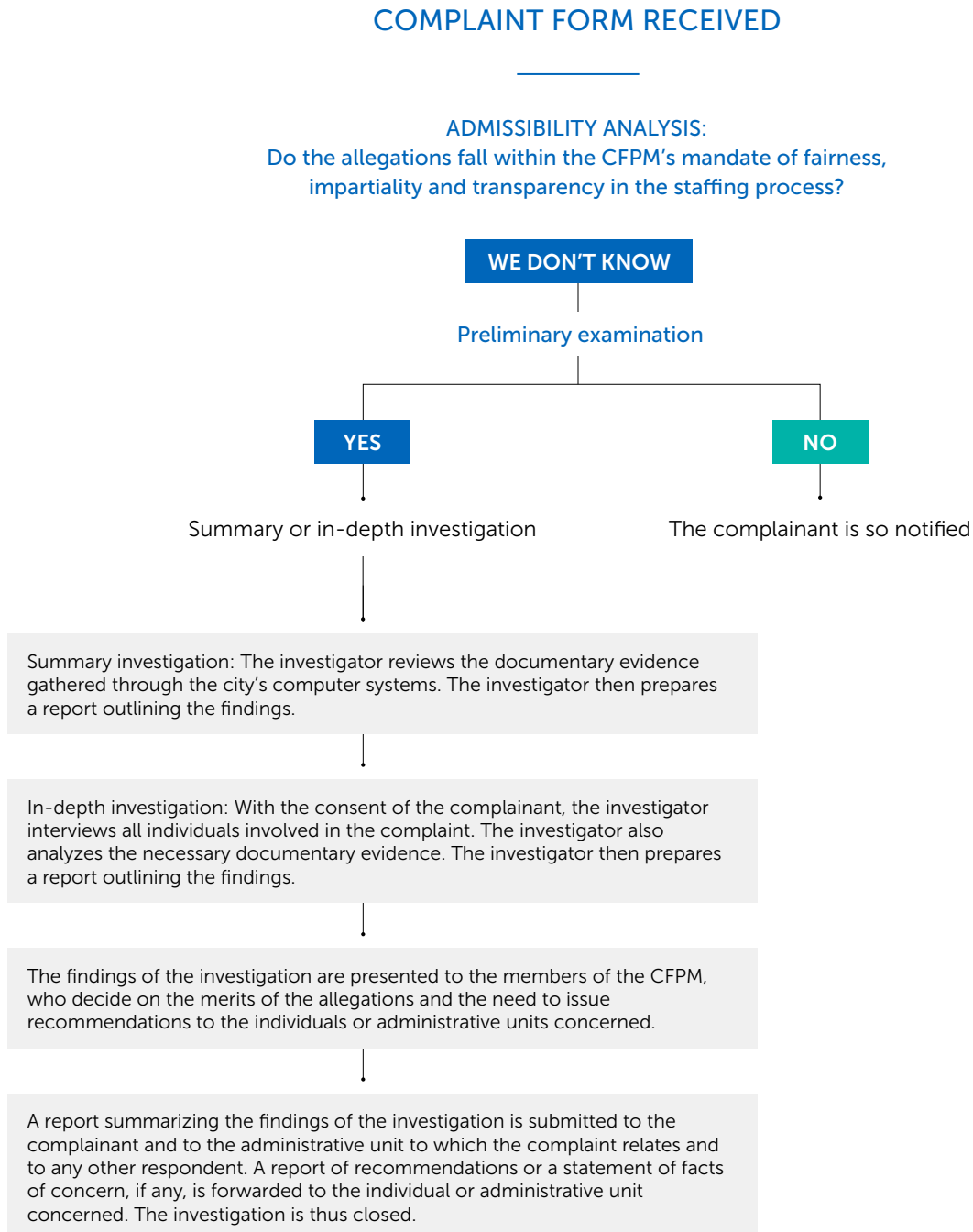
Definitions

In 2017, the Commission developed guidelines to facilitate decision-making on the merits of the complaints it receives. The Commission's decision-making is based on the following definitions:

Complaint: The CFPM defines a complaint as a request for action by an individual who complains of an alleged breach in connection with a Ville de Montréal staffing process.

Analysis of the admissibility of a complaint: The admissibility analysis consists in verifying whether the allegations made in support of the complaint could, if proven, provide a basis for concluding that the Ville de Montréal's staffing process was not conducted in an impartial, fair or transparent manner. Upon receipt, unless the complaint falls outside its mandate, the Commission analyzes all information from the complainant and the systems to which it has access to determine its admissibility and the need for a thorough investigation. A complaint will be considered admissible when only a summary or thorough investigation can lead the investigator to form conclusions as to the merits of the complainant's allegations. Before deciding whether a complaint is admissible, the investigator must generally carry out a preliminary examination through searches of the city's computer systems, to which the investigator has full access. If the documentary search determines that the allegations are prescribed or fall outside the mandate, the complaint is deemed inadmissible and the complainant is so notified (see Figure 1).

FIGURE 1
THE CFPM'S COMPLAINT-HANDLING PROCESS



In-depth investigation procedure: Where an in-depth investigation is deemed necessary to shed light on the complainant's allegations, the Commission investigator ensures that all individuals concerned directly, and sometimes indirectly, by the complaint are interviewed. After analyzing the documentary and testimonial evidence, the investigator prepares a report outlining the conditions in the department or borough concerned and the facts surrounding the allegations. The investigator shares the findings at a meeting of the CFPM, during which the members gauge the merits of the complaint.

Summary investigation procedure: Used where only an analysis of documentary evidence is required to establish the basis of a complaint. The investigator searches the city's computer systems, including job postings, application lists and an applicant's assessment test results. After reviewing the documentary evidence, the investigator drafts a summary report and presents the findings at a meeting of the CFPM, during which the members gauge the merits of the complaint.

Prescribed complaint or allegation: A complaint or allegation is deemed to be prescribed if the last alleged fact occurred more than 45 business days before the date the complaint was filed. However, the CFPM reserves the right to investigate after expiry of that time limit when the complainant provides valid reasons for the late filing of a complaint.

Substantiated allegation: The allegation is substantiated if the evidence gathered shows that the breach reported by the complainant did in fact occur. The Commission establishes evidence on a balance of probabilities, as its investigations are administrative in nature. Accordingly, the alleged breach must be more likely than not to have occurred for the allegation to be deemed substantiated.

Unsubstantiated allegation: The allegation is unsubstantiated if the evidence shows either that the breach did not occur or that it is insufficient to prove the breach. There may be cases where an allegation is unsubstantiated due to a lack of evidence. In this case, a complaint can be submitted in good faith without the CFPM being able to establish its merits.

The allegations made by the complainants relate to irregularities or breaches of impartiality, fairness or transparency. The validity of the skills assessment methodology also constitutes an admissible ground of complaint, as it relates to fairness. It is important to define each of these terms to achieve a common understanding.

Fairness: The principle of fairness refers to a sense or perception of justice in a given situation. It also represents the inclination to use reason. In staffing, fairness refers to giving everyone what they deserve.

Impartiality: The principle of impartiality implies neutrality and objectivity. In staffing, this means that decisions are made in accordance with the applicable rules and without bias or partisan considerations.

Allegations of bias include allegations of discrimination. The principle of discrimination is defined by the *Charter of human rights and freedoms*, which protects all Québec employees who work for an entity under provincial jurisdiction. Therefore, according to the Charter:

10. Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such right.

Transparency: The principle of transparency generally requires the organization to disclose the hiring process, nature and requirements of the jobs to be filled and the terms and conditions of participation in Ville de Montréal's staffing processes.

Validity: In the context of competency, validity refers to the ability of an assessment tool to measure what it purports to measure. For example, a French-language proficiency test will be considered valid if its questions pertain to the French language and effectively assess the applicant's knowledge of French.

Portrait of complaints

As shown in Table 2, **33 complaints** were submitted to the CFPM in 2020, **7 of which proved admissible**, thereby triggering an in-depth investigation. In total, **12 complaints were subject to a preliminary review**, but were found inadmissible by the investigator, as a search of the city's computer systems demonstrated that the allegations were unsubstantiated. Moreover, five other complaints were found inadmissible upon receipt, either because the 45-business day limitation period was exceeded or because their grounds fell outside the CFPM's mandate. Lastly, **9 complaints were withdrawn or cancelled**. At first glance, the Commission conducted a total of 19 investigations in 2020, when adding together the in-depth and summary investigations.

TABLE 2
PORTRAIT OF COMPLAINTS FILED

Type of complaint	Type of investigation conducted	#	%
Admissible	In-depth	7	21
Inadmissible	Summary	12	36
	None	5	15
Withdrawn or cancelled		9	27
TOTAL		33	

BASIS AND REASONS FOR ADMISSIBLE COMPLAINTS

Given that some complainants provided more than one reason for filing their complaint, the 7 admissible complaint files that triggered an in-depth investigation resulted in the analysis of **13 allegations**. Of these allegations, **one was partly substantiated**.

Of the 13 allegations that triggered an in-depth investigation, the main reasons cited were bias during the interview (32%) or unfairness in the administering or correction of the written exam (24%), and lack of transparency by the unit involved in the complaint (23%).

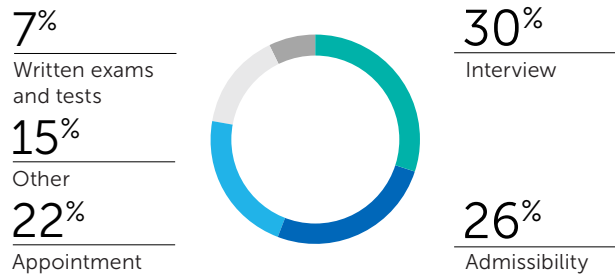
2019–2020 COMPARISONS

Table 3 compares the data for 2019 to 2020. The CFPM experienced a significant drop in the number of requests starting in April 2020, which corresponds to the beginning of the government-ordered lockdown as a result of the COVID-19 pandemic. In 2019, the Commission received and handled a total of **86 requests** compared to **53** in 2020, **a decrease of 38%**. Also in 2019, the Commission received **44 complaints**, excluding withdrawn complaints, while **24 complaints** were received in 2020, **for a decrease of 45%**.

By comparison, the Human Resources department posted 63% fewer jobs in April 2020 than during the same period in 2019. A 74% decrease was recorded in May 2020 compared to the previous year. In total, for 2020, the Human Resources department posted 22% fewer jobs than in 2019 and received 28% fewer applications for its job openings.

As shown in Table 3, the number of withdrawn complaints increased slightly from the previous year, which may be surprising given the significant drop in the total number of applications for 2020. An analysis

STAGES OF THE STAFFING PROCESS TARGETED BY COMPLAINTS



of the reasons for these nine withdrawn complaints shows that five complainants failed to follow up on the CFPM's communications for unknown reasons. However, these withdrawn complaints occurred in the spring of 2020, at the height of the upheaval associated with the government-ordered lockdown. In addition, two other complainants chose not to pursue their complaints for health reasons.

The average number of business days required to handle complaints also increased slightly in 2020 because two complaint files required more time due to their complexity.

TABLE 3
2019–2020 COMPARISONS

	2019	2020	2019–2020 difference	
Total number of action requests (admissible and inadmissible but not withdrawn complaints)	44	24	↓	45%
Number of admissible complaints	12	7	↓	41%
Number of inadmissible complaints	32	17	↓	47%
Number of withdrawn complaints	8	9	↑	12%
Average handling time to conduct an investigation*	39	45	↑	15%

* Calculated in business days

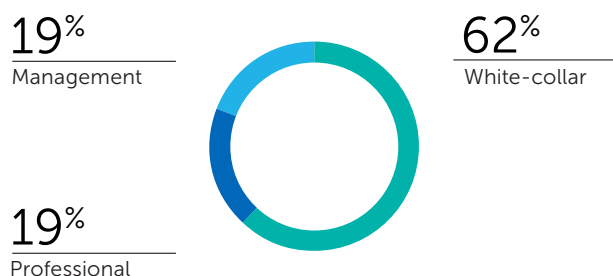
STAGES OF THE STAFFING PROCESS TARGETED BY COMPLAINTS

The city's staffing processes consist of several stages, including:

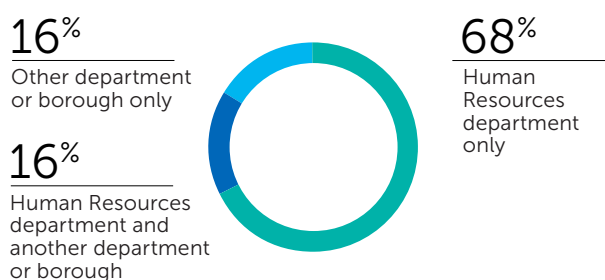
- › Eligibility, which primarily includes screening CVs based on job requirements such as required education and experience;
- › Administering exams, questionnaires or online tests on required knowledge, language skills or personality traits;
- › A competency assessment interview or suitability interview, which is usually structured;
- › Appointment.

In 2020, the Commission conducted extensive investigations into allegations primarily related to interviews (30%) and eligibility (26%).

JOB CATEGORIES INVOLVED IN COMPLAINTS



ADMINISTRATIVE UNIT INVOLVED IN COMPLAINTS



TYPES OF JOBS INVOLVED IN COMPLAINTS

Of the 8 staffing processes¹ that resulted in an admissible complaint in 2020, the majority, or 63%, were related to permanent staffing, 25% involved temporary staffing and 13% qualifying processes to create banks of qualified candidates to fill permanent and temporary jobs that will eventually become available in the business units. These numbers are very similar to those of 2019.

The CFPM considers it normal that more complaints pertain to permanent positions, which are more sought-after by candidates than temporary positions.

JOB CATEGORIES INVOLVED IN COMPLAINTS

In 2020, the majority of admissible complaints, or 62%, involved white-collar positions, while an even number of complaints involved professional and management positions at Ville de Montréal, or 19% each. None of the complaints analyzed was for a blue-collar, firefighter or police officer job.

Complaints about white-collar positions were slightly overrepresented in the data, since white-collar jobs accounted for 57% of the postings by the HR department, as shown in Table 4.

TABLE 4
DISTRIBUTION OF POSTINGS AND NUMBER
OF APPLICATIONS BY JOB CATEGORY

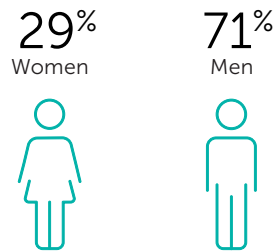
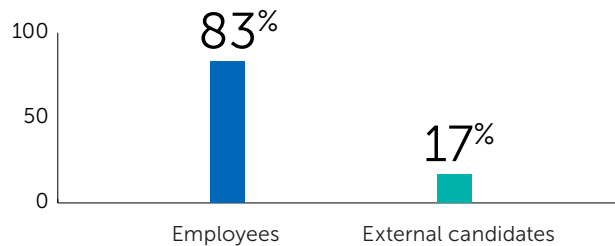
	Total number of applications	% Postings
White-collar	100,026	57
General professional positions	35,097	20
Management	24,568	14
Blue-collar	7,019	4
Other job categories (firefighters, police officers, crossing guards, etc.)	8,774	5
TOTAL	175,484	100

The HR department advertised **3,242 job postings** between January 1 and December 31, 2020, which means that only 1% of the city's staffing processes resulted in a complaint to the CFPM. In addition, more than **175,484 applications** were received in connection with these postings.

ADMINISTRATIVE UNIT INVOLVED IN COMPLAINTS

By analyzing the complaint forms and testimony of the complainants to identify who, from the HR department or another administrative unit, was involved in the complaint, the Commission was able to determine that HR is involved in 68% of complaints, whereas for 16% of complainants, the department or borough that was seeking to fill the position was responsible. In 16% of the cases, the complaint was directed at both the Human Resources department and the hiring department or borough.

¹ The 7 complaints were related to 8 staffing processes.

GENDER**EMPLOYMENT STATUS OF COMPLAINANTS****Portrait of complainants**

The above paragraphs and charts provide a portrait of those who sought the Commission's assistance in action requests falling within its mandate and for which summary or in-depth investigations were conducted.

GENDER, EMPLOYMENT STATUS AND DIVERSITY

Of the individuals who filed an admissible complaint with the CFPM in 2020, 71% were men and 29% were women.

In addition, as was the case in 2019, a greater proportion of those who filed an admissible complaint to the Commission were already Ville de Montréal employees (83%) compared with external applicants (17%).

Of the individuals who filed a complaint with the CFPM in 2020, 50% self-identified as a visible minority. One person self-identified as Indigenous and 8% of complainants reported ethnic minority status. Lastly, 38% of complainants declared that they were not part of any underrepresented group.

TABLE 5
DIVERSITY

Category	%
Visible minorities	50
Ethnic minorities	8
Indigenous People	4
None of the above	38

REQUESTS FOR COOPERATION

In 2020, the CFPM worked with the controller's office on four reporting cases concerning staffing or labour management issues.

RECOMMENDATIONS, FACTS OF CONCERN AND OPINIONS

Some definitions:

Recommendation: A recommendation is issued when an element with a significant impact on the organization has been identified and the CFPM believes that the city may be at risk if it does not change its ways of doing business. This element may not be directly related to the reason for the complaint. For example, a recommendation is issued if a procedure, tool, department or borough appears to be undermining the integrity of the staffing process. The recommendation is intended to encourage the HR department or the administrative unit concerned to change the way they do business.

A written response is required from the HR department or the administrative unit concerned to confirm or reject recommendations. The CFPM periodically follows up on this as a reminder.

Facts of concern: An issue of concern in the staffing process that was brought to the attention of the CFPM during the course of an investigation. This issue may not be directly related to the reason for the complaint. A fact of concern usually arises from a situation with limited impact or that appears exceptional. However, it is deemed significant enough by the Commission to

notify the HR department or the appropriate administrative unit. For example, a recruiter's lack of thoroughness in a process that may have adversely affected one or more applicants. In other words, it serves as a red flag to indicate a situation that puts the unit at risk.

No formal follow-up is required. However, the Commission wishes to be informed of any improvements made after facts of concern are brought to its attention.

Opinion: As part of its investigations, the CFPM may rely on its expertise to provide advice and suggestions to those involved or affected by a complaint file. These opinions consist of actions that can be taken by the complainant, for example to improve their applicant profile for future applications. While the Commission does not request a follow-up on its opinions, it remains available to assist individuals in implementing the suggestions and advice provided.

In 2020, the CFPM issued a recommendation in one of the seven admissible complaints it handled. However, a number of facts of concern were identified during the investigations conducted, and suggestions, advice and findings were provided to complainants or other parties involved in some cases. The following section outlines these findings.

TABLE 6

RECOMMENDATIONS ISSUED BY THE CFPM AND FOLLOW-UP PERFORMED

Statement 1 of the CFPM

recommendation to the Service de la concertation des arrondissements

As part of an investigation, some testimonies gathered by the CFPM highlighted the feeling that a recruitment process was already decided because of a perception that managers were favouring a particular applicant. This impression was further fuelled by the behaviour of the applicant, a member of the team, who was appointed at the end of the staffing process, resulting in a deteriorating work environment for some team members.

The Commission's investigation did not reveal any irregularities in the recruitment process in question.

However, the Commission recommends that the department involved, in conjunction with the HR department, work with the members of the team to set the record straight and minimize the risk of losing employee engagement.

**RESPONSE PROVIDED BY THE
SERVICE DE LA CONCERTATION DES
ARRONDISSEMENTS REGARDING THE
FOLLOW-UP ON THIS RECOMMENDATION**

The department involved accepts the CFPM's recommendation. In this regard, several actions have been taken within the team concerned in order to improve the work environment and attest to the fair and open handling of staffing files. Employees were assured that the recruitment process was open to all and conducted in complete transparency. A meeting was also held with the appointed employee to explain the impact of their actions.

The HR department worked with managers to develop training on respect for persons, which was offered to the entire team.

TABLE 6 (CONT'D)

FACTS OF CONCERN AND OPINIONS ISSUED BY THE CFPM AT THE END 2020

As part of its investigative work, the CFPM issued six facts of concern and two opinions.

The CFPM conducted an investigation into two executive staffing processes in a particularly complex case. The complainant alleged unfair treatment and a lack of transparency. The CFPM identified five facts of concern in handling the complaint.

FACT OF CONCERN NO. 1

In the first round of selection, the complainant was notified that they had passed their interview, but were not selected for further consideration on the basis that the examples of achievement provided were inappropriate.

In this context, the Commission considers that the selection committee should not have given the complainant a passing grade at the end of the interview.

FACT OF CONCERN NO. 2

The Commission hopes for transparent feedback to the applicant from the HR department and the manager in the context of an assessment test.

Generally speaking, the Commission has noted in the wake of several investigations that applicants do not always request feedback from the HR department or the manager when they have concerns about an assessment process. The Commission considers this to be an important step and an opportunity to establish a dialogue between the applicant and the party in charge of the staffing process.

FACT OF CONCERN NO. 3

In the second round of selection at issue, the CFPM found that the pool of candidates contained many qualified profiles that met the requirements. However, the selected candidate, who came from the hiring unit, did not meet some of the requirements of the position. The manager's decision to interview only applicants from their business unit appears to have played an important role in this situation.

The Commission believes that a hiring manager should not interview candidates from their business unit only. In doing so, they automatically exclude profiles that clearly meet the requirements of the job.

Beyond the handling of this investigation, the CFPM is of the opinion that candidates who best fit the profile sought should be considered for the position. The CFPM understands that a hiring manager wishes to allow their employees to advance their careers, but believes that this should not be done at the expense of applicants from outside the hiring unit who better fit the job profile.

FACT OF CONCERN NO. 4

In the handling of this case, the Commission noted that a manager with close ties to one of the applicants interviewed was a member of the selection committee. The Commission urges members of a selection committee to consider their previous interactions with the applicants they interview and to refrain from taking part in an interview where there is a risk of compromising the objectivity and validity of a selection process. This can be viewed as favoritism and therefore affect the credibility of the entire process.

TABLE 6 (CONT'D)

FACT OF CONCERN NO. 5

The Commission noted that a lack of coordination regarding the transfer of the file between two recruiters was partly to blame for the screening and assessment of an applicant who did not meet all the requirements of the job profile.

FACT OF CONCERN NO. 6

In a case involving the cancellation of a job posting due to the transfer of an employee in accordance with the white-collar collective agreement, the CFPM found that the rules governing temporary movement of personnel were not always applied evenly from one business unit to another. The Commission deplores the lack of specific guidelines for administrative transfer for white-collar workers. The absence of rules may create an impression of favoritism and unfairness by some employees, which puts the business unit at risk.

OPINIONS 1 AND 2

In an investigation of several white-collar staffing processes for which no irregularities were found, the CFPM suggested that the complainant and the respondents engage in dialogue. At the end of its investigation, the CFPM found that grounds related to the complainant's past performance appeared to have contributed to the rejection of their application, even though they were on the eligibility list.

The CFPM was concerned that the hiring managers did not inform the complainant of the true reasons for the rejection, so it proposed a meeting between the parties to clear up the situation.

The CFPM also advised the complainant to accept the meeting suggested by the HR department to better understand the steps for filling temporary and permanent positions under the white-collar collective agreement.

The CFPM generally encourages and stresses the importance of dialogue and feedback between the parties. The Commission has observed, in a number of cases, that failure to communicate with a candidate and the unit in charge of a staffing process can lead to the misunderstanding of existing practices and frameworks, which in turn can lead to a complaint.

TABLE 6 (CONT'D)

ANALYSIS OF INADMISSIBLE COMPLAINTS AT THE END OF 2020

The Commission de la fonction publique de Montréal conducted a preliminary analysis of 17 complaints deemed inadmissible. The following table provides a breakdown of the grounds for these complaints' inadmissibility.

TABLE 7
BREAKDOWN OF GROUNDS FOR INADMISSIBILITY

Grounds	Total complaints
Outside the mandate	4
Agreement between the parties before the start of the investigation	1
Lack of evidence to support the complaint	3
CFPM agrees with HR's decision	3
No irregularities found following the preliminary examination	6

There were four complaints filed regarding the interpretation of collective agreement clauses. Collective agreement interpretation is not within the purview of the CFPM, and complainants were advised to contact their union representatives.

The Commission closed a case concerning a question asked during an interview for a temporary job in a borough that had been reported by the complainant. This question could have potentially violated the *Canadian Charter of Rights and Freedoms*. The borough involved in the complaint undertook to pay closer attention in developing future interview questions.

On three occasions, the Commission agreed with the Human Resources department's decision in the staffing processes at issue. In two cases, the complainants challenged the decision on their eligibility made by the HR department. Following its preliminary investigation, the CFPM agreed with the HR department's decision that the applicants were ineligible due to lack of relevant work experience. The CFPM recommended that the complainants provide more details about their experience in their resumes for future applications.

In the third case, the absence of a certificate or proof of membership in a professional order required for the position resulted in the complainant's application being rejected. The CFPM encouraged the complainant to update their application file and include the required documents.

Lastly, six complaints were deemed inadmissible by the Commission based on the findings of the investigator's preliminary analysis. The investigator's analysis did not find any irregularities in the administration of the staffing and labour management processes at issue.

BUDGET

The Commission's budget covers current and operating expenses attributable to the fiscal year ended December 31, 2020.

For 2020, the original CFPM budget was \$740,700. The difference of \$404,100 between the original budget and actual expenditures resulted primarily from lower-than-expected direct compensation to Commission employees and members (\$331,200) and lower-than-expected expenditures in other groupings (\$62,600).

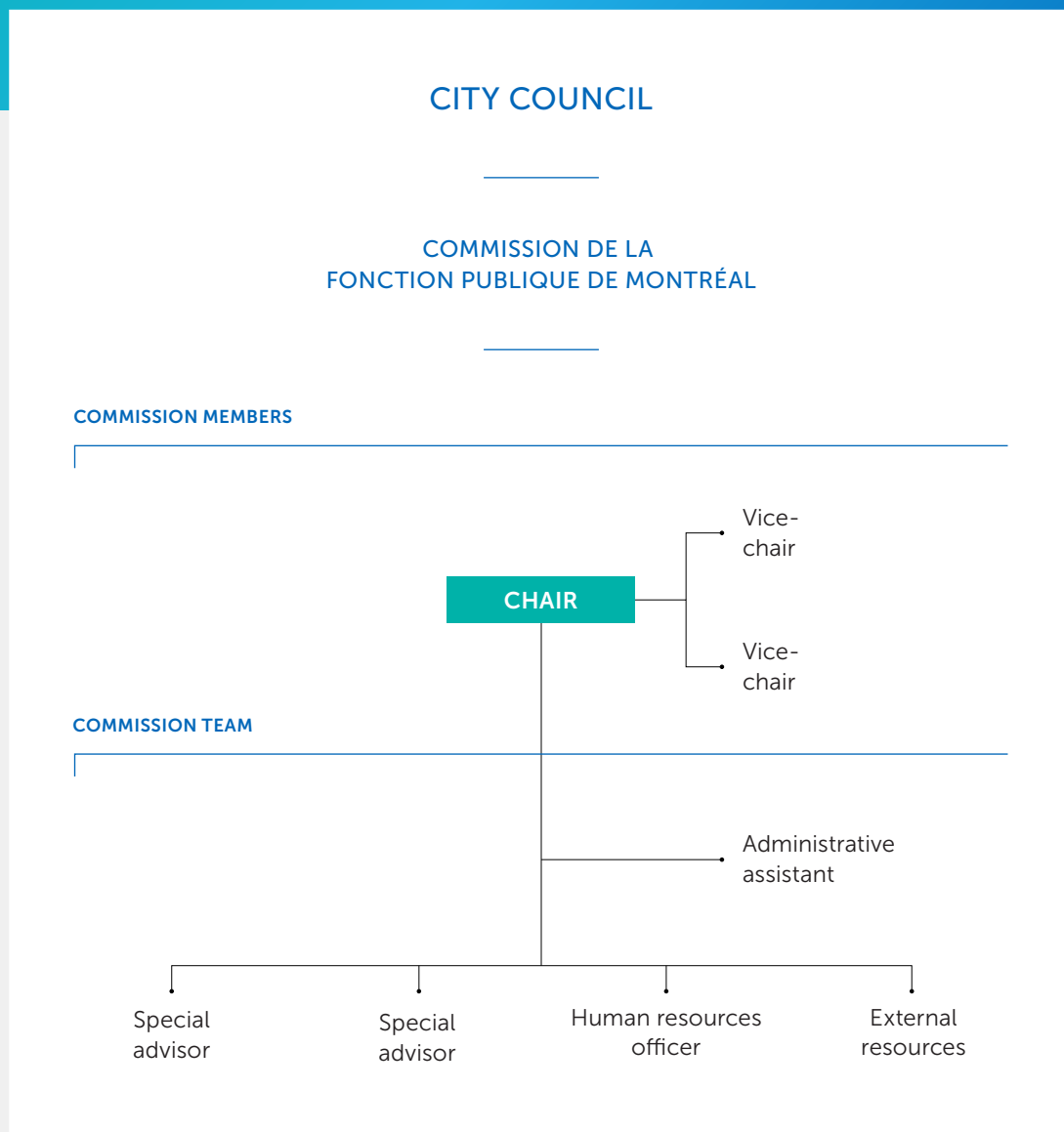
OPERATING BUDGET AND EXPENSES FOR FISCAL 2020 (in thousands of dollars)

Original budget	740.7
Total actual expenditures	
Compensation and employer contributions	274.0
Transportation and communications	1.0
Professional, technical and other services	55.0
Leasing, maintenance and repair	3.3
Durable and non-durable goods	3.3
Difference (\$)	404.1*

* Unused amounts have been returned to the city's surplus.

ORGANIZATIONAL CHART

AS OF DECEMBER 31, 2020



TEAM

The CFPM team deploys the values of fairness, impartiality, transparency and competency in all its actions and decisions, and performs its duties in the public interest with objectivity and neutrality.

Members

The CFPM consists of three members appointed by the city council: one chair and two vice-chairs. The Chair of the Commission is a full-time position, while the Vice-Chairs work part-time, but cannot hold another position with Ville de Montréal. The current members of the CFPM have a four-year term of office, as stipulated in the city council's appointment resolution.

Isabelle Chabot, CRHA

Chair

Isabelle Chabot was appointed Chair of the Commission de la fonction publique de Montréal by city council at its April 20, 2020 meeting. She has a four-year term of office.

A member of the Québec Ordre des conseillers en ressources humaines agréés (CRHA), Isabelle Chabot held increasingly senior positions in large organizations in the municipal, entertainment and banking sectors before joining the Commission de la fonction publique de Montréal in May 2020.

Throughout her career, she acquired a strong expertise, including in labour management, recruiting and selection, skills and organizational development, and change management.

Marie-Chantal Lamothe, CRHA

Vice-Chair

Originally appointed by city council at its February 24, 2015 meeting as Vice-Chair of the Commission de la fonction publique de Montréal, her term was renewed for an additional four years in March 2019.

A member of the Québec Ordre des conseillers en ressources humaines agréés (CRHA), Marie-Chantal Lamothe is the Chief Human Resources Officer at the Business Development Bank of Canada since 2019, where she is in charge, among other things, of human resources management, internal communications, change management and transformation projects and diversity and inclusion.

She has a strong and varied experience in sectors that include pharmaceuticals, banking and aeronautics, as well as in consulting. Marie-Chantal Lamothe is also involved in several philanthropic activities and serves on the board of directors of various organizations.

Micheline Van-Erum

Vice-Chair

Micheline Van-Erum was appointed Vice-Chair of the Commission de la fonction publique de Montréal by city council at its June 13, 2017 meeting. She has a four-year term of office.

A now retired lawyer, Micheline worked for over 30 years with the Canadian Department of Justice. From 2010 to 2016, she served as Assistant Deputy Attorney General. During her career, Micheline was a member of many important committees at the Canadian Department of Justice and the Canada Revenue Agency. Among other distinctions, she served on the Board of Governors of the Canadian Tax Foundation.

In addition to her highly successful professional career, Micheline is the recipient of the 2015 John Tait Award of Excellence for achieving the highest standards of professional conduct and competence and exemplifying preeminent public service.

Organizational structure

As of December 31, 2020, the CFPM consisted of five employees, a Chair, an Administrative Secretary, two Senior Advisors and an Advisor.



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