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Via Email

May 11, 2021

Louise Meagher
Judicial Compensation and Benefits Commission
99 Metcalfe Street, 8th Floor
Ottawa, ON
K1A 1E3

Dear Ms. Meagher:

Re: Quadrennial Commission 2020

At the conclusion of the first day of hearings for the 2020 Quadrennial Commission, the Commissioners requested further information on specific questions. We have endeavored to answer these questions below.

1. What is the current salary range for the DM-3 position in the public service?

The most recent salary range as of April 1, 2020 is: \$260,600 - \$306,500
The mid-point salary is \$283,550. Please see Tab 32 of the Joint Book of Documents.

2. Is it correct that the bonus or “at-risk” pay of DM-3s has remained largely constant?

There has been fluctuation and variation in the at-risk pay awarded to DM-3s over the last quadrennial cycle. We refer you to Tab 28 of the Joint Book of Documents. Under the heading “Remuneration for DM-3s” you will see how many DM-3s received each of the performance award levels over the last cycle.

As Chairperson Turcotte noted in her question, there was a significant increase in at-risk awards from 2018-19 to 2019-20. Even though the number of DM-3s dropped from 14 in 2018-19 to 11 in 2019-20, a significantly higher proportion of DM-3s received a “Surpassed” rating in 2019-20 and, as a result, the average at-risk pay increased by \$12,538.

3. Within the range of performance/at-risk pay, what is the level paid in recognition of “fully satisfactory” performance?

Succeeded -	DM 3: up to 15%
Succeeded	DM 3: up to 20%
Succeeded +	DM 3: up to 25%
Surpassed	DM 3: up to 25% plus up to an additional 8% bonus

In response to the question from Commissioner Bloodworth, “fully satisfactory” may translate as “succeeded”, which is 20% of base salary or “succeeded +” which is 25% of base salary.

For reference, as identified in the [Performance Management Program Guidelines for Deputy Ministers and Individuals Paid in the GX Range](#) (included at Tab 29 of the Joint Book of Documents), these are the definitions for each rating:

Succeeded - : did not fully succeed in meeting performance expectations. Or, while succeeded, it was in a position with performance expectations of less scope and complexity in relation to those of other deputy level jobs.

Succeeded: has fully achieved the performance expectations.

Succeeded + : exceeded the performance expectations. Or, fully succeeded in a position of greater scope and complexity in relation to those of other deputy level jobs.

Surpassed: went well beyond performance expectations.

4. In the context of where judicial office appointees are located, is it possible to provide data with respect to the specific regions within each province?

The Commissioner for Federal Judicial Affairs has informed us that the system does not track regions within a province, as candidates are entered into the system by province and assigned for assessment to the Judicial Advisory Committee of that province. The only exception to that is Ontario and Québec who have been broken down into multiple Judicial Advisory Committees, 3 (Ontario) and 2 (Québec) Committees, given their size.

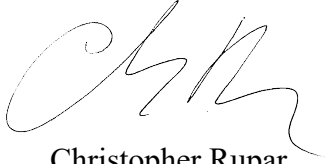
Without a physical/manual review, it is not possible to provide a breakdown beyond the provincial level. Such a task would involve pulling the over 1200 applications in the relevant period and verifying in what region the candidates residence or place of work is located. The regions themselves would need to be determined, and each city/town would have to be verified. This would require significant time and resources not to mention the current provincial restrictions related to COVID.

Of particular concern, providing such data raises some privacy issues with respect to some applicants and appointees. For example, in smaller provinces where application numbers are lower, further breaking down the previously provided data

by region would ultimately identify some of the applicants and judges appointed during the period in question.

We hope this assists in clarifying the information for the Commission and are happy to answer any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'CR', with a stylized flourish at the end.

Christopher Rugar
Counsel for the Government of Canada