

LABOUR RELATIONS AGENCY **STRATEGIC PLAN**

Supporting a positive workplace...

Labour Relations at work

APRIL 1, 2011 – MARCH 31, 2014


**Newfoundland
Labrador**

Labour Relations Agency

TABLE OF CONTENTS

Message from the Minister	1
Overview	2
Mandate	3
Core Business	3
Values	4
The People We Serve	5
Vision	5
Mission	5
Goals and Objectives	6
Strategic Directions	11

Appendix A Select Social and Economic Indicators

1.0 Message from the Minister



Message from the Minister

As the Minister Responsible for the Labour Relations Agency, it is my pleasure to present the 2011-2014 Strategic Plan that will support the work of the Agency over the next three fiscal years. Under the *Transparency and Accountability Act*, the Agency is classified as a Category One entity and I am accountable for the preparation of this plan and the achievement of the goals and objectives outlined within it.

As Minister, I am committed to working with stakeholders to help provide an employment relations climate in Newfoundland and Labrador that is conducive to economic growth and supports a positive workplace environment. Stable employment relations are fundamental to fostering positive workplace relations, and the Labour Relations Agency is mandated

to deliver various programs and services to support employers and employees to help achieve this objective. Given this, I have identified *stable employment relations climate conducive to economic growth* as the strategic direction of the Labour Relations Agency, and I have directed the Agency to have lead accountability for achieving results in this area.

In 2010, Newfoundland and Labrador had record high levels of employment, with notable increases in the services-producing sector. Along with employment growth, there is expanding diversity in workplaces, with changing patterns in the make-up of our workplaces. In response to these trends, the Agency will focus on service delivery excellence by making employment relations information and services more accessible and user-friendly, enhancing outreach to youth, and by strengthening administrative processes and operational practices that are responsive to the evolving needs of our clients.

The Agency will also build on the successful partnerships that it has developed with workplaces and continue to enhance our employment relations legislative framework so that it remains modern, effective and responsive to evolving stakeholder needs.

As the Agency moves forward to achieve these outcomes, I look forward to working in partnership with workers and employers to strengthen employment relations in Newfoundland and Labrador.

A handwritten signature in black ink that reads "Darin T. King". The signature is written in a cursive, flowing style.

DARIN T. KING, Ph.D
MHA, District of Grand Bank
Minister

2.0 Overview

The Labour Relations Agency supports and promotes positive employment relations in the province, administers minimum terms and conditions of employment, and provides workplace dispute resolution services. The Agency works with stakeholders and partners to create an employment relations climate that supports economic growth, competitiveness and prosperity.

Core Business

The Agency provides a number of services to unionized and non-unionized employees and employers throughout the province. These include:

- protection of the basic labour rights of all employees and employers;
- assistance to resolve workplace issues and collective agreements;
- creation of partnerships to promote the currency and relevance of the employment relations regulatory framework (i.e., legislation, regulations, policies); and,
- provision of educational, training and support programs to stakeholder and partners.

Divisions

There are three staffing divisions in the Agency: the *Labour Standards Division*, the *Labour Relations Division*, and the *Policy and Planning Division*. Executive functions of the Agency are coordinated by the Chief Executive Officer and Assistant Deputy Minister.

Partners

The Agency also works closely with partner agencies and organizations such as:

- Provincial Employer and Labour organizations;
- the Employment Relations Committee of the Strategic Partnership Council;
- the Department of Human Resources, Labour and Employment (HRLE);
- Workplace Health, Safety and Compensation Commission (WHSCC);
- Workplace Health, Safety and Compensation Review Division (WHSCRD);
- Labour Relations Board (LRB);
- Standing Fish Price-Setting Panel;
- Department of Human Resources and Skills Development Canada (HRSDC); and,
- Canadian Association of Administrators of Labour Legislation (CAALL).

Staff and Budget

As of April 2011, the Labour Relations Agency employed fourteen female and nine male staff in the St. John's office and one female and two male staff in the Corner Brook office. As per *the Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2011-12*, the annual budget for the Labour Relations Agency was \$2,409,100 (less revenue). This funding covers such areas as salaries, transportation and communication, professional and purchased services.

Legislation and Regulations

The legislation administered by the Labour Relations Agency includes:

- *Labour Standards Act and Regulations;*
- *Labour Relations Act and Regulations;*
- *Public Service Collective Bargaining Act;*
- *Fishing Industry Collective Bargaining Act;*
- *Interns and Residents Collective Bargaining Act;*
- *Teachers' Collective Bargaining Act;* and,
- *Shops Closing Act and Regulations.*

3.0 Mandate

The mandate of the Labour Relations Agency is to encourage effective relationships between employees and employers through:

- the regulation of employment relations;
- the regulation of the minimum terms and conditions of employment through labour standards; and
- the provision of workplace dispute resolution services.

4.0 Core Business

In delivering its mandate, the Labour Relations Agency provides services to its clients in the areas of labour standards, labour relations, and policy and planning.

Labour Standards

The Agency's Labour Standards Division administers the province's *Labour Standards Act*, which mandates minimum terms and conditions of employment in the province. The Division also administers the *Shops Closing Act*, which sets the observance of holidays in the province when shops must be closed. This is achieved by:

- Ensuring compliance with Labour Standards and Shops Closing legislation through investigation and enforcement;
- Investigating and mediating disputes between employees and employers;
- Offering public education and awareness seminars and consultative programs to communities and organizations, educational institutions, and various business sectors; and,
- Consulting with employees and employers on workplace matters.

Labour Relations

The Agency's Labour Relations Division is responsible for serving employees and employers who operate within the framework of the collective bargaining system as set out in the province's *Labour Relations Act* and other collective bargaining legislation. Services include:

- Providing conciliation, preventive mediation and interest-based negotiation services to employees and employers;
- Assisting employee and employer groups with an emphasis on building constructive relationships;
- Facilitating the appointment of sole arbitrators or nominees to arbitration boards, when requested; and,
- Providing training in dispute resolution.

Policy and Planning

The Agency's Policy and Planning Division is responsible for the provision of information and research related to the employment relations climate of the province and for the review and enhancement of the Agency's policies, programs and services. This is also pursued indirectly through the effective administration of provincial labour legislation. Divisional services include:

- Analyzing, maintaining and providing statistical information relating to the Agency's core lines of business, objectives, programs and activities;
- Researching labour relations and labour standards issues;
- Providing information and research services with respect to the province's employment relations environment;
- Facilitating the evaluation and continuous improvement of policies, programs and services;
- Providing support and advice to the Agency Executive and to the Minister responsible for the Labour Relations Agency;
- Updating and monitoring the Agency's Strategic Plan and Annual Reports;
- Ensuring the Agency's participation in initiatives both Provincial Government-wide and with other federal/provincial/territorial governments;
- Developing and maintaining partnerships with relevant provincial and national organizations and Ministries of Labour;
- Developing partnerships and representing provincial interests with relevant provincial, national and international organizations and Ministries of Labour; and,
- Monitoring of judicial decisions and practices in relation to labour, to help provide strategic policy advice.

5.0 Values

The Labour Relations Agency's ability to promote effective employment relations requires that stakeholders have a high level of trust and confidence in the independence of the Agency's staff and in the quality of its services. To this end, the Agency's organizational culture promotes three key values: *professionalism, respect and partnership*.

Professionalism

Labour Relations Agency employees are highly trained and are committed to providing a quality service in support of positive employment relations in Newfoundland and Labrador. Employees are encouraged to engage in learning and development opportunities throughout their careers that will support professional growth and development.

Respect

Labour Relations Agency employees are committed to ensuring that the views of our clients are clearly understood and represented fairly in a neutral and dignified manner.

Partnership

Labour Relations Agency employees are committed to building collaborative and constructive relationships with all stakeholders. Staff engage partners in decisions that affect them in an effort to build consensus regarding the most effective ways of fostering a positive employment relations climate.

6.0 The People We Serve

The Labour Relations Agency serves all employees and employers in Newfoundland and Labrador that fall under provincial jurisdiction. A number of sectors of the provincial economy, such as the telecommunications industry, banking, interprovincial transportation, and others, fall under the *Canada Labour Code* and are thus subject to federal labour legislation. The Labour Relations Agency provides:

- employees with information and support respecting their employment rights and responsibilities, such as minimum wages, overtime pay, various forms of leave (e.g., annual, parental, compassionate care leave, reservist), rest periods, and statutory holidays;
- employers with information regarding their employment rights and responsibilities, as well as with support in developing policies and practices that promote effective employment relations; and,
- both employees and employers with professional mediation and conciliation, and workplace intervention services in order to maintain a productive workplace.

The work of the Agency contributes to the economic and social well-being of all employees and employers in the province, given that a positive employment relations climate makes a significant contribution to future economic growth.

7.0 Vision

The vision of the Labour Relations Agency is of an optimal labour relations climate contributing to economic growth, competitiveness and shared prosperity.

8.0 Mission

The mission statement identifies a priority area of the Minister and represents the key longer-term result that will be pursued by the Labour Relations Agency over the next two planning cycles. These strategic planning cycles run over a six-year period and include the 2011-2014 and 2014-2017 reporting periods. Tied to the mission is an associated measure and indicators that will be used to assess and evaluate our performance by 2017.

The Labour Relations Agency is mandated to help encourage and foster effective relationships between employers and employees. This mandate is pursued through the regulation of employment relations, the administration of the terms and conditions of employment, and the provision of workplace dispute services.

During our last mission cycle, the Agency acknowledged that many factors, including changing demographics of the workforce, newer kinds of workplace relationships (such as electronic work and other flexible work arrangements), and skill shortages in certain occupations, were altering traditional employment relationships. These changes will continue to affect the issues that arise between employers and unionized and non-unionized employees. Given these pressures, the Agency must ensure it is prepared to anticipate and to respond to evolving employment relations needs in the interest of supporting current and future economic development.

Over the next six years, the Labour Relations Agency will place further attention on enhancing the labour relations supports available to workplace parties. Over the course of the last mission period, the Agency focused on enhancements to the employment relations framework in the areas of legislation, employment relations data, and education. These critical areas of action will persist into this planning cycle; however, further attention will also be placed on other supports that can be provided to workers and employers to help them maximize their potential for success. As a result, while we will continue to work with employer and labour stakeholders to advance positive improvements to our legislative framework, the Agency will also look at developing tangible tools to facilitate a greater understanding of rights and responsibilities in the workplace. User guides, toolkits, and learning aids on labour relations and labour standards matters will be considered, and focus on educational support, outreach activities and other important client services will be prominent.

The Labour Relations Agency recognizes that providing enhanced labour relations supports to employers and workers can facilitate positive workplace relations that are conducive to economic growth and competitiveness. Enhancing these supports represents a proactive step to assist stakeholder partnerships and relations that are essential to the province's future success and to responding to the Minister's strategic direction. Key areas to be addressed include labour relations and labour standards framework improvements, enhanced service delivery, enhanced consideration of jurisdictional developments impacting workplace relations in Newfoundland and Labrador, and a dedicated attention to a program of educational activities.

Mission Statement:

By March 31, 2017, the Labour Relations Agency will have improved labour relations supports conducive to positive workplace relations.

Measure: Improved labour relations supports

Indicators:

- Enhanced employment relations framework to support effective workplace relations
- Improved service delivery to clients
- Enhanced analysis of national and international labour developments on workplace relations
- Enhanced outreach to youth
- Improved educational and promotional activity for Agency clients

9.0 Goals and Objectives

Issue 1: Service Excellence

The past decade has seen substantial change in Newfoundland and Labrador workplaces. There is increasing diversity in the workforce as the employment rate of women and youth has risen. There has also been increased competition for the attraction and retention of labour as the unemployment rate has been in general decline. Sectoral shifts have also occurred, with strong employment growth in the services-producing sector and selected emerging industries. The challenge for the Labour Relations Agency is to ensure that its services continue to meet the evolving needs of its stakeholders while promoting a stable employment relations climate conducive to economic growth consistent with its strategic direction.

Access and understanding are critical to servicing these stakeholders and their needs. The Agency must reach out to both existing and new client groups, such as employers, employees, unions, lawyers, schools, youth, foreign workers, and other Provincial Government departments and agencies to improve their access to information and assistance. Once reached, these diverse clients require accurate and professional support to facilitate their understanding of rights and responsibilities in the workplace.

In response to these needs, the Agency has adopted a strategic goal of improving service delivery to its clients by 2014 with a focus on improving user comprehension supports, enhancing its outreach to youth, and strengthening its leadership role in labour collaboration with key stakeholders.

The first year of this planning cycle will see the Agency implement and sustain the use of social media tools developed as part of its marketing plan from Strategic Plan 2008-2011. The Agency will also launch consultations with labour and employer stakeholders on how to improve user comprehension and work with these stakeholders and members of the academic community to investigate options for enhanced collaboration and knowledge transfer. This strong partnership will draw upon the expertise and experience of the employment relations community and promote the delivery of service excellence to Agency clients. The second year of the plan will see the Agency implement further options to enhance client service, followed by an improvement of service delivery to clients in the third year.

Goal

By March 31, 2014, the Labour relations Agency will have improved service delivery to clients of the Agency.

Measure: Improved service delivery

Indicators:

- Improved user comprehension supports for stakeholders in relation to rights and responsibilities within the workplace
- Enhanced outreach to youth
- Enhanced leadership role in labour collaboration

Objective 1

By March 31, 2012, the labour relations agency will have implemented initiatives and investigated further options to improve service delivery.

Measure: Implemented initiatives and investigated further options

Indicators:

- Implemented and sustained use of social media
- Consulted with stakeholders regarding improved user comprehension supports
- Investigated options for enhanced collaboration and knowledge transfer with stakeholders and academic community

Objective 2

By March 31, 2013, the Labour Relations Agency will have implemented further options to enhance client service.

Objective 3

By March 31, 2014, the Labour Relations Agency will have improved service delivery to clients of the Agency.

Issue 2: Effective Workplace Relations

The foundation of effective workplace relations is the collection of statutes, regulations and policies that govern employees and employers in this Province. Ensuring that these measures are streamlined, modern and balanced is critical to supporting the protection of basic labour rights and establishing an environment where workplace stakeholders maximize opportunities for the negotiation of collective agreements and the resolution of workplace disputes.

With its last two planning cycles (Strategic Plans 2006-2008 and 2008-2011), the Labour Relations Agency brought forward numerous legislative improvements to the framework, including enhancements in: the rules and procedures of the Labour Relations Board; the creation of an independent administrative tribunal to set fish prices where the parties cannot agree; the establishment of a Labour Management Arbitration Committee to enhance the labour arbitration process; and the issuance (and subsequent repeal, as required) of Special Project

Orders to support large-scale construction projects. This process of legislative review and enhancement was supported by strong collaboration with labour and employer stakeholders, and with the Employment Relations Committee of the Strategic Partnership Council.

In this planning cycle, the Agency will be expanding its efforts. By 2014, it will have developed an enhanced framework to support effective workplace relations. The maintenance of a modern and robust employment relations framework represents a significant component of the Agency's plan to respond to its strategic direction of stable employment relations conducive to economic growth. Critical to this will also be improving the Agency's administrative processes and operational practices. Fundamentally, stakeholders in both unionized and non-unionized environments come to the Agency with questions, concerns, or are seeking help. By ensuring that appropriate assistance is provided to help these parties navigate their way to the relevant source of information and advice, this will assist them in resolving conflict and minimize employment relations instability.

The Agency will also enhance its analysis of national and international labour developments. While many of these developments occur outside of provincial legislation, their impact can be felt in workplaces throughout Newfoundland and Labrador. The Agency will strengthen its participation in federal/provincial/territorial activities and enhance its monitoring of best practices in other jurisdictions to inform the framework in this Province. It will also enhance its analysis of developments in the international arena, including those relating to the International Labour Organization and labour-related aspects of international trade agreements.

The first year of this plan will see a review of current administrative processes and operational practices, an analysis to determine opportunities to respond to the evolving needs of stakeholders, and an assessment of provincial interests in international labour instruments and national developments. The second year will see priority improvements implemented, followed by further improvements in the last year of the cycle.

Goal

By March 31, 2014, the Labour Relations Agency will have enhanced the framework to support effective workplace relations.

Measure: Enhanced framework

Indicators:

- Improved administrative processes and operational practices that are responsive to the evolving needs of stakeholders
- Enhanced analyses of national and international labour developments on workplace relations

Objective 1

By March 31, 2012, the Labour Relations Agency, will have investigated options for improvements of administrative processes and operational practices that are responsive to the evolving needs of stakeholders.

Measure: Investigated options

Indicators:

- Reviewed current administrative processes and operational practices
- Completed analysis to determine opportunities to respond to evolving needs of stakeholders
- Assessed provincial interests in international labour instruments and national developments

Objective 2

By March 31, 2013, the Labour Relations Agency will have implemented priority improvements.

Objective 3

By March 31, 2014, the Labour Relations Agency will have implemented further improvements.

10.0 Strategic Directions

Strategic directions are the articulation of desired physical, social or economic outcomes and normally require action by more than one Provincial Government entity. These directions are generally communicated by the Provincial Government through platform documents, Throne and Budget Speeches, policy documents, and other communiqués. The *Transparency and Accountability Act* requires departments and public bodies to take into account strategic directions in the preparation of their performance-based plans. This action will facilitate the integration of planning practices across the Provincial Government and will ensure that all entities are moving forward on key commitments.

The Minister of Human Resources, Labour and Employment is also the Minister Responsible for the Labour Relations Agency. The Minister has established one strategic direction for the Labour Relations Agency given its role in promoting effective relationships between employees and employers. This direction is *stable employment relations climate conducive to economic growth*. The following table illustrates this strategic direction, the desired outcome, areas of focus that will support the outcome, and at what level of planning the direction will be addressed.

Title: Employment Relations

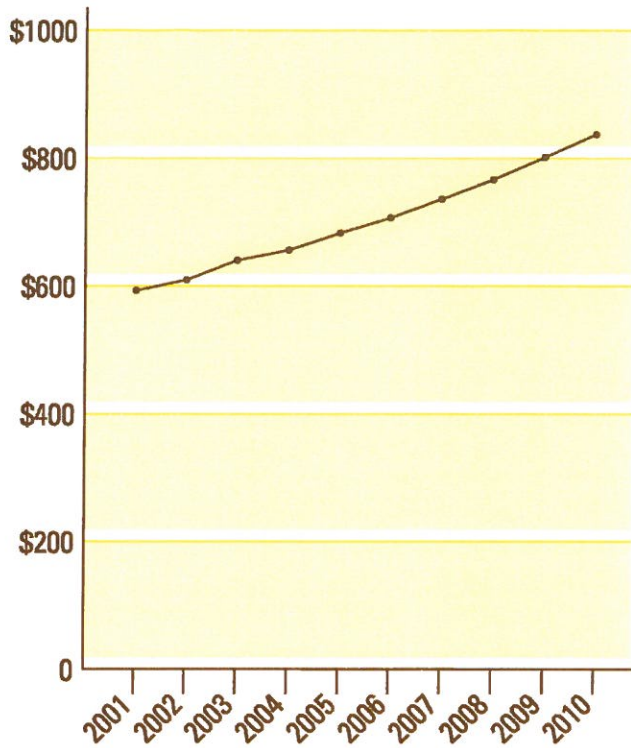
Outcome: Stable employment relations climate conducive to economic growth.

Strategic Direction Components	This direction is addressed in the entity's:		
	Strategic Plan	Operational Plan	Work Plans
Workplace relations			
Education and promotion			
Legislation			
Evidence-based analysis			

Appendix A

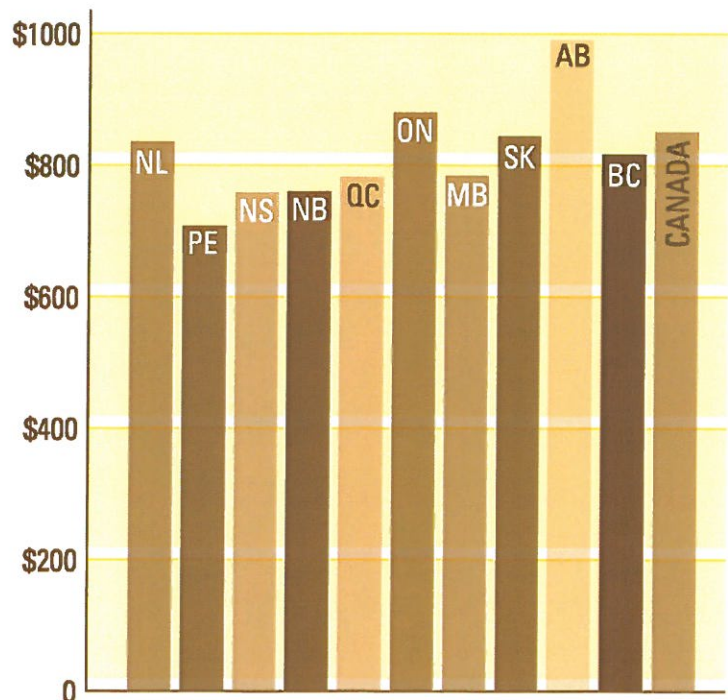
Select Social and Economic Indicators

Average Weekly Earnings Newfoundland and Labrador 2001 to 2010



Source: Newfoundland and Labrador Statistics Agency; Statistics Canada

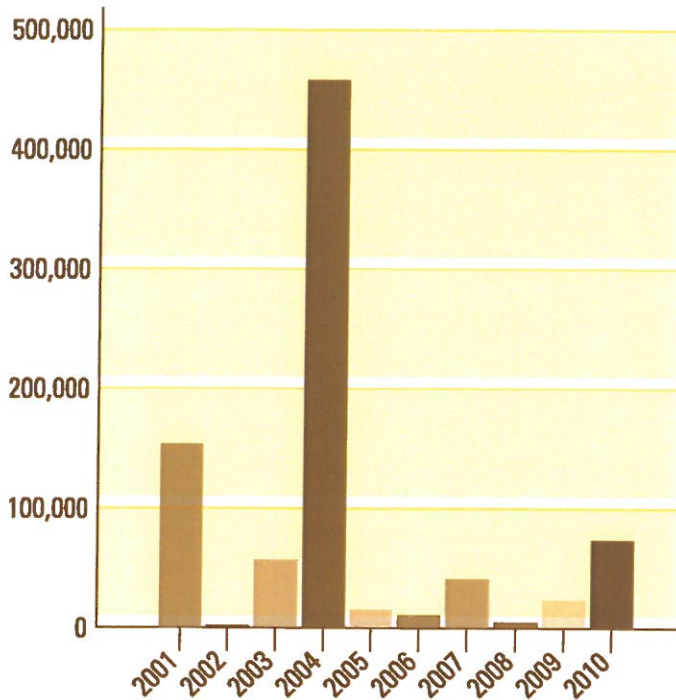
Average Weekly Earnings Canada and Provinces 2010



Source: Newfoundland and Labrador Statistics Agency; Statistics Canada

Person-Days Lost Work Stoppages

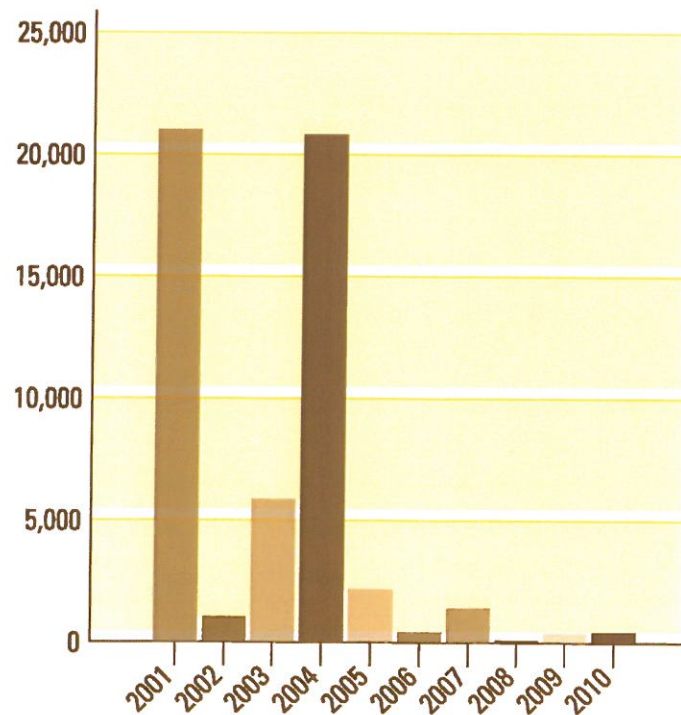
Newfoundland and Labrador
2001 to 2010



Source: Labour Relations Agency

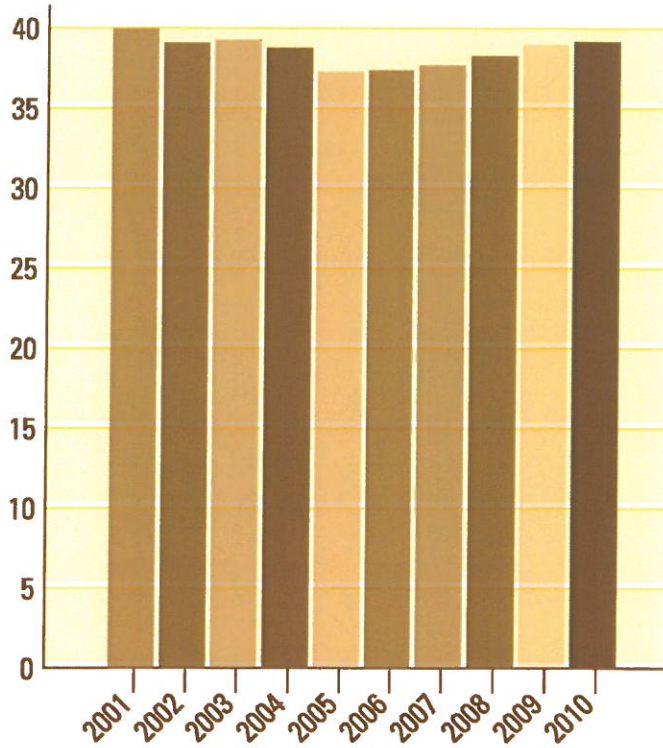
Number of Employees Involved in Work Stoppages

Newfoundland and Labrador
2001 to 2010



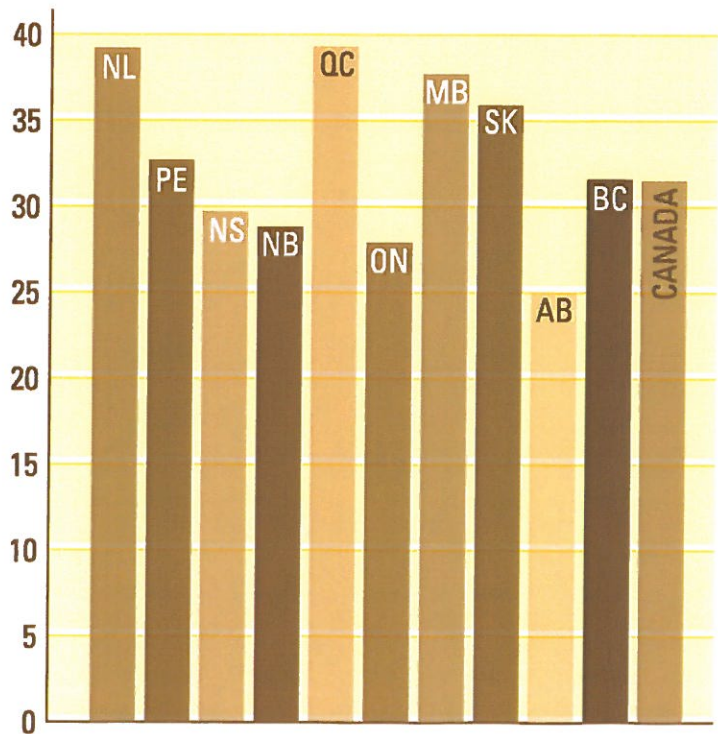
Source: Labour Relations Agency

Rate of Union Coverage Newfoundland and Labrador 2001 to 2010



Source: Statistics Canada

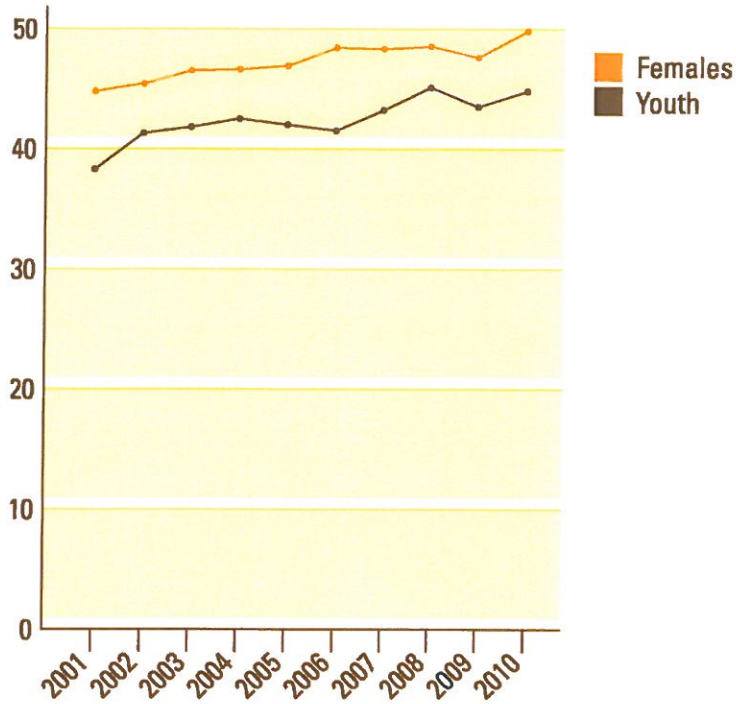
Rate of Union Coverage Canada and Provinces 2010



Source: Statistics Canada

Employment Rates Females and Youth

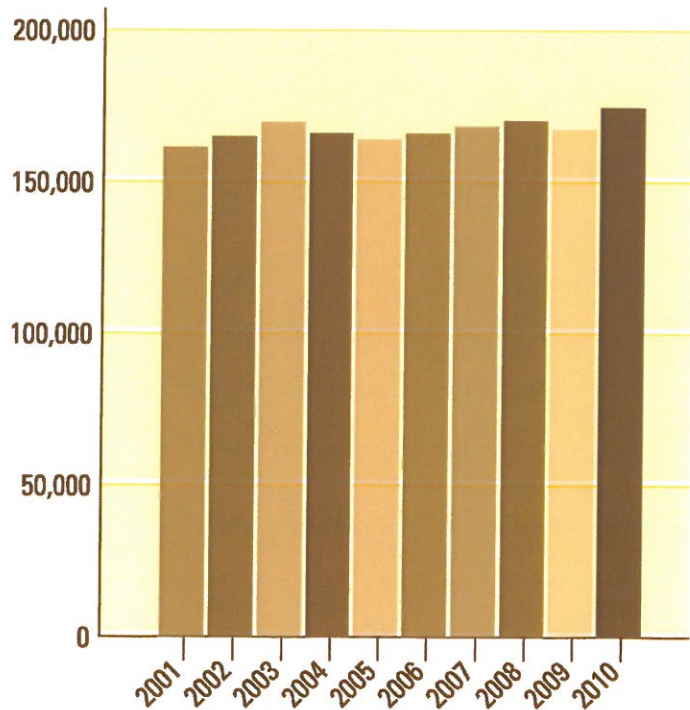
Newfoundland and Labrador
2001 to 2010



Source: Newfoundland and Labrador Statistics Agency; Statistics Canada

Employment by Industry Services-Producing Sector

Newfoundland and Labrador
2001 to 2010



Source: Newfoundland and Labrador Statistics Agency; Statistics Canada



Labour Relations Agency

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