

Labour
Relations
Agency

Strategic Plan 2014–2017

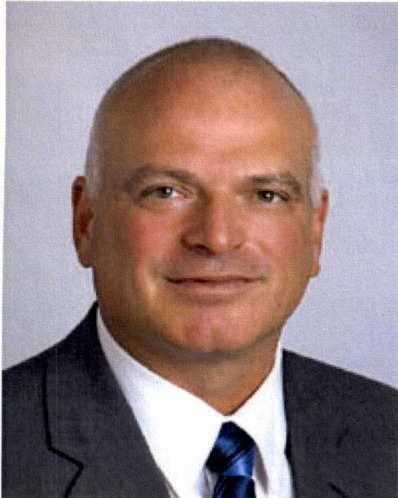
Supporting a positive workplace...

LabourRelations
at work


Newfoundland
Labrador

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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 2014-2017 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.

The mandate of the Labour Relations Agency is to encourage effective relationships between employees and employers. Fundamental to fostering positive workplace relations is stable employment relations. I have directed the Agency to have lead accountability for achieving results toward a strategic direction of *stable employment relations climate in Newfoundland and Labrador*.

The issues, goals and objectives presented in this plan form the foundation of the work of the Agency as we move in to the second phase of a six year Mission cycle. They represent significant changes and initiatives which the organization will manage to realize its mission and will have a direct impact on the primary clients of the organization.

The Agency will focus on service delivery excellence through improved outreach, information management and improving the alignment of operational processes to legislative requirements. The Agency will also concentrate efforts on the effective management of the legislative, regulatory and policy frameworks that are paramount to workplace relation 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. As Minister, I am committed to working with stakeholders to help provide a stable employment relations climate in our province that is conducive to economic growth and supports a positive workplace environment. While consensus may not always be possible in the workplace, proactive engagement and productive dialogue can enhance understanding of issues and help create and maintain an environment where positive relations can grow.

A handwritten signature in black ink that reads "Dan Crummell". The signature is fluid and cursive.

DAN CRUMMELL, M.H.A.
District of St. John's West
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 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 Department of Advanced Education and Skills (AES);
- Workplace Health, Safety and Compensation Commission (WHSCC);
- Workplace Health, Safety and Compensation Review Division (WHSCRD);
- Labour Relations Board (LRB);
- Standing Fish Price-Setting Panel;
- Employment and Social Development Canada (ESDC); and,
- Canadian Association of Administrators of Labour Legislation (CAALL).

Staff and Budget

The Labour Relations Agency employs twenty-one staff (8 males, 13 females); twenty-one in the St. John's office and two staff in the Corner Brook office, as of April 1, 2014. As per the *Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2014-15*, the annual budget for the Labour Relations Agency is \$2,190,300. 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.

These goals are pursued through the effective administration and enforcement of applicable legislation administered under the powers and duties of the Minister.

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, services and legislative framework. 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 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 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 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.* 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.

**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.*

7.0 Vision

The LRA's vision statement articulates its sense of purpose and provides direction to the Agency toward achieving its mandate.

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 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. The Labour Relations Agency strives to focus its work each year to address its goals and objectives and is committed to collaborative efforts with stakeholders and government partners to advance its priorities.

During the first half our six year mission cycle the Agency placed attention on enhancing the labour relations supports available to workplace parties and providing a leadership role in labour collaboration in an effort to improve service delivery to clients of the Agency. We also worked toward an enhanced framework to support effective workplace relations and implemented improvements in administrative processes and operational practices responsive to the evolving needs of stakeholders.

The plan for the next three years builds on the actions completed during the first three years of the mission cycle, and streamlines actions focusing on improving service delivery to clients and effective workplace relations. While significant progress toward the Mission was achieved during the 2011-2014 planning cycle, the momentum must be maintained to ensure improvements and changes made have a lasting and sustainable impact. Key areas to be addressed include the effective management of legislative, regulatory and policy frameworks and improved delivery of service through improved outreach, education and information management initiatives. This will position the Agency to respond to the Minister's strategic direction leading to a stable employment relations climate in the province of Newfoundland and Labrador. Specific goals and objectives are outlined in Section 9.0 of this Strategic Plan.

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 dynamics of the workplace in Newfoundland and Labrador are changing. There is an atmosphere of growth and productivity, lower unemployment, and increased labour force participation, which presents both opportunities and challenges for both employers and employees. The pace at which people access, receive and expect information has also changed in the past decade. Optimum employment relations require that employers and employees have access to information regarding rights, responsibilities and services available to them. This promotes positive employment relations through better decision making, increased knowledge and greater participation in proactive initiatives and promotes stability and productivity in the workplace.

During the first half of our six year Mission cycle the Agency made significant progress toward service excellence. The Labour Standards Division transitioned from a manual, paper-based Case Management System to a more efficient electronic Labour Standards Information Management system, providing a more effective means to deliver labour standards services to the general public, increasing efficiencies in both operations and data management for the division.

The Agency was also proactive in its communication with labour relations stakeholders to facilitate the submission of provincial collective agreements which resulted in a new and improved private and public sector collective agreement expiry calendar information, enhancing client access to this information. Several new user comprehension supports were also made available; new multilingual labour standards resources were developed; dedicated webpages were created to support the public release of several commissioned reports; outreach efforts and communication with members of the arbitral community was initiated; and a new Special Project Order protocol was developed for consultation with stakeholders. Administrative processes and operational practices at the Agency were also improved. These complemented existing education, outreach and awareness services for clients and responded to the demographic changes in our workforce that comes with an economy growing at an impressive rate.

The Agency now looks forward to maintaining this momentum and during the next three years will continue on this trajectory to ensure our information is current and responsive to the needs of our internal and external stakeholders. Our work with the arbitral community will continue as we pursue options in relation to the arbitral database, and plans are in place to make improvements to the Agency website. We will also assess and implement additional information management initiatives and consider further outreach and supports for newcomers to our province and our workforce.

Goal:

By March 31, 2017, the Labour Relations Agency will have improved delivery of service to clients to ensure information is current and services are responsive to client needs.

Measure: Improved delivery of service to clients

Indicators:

- Improved outreach and access to information for clients
- Improved information management
- Focused efforts towards operational efficiencies of the agency
- Focused efforts towards enhanced awareness of legislative requirements
- Improved alignment of operational processes to legislative requirements

Objective 1:

- **By March 31, 2015, the Labour Relations Agency will have reviewed internal service delivery capacity.**

Measure:

- Reviewed internal delivery capacity

Indicators:

- Investigated arbitration database options
- Explored options to improve outreach and supports for newcomers
- Investigated new language needs of clients
- Assessed opportunities to improve information management

Objective 2: By March 31, 2016, the Labour Relations Agency will have initiated select improvements to service delivery.

Objective 3: By March 31, 2017, the Labour Relations Agency will have implemented further improvements to delivery of services to clients.

Issue 2: Effective Workplace Relations

The Labour Relations Agency is committed to maintaining a positive labour relations climate in Newfoundland and Labrador to help maximize job creation, economic benefits and employment relations stability. This requires a strong employment relations framework as well as robust administrative policies, programs and processes, to address evolving workplace dynamics. This includes a balanced approach to modern laws responsive to the needs of stakeholders.

The first half of the Mission cycle in this area realized a series of significant legislative amendments to the *Labour Relations Act* and the *Public Service Collective Bargaining Act* in response to recommendations arising out of an Industrial Inquiry Commission, a tripartite review of labour relations legislation and an external review and report on Special Project Order (SPO) provisions of the *Labour Relations Act*. These amendments were designed to ensure the legislation continues to meet the needs of stakeholders and to achieve labour stability. Collectively, these amendments represent some of the most significant changes to collective bargaining legislation in this province in recent years. The Agency also assumed a liaison role for stakeholders involved in Special Project Orders to help ensure stability within these unique construction environments and as we plan for the next three years, it is anticipated this new liaison function will be enshrined within the terms of new Special Project Orders. A Special Project Order is a tool the Provincial Government can provide to facilitate the construction of mega projects in Newfoundland and Labrador. An SPO is designed to provide labour relations stability for the duration of the project

Moving in to this current planning phase and the second half of the Mission cycle, and aligning with our strategic direction, it is imperative that we persist in our efforts in the area of effective workplace relations as we focus our energy in the effective management of legislative, regulatory and policy frameworks, both internally and with our client partners. We will continue to review and monitor legislation as necessary, and initiate preliminary examination of labour standards legislation. We will coordinate the provincial position on national and international labour issues, and look forward to hosting the National Labour Standards Director Conference in the first year of this plan. We look forward to working for the interests of all stakeholders in implementing changes which reflect current practice in other jurisdictions in addition to comprehensive analysis of the most appropriate public policy.

Goal:

By March 31, 2017, the Labour Relations Agency will have effectively managed legislative, regulatory and policy framework(s) to support effective workplace relations

Measure: Effectively managed legislative, regulatory and policy frameworks

Indicators:

- Monitored legislation
- Ensured workplace relations policies and procedures are relevant and responsive
- Collaborated and shared information with partners on legislation and best practices
- Researched national and international trends and best practices
- Assessed provincial interests in national and international labour developments

Objective 1:

•By March 31, 2015, the Labour Relations Agency will have identified effective workplace relation needs in the province.

Measure:

- Identified effective workplace relation needs

Indicators:

- Hosted Federal/Provincial/Territorial Labour Standards Conference
- Consulted with government partners on ratification of International Labour Organization (ILO) conventions
- Researched and analyzed best practices and cross-jurisdictional trends
- Engaged stakeholder for input
- Initiated preliminary examination of labour standards legislation

Objective 2: By March 31, 2016, the Labour Relations Agency will have begun to address needs identified.

Objective 3: By March 31, 2017, the Labour Relations Agency will have continued to address identified needs to support effective workplace relations.

10.0 Strategic Direction

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 Service NL 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 in Newfoundland and Labrador*. 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 in Newfoundland and Labrador.

Strategic Direction Components	This direction is addressed in the entity's...		
	Strategic Plan	Operational Plan	Work Plans
Workplace relations	✓		
Education and awareness of labour standards	✓		
Research and information			✓



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