

Supporting a positive workplace...

# Labour Relations at work

## LABOUR RELATIONS AGENCY ANNUAL REPORT

2012-13



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## Message from the Minister



In accordance with Government's commitment to transparency and accountability and as the Minister Responsible for the Labour Relations Agency, I am pleased to submit the entity's Annual Performance Report for the 2012-13 fiscal year. This report was prepared under my direction, and I am accountable for the results it contains herein.

This Annual Performance Report presents outcomes of the Agency's objectives and highlights its achievements during the past year. The Report also focuses on future opportunities that will continue to support the Agency's work in promoting positive employment relations in this province.

During the 2012-13 fiscal year, the Agency supported a number of significant Government undertakings which directly responded to the strategic direction of a stable employment relations climate conducive to economic growth. Last year saw a series of significant legislative amendments to the *Labour Relations Act* and the *Public Service Collective Bargaining Act*. These amendments were made in response to three initiatives: 1) recommendations arising out of an Industrial Inquiry Commission, 2) a multi-year review of labour relations legislation, and 3) an external review pertaining to the Special Project Order provisions of the *Labour Relations Act*. Collectively, these amendments represent some of the most significant changes to collective bargaining legislation in this province in recent years.

Further, in accordance with our Blue Book commitment, Government announced in August 2012 the appointment of a Minimum Wage Advisory Committee. The committee solicited and received submissions on the minimum wage from employees, employers, interested stakeholders and members of the public and subsequently reported its observations and findings. This review concluded in the fall, with the report delivered to Government for consideration.

In the coming year, I look forward to ongoing collaboration and engagement with labour and employer stakeholders as we continue our efforts to maintain a stable employment relations climate.

A handwritten signature in black ink that reads "Darin King". The signature is written in a cursive, slightly stylized font.

DARIN KING  
MHA, District of Grand Bank  
Minister

# Labour Relations Agency - Overview

## MANDATE

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.

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

## VISION

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

## MISSION

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

The Agency has made significant progress in advancing the mission for the 2011–14 planning cycle. Further details on the Agency's mission may be found in the Agency's Strategic Plan at: [http://www.gov.nl.ca/lra/publications/lra\\_strategic\\_plan\\_2011\\_14.pdf](http://www.gov.nl.ca/lra/publications/lra_strategic_plan_2011_14.pdf).

## 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 the services they deliver. To this end, the Agency's organizational culture promotes three key values: professionalism, respect and partnership.

## LEGISLATION

The legislation administered by the Agency establishes the rights and responsibilities of employers and employees in Newfoundland and Labrador. In addition, it provides context for the Agency's policy and planning activities. This legislation includes the following:

1. *Labour Relations Act* and Regulations
2. *Labour Standards Act* and Regulations
3. *Shops' Closing Act* and Regulations
4. *Public Service Collective Bargaining Act* and Regulations (Consolidated Orders)

5. *Fishing Industry Collective Bargaining Act* and Regulations
6. *Interns and Residents Collective Bargaining Act*
7. *Teachers' Collective Bargaining Act*

## LINES OF 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 Labour Standards Division administers the province's *Labour Standards Act*, which mandates minimum terms and conditions of employment. The Division also administers the *Shops Closing Act*, which sets the observance of holidays 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 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 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 government-wide and with other federal/provincial/territorial governments; and
- Developing and maintaining partnerships with relevant provincial and national organizations and Ministries of Labour.

### STAFF

The Labour Relations Agency employs 23 employees in its various divisions and locations (15 female, 8 male). There are 21 staff in St. John's and 2 in Corner Brook (see the Agency's organizational structure, page 5).

### OFFICES

The Labour Relations Agency has offices located in St. John's and Corner Brook.

### CONTACT THE AGENCY

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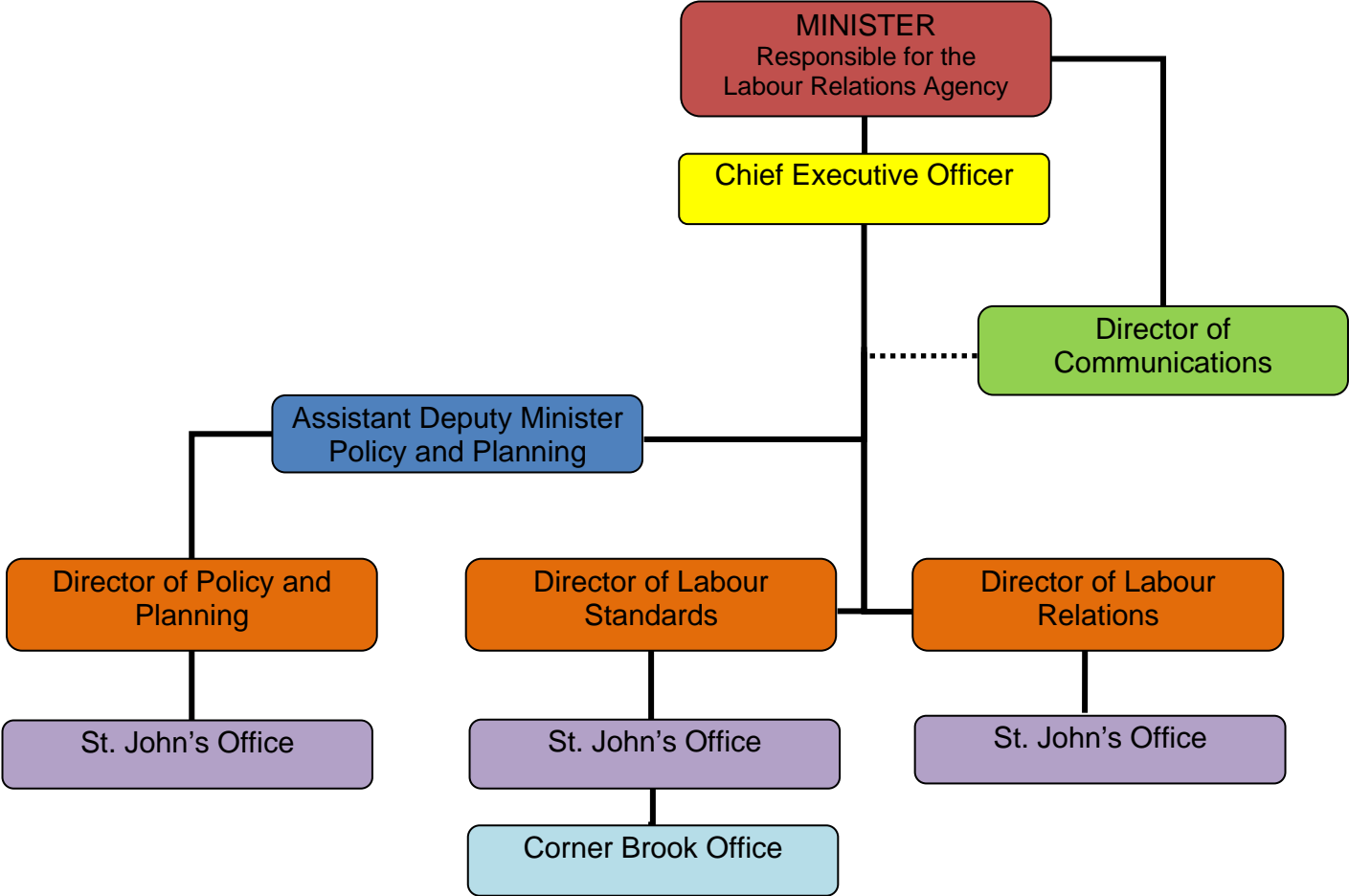
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# Labour Relations Agency – Organizational Structure



## Shared Commitments

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 2012-13, the Agency joined with federal, provincial and territorial governments to share information and raise awareness respecting issues relating to human trafficking. A further area of proactive activity was in response to the growing levels of temporary foreign worker utilization in Newfoundland and Labrador and the importance of ensuring workers and employers have access to current information about their rights and responsibilities at work. Direct outreach and educational activities continued in 2012-13 in relation to this target group, and new multilingual resources were developed to address the needs of stakeholders. This proactive engagement with stakeholders directly responds to the Minister's strategic direction of a stable employment relations climate conducive to economic growth and is in keeping with the Labour Relations Agency's Mission to have improved labour relations supports conducive to positive workplace relations.

### **Working Group on Human Trafficking**

Human trafficking involves the recruitment, transportation and harbouring of persons and/or control of their movement for the purpose of exploiting their labour or services, typically for sexual exploitation or for forced labour. In June 2012, the Government of Canada launched the National Action Plan to combat human trafficking, and shortly thereafter a working group was formed among federal, provincial and territorial governments. The Labour Relations Agency is a member of the group, which is led by the Serious and Organized Crime Division of Public Safety Canada. During fiscal 2012-13, Agency officials participated in quarterly teleconferences with partners and contributed to research and analysis on combating human trafficking.

This work builds upon previous efforts by the Agency to raise awareness on the issue of human trafficking. In 2010, it organized and facilitated a workshop on human trafficking, in collaboration with the Royal Canadian Mounted Police and the federal Department of Human Resources and Skills Development Canada. Newfoundland and Labrador was the first province to have hosted an intergovernmental information session on this important issue.

### **Temporary Foreign Worker Outreach**

The Temporary Foreign Worker Program is a federal program enabling Canadian employers to hire foreign workers on a temporary basis to meet immediate labour market demands providing that Canadians/permanent residents are not readily available to fill the jobs. While the program is under federal jurisdiction, many temporary foreign workers are employed in provincially-regulated industries and thus governed by the *Labour Standards Act*, as well as other provincial legislation.

These workers have the same rights and responsibilities under the *Labour Standards Act* as



other employees. Officials at the Agency also engage in specialized outreach to temporary foreign workers to increase their awareness of legislative protections and to provide clear avenues for them to access assistance. This outreach includes community presentations, in partnership with organizations such as the Association for New Canadians. It also includes preventive interventions, where labour standards officers visit workplaces and meet with employers and employees to discuss their rights and responsibilities.

A key initiative for the Agency in fiscal 2012-13 was enhancing its multilingual labour standards resources. A series of fact sheets were developed which highlight key labour standards such as hours of work, minimum wage, tips, deductions from wages and notice of termination. These fact sheets were translated into several languages: Tagalog; Punjabi; Thai; Chinese (simplified); Chinese (traditional); French; and English. It is anticipated these factsheets will be posted online during the 2013-14 fiscal year.

## Highlights and Accomplishments

The Labour Relations Agency works in partnership with employees and employers to support and foster positive employment relations throughout Newfoundland and Labrador. While consensus may not always be possible in the workplace, proactive engagement and dialogue can enhance understanding of issues and help create and maintain an environment where positive relations can grow. Highlights of activities in 2012-13 include:

### Legislative Reform

The 2012-13 fiscal year was marked by a series of significant legislative amendments to the *Labour Relations Act* and the *Public Service Collective Bargaining Act*. These changes were made in response to three initiatives: 1) recommendations arising out of an Industrial Inquiry Commission, 2) a tripartite review of labour relations legislation and 3) an external review and report on Special Project Order (SPO) provisions of the *Labour Relations Act*.

A significant component of these changes included amendments to the SPO regime for the province. These amendments were designed to ensure that the legislation continues to meet the needs of stakeholders engaged on special projects and to achieve the intended effect of labour stability. SPOs sanction the unique labour relations regime for a special project and have played a crucial role in many major projects over the years, including Hibernia, Terra Nova, Voisey's Bay/Long Harbour and Hebron. Evolving this framework to ensure that Government can support new and even more complex projects in the future, while maintaining positive workplace relations and stability, remains a priority. Highlights of the legislative reforms include the following:

- Reduction of the minimum construction period required for an SPO from three years to two years;
- Flexibility to prescribe SPOs by geographic site or scope of work; and
- Ability to allow SPOs to overlap in time and geography.

### Minimum Wage Review

The authority to establish a minimum wage rate for this province is contained in the *Labour Standards Act* and Labour Standards Regulations.

In Blue Book 2011, Government committed to convene an advisory committee on the minimum wage in 2012 and every two years thereafter. Consistent with this commitment, in August 2012 Government announced the appointment of a three-member Minimum Wage Advisory Committee to review the minimum wage. The committee consisted of: a chairperson; an employer member nominated by the Newfoundland and Labrador Employers' Council; and an employee member nominated by the Newfoundland and Labrador Federation of Labour.

The terms of reference for the review directed that the committee solicit and receive submissions on the minimum wage from employees, employers, interested stakeholders and members of the public and to report its observations and findings to the Minister Responsible for the Labour Relations Agency by mid-Fall 2012. Feedback on the minimum wage was provided by website, email, regular mail and telephone. The views of employees, employers, labour groups, business stakeholders, women's organizations and students were among those received.

The report of the committee was publicly released in December 2012, and contained two recommendations for the Provincial Government to consider:

1. The Committee recommended that the minimum wage be increased in 2013 to reflect the loss of purchasing power in the minimum wage since 2010. The increase should be preceded by at least six months notice to stakeholders and the public.
2. The Committee recommended that, beginning in 2014, the minimum wage be adjusted annually based on the previous year's all-items Consumer Price Index for Newfoundland and Labrador. Adjustments would be announced to the public by January 31 of each year and implemented on May 1 of each year. They would be rounded to the nearest \$0.05.

The report was under consideration at the conclusion of 2012-13.

### **Labour Standards Information Management System**

The Labour Standards Division worked in consultation with the Office of the Chief Information Officer during 2012-13 to enhance its information management capabilities and business processes, leading to the introduction of a new information management system. The primary objective for the system is to seamlessly transition the current manual, paper-based system to a more efficient case management system. Specific objectives include:

- Providing a more effective means to deliver labour standards services to the general public;
- Increasing efficiencies in processing, monitoring and disposing of complaints;
- Increasing efficiencies in tracking, collecting and disbursing wages collected; and
- Increasing the accuracy and timeliness of data.

The new system was launched in March 2013.

### **International Labour Issues**

The Labour Relations Agency is responsible for reviewing and coordinating the provincial position on international labour issues, including requests made by the International Labour Organization (ILO). This process is undertaken in consultation with provincial departments and agencies that are responsible for, or affected by, issues addressed in a particular request. To support the province's ongoing efforts to advance Canada's work in international labour affairs,

the Agency collaborates with other provincial/territorial governments and the federal Department of Human Resources and Skills Development Canada.

In 2012-13, the Agency responded to nine requests from the ILO and participated in a number of intergovernmental consultations and meetings with the Government of Canada on various international labour issues, including: freedom of association and right to organize, discrimination in employment and occupation, asbestos, social protection, labour relations, collective bargaining labour statistics, youth employment, minimum age, labour inspection, and minimum wage. Further to a federal request, the province has also initiated its technical review of ILO Convention C81 (Labour Inspection) to determine whether there are any barriers to Canada's ratification of the Convention. Analysis continues with respect to ILO Convention C138 (Minimum Age) and follow up work is underway.

The province continued in its lead role in the review of ILO conventions, having assumed the Chair position of the Canadian Association of Administrators of Labour Legislation (CAALL) International Labour Affairs Subcommittee in 2011. The Chief Executive Officer of the Agency was also appointed CAALL's 3<sup>rd</sup> Vice President and Deputy Liaison for the Labour Standards Committee. The 2012-13 fiscal year also marked the third year of a three-year strategy by governments to assess various international labour priorities, including the review of a number of ILO conventions.

# Report on Goals and 2012-13 Performance

The Labour Relations Agency identified two primary strategic issues in the 2011-14 Strategic Plan as having the most significance in efforts to promote a positive labour relations environment. They are: 1) improved service delivery to clients of the Agency; and 2) support of effective employment relations through enhancements to the regulatory framework. The following overview summarizes the Agency's performance in these areas during the 2012-13 fiscal year.

## Issue 1: Service Excellence

The provision of robust programs and services and the maintenance of a modern and progressive labour relations framework represent the cornerstones of the Labour Relations Agency's work. Newfoundland and Labrador's economy continues to grow at an impressive rate, but with that development comes demographic changes in the workplace, as well as expectations that workplace services are provided in an accessible manner.

In recognition of these patterns, the Agency has identified service delivery as a priority area and has focused on implementing options to support the broader goal of ensuring that Agency services are responsive to the evolving needs of workers and employers, and continue to support positive workplace relations. In 2012-13, efforts to implement various outreach services were deployed, new user comprehension supports for clients were initiated, and collaboration on labour matters with partners and stakeholders was enhanced.

**Goal 1:** By March 31, 2014, the Labour Relations Agency will have improved service delivery to clients of the Agency.

**2012-2013 Objective:** By March 31, 2013, the Labour Relations Agency will have implemented further options to enhance client service.

**Measure:** Implemented options to enhance client service.

INDICATORS	ACCOMPLISHMENTS 2012-13
Implemented various outreach services to enhance client service.	<ul style="list-style-type: none"><li>Outreach efforts and communication with members of the arbitral community to enhance and improve Agency holdings of provincial arbitration decisions was implemented. Members of the arbitral community were contacted to encourage enhanced and timely submission of arbitration decisions for posting on the Agency's website. Improvements to the Agency's collection of these decisions will continue in 2013-14, and improved online access will be pursued. Current information on arbitral awards on file can</li></ul>

be viewed at the following:

[http://www.gov.nl.ca/lra/arbitration\\_awards/index.html](http://www.gov.nl.ca/lra/arbitration_awards/index.html).

- New and improved private and public sector collective agreement expiry calendar information was made available to the public in order to enhance client access to this information. The expiry calendar covering the period until December 2013 can be viewed online at the following: <http://www.gov.nl.ca/lra/stats/index.html>.
- Proactive communication with labour relations stakeholders to facilitate the submission of provincial collective agreements and union constitutions was also implemented.

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Initiated new user comprehension supports for clients.

- New multilingual labour standards resources were initiated and official translations of these fact sheets were finalized in 2012-13. The resources were translated into: French; Tagalog; Punjabi; Thai; Chinese (simplified); and Chinese (traditional) based on an assessment of foreign and non-English speaking workers operating in the province. Once published in 2013-14, these resources will complement existing education, outreach and awareness services for clients and support further knowledge about rights and responsibilities in the workplace.
  - During the reporting period the Agency commenced development of a new Special Project Order protocol and information circular to increase client comprehension and support in relation to legislative and policy requirements relating to major project developments. Pending consultation with internal and external stakeholders, this protocol will be published in 2013-14.
  - As part of the minimum wage review process, a website ([http://www.gov.nl.ca/lra/min\\_wage\\_review\\_2012/index.html](http://www.gov.nl.ca/lra/min_wage_review_2012/index.html)) was developed and launched to enhance public information and facilitate stakeholder feedback.
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Enhanced collaboration on labour matters with partners and stakeholders.

- In collaboration with employer and labour partners, Government appointed a Minimum Wage Advisory Committee in August 2012, which included representatives nominated by the Newfoundland and Labrador Employers' Council and the Newfoundland and Labrador Federation of Labour to provide observations and findings relating to the minimum wage. A report from the Minimum Wage Advisory Committee was provided to Government in Fall 2012 and Government's analysis of committee recommendations and response is anticipated in 2013-14.
- During Summer/Fall 2012, Agency officials met with the employer and labour stakeholders to discuss and develop options for enhanced collaboration to ensure ongoing labour relations stability within these unique construction environments. The stakeholders agreed to liaise with the Labour Relations Agency to exchange information on and discuss the status of labour relations for the project. This liaison role will further engage these parties during 2013-14.
- During Winter 2013, the Agency worked with employer and labour parties involved with the Muskrat Falls Project to foster continuing partnerships and to create a new liaison role for the Labour Relations Agency with the parties to this project. It is anticipated this new liaison function will be enshrined within the terms of new special project orders for the Muskrat Falls project in 2013-14.

**2013-2014 Objective:** By March 31, 2014, the Labour Relations Agency will have improved service delivery to clients of the Agency.

**Measure:** Improved Service Delivery.

**Indicators:**

- Stakeholder feedback solicited on outreach services and appropriate actions commenced.
- New user comprehension supports available to clients.

## Issue 2: Effective Workplace Relations

Effective workplace relations require that governments develop and maintain a strong employment relations framework. This framework includes modern laws responsive to the needs of stakeholders, as well as robust administrative policies, programs and processes to address evolving workplace dynamics. The Labour Relations Agency continually reviews these components to ensure opportunities for improvement are acted upon and invites input from stakeholders and partners to achieve a balanced framework.

Over the 2011-14 strategic cycle, the Labour Relations Agency has committed to reviewing Newfoundland and Labrador's employment relations framework and to implementing improvements that can build on the significant progress already made. In 2012-13, these improvements have taken shape through significant legislative reforms and via adjustments to policies and operational practices. As part of this effort, the Agency conducted a thorough review and analysis of administrative and operational processes to identify options for improvement of the employment relations framework.

**Goal 2:** By March 31, 2014, the Labour Relations Agency will have enhanced the framework to support effective workplace relations.

**2012-2013 Objective:** By March 31, 2013, the Labour Relations Agency will have implemented priority improvements.

**Measure:** Implemented priority improvements.

INDICATORS	ACCOMPLISHMENTS 2012-13
Enhanced administrative processes and operational practices initiated.	<ul style="list-style-type: none"><li>In June 2012, a series of significant legislative amendments to the <i>Labour Relations Act</i> and the <i>Public Service Collective Bargaining Act</i> were brought forward in the House of Assembly. Included within this package were a number of amendments designed to enhance administrative process and operational practices which: confirmed an employer's right to communicate with employees; enhanced mediation services in relation to first collective agreements; enhanced processes and timeframes relating to Labour Relations Board matters; and provided for the establishment of labour management committees in the workplace.</li><li>In March 2013, the Labour Relations Agency, in collaboration with the Department of Finance, implemented a new online pay feature for clients looking to apply for a Labour Standards Clearance</li></ul>



**INDICATORS****ACCOMPLISHMENTS 2012-13**

Certificate. In the past, parties requesting a clearance certificate had to do so via regular written correspondence, and applicable fees would be processed thereafter. This enhanced administrative mechanism streamlines the application process and permits clients to submit required information and fees simultaneously through an online portal. The portal can be accessed at the following: <http://www.gov.nl.ca/pay-online.html>.

- In 2012-13, the Labour Relations Agency, in collaboration with the Office of the Chief Information Officer (OCIO), designed and initiated the framework for a new information management system to enhance administrative and operational practices dealing with the delivery of labour standards services in Newfoundland and Labrador. This new system, which was implemented in March 2013, will enhance the information management in this area and support more efficient administrative processes and case management.
- In December 2012, the Agency and the OCIO initiated a broad-based information management review to identify and address proposals for enhanced administrative process in this area. Over the course of the winter, a multi-year plan of action to address broad-based records management enhancements was developed and initiated. As with the improved labour standards information management system, enhanced administrative and operational practices will facilitate the work of Agency staff and improve program efficiency.

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Priority improvements targeting evolving needs of stakeholders implemented.

- Private and public sector collective agreement expiry information was published in February 2013 and made available to the public in order to enhance client access to this information. This access allows various interests, including academia, the legal community and parties with other interests in collective bargaining matters, to access timely information about the status of major negotiations in the province. Expiry calendar covering the period
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until December 2013 can be viewed online at the following:

<http://www.gov.nl.ca/lra/stats/index.html>.

- In follow-up to an external review and a significant public consultation effort in 2012, Government advanced a number of priority improvements to the Special Project Order (SPO) provisions of the *Labour Relations Act* in June 2012. These amendments were designed to ensure that legislative provisions continue to meet the needs of stakeholders engaged on special projects and achieve the intended effect of labour stability. Specific improvements made included: (i) a reduction of the minimum construction period required for an SPO from three years to two years; (ii) flexibility to prescribe SPOs by geographic site or scope of work; and, (iii) an ability to allow SPOs to overlap in time and geography.

Provincial interests in international labour instruments and national developments advanced.

- In Fall 2012, the Chief Executive Officer of the Agency assumed the role of 3<sup>rd</sup> Vice President and Deputy Minister Liaison with the Canadian Association of Administrators of Labour Legislation (CAALL), a federal office which supports collaboration between federal, provincial and territorial (FPT) Departments of Labour. Through this position, the Agency was able to help shape national agendas on labour matters and advocate provincial interests on various developments.
- Agency representatives also continued to chair an FPT International Labour Affairs Committee of CAALL and articulated provincial interests relating to various national and international labour matters, including Canada's ongoing review of select International Labour Organization (ILO) Conventions. ILO Conventions that remained under consideration in 2012-13 included Convention C81 (Labour Inspection) and Convention C138 – Minimum Age.
- In March 2013, Agency staff facilitated a tripartite roundtable discussion between FPT governments,

**INDICATORS****ACCOMPLISHMENTS 2012-13**

national labour organizations, and national employer groups on corporate social responsibility and its role in national and international labour affairs. This roundtable encouraged open and collaborative dialogue between all parties and presented an opportunity for provincial interests to be highlighted.

- Throughout 2012-13, Agency officials, in collaboration with officials with the Office of Immigration and Multiculturalism, engaged with federal officials to discuss parameters for the possible exchange of information relating to temporary foreign workers working under provincial jurisdiction. These negotiations remain ongoing.

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**2013-2014 Objective:** By March 31, 2014, the Labour Relations Agency will have implemented further improvements.

**Measure:** Further improvements implemented.

**Indicators:**

- Information on enhanced administrative processes and operational practices communicated.
- Additional priority improvements targeting evolving needs of stakeholders implemented.
- Continued provincial interests in international labour instruments and national developments expressed.

## Opportunities and Challenges Ahead

The Agency is presented with both challenges and opportunities that will require further collaboration and coordination as it moves forward with its mandate. We look forward to working with our stakeholders and government partners as we move forward to create a stable employment relations climate that supports economic growth, competitiveness and prosperity.

### **Special Project Orders – Maritime Transmission Link**

In 2012-13, two applications were received for Special Project Orders (SPOs) for the Muskrat Falls Project. Two additional SPO applications are expected in 2013-14. Once issued, these 4 SPOs will confirm distinct labour relations regimes for four specific components of the project:

1. Construction of the hydroelectric generation facility at Muskrat Falls;
2. Land clearing to support a water reservoir at Muskrat Falls;
3. Construction of transmission line and associated infrastructure running from Churchill Falls to Muskrat Falls in Labrador and from Muskrat Falls to Soldier's Pond on the Avalon Peninsula (includes the Labrador Transmission Assets as well as the Labrador-Island Link pending release from environmental assessment); and
4. The construction of the transmission link between Newfoundland and Nova Scotia.

### **Special Project Order Protocol**

In December 2011, the Minister Responsible for the Labour Relations Agency appointed labour relations Consultant James Oakley, to conduct a review of SPO provisions of the *Labour Relations Act*.

In response to the Oakley Report, a series of legislative amendments were introduced in the 2012 Spring Sitting of the House of Assembly. At that time Government made a public commitment to develop a SPO Protocol, further to one of Mr. Oakley's recommendations. This protocol will formalize current unwritten policy by outlining the application process and providing details about current legislation regulating SPOs. The SPO Protocol will increase comprehension and support of existing clients and prospective investors on whether their project may be eligible for SPO designation.

The Agency will develop the draft SPO Protocol in the spring of 2013 and will engage stakeholders for their input. The final version is expected to be released in 2013-14.

### **Special Project Order Liaison Role**

Labour relations stability is important to ensuring the timely and successful completion of the Muskrat Falls Project. Leading up to the issuance of the SPO, Labour Relations Agency officials met with the employer and labour stakeholders to discuss and develop options for enhanced collaboration to ensure ongoing labour relations stability within these unique construction

environments. The stakeholders agreed to liaise with the Labour Relations Agency to exchange information on and discuss the status of labour relations for the project. Each of the three SPOs contained an acknowledgement of this commitment.

By acknowledging this LRA liaison role in the SPO it is anticipated that this model will serve as a useful precedent for future special projects and provide Government with greater insight into the labour relations climate in these areas.

# Statistical Overview

## Labour Relations Division

### Select Indicators

<b>Conciliation</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
# of Requests	58	54	51
Requests Carried Over	39	20	19
Total Conciliation Requests	97	74	70
Conciliation Settlements	78	49	50

<b>Other Services</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
Requests for Appointment of Arbitrator	36	33	41
Interest-Based Negotiation	2	0	2
Preventive Mediation Requests	81	148	76
Mediator Appointments	1	0	0
Special Project Orders Issued	0	1	0

## Labour Standards Division

### Select Indicators

<b>Case Management/Services</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
Cases Assigned	49	72	62
Cases Concluded	70	56	50
Early Resolutions	350	365	377
Certificates of Clearance Issued	3,394	3,189	3,316
*Preventive Interventions	<b>253</b>	<b>287</b>	<b>294</b>
Speaking Engagements	78 <b>(1,355 participants)</b>	63 <b>(1,036 participants)</b>	50 <b>(834 participants)</b>

\*During Preventive Interventions, Labour Standards Officers visit workplaces to meet with employees and employers to discuss their respective rights and responsibilities in relation to labour standards legislation.

### Other Employment-related Statistics

<b>Work Stoppages</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
Number of Work Stoppages	9*	2**	2***
Number of Employees Involved	527	61	88
Number of Person-Days Lost	71,728	3,052	640

\*4 of these legal work stoppages carried over from the 2009-10 fiscal year.

\*\* 1 legal work stoppage continued beyond reporting period and ended in 2012-13 fiscal year.

\*\*\* One of the two legal work stoppages carried over from 2011-12.

### Work Stoppages by Selected Industry 2010-11 to 2012-13

<b>Industry</b>		<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
Construction	Number of Work Stoppages	0	1	0
	Employees	0	18	0
	Person-Days Lost	0	1,332	0
Manufacturing	Number of Work Stoppages	2	0	0
	Employees	106	0	0
	Person-Days Lost	15,116	0	0
Mining	Number of Work Stoppages	1	0	0
	Employees	125	0	0
	Person-Days Lost	27,321	0	0
Accommodations and Food Services	Number of Work Stoppages	1	0	0
	Employees	65	0	0
	Person-Days Lost	14,996	0	0
Health Care and Social Services	Number of Work Stoppages	1	0	0
	Employees	15	0	0
	Person-Days Lost	2,595	0	0
Other Services	Number of Work Stoppages	3	0	1
	Employees	330	0	40
	Person-Days Lost	11,411	0	160
Motor Vehicle Sales, Repairs and Parts	Number of Work Stoppages	1	0	0
	Employees	12	0	0

	Person-Days Lost	288	0	0
Fishing	Number of Work Stoppages	0	1**	1***
	Employees	0	43	48
	Person-Days Lost	0	1,720	480

\*\*Legal work stoppage continued beyond reporting period and ended in following fiscal year.

\*\*\* One of the two legal work stoppages carried over from 2011-12.

### ADDITIONAL INFORMATION

For additional statistical information about the Agency's programs and services, contact the Labour Relations Agency at:

Phone: (709) 729-2711/2742 (St. John's) (709) 637-2367/2364 (Corner Brook)  
 Fax: (709) 729-5905 (St. John's) (709) 637-2592 (Corner Brook)  
 E-Mail: [labour@gov.nl.ca](mailto:labour@gov.nl.ca)  
 Website: <http://www.gov.nl.ca/lra/>

Contact the Labour Standards/ Labour Relations/ Policy and Planning Divisions toll-free at 1-877-563-1063.



## FINANCIAL INFORMATION

### Summary of Expenditure and Related Revenue For the Year Ended March 31, 2013

(Un-Audited)

Summary of Expenditure and Related Revenue For the Year Ended March 31, 2013				
Activity		Actual Expenditure \$	Amended Budget \$	Original Budget \$
5.1.01.	Executive Support	573,751	600,400	429,100
5.1.02.	Administration & Planning	534,271	574,700	569,200
	Less: Revenue – Provincial	(108,786)	(78,000)	(78,000)
		425,485	496,700	491,200
5.1.03.	Labour Relations & Labour Standards	1,426,116	1,436,500	1,430,100
	Less: Revenue – Provincial	(96,051)	(70,000)	(70,000)
		1,330,065	1,366,500	1,360,100
	<b>Total</b>	2,329,301	2,463,600	2,280,400

Expenditure and revenue figures included in this document are un-audited and based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year Ended 31 March 2013. Audited financial statements are a requirement at the government level and are made public through the Public Accounts process; however, the Labour Relations Agency is not required to provide a separate audited financial statement.

These figures do not reflect allocations assigned to the Labour Relations Board or the Standing Fish Price-Setting Panel as these entities report their financial information within their own annual reports.

The following is a presentation of the program funding summary for fiscal year 2012-13.

**Labour Relations Agency Budget**

