Labour Relations Agency

Annual Report 2013-14





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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 2013-14 fiscal year. This report was prepared under my direction, and I am accountable for the results it contains herein.

The Agency's 2011-14 Strategic Plan included the following strategic direction: stable employment relations climate conducive to economic growth. The strategic direction components included workplace relations, education and promotion, legislation, and evidence-based analysis. The

Strategic Plan focused on two goals: 1. improved service delivery for clients and 2. an enhanced framework to support effective workplace relations. This Annual Performance Report presents outcomes of the goals and related objectives and highlights the Agency's achievements during the past year as well as the past three years, the first half of our six-year Mission cycle.

During the 2013-14 fiscal year, the Agency continued its efforts to improve service delivery and implement priority improvements targeting the evolving needs of stakeholders. Administrative and operational practices were improved, outreach and communication efforts continued, and new user comprehension supports were made available to clients. This complemented existing education, awareness, and outreach services and responded to the demographic changes in our workforce that come with an economy growing at an impressive rate.

Four Special Project Orders (SPOs) were also issued during 2013-14. The issuance of these SPOs allows for a single collective agreement to govern labour relations for all trades working on the Muskrat Falls Project, thereby supporting labour relations stability in the province.

The Committee responsible for the Statutory Review of the Workers' Compensation System also completed its work and submitted its report, entitled "Working Together: Safe, Accountable, Sustainable" (Report), in January 2014. A full analysis of the Report's recommendations and Government's response will follow in 2014-15.

I look forward to ongoing collaboration and engagement with labour and employer stakeholders as we continue our efforts to ensure improvements and changes made have a lasting and sustainable impact contributing to stable employment relations climate in Newfoundland and Labrador.

VAUGHN GRANTER, M.H.A.

District of Humber West

Minister

OVERVIEW OF THE LABOUR RELATIONS AGENCY

The Labour Relations Agency supports and promotes positive employment relationships in the province, administers minimum terms and conditions of employment, and provides workplace dispute resolution services. 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 with resolving workplace issues and negotiating collective agreements;
- creation of partnerships to promote the currency and relevant of the employment relations regulatory framework (i.e. statutes, regulations, policies); and
- provision of education, training, and support programs to stakeholders.

The Labour Relations Agency services all employees and employers in Newfoundland and Labrador that fall under provincial jurisdiction.¹ The 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, reservist), rest periods, and statutory holidays;
- employers with information regarding their employment rights and responsibilities, as well as 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 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.

The Agency works closely with organizations such as:

- Provincial Employer and Labour organizations;
- · Department of Advanced Education and Skills;
- Workplace Health, Safety and Compensation Commission;
- Workplace Health, Safety and Compensation, Review Division;
- Labour Relations Board;
- Standing Fish Price-Setting Panel:
- Employment and Social Development Canada; and
- Canadian Association of Administrators of Labour Legislation.

¹ A number of sectors of the provincial economy, such as telecommunications, banking, interprovincial transportation, are subject to federal labour legislation (i.e. the Canada Labour Code).

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.

This mandate is 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 an optimal labour relations climate contributing to economic growth, competitiveness, and shared prosperity.

The Agency's vision statement articulates its sense of purpose and provides direction towards achieving its mandate.

MISSION

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

The Agency's complete mission, along with the measure and indicators, can be located in its Strategic Plan 2011-14.



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.

Professionalism

The Agency's staff is highly trained and 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 to support professional growth throughout their careers.

Respect

The Agency's employees are committed to ensuring the views of our clients are clearly understood and represented in a fair, neutral, and dignified manner.

Partnership

The Agency's staff is committed to building collaborative and constructive relationships with all stakeholders. Employees engage the Agency's partners in decisions that affect them, in an effort to build consensus regarding the most effective ways of fostering a positive employment relations climate.

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. Executive functions of the Agency are coordinated by the Chief Executive Officer and the Assistant Deputy Minister.

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. Services include:

- ensuring compliance with Labour Standards and Shops Closing legislation through investigation and enforcement;
- investigating and mediating disputes between employees and employers;
- offering public education, awareness seminars, and consultative programs to communities, 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, services and legislative framework. 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;
- · developing and maintaining partnerships, and representing provincial interests, with relevant provincial, national, and international organizations and Ministries of Labour; and
- monitoring judicial decisions and best practices in relation to labour to assist with the provision of strategic policy advice.

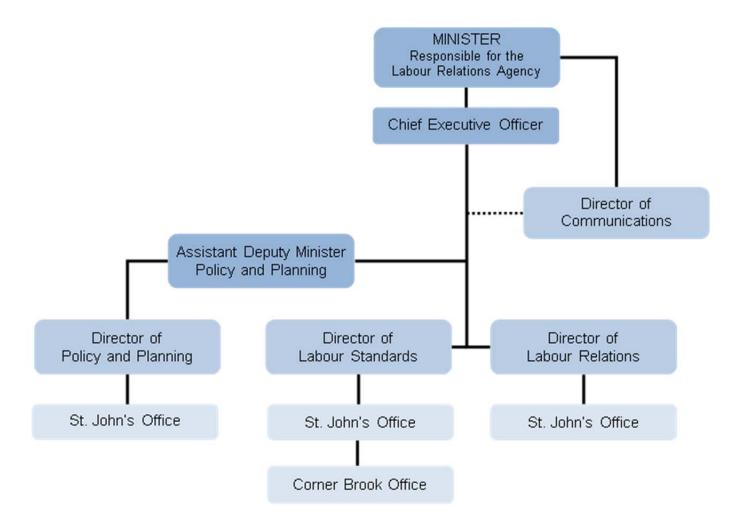
OFFICES

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

STAFF

As of March 31, 2014, the Labour Relations Agency employed 21 staff in its various divisions and locations (13 female, 8 males). There are 19 employees in St. John's and 2 in Corner Brook (please refer to the Agency's organizational structure on page 8). Please note these numbers do not include the Director of Communications, an employee of the Department of Service NL.

ORGANIZATIONAL STRUCTURE OF THE LABOUR RELATIONS AGENCY



SHARED COMMITMENTS

Each year, the Labour Relations Agency strives to focus its work on addressing its goals and objectives and is committed to collaborative efforts with stakeholders and government partners to advance its priorities. During 2013-14, the Agency was the lead for the Statutory Review of the Workers' Compensation System, working with stakeholders to complete the Review and the requisite analysis. A further area of activity was in response to the utilization of temporary foreign workers in Newfoundland and Labrador. Working collaboratively with our partners, the Labour Relations Agency has commenced analysis of operational and legislative mechanisms that may help protect vulnerable workers in this province. Considerable efforts were invested in policy support for our related entities and additional horizontal initiatives. These activities directly contribute to the Agency's strategic component of evidence-based analysis. Additionally, 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 aligned with the Agency's Mission to improve labour relations supports conducive to positive workplace relations.

STATUTORY REVIEW OF WORKERS' COMPENSATION SYSTEM

The Provincial Government must appoint a committee to complete a review of the *Workplace Health, Safety, and Compensation Act* (WHSCA) every five years. On January 16, 2012, the Government appointed a Statutory Review Committee representing key stakeholders to complete this review and directed a two phase approach. The first phase (Legislative Review) involved a comprehensive examination of WHSCA to identify areas for improvement and modernization. In the second phase (Policy Review), the Committee completed consultations to consider the broader worker's compensation system, focusing on the following areas: maximum compensable assessable earnings (claim benefit ceiling); labour market re-entry; medical management; the role of stakeholders in prevention; occupational disease; and financial sustainability.

The Statutory Review Committee submitted its report, titled "Working Together: Safe, Accountable, Sustainable" (Report) to Government on January 17, 2014. The Report encompasses ninety legislative recommendations and forty-two policy/practice recommendations. Public release of the Report on February 14, 2014 included a website welcoming input on the recommendations to inform Government's response to the Report. In addition, a copy of the Report was mailed to all the individuals and agencies that presented or provided a written submission to the Committee.

The Labour Relations Agency has established a small working group with members from the Workplace Health and Safety Compensation Commission, the Human Resource Secretariat, and the Department of Finance, to review the recommendations from a policy, financial, and administrative cost perspective. A full analysis of the Report's recommendations and Government's response to the Report will follow in 2014-15.

TEMPORARY FOREIGN WORKER PROGRAM

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, provided that Canadians/permanent residents are not readily available to fill the jobs. While it is a federal program, many Temporary Foreign Workers (TFWs) are employed in provincially-regulated industries and thus governed by the *Labour Standards Act*, and other provincial legislation.

Since TFWs are subject to provincial legislation, there are a number of government departments whose work may impact this group. For example, these workers have the same rights and responsibilities as Canadian employees under the *Labour Standards Act* and the *Occupational Health and Safety Act*.

An interdepartmental committee, involving the Agency, Advanced Education and Skills (Workforce Development Secretariat and Office of Immigration and Multiculturalism), Service NL, and the Workplace Health, Safety and Compensation Commission, has been established to work collaboratively on matters related to TFWs, including forthcoming worker protection legislation. This work will continue into the 2014-15 fiscal year and will complement the Agency's internal analysis of operational and legislative mechanisms that may be utilized to help protect vulnerable workers in this province.

POLICY SUPPORT FOR RELATED ENTITIES

The Labour Relations Agency provides policy support for the Workplace Health, Safety and Compensation Commission (WHSCC); the Workplace Health, Safety and Compensation Review Division (WHSCRD); and the Standing Fish Price-Setting Panel (SFPSP).

The WHSCC and WHSCRD deal with legislation pertinent to workers in Newfoundland and Labrador and the Labour Relations Agency provides insight into labour legislation and balancing the rights and interests of workers and employers.

- The WHSCC is an employer-funded, no fault insurance system that promotes safe and healthy workplaces, provides return-to-work programs, and offers fair compensation to injured workers and their dependents.
- The WHSCRD is responsible for the review of the decisions of the WHSCC and it is the final level of review within the workers' compensation system in the province.

The SFPSP is a three-member panel mandated to identify on an annual basis, in consultation with the stakeholders, particular fish species for collective bargaining, and to ensure that binding collective agreements containing price and conditions of sale are in place by the date established by the Minister of Fisheries and Aquaculture. Panel facilitation, administrative support, and funding are provided by the Labour Relations Agency.

During the 2013-14 fiscal year, this support included required legislative changes, required reports under the *Transparency and Accountability Act*, budgetary support, and support for appointments to Agencies, Boards and Commissions. Specifics related to each entity would be included in their respective Annual Reports.

ADDITIONAL HORIZONTAL INITIATIVES

The Government of Newfoundland and Labrador's Poverty Reduction Strategy is a governmentwide approach to promoting self-reliance, opportunity, and access to key supports for persons vulnerable to poverty. The strategy currently includes more than 80 ongoing initiatives that were informed by the input of the public and developed by 14 government departments and agencies to meet the needs of groups most vulnerable to poverty. The Labour Relations Agency remains an integral partner with this initiative, providing valuable insight regarding the challenges and opportunities for individuals seeking assistance with entering and remaining in the workforce.

In addition, the Labour Relations Agency has been part of Government's Violence Prevention Initiative since it was initially launched in 2006 and the Agency remains an integral part of Government's commitment to building safe and secure communities.

The Labour Relations Agency also participates in horizontal initiatives with other levels of government. 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 Agency is a member of the Working Group on Human Trafficking, led by the Serious and Organization Crime Division of Public Safety Canada. During fiscal year 2013-14, an Agency official attended a national conference on human trafficking to gain greater insight and keep abreast of issues that may impact the province.

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 2013-14 are outlined below.

CANADA-CHINA JOINT LABOUR SEMINAR

In March 2013, Employment and Skills Development Canada invited the Labour Relations Agency to participate in a multi-day labour relations seminar and training event with Chinese counterparts. The Director of of Labour Relations was nominated and approved to take part in this seminar, which took place in Guangzhou, China, in May 2013.

The event, organized by the University of Montreal's School of Industrial Relations, involved a tripartite delegation of government, employer, and worker representatives sharing their experiences and best practices on practical issues in labour dispute resolution and mechanisms for effective labour dispute prevention.

The aim of the project was to strengthen Canada-China labour cooperation in a targeted area that will have long-term impacts for Canadian businesses and workers and will support respect for fundamental labour/human rights, good governance, and the rule of law in the development of Chinese labour and employment relations.

MINIMUM WAGE INCREASES

In November 2013, the Minister Responsible for the Labour Relations Agency announced the provincial minimum wage will increase by 25 cents to \$10.25 per hour on October 1, 2014. This will be followed by another 25 cent increase on October 1, 2015. These increases continue the province's progressive approach towards minimum wage that will benefit many lower income earners in Newfoundland and Labrador.

By October 2015, the minimum wage rate in the province will have increased by 75 per cent in just 10 years. Currently, only two jurisdictions have a minimum wage that is higher than \$10.50 (Nunavut and Yukon) and these increases will keep Newfoundland and Labrador's rate among the highest in the country.

The minimum overtime wage rate will continue to be fixed at 1.5 times the minimum wage, rounded to the nearest cent. The province expects to conduct a further review of the minimum wage in 2015.

SPECIAL PROJECT ORDERS

A special project is an undertaking for the construction of works designed to develop a natural resource or establish a primary industry that requires a construction period exceeding two years. A special project order (SPO) sanctions the unique labour relations regime for a special project, allowing for a single collective agreement to govern labour relations for all trades working on each component of the project and supporting labour relations stability.

Four SPO regulations were issued in 2013-14, all relating to the development of the Lower Churchill River in Labrador. The first phase of development relates to the construction of the Muskrat Falls Hydroelectric Generation Facility and associated transmission links to the island portion of the Province and Nova Scotia (Muskrat Falls Project). The second phase relates to the construction of a transmission system between Newfoundland and Nova Scotia (Maritime Link Project).

The four SPOs are listed below:

- 1. Construction of the hydroelectric generation facility at Muskrat Falls:
- 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: and
- 4. Construction of the Maritime Link Project, which covers the construction activity related to a transmission link from Cape Ray to Granite Canal.

The Muskrat Falls Project is anticipated to provide more than \$1.9 billion in total income to labour and business throughout the Province, and more than \$4.7 billion across Canada. Direct employment is anticipated to reach its peak in 2014 at approximately 3,100 people. After construction is complete, employment will continue with an estimated 80 direct full-time jobs during the operational life of the project.

The Maritime Link Project is expected to create approximately 2,700 direct and indirect person years of employment for the overall project. A workforce will be required in both provinces throughout the construction process, which is expected to span three years. The total number of hours for the Newfoundland portion of the project is anticipated to be 1.979 million hours.

The collective agreements referenced in each of the four SPOs contain hiring protocols. In addition, all four SPOs confirm commitments from the relevant benefits strategy regarding development and implementation of gender equity and diversity plans. Furthermore, each SPO references the commitment of the parties to liaise with a representative of the Labour Relations Agency to exchange information on labour relations matters relating to the project.

SPECIAL PROJECT ORDER PROTOCOL

The SPO Protocol formalizes unwritten policies, outlines legislative requirements for the issuance of a SPO, distinguishes the two types of SPOs, and provides an overview of the application process.

In December 2011, the Minister Responsible for the Labour Relations Agency appointed James Oakley to conduct a review of the SPO Provisions of the Labour Relations Act.

In response to the report, a number of legislative amendments were introduced during the 2012 Spring sitting of the House of Assembly. At that time and further to one of the report's recommendations, Government made a public commitment to develop a SPO Protocol.

The Labour Relations Agency has engaged internal and external stakeholders in the development of the Protocol. A draft protocol and internal review has been completed. External consultation was initiated and will continue into 2014. Publication and implementation of the SPO Protocol is expected in early 2014-15.

REPORT ON PERFORMANCE

In its 2011-14 Strategic Plan, the Labour Relations Agency identified two primary strategic issues which have the greatest impact on its effort to promote a positive labour relations environment: 1. service excellence; and 2. effective workplace relations. The conclusion of this strategic planning cycle provides an opportunity for the Agency to report on its objective results for 2013-14 as well as its overall performance regarding these strategic issues and their respective goals.

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; however, along with development comes demographic changes in the workplace as well as expectations that workplace services are provided in an accessible manner.

The Agency's 2011-14 Strategic Plan noted the past decade has seen substantial change in the province's workplaces. The pace at which people access, receive, and expect information has also changed. One of the challenges facing the Labour Relations Agency is ensuring that its services continue to meet the evolving needs of stakeholders and promote a stable employment relations climate conducive to economic growth. The response to this issue was focusing on service excellence and improving service delivery to the Agency's clients, which is aligned with government's strategic direction and includes the focus area of education and promotion.

Optimum employment relations require that employers and employees have access to information and services available to them. Considerable engagement and collaboration are also required. These activities promote positive employment relations through better decision making, increased knowledge and greater participation in proactive initiatives, and promote stability and productivity in the workplace. As outlined below, during the past three years, the Agency has made a concerted effort in these areas.

Through soliciting stakeholder feedback on outreach services, making new user comprehension supports available, improving supports for stakeholders, enhancing outreach to youth, and enhancing the Agency's leadership role, the Labour Relations Agency has improved service delivery for its clients. New and improved supports for stakeholders help increase employees' and employers' awareness of their rights, responsibilities and services. Enhanced outreach to youth also improves awareness of workplace safety and their rights and responsibilities as young employees. Finally, while it is not a requirement to always engage stakeholders in our decision making process, the Labour Relations Agency makes every effort to do so. This collaborative approach taps into all available knowledge and builds strong relationships conducive to healthy employment relations, which is key to a strong and productive workforce and a strong economy.

Objective Results for 2013-14

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

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Indicators	Performance for 2013-14
Stakeholder feedback solicited on outreach services and	 Outreach efforts and communication with members of the arbitral community continued in 2013-14. Preliminary work began for improved online access to arbitration decisions. Plans are also in place for a dedicated human resource for 2014-15.
appropriate actions commenced	 The Labour Management Arbitration Committee (LMAC), comprised of internal and external stakeholders, promotes a high quality and effective arbitration process for labour arbitrations conducted under collective agreements and the <i>Labour Relations Act</i>. During 2013-14, the LMAC finalized a Policy Manual and initiated development of a training program with delivery expected in Fall 2014.
	• The LRA focused considerable efforts on participating in relevant events, conferences, sessions, and opportunities for dialogue to engage stakeholders and the community at large as appropriate. This networking provided an opportunity for the LRA to solicit feedback on outreach services on a continuing and regular basis. This helps to promote positive employment relations in Newfoundland and Labrador and profile the interests of the LRA at intergovernmental and external settings with both internal and external stakeholders. Examples for 2013-14 included, but were not limited to, the Strategic Partnership Council, the Harris Centre, Hospitality NL, Employers' Council, Norwegian Delegation, targeted meetings with unions, and a site visit to the Muskrat Falls Project. The LRA also attended the Employer of Distinction Awards and the Annual Provincial Stakeholders Conference on the Prevention of Violence against Older Persons.
New user comprehension supports available to clients	Multi-lingual fact sheets underlining Labour Standards Act facts for employees that were developed in 2012-13 were published and made available online in 2013-14. Languages include Tagalog, Punjabi, Thai, Chinese (simplified), Chinese (traditional), French, and English.

- The Employment Standards in Newfoundland and Labrador handbook was updated and reprinted during the 2013-14 fiscal year. These handbooks were distributed during ongoing educational presentations to clients in an effort to increase knowledge of their rights and responsibilities in relation to the Labour Standards Act.
- In 2013-14, work on the SPO Protocol continued. A cross-jurisdictional analysis was completed. A draft protocol and internal review was completed. External consultation was initiated and will continue into 2014. Publication of the Protocol and implementation expected in early 2014-15. The new Protocol will clarify the application process for clients.
- A cross-jurisdictional review of user supports for employment relations legislation was completed in 2013-14. This information will be used by the Agency to develop new user comprehension supports. An internal divisional committee was established to determine options for future direction and implementation in 2014-15.

Goal Results for 2011-14

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

Indicators	Performance for 2011-14
Improved user comprehension supports for stakeholders in relation to rights and responsibilities within the workplace	In February 2012, the James Oakley Report on special project order (SPO) provisions under the Labour Relations Act recommended that the Agency develop a written policy outlining the process under which parties may apply for an SPO. In 2012-13, the Agency commenced development of a SPO Protocol and information circular to increase client comprehension and support in relation to legislative and policy requirements for major project developments. A draft Protocol was completed in 2013-14 and consultations were conducted with internal Government stakeholders. External consultations and publication are expected in 2014-15.

- Extensive consultation and stakeholder engagement were also conducted by the Agency following the release of the Report of the Voisey's Bay Industrial Inquiry Commission (May 2011) and the James Oakley Report (February 2012). The process of stakeholder engagement in the development of the labour legislation framework facilitates comprehension of rights and responsibilities in the workplace.
- 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). These materials were published in 2013-14 and are now available both online and in a paper-based format. Translating and disseminating these user comprehension supports facilitates knowledge of rights and responsibilities in the workplace.
- Cross-jurisdictional review of user supports for employment relations legislation completed in 2013-14. This information will be used by the Agency to develop new user comprehension supports. An internal divisional committee was established to determine options for future direction and implementation in 2014-15.
- The Employment Standards in Newfoundland and Labrador handbook was updated and reprinted during the 2013-14 fiscal year. These handbooks were distributed during ongoing educational presentations to clients in an effort to increase knowledge of their rights and responsibilities in relation to the Labour Standards Act.
- Two webpages were developed by the Labour Relations Agency as part of the 2012 Minimum Wage Review Process and the 2014 Statutory Review of the Workers' Compensation System. These webpages aided user comprehension by providing public information in addition to facilitating stakeholder feedback.

Enhanced outreach to youth

In September 2012, federal, provincial and territorial ministers of labour jointly launched a national social media video contest. The "It's Your Job" contest aims to raise awareness by challenging young people to create videos demonstrating the importance of workplace safety and rights. Through its work on the Canadian Association of Administrators of Labour Legislation, and in collaboration with the Workplace Health, Safety and Compensation Commission, the Labour Relations Agency helped in facilitating this contest in 2012 and 2013.

- In an effort to enhance outreach to youth, in 2011-12 the Labour Standards Division proactively contacted secondary and post-secondary schools in the province to invite their participation in the Division's presentations on the Labour Standards legislation. Response has been positive to date. The Labour Standards Division conducted educational presentations for youth on an ongoing basis in an effort to increase knowledge of their rights and responsibilities in relation to the *Labour Standards Act*. Updated Employment Standards Handbooks were distributed to youth during these sessions.
- In January 2012, Agency executive contacted Memorial University of Newfoundland to investigate opportunities for collaboration between the Agency and the Business Faculty (Employment Relations Program) and offered staff resources to engage with students through guest speaking opportunities and knowledge transfer on labour relations, labour standards, and labour policy matters.

Enhanced leadership role in labour collaboration

- Four special project order (SPO) regulations were issued in 2013-14 relating to the development of the Lower Churchill River in Labrador. On June 17, 2013, the Minister Responsible for the Labour Relations Agency announced the issuance of three SPOs for the following components of the Muskrat Falls Project: construction of the hydroelectric generation facility at Muskrat Falls; land clearing to support a water reservoir at Muskrat Falls; and 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. On February 20, 2014 an SPO was issued for the Maritime Link Project. Each SPO references the commitment of the parties to the agreement to liaise with a representative of the Labour Relations Agency to exchange information on labour relations matters relating to the project. This is a new and specialized role that demonstrates the collaborative leadership provided by the Agency as it relates to SPOs in NL.
- The Labour Relations Agency was the lead Agency responsible for legislative and policy support regarding the minimum wage review. The Provincial Government is committed to providing individuals and stakeholders with a meaningful opportunity for input into review of the minimum wage. 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. In November 2013, the Minister announced that the provincial minimum wage will increase by 25 cents to \$10.25 per hour on October 1, 2014, followed by another 25 cent increase on October 1, 2015. These increases will benefit many lower income earners in the province.

- In 2011-12, the Employment Relations Committee (ERC), consisting of representatives from business, labour, Government and the Agency, continued its review of labour relations legislation. Analysis of the legislative proposals identified by the stakeholders was completed and advice provided to Government. This ERC process. led by the Labour Relations Agency, was achieved through a consensus-based approach and engagement of key provincial stakeholder organizations, with a view to strengthening the province's labour relations environment.
- In January 2012. Government announced the commencement of a Statutory Review of the Workers' Compensation System and appointed a Statutory Review Committee (SRC) with representation from the Workplace Health, Safety and Compensation Commission, labour and employers. The final report of the Committee titled "Working Together: Safe, Accountable, Sustainable" was submitted to Government in January 2014 and released for public and stakeholder input in February 2014. Government is conducting an analysis of the recommendations and will respond in 2014-15. A new position was created to support the Statutory Review Committee, to increase the level of engagement between the SRC and Government, provide policy support and lead Government's response to the review. An inter-departmental working group has also been established for enhanced collaboration and review of the recommendations to ensure a comprehensive analysis. A webpage was also created to promote collaboration, aid user comprehension by providing public information, and facilitate stakeholder feedback.
- In June 2012, significant legislative amendments to the *Labour* Relations Act and the Public Service Collective Bargaining Act were introduced in the House of Assembly, including amendments designed to enhance administrative and operational practices.
- Two new categories of leave without pay for employees were established in 2013-14. An amendment to the Labour Standards Act provides two new unpaid job protected leaves for working parents in Newfoundland and Labrador. The LRA engaged both internal and external stakeholders to solicit views on potential parameters in relation to the unpaid job protection leaves parameters for the new unpaid leaves. Stakeholders supported the introduction of these new leaves.

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. Effective workplace relations require that governments develop and maintain strong legislative, regulatory, and policy frameworks. This 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 to achieve a balanced framework.

In its 2011-14 Strategic Plan, the Labour Relations Agency committed to improving administrative processes and operational practices that are responsive to the evolving needs of stakeholders. This was inclusive of reviewing Newfoundland and Labrador's employment relations framework and implementing improvements that can build on the significant progress already made. Ensuring the framework is streamlined, modern, and balanced is critical to supporting the protection of basic labour rights and establishing an environment where stakeholders maximize opportunities for the negotiation of collective agreements and the resolution of workplace disputes.

This issue, effective workplace relations, contributes to government's strategic direction of employment relations, including the focus area of legislation. The Labour Relations Agency realized a series of significant legislative changes during the reporting period. These changes were designed to ensure our legislative framework continues to meet the needs of stakeholders and to achieve labour stability. Additionally, over the past three years, the Labour Relations Agency has made improvements in administrative processes and operational practices that are responsive to the evolving needs of stakeholders. Utilizing evidence-based analysis and sound decision making, the Agency has focused its efforts to balance effectiveness and efficiency.

The Labour Relations Agency also takes very seriously its responsibility 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, the particular issue addressed. The past three years has seen the Labour Relations Agency take on several new leadership roles as it relates to international affairs and the Agency has made a concerted effort to respond to all requests it receives, both mandatory and optional, to support the province's ongoing efforts to advance Canada's work in international labour affairs.

Objective Results for 2013-14

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

Indicators	Performance for 2013-14
	1 0000000000000000000000000000000000000
Information on enhanced administrative processes and operational practices	 In 2013-14, the Labour Standards Division fully implemented its new information management system created in the prior fiscal year. The Division worked with the OCIO to make slight modifications to this new system that is intended to support more efficient administrative processes and case management.
communicated.	In 2013-14, the Agency developed an implementation plan in response to recommendations from an Information Management Review completed during 2012-13. The OCIO was engaged for considerable planning and consultation and an Agency wide information session was offered to all employees.
	A new TRIM data management system for executive correspondence was implemented and an information session on executive records and correspondence was held for relevant staff.
Additional priority improvements targeting evolving needs of stakeholders	Two new categories of leave without pay for employees were established in 2013-14. An amendment to the Labour Standards Act provides two new unpaid job protected leaves for working parents in Newfoundland and Labrador:
implemented.	 Critically-ill child care leave; Crime-related child disappearance or death leave.
	The two news leaves are complementary to new federal monetary benefits and are an important support to working parents as they navigate the most difficult of circumstances in relation to their children. The new leaves support working parents by providing extensive leaves of absence, allowing them to leave their jobs and deal with these unfortunate events secure in the knowledge that their jobs are protected.

- A new online pay feature for clients looking to apply for a Labour Standards Clearance Certificate was developed in March 2013. Full implementation occurred in 2013-14, enhancing the administrative mechanism to streamline the application process.
- The LRA conducted a review of administrative functions of the office. A specialist from the Human Resources Secretariat was engaged. A report and recommendations were presented and discussed with all relevant staff. Implementation of recommendations began in 2013-14 and will continue into 2014-15.

Continued provincial interests in international labour instruments and national developments expressed.

- In Fall 2013, the Chief Executive Officer of the Agency assumed the role of 3rd 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 continued to participate in FPT International Labour Affairs Committees 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 2013-14 included Convention C81 - Labour Inspection and Convention C138 – Minimum Age. The Agency also responded to nine additional requests from the ILO and participated in a number of intergovernmental consultations and meetings with the Government of Canada.
- Throughout 2013-14, Agency officials engaged with federal officials and provincial counterparts to discuss existing and potential parameters for a potential information sharing agreement as it relates to temporary foreign workers. This work will continue in 2014-15.

Goal Results for 2011-14

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

Indicators	Performance for 2011-14
Improved administrative processes and operational practices that are responsive to the evolving needs of stakeholders	 In 2011-12, the Agency conducted a cross-jurisdictional review of administrative processes relating to the collection, filing and posting of labour relations information, including online collective agreements, expiry calendar for collective agreements, and arbitration awards. A similar analysis was also applied to identify best practices in the use of information technology for labour standards administration. In 2011-12, the Agency, in conjunction with the Office of the Chief
Stationord	Information Officer (OCIO), engaged an external consultant to develop a new database and protocols to enhance processes and information management relating to labour standards.
	In 2012-13, there was a series of significant legislative amendments to the Labour Relations Act and the Public Service Collective Bargaining 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.
	 In 2013-14, the Labour Standards Division fully implemented its new information management system created in the prior fiscal year. The Division worked with the OCIO to make slight modifications to this new system that is intended to support more efficient administrative processes and case management.
	 In 2013-14, the Agency developed an implementation plan in response to recommendations from an Information Management Review completed during 2012-13. The OCIO was engaged for considerable planning and consultation and an Agency wide information session was offered to all employees. Plans were also developed for a dedicated IM human resource for 2014-15.
	A new TRIM data management system for executive correspondence was implemented and an information session on executive records and correspondence was held for relevant staff.
	 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 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, fully implemented in 2013-14, streamlines the application process and permits clients to submit required information and fees simultaneously through an online portal.

- In 2012-13, the Labour Relations Agency, in collaboration with the 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. Implementation of this new system occurred in March 2013, with full implementation during 2013-14. The Division worked with the OCIO to make slight modifications to this new system that is intended to support more efficient administrative processes and case management.
- 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 until December 2014 can be viewed online.
- The LRA conducted a review of administrative functions of the office. A specialist from the Human Resources Secretariat was engaged. A report and recommendations were presented and discussed with all relevant staff. Implementation of recommendations began in 2013-14 and will continue into 2014-15.

Enhanced analyses of national and international labour developments on workplace relations

- Following Government's announcement of its intention to become an active participant in Canada's negotiations of the Canada-European Union Trade Agreement in March 2011, the Agency provided input and support on employment relations matters relevant to the development of this agreement. The Agency was involved in supporting provincial positions on labour matters relevant to current free trade agreement negotiations between Canada and India. This engagement will further assist the Agency's ability to assess provincial interests in these developments.
- In Fall 2011, the Agency's Director of Policy and Planning was elected chair of the intergovernmental International Labour Affairs Committee (ILASC) of the Canadian Association of Administrators of Labour Legislation. In this capacity, the Agency provided a new leadership role in reviewing and assessing provincial and national positions on international labour matters, including the review of various International Labour Organization (ILO) Conventions.
- From December 2011 to February 2012, the Agency staff supported an external consultant appointed by Government to review jurisdictional practices and developments relating to Special Project Order (SPO) legislation elsewhere in Canada. This provided the Agency with greater insight into its own processes and informed the development of the SPO Protocol.

- In 2012-13 and 2013-14, the Chief Executive Officer(s) of the Agency assumed the role of 3rd 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 continued to participate in FPT International Labour Affairs Committees 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 2013-14 included Convention C81 – Labour Inspection and Convention C138 – Minimum Age. The Agency also responded to an average of nine requests per year from the ILO and participated in a number of intergovernmental consultations and meetings with the Government of Canada.
- Throughout 2013-14, Agency officials engaged with federal officials and provincial counterparts to discuss existing and potential parameters for a potential information sharing agreement as it relates to temporary foreign workers. This work will continue in 2014-15. An agreement would provide the Agency with information regarding temporary foreign workers in the province and assist the Agency with analysis of operational and legislative mechanisms that may be utilized to help protect vulnerable workers.
- In 2013-14, the Labour Relations Agency was invited to participate in a multi-day labour relations seminar and training event with Chinese counterparts. This involved a tripartite delegation of government, employer, and worker representatives visiting China in an effort to strengthen Canada-China labour collaboration in a targeted area. The Director of Labour Relations was nominated and approved to participate in this seminar in Guangzhou, China.
- The Labour Relations Agency is a member of the National Action Plan to combat human trafficking, which is led by the Serious and Organized Crime Division of Public Safety Canada. During fiscal year 2013-14, an Agency official attended a national conference on human trafficking to gain greater insight into this issue and keep abreast of any issues that may have an impact at the provincial level.
- In March 2013, Agency staff facilitated a tripartite roundtable discussion between FPT governments, 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.

FUTURE OPPORTUNITIES AND CHALLENGES

TEMPORARY FOREIGN WORKERS

Temporary foreign workers (TFWs) have the same rights and responsibilities under the *Labour Standards Act* as other employees. However, the Labour Relations Agency has commenced internal analysis of potential Worker Protection legislation that specifically responds to issues surrounding the rights and protection of TFWs. The Agency will also continue to participate on the interdepartmental committee, involving Advanced Education and Skills (Workforce Development Secretariat and Office of Immigration and Multiculturalism), Service NL, and the Workers Health and Safety Compensation Commission, which has been established to work collaboratively on matters related to TFWs, including forthcoming legislation. This work will continue into the 2014-15 fiscal year. This is an opportunity to work collaborative with provincial departments to develop legislation to protect a vulnerable segment of the population. The challenge will be to introduce legislation that is practical and enforceable.

As well, the Agency will continue working with its federal counterparts to collect and share information regarding TFWs. While the federal government is responsible for determining whether an employer is facing a legitimate labour shortage and is justified in hiring a TFW, the provinces and territories have primary responsibility for establishing and enforcing health and labour standards. An agreement will improve the sharing of information between the different levels of government and assist the province in protecting TFWs. This is an opportunity to work with the federal government to share information regarding TFWs and their employers. However, the challenge will be protecting privacy rights when exchanging information.

STATUTORY REVIEW OF WORKERS' COMPENSATION SYSTEM

The Statutory Review Committee submitted its report, titled "Working Together: Safe, Accountable, Sustainable" (Report) to Government on January 17, 2014. It encompasses ninety legislative recommendations and forty-two policy/practice recommendations.

Analysis of the Report's recommendations and development of Government's response plan, including legislative amendments, is the responsibility of the Labour Relations Agency. A small working group has been formed, chaired by the Labour Relations Agency, with members from the Workplace Health, Safety and Compensation Commission, the Human Resource Secretariat, and the Department of Finance, to review the recommendations from a policy, financial, and administrative cost perspective.

In the coming year, the Labour Relations Agency will work in partnership with stakeholders to position Government to respond to the Report. This is an opportunity to create a positive impact for workers and employers. The challenge will be to balance the competing interests of labour and employers, while considering the financial sustainability of the Workers' Compensation System. Government's response to the Report's recommendations, in the form of an Action Plan as well as legislative amendments, is anticipated for 2014-15.

STATISTICAL OVERVIEW

LABOUR RELATIONS DIVISION

Conciliation	2011-12	2012-13	2013-14
# of Requests	54	51	46
Requests Carried Over	20	19	25
Total Conciliation Requests	74	70	71
Conciliation Settlements	49	50	62

Other Services	2011-12	2012-13	2013-14
Requests for Appointment of Arbitrator	33	41	31
Interest-Based Negotiation	0	2	2
Preventive Mediation Requests	148	76	168
Mediator Appointments	0	0	0
Special Project Orders Issued	1	0	4

LABOUR STANDARDS DIVISION

Case Management/Services	2011-12	2012-13	2013-14
Cases Assigned	72	62	100
Cases Concluded	56	50	84
Early Resolutions	365	377	336
Certificates of Clearance Issued	3,189	3,316	2,944
Preventive Interventions*	287	294	225
Speaking Engagements	63 (1,036 participants)	50 (834 participants)	65 (1,264 participants)

^{*}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

Work Stoppages

Work Stoppages	2011-12	2012-13	2013-14
Number of Work Stoppages	2*	2**	1
Number of Employees Involved	61	88	44
Number of Person-Days Lost	3,052	640	9680

^{*} One legal work stoppage continued beyond reporting period and ended in following fiscal year. ** One legal work stoppage carried over from 2011-12.

Work Stoppages by Selected Industry

Industry	Work Stoppages	2011-12	2012-13	2013-14
	Work Stoppages	1	0	0
Construction	Employees Involved	18	0	0
	Person-Days Lost	1,332	0	0
	Work Stoppages	0	0	1
Manufacturing	Employees Involved	0	0	44
	Person-Days Lost	0	0	9680
	Work Stoppages	0	0	0
Mining	Employees Involved	0	0	0
	Person-Days Lost	0	0	0
		•		
	Work Stoppages	0	0	0
Accommodations and Food Services	Employees Involved	0	0	0
1 000 00111000	Person-Days Lost	0	0	0
		·		
	Work Stoppages	0	0	0
Health Care and Social Services	Employees Involved	0	0	0
Social Services	Person-Days Lost	0	0	0
	Work Stoppages	0	1	0
Other Services	Employees Involved	0	40	0
	Person-Days Lost	0	160	0

Industry	Work Stoppages	2011-12	2012-13	2013-14
_	Work Stoppages	0	0	0
Motor Vehicle Sales, Repairs and Parts	Employees Involved	0	0	0
repaire and raite	Person-Days Lost	0	0	0
	Work Stoppages	1*	1**	0
Fishing	Employees Involved	43	48	0
	Person-Days Lost	1,720	480	0

^{*}Legal work stoppage continued beyond reporting period and ended in following fiscal year.

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) 637-2595 (Corner Brook)

Email: 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.

^{**} Legal work stoppage carried over from 2011-12.

FINANCIAL INFORMATION

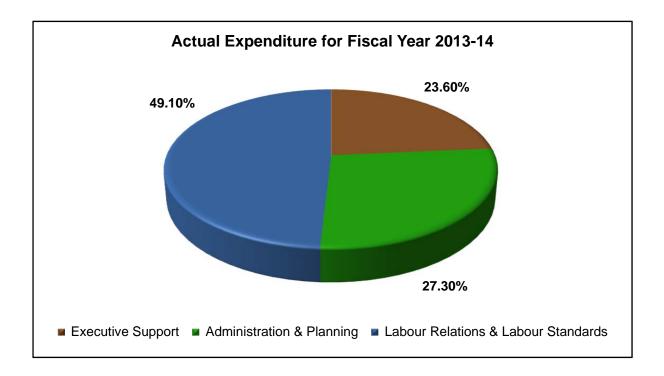
EXPENDITURE AND RELATED REVENUE

	Fiscal Year Ended March 31, 2014					
	Actual Amended Original Expenditure \$ \$ \$ \$					
6.1.01	Executive Support	483,545	512,500	439,000		
6.1.02	Administration and Planning less: Revenue - Provincial	559,069 -	590,900 (50,000)	700,600 (50,000)		
		559,069	540,900	650,600		
6.1.03	Labour Relations and Labour Standards less: Revenue - Provincial	1,157,728 (152,993)	1,170,000 (160,000)	1,183,700 (160,000)		
		1,004,735	1,010,000	1,023,700		
	Total 2,047,349 2,063,400 2,113,300					

Expenditure and revenue figures included in this document are unaudited and based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year Ended 31 March 2014. 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 visual depiction of the actual program funding summary for the Fiscal Year 2013-14.





Labour Relations Agency

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www.gov.nl.ca/lra