

Labour Relations Agency



Strategic Plan 2008 - 2011





Message from the Minister

As the Minister responsible for the Labour Relations Agency, it is my pleasure to present the 2008-2011 Strategic Plan that will support the work of the Agency over the next three fiscal years. Under the *Transparency and Accountability Act*, the Agency is classified as a Category One entity and I am accountable for the preparation of this plan and the achievement of the goals and outcomes outlined within it.

The Labour Relations Agency provides important programs and services to provincial workers and employers that are designed to encourage a positive employment relations climate. As Minister, it is my job to ensure that the employment relations framework that exists in Newfoundland and Labrador is conducive to economic growth and supports the creation of a positive workplace environment and that this is recognized by employees, employers, and prospective employers. A stable employment relations climate is key to a positive workplace environment and the work of the Agency in promoting effective relationships between employers and employees will support the province in achieving this objective. Given this, I have selected employment relations as the strategic direction of the Labour Relations Agency and have directed them to have lead accountability for achieving results in this area.

Over the next three years, the Agency will be continuing with its comprehensive review of provincial labour legislation and will be working with stakeholders to enhance and improve the legislative framework governing labour relations and labour standards in our province. In addition, the Agency will be embarking on new initiatives to market and enhance its education and outreach functions to ensure that stakeholders are aware and able to access the important employment relations services available to them.

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

A handwritten signature in black ink that reads "Shawn Skinner". The signature is written in a cursive, flowing style.

SHAWN SKINNER, M.H.A.
Minister of Human Resources, Labour and Employment

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Plan at a Glance

Vision

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

Mission

By 2011, the Labour Relations Agency will have strengthened the employment relations framework in the areas of legislation, employment relations data, and education.

Goal 1

By 2011, the Labour Relations Agency will have increased awareness of effective employment relations through the development of a marketing plan and increased education and outreach activities.

Objectives

1. By 2009, the Labour Relations Agency will have developed a marketing plan.
2. By 2010, the Labour Relations Agency will have implemented a marketing plan.
3. By 2011, the Labour Relations Agency will have measured an increased awareness of effective employment relations by select target audiences.

Goal 2

By 2011, the Labour Relations Agency will, in partnership with stakeholders, have prepared changes to legislation that support optimum employment relations.

Objectives

1. By 2009, the Labour Relations Agency will have identified priority changes to the legislation with stakeholders.
2. By 2010, the Labour Relations Agency will have prepared and presented proposals for legislative change.
3. By 2011, the Labour Relations Agency will have evaluated the partnership model used to prepare proposals for legislative change and its impact on employment relations.

Overview

The Labour Relations Agency works with stakeholders to support and foster positive employment relations throughout Newfoundland and Labrador. By working with our partners, the Agency helps to create an employment relations climate that is conducive to economic growth, competitiveness and prosperity.

Core Business

The Agency staff provide 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 in resolving workplace issues and collective agreements; and,
- creation of partnerships to promote the currency and relevance of the employment relations regulatory framework (i.e., legislation, regulations, policies).

Divisions

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

Partners

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

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

Staff and Budget

The Labour Relations Agency employs approximately twenty seven employees; thirteen female and eleven male staff in the St. John's office and one female and two male staff in the Corner Brook office. As per the *Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2008-09*, the annual budget for the Labour Relations

Agency in 2008-2009 is \$1,882,400 (less revenue). This funding covers such areas as salaries, transportation and communication, professional and purchased services.

Legislation and Regulations

The legislation administered by the Labour Relations Agency includes:

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

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

Core Business

In delivering its mandate, the Agency provides services to its external clients in the areas of labour standards, labour relations, and policy and planning. These include:

Labour Standards

- Ensures compliance with Labour Standards and Shops Closing legislation through investigation and enforcement.
- Investigates and mediates disputes between employees and employers.
- Offers educational and awareness seminars and consultative programs to communities and organizations, educational institutions and various business sectors.
- Consults with employees and employers on workplace matters.

Labour Relations

- Offers conciliation, preventive mediation and interest-based negotiations services to employees and employers who operate within the framework of the collective bargaining system.

- Provides assistance to both labour and employer groups with an emphasis on building constructive relationships.
- Facilitates the appointment of arbitrators or nominees to arbitration boards when requested.

Policy and Planning

- Analyzes, maintains and provides statistical information relating to the Agency's core lines of business, objectives, programs and activities.
- Researches labour relations and labour standards issues.
- Provides information and research services with respect to the province's employment relations environment.
- Facilitates the evaluation and continuous improvement of policies, programs and services.
- Provides support and advice to the Agency Executive and to the Minister of Human Resources, Labour and Employment.
- Updates and monitors the Agency's Strategic Plan and prepares its Annual Report.
- Ensures the Agency's participation in initiatives both Government-wide and with other federal/provincial/territorial governments.
- Develops and maintains partnerships with relevant provincial and national organizations and Ministries of Labour.

Values

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

Professionalism

Labour Relations Agency staff are highly trained and are committed to providing a quality service in support of positive employment relations in Newfoundland and Labrador. Employees are encouraged to engage in learning and development opportunities throughout their careers that will support professional growth and development. We demonstrate our professionalism and provide the public with highly competent and responsible public services by:

- engaging in professional development opportunities and the implementation of individual learning plans to support professional growth;
- providing timely and informed responses to the public by replying to labour standards and labour relations enquiries within a twenty-four hour period;

- communicating information on Agency programs and services in a manner that is timely and in a form that is appropriate for the specific client group.

Respect

Labour Relations Agency staff are committed to ensuring that the views of our clients are clearly understood and represented fairly in a neutral and dignified manner. We are committed to treating all people with courtesy and tolerance and will demonstrate this respect by:

- supporting effective conflict management and resolution as a part of our day-to-day program and service delivery;
- promoting a harassment-free work environment within the Agency by encouraging all staff to complete respectful workplace programming, violence prevention training and gender-based analysis and education; and,
- providing effective and regular mechanisms for staff consultation on Agency business.

Partnership

Labour Relations Agency staff are committed to building collaborative and constructive relationships with all stakeholders. Staff engage partners in decisions that affect them in an effort to build consensus regarding the most effective ways of fostering a positive employment relations climate. We will demonstrate our value of partnership by:

- consulting with stakeholders regarding legislative and policy changes relating to labour relations and labour standards matters;
- utilizing stakeholder partnerships in the delivery of alternative dispute resolution training;
- collaborating with targeted sectors in an effort to support compliance with labour standards; and,
- enhancing education and outreach activity to employers, workers, and other stakeholders with a focus on preventive intervention.

The People We Serve

The Labour Relations Agency serves all employees and employers in the province. The Agency provides:

- employees with information and support respecting their employment rights and responsibilities, such as overtime pay, various forms of leave (e.g., vacation, parental, compassionate care, reservist leave), rest periods, and statutory holidays;

- employers with information regarding their employment rights and responsibilities, as well as with support in developing policies and practices that promote effective employment relations; and,
- both employees and employers with professional mediation, conciliation, and workplace intervention services in order to maintain a productive workplace.

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

Vision

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

Mission Statement

The mission statement identifies the priority focus area of the Minister over two planning cycles. The first planning cycle, covering the 2006-07 and 2007-08 fiscal years, concluded on March 31, 2008. The second planning cycle will cover the three-year period between 2008-09 and 2010-11. The mission statement represents the key longer-term result that will be the primary focus of the Minister and the Labour Relations Agency over this five-year period and also identifies the measures and indicators that will assist both the Agency and the public in monitoring and evaluating success in achieving results.

The Labour Relations Agency is mandated to foster effective relationships between employers and employees. The Agency supports effective relationships through the regulation of employment relations, the regulation of the terms and conditions of employment and labour standards, and the provision of workplace dispute services. The complex dynamics of the province's labour environment require the Agency to be vigilant and continually monitor and proactively respond to issues in an effort to enhance the province's employment relations framework.

Profound changes are taking place in Newfoundland and Labrador's economy, the nature of work in this province, and the demographics of its workforce. The movement of labour within today's workplace has evolved to a degree where many workers move from one job to another over the term of their work-lives, while greater pressures are being placed on employers to attract and maintain workers in a competitive labour environment. The province has witnessed dramatic economic growth, unemployment has decreased,

significantly, and continued prosperity and growth is expected to continue for many sectors of the economy.

This evolution has had differential impacts depending on the sector of the economy, the occupation in question, and the ability of workers and employers to evolve to meet the challenges of this dynamic environment. As employment related to offshore oil and gas and mineral development has experienced growth, there has been a reduction of employment related to the fishing and forest industries. The growth of employment in the service sector (e.g., retail, hotel and food service industry) has increased part-time, seasonal and contractual work arrangements. Our aging population and out-migration continue to contribute to skill shortages in certain occupations. Taken together, these changes have impacted collective bargaining by increasing wage and benefit expectations of workers.

When looking to the future, it is clear that the combination of skill shortages and an aging workforce will continue to contribute to shortages of labour in some areas. Where shortages exist, some employers may be required to consider external sources of labour, such as temporary foreign workers, to address critical skill gaps. As experienced workers retire from full-time work, it is likely that continuing demand for labour will lead these workers to seek new work arrangements, including self-employment, contractual and other flexible work relationships. Younger and middle-aged workers are also seeking opportunities for greater work-life balance which will likely also impact employment expectations. These changes are challenging traditional views of employment and will continue to affect the nature of the issues that arise between employers and unionized and non-unionized employees. Accordingly, the Agency must ensure it is prepared to anticipate and to respond to evolving employment relations needs in the interest of supporting current and future economic development. While this poses a challenge, it is also an opportunity to move ahead in the right direction.

The Labour Relations Agency recognizes that enhancing the employment relations framework is essential for the province in responding to changing needs, building a stronger economy, and competing in an increasingly global market. In its first planning cycle, significant progress was made in addressing the province's employment relations framework. In partnership with stakeholders, a number of important legislative amendments were enacted and quality enhancements to the collection and accessibility of employment relations data were made. The progress made thus far has laid the foundation for further improvements to be made over the next three years and to build on the collaborative efforts that have been forged with labour and employers to create an enhanced employment relations environment for all residents.

Key areas to be addressed include collective bargaining legislation, employment relations data, and education. Following the period covered by this mission statement, the Agency will be diligently monitoring and evaluating the application of these changes to ensure that improvements to the employer/employee relationship are maximized.

By 2011, the Labour Relations Agency will have enhanced the employment relations framework in the areas of legislation, employment relations data, and education.

Measure 1: Improved Employment Relations Legislation

Indicators:

- Revision of collective bargaining legislation.
- Revision of labour standards legislation.
- Implementation of red tape initiatives to make legislation more user-friendly.
- Revision of the current arbitration system.
- Increased effectiveness of the grievance arbitration process.
- Number of reform initiatives involving employer and employee collaboration and consultation.

Measure 2: Increased Access to High Quality Employment Relations Data

Indicators:

- Increased use of statistical methods to evaluate and communicate data.
- Increased level of requests for employment relations data.
- Enhanced inventory of indicators to assess the effectiveness of the labour relations framework.
- Enhancements and additions to the search engines currently available to access data.
- Positive feedback from users of employment relations data on the quality of indicators provided by the Agency.
- Incorporation of the employment data availability sources into educational campaigns.

Measure 3: Enhanced Public Education and Awareness

Indicators:

- Increased awareness of effective employment relations by employers and employees engaged in collective bargaining.
- Increased awareness of rights and responsibilities by employees and employers covered by labour standards.
- Increased awareness of employers and employees regarding the roles and responsibilities of the Labour Relations Agency.
- Increased utilization of employment relations programs and services.

Strategic Issues, Goals, Objectives, and Performance Measures

Strategic issues identify the most significant matters that the Labour Relations Agency will be working on to resolve over the next three years in order to move closer to realizing our mission and vision. The goals, objectives, and performance measures provide a clear description of the changes the Agency will make to address these strategic issues. Clear statements describing what we want to achieve, why it is important, when we will have it completed, and how it will be measured are critical to fulfilling the Agency's accountability requirement. The goals and objectives in this plan will address two strategic issues:

1. *Increasing stakeholder awareness of effective employment relations by enhancing education and marketing practices.*
2. *Supporting optimum employment relations by enhancing labour legislation.*

1. Increased Awareness of Effective Employment Relations

The characteristics of the workplace in Newfoundland and Labrador are changing. There is an atmosphere of growth and productivity, lower unemployment, and increased labour force participation. Within workplaces, employee turnover rates and retention issues are becoming increasingly significant and many employers are finding themselves challenged to fill vacant positions on a timely basis. As employers respond to these dynamics, some are looking for other sources of labour, including former residents, students, retired employees and foreign workers, to fill critical skill gaps. It is expected that existing skill shortages will continue in certain occupations and many employees will seek greater levels of compensation and higher benefits to keep pace with trends elsewhere in Canada. Indeed, average weekly earnings are on the rise.

Optimum employment relations require that employers and employees have access to information about the many proactive services that are available to assist in the prevention and resolution of workplace issues, as well as knowledge of the broader characteristics of high quality employment relations. It is also important that certain populations, such as youth workers and other new entrants to the workforce, understand their rights and responsibilities as provided by the province's labour legislation. Ensuring employees and employers have a broader understanding and awareness of the value of effective employment relations will enable greater participation in proactive initiatives and promote stability and productivity in the workplace.

Given this, the Labour Relations Agency has adopted the goal to increase awareness of its roles and responsibilities and to work with workplace parties to ensure they appreciate the value of effective employment relations. This process will involve the development and implementation of a marketing initiative and the enhancement of Agency education and outreach functions to ensure that stakeholders are both aware of and able to access the important employment relations services available to them. In year one, the Labour Relations Agency will be reaching out to stakeholders to support the development of this plan to help identify the target audiences we are aiming to reach and to determine what information should be profiled as a part of future education and outreach activities. A format to collect and measure changes in awareness will also be determined. In years two and three, the Agency will set out to implement the marketing plan and to measure the impact of this initiative from target audiences.

Goal 1:

By 2011, the Labour Relations Agency will have increased awareness of effective employment relations through the development of a marketing plan and increased education and outreach activities.

Performance Measure	Indicators
Increased awareness of target audiences in the area of effective employment relations.	<ul style="list-style-type: none"> • Increased awareness by employers and employees of workplace rights and responsibilities. • Increased utilization of problem solving training, preventive mediation and workplace intervention services and programs. • Implementation and evaluation of employment relations marketing plan. • Increased awareness of the Labour Relations Agency.

Objective 1.1

- By 2009, the Labour Relations Agency will have developed a marketing plan.

Performance Measure	Indicators
Development of a marketing plan.	<ul style="list-style-type: none"> • Appropriate process for capturing baseline data determined. • Target audiences to be reached by marketing plan identified. • Stakeholders consulted on the identification of programs and services to be profiled. • Marketing methods to be enhanced with the plan selected.

Objective 1.2

- By 2010, the Labour Relations Agency will have implemented a marketing plan.

Objective 1.3

- By 2011, the Labour Relations Agency will have measured an increased awareness of effective employment relations by select target audiences.

2. Enhanced Labour Relations and Labour Standards Legislation

Legislation has a role to play in promoting positive employment relations in the province which, in turn, can contribute to productivity and economic growth by supporting a resolution of issues without disruptions in operations. Optimum employer and employee relations occur when the legislative and regulatory structures that support their interactions are current and reflect a balance between the mutual needs, rights and responsibilities of workplace parties. The province's labour legislation establishes the "rules of conduct" that govern how employees (unionized and non-unionized) and employers relate to each other and provide mechanisms for how disputes can be settled.

The process of evaluating the currency of provincial labour legislation was initiated as a part of the Agency's 2006-2008 Strategic Plan, and with the support of stakeholders, a number of positive amendments were made. These amendments have improved our employment relations framework as it pertains to the operations, rules and procedures of the Labour Relations Board and through the establishment of a transparent and independent fish price-setting mechanism for the province's fishing industry.

Effective employment relations require that a process of partnership exists amongst workplace parties. Employer and employee stakeholders have indicated an interest in working with government to create improvement. The primary vehicle that has been used to support these enhancements has been the Employment Relations Sub-Committee of the Strategic Partnership Initiative. This forum has provided the structure to facilitate the quality collaboration between employers, labour and government.

Protections afforded to non-unionized workplaces are governed by the *Labour Standards Act* which establishes the minimum terms and conditions of employment in areas such as hours of work, minimum wage, notice of termination, and other benefits. Government is mindful that over 60 per cent of the province's workforce is not unionized and depends upon the protections provided by this legislation. It is key that this framework also remain current to ensure that the minimum standards provided keep pace with the trends occurring in the workplace.

Given the importance of legislation in establishing the framework for employer and employee relations to occur, the Agency is committed to the continued revision of both labour relations and labour standards legislation. Throughout this planning cycle, the Agency will continue to work in partnership with stakeholders to identify and advance proposals for incremental legislative reform.

The first year of this plan will see the Agency identify proposals for enhancing employment relations legislation. The Agency will work with stakeholders seeking to achieve consensus regarding the proposals to be advanced for government's consideration. While the primary focus of year two will be on finalizing proposals for legislative change, it is possible that proposals may be brought forward in advance of that timetable. The final year of the planning cycle will focus upon an evaluation of the partnership model as a mechanism for preparing changes to labour legislation that support optimum employment relations.

Goal 2:

By 2011, the Labour Relations Agency will, in partnership with stakeholders, have prepared changes to legislation that support optimum employment relations.

Performance Measure	Indicators
Proposals for enhanced employment relations legislation are prepared.	<ul style="list-style-type: none"> • Stakeholder needs and perspectives acquired through consultation. • Consensus-based proposals for legislative change prepared. • Increased understanding between employer and employee stakeholders in areas of mutual interest and concern. • Increased effectiveness of the grievance arbitration process. • Number of reform initiatives involving employer and employee collaboration and consultation.

Objective 2.1

By 2009, the Labour Relations Agency will have identified priority changes to the legislation with stakeholders.

Performance Measure	Indicators
Priority changes identified	<ul style="list-style-type: none"> • Stakeholder needs acquired through consultation. • Priority legislative changes identified with stakeholders. • Analysis of proposals for legislative reform initiated. • Jurisdictional and best-practices analysis completed.

Objective 2.2

By 2010, the Labour Relations Agency will have prepared and presented proposals for legislative change.

Objective 2.3

By 2011, the Labour Relations Agency will have evaluated the partnership model used to prepare proposals for legislative change and its impact on employment relations.

Appendix One

STRATEGIC DIRECTIONS

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

The Minister of Human Resources, Labour and Employment is the Minister responsible for the Labour Relations Agency. The Minister has established one strategic direction. Given the Labour Relations Agency's role in promoting effective relationships between employees and employers, the Agency has lead accountability for the Minister's Employment Relations strategic direction. The following table illustrates this strategic direction, the desired outcome, areas of focus that will support the outcome and at what level of planning the direction will be addressed. These focus areas will be addressed through the various planning processes of the Agency. As indicated in the following table, some focus areas have been addressed in this plan, while others are addressed in the operational and/or work planning processes.

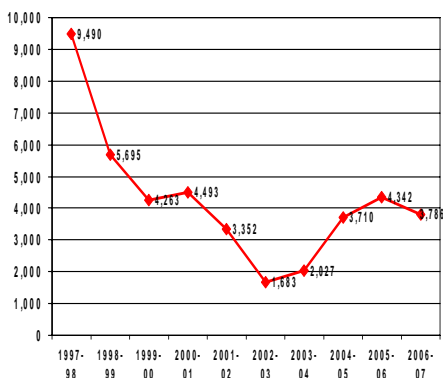
Employment Relations

Outcome Statement: Recognized stable employment relations climate conducive to economic growth. This outcome supports a policy direction of government and requires systemic intervention in the areas of:

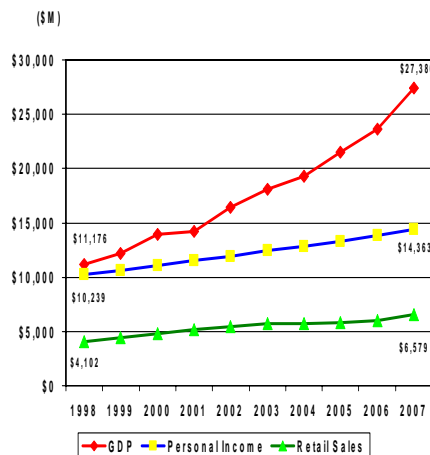
Strategic Direction Components	This Direction is addressed:		
	in the entity's strategic plan	in the entity's operational plan	in the branch/divisional work plans of the entity
Workplace relations	x		
Education and promotion	x		
Legislation and standards	x		
Evidence-based analysis			x

Appendix Two Select Economic and Social Indicators

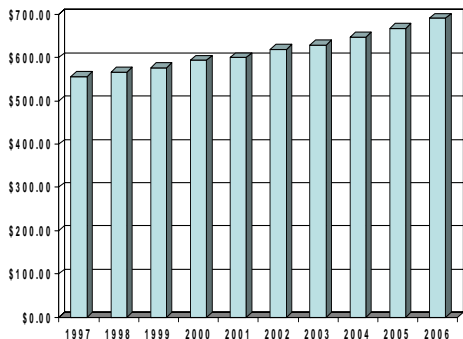
Net Out-Migration
Newfoundland and Labrador
1997-98 to 2006-07



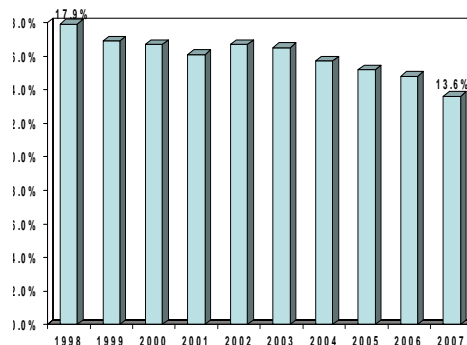
Selected Economic Growth Indicators
Newfoundland and Labrador
1998 to 2007



Average Weekly Earnings
Newfoundland and Labrador
1997 to 2006



Annual Unemployment Rate
Newfoundland and Labrador
1998 to 2007



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