

Modernization and You - A Key Reform in our Labour Relations

Labour relations in the Public Service have changed.

On April 1, 2005, a new *Public Service Labour Relations Act* came into force, along with amendments to the *Financial Administration Act*.

This reform promotes better labour-management relations and improved human resources management. It is one of the key changes introduced by the *Public Service Modernization Act*.

The new labour relations system directly affects you, whether you are an executive, a manager or an employee. The new system will be implemented in a spirit of transparency, flexibility, and trust. Your department or agency will provide you with more information.

Effective dialogue for a healthy and productive workplace

Labour-management relations are based on the key values and principles set out in the *Public Service Labour Relations Act*.

- maintaining respectful and harmonious relations and effective dialogue with the unions to ensure a healthy and productive workplace;
- protecting and serving the public interest at all times; and,
- resolving workplace issues in a fair, credible and effective manner.

This important reform gives us all an opportunity to contribute to a sustainable transformation in the Public Service of Canada.

What's new:

The Public Service Labour Relations Act

- The *Public Service Labour Relations Act* clearly emphasizes the importance of harmonious labour-management relations to ensure a healthy and productive workplace.
- Each department and agency must establish a **labour-management consultation committee** in co-operation with the unions.
- The *Public Service Labour Relations Act* provides for the **co-development of workplace improvements**, a process whereby representatives of both the employer and unions work together to resolve workplace issues. Co-development of workplace improvements can occur through the National Joint Council or any other consultation forum.
- Each department and agency must establish an **informal conflict management system** in co-operation with the unions to prevent and address workplace conflicts. (This requirement does not apply to separate agencies.)
- **Essential services** are negotiated with the unions.
- Employees can submit grievances alleging discrimination under the *Canadian Human Rights Act* and have them heard by the Public Service Labour Relations Board.
- The interpretation or application of a collective agreement may become the subject of a **policy grievance** presented by the employer or the union, or a **group grievance** presented by the union.
- The Public Service Labour Relations Board (www.pslrb-crtfp.gc.ca) has an expanded role.

What's new:

The Financial Administration Act

The *Financial Administration Act* gives **deputy heads** (deputy ministers and heads of agencies) **direct authorities** for human resources management. They were previously delegated these authorities by the Treasury Board.

Deputy heads now have direct authority for the following:

- learning and development for their staff;
- provision of awards;
- establishment of disciplinary standards; and,
- termination or demotion measures, where appropriate.

When exercising these authorities, deputy heads are guided by Treasury Board guidelines and the *Values and Ethics Code for the public service*.

Why all these changes?

The new *Public Service Labour Relations Act* and the amendments to the *Financial Administration Act* are part of a larger process which began on November 7, 2003 with the *Public Service Modernization Act*.

The *Public Service Modernization Act* is the most significant reform of federal human resources management in nearly 40 years. It has four main objectives:

- To create a more flexible framework, with adequate protections, to manage and support employees and to attract **the best people, when and where they are needed**;
- To foster more **collaborative** labour-management relations to ensure a healthy and productive workplace;
- To provide employees at all levels with better adapted and better integrated **learning and training opportunities**; and,
- To clarify the **roles** and reinforce the **accountability** of the various human resources management stakeholders.

The next step

In December 2005, a new *Public Service Employment Act* will come into force. The main objectives of that legislation will be to modernize **hiring** and **promotion** practices, establish a new approach to **merit**, and put in place a new staffing **recourse** mechanism.

Need more information?

Contact your [human resources advisor](#) or visit http://publiservice.hrma-agrh.gc.ca/hrmm-mgrh/psma-lmfp_e.asp