



Canada Labour Relations Board

Performance Report

For the period ending
March 31, 1998

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 80 Departmental Performance Reports and the government's "*Managing For Results*" report.

This *Departmental Performance Report*, covering the period ending March 31, 1998, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's *Part III of the Main Estimates* or pilot *Report on Plans and Priorities* for 1997-98. The key result commitments for all departments and agencies are also included in *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
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Canada Labour Relations Board

**Departmental Performance Report
for the period ending March 31, 1998**

Approved by: _____

The Honourable Lawrence MacAulay
Minister of Labour

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Executive Summary

As Canada approaches the next millennium, Canadian workers, their unions and their employers face significant change and challenge. It is paramount for the well-being of all Canadians that they are able to remain productive and continue to work harmoniously while the established social, economic and organizational orders move and shift. The Canada Labour Relations Board and its successor, the Canada Industrial Relations Board, must ensure the necessary support to the almost 700,000 employees and their employers to whom the Canada Labour Code applies. The Board must support and promote cooperative efforts to develop good relations and constructive collective bargaining practices.

In June of this year, the Canada Labour Code was amended significantly as a result of Bill C-19. A new Board, the Canada Industrial Relations Board, will be created to operate in a representational way when the C-19 legislative measures receive Royal Proclamation. Major changes were made to modernize the Code and improve the collective bargaining process for federally regulated industries. These legislative changes have resulted in considerable changes. The Canada Labour Relations Board will cease to exist. The organization of the Board and the manner in which it conducts its business are also changing. New case management practices and processes as well as the internal support mechanisms are being introduced. These changes are necessary to ensure that Board determinations fully reflect the situation of the parties and the supporting legal standards and are provided to the labour relations community in the fastest, most economical manner possible.

Much has been accomplished in the past twelve months. The Board continues to be productive: 106 certifications granted, involving almost 3,700 employees, 274 unfair labour practice complaints settled or withdrawn, and 246 other cases addressed and resolved. These decisions affected 13 industries, including road and air transportation, railways, Crown Corporations, broadcasting, communication and nuclear power. The quality of Board decision-making has remained high - where judicial reviews were requested, the Board's decisions have been upheld 94.7% of the time. The Board carefully managed its scarce resources, ending the year with a surplus of slightly in excess of \$300,000.

Much remains to be accomplished in the months ahead. Cases - processing, assigning, scheduling, hearing and deciding - will continue to be managed for quality, speed and cost. We will, as well, seek every opportunity to improve our communications with the labour relations community, ensuring that we respond accurately, completely and promptly to their needs. The input of the communities affected by Board decisions and interventions is critical to the ongoing quality of its work.

Chart of Key Results Commitments

Figure 1

Canada Labour Relations Board		
To provide Canadians with:	To be demonstrated by:	Achievement reported in:
<p>Effective industrial relations in any work, undertaking or business that falls within the authority of the Parliament of Canada</p>	<p>Decisions on applications and complaints provided in a fair, expeditious and economical manner</p> <p>Successful resolution of labour relations problems through mediation and alternative dispute resolution mechanisms</p> <p>An involved and well-informed labour relations community</p>	<p>Section III, figures 3-13, pages 12-20</p> <p>Section III, figures 6-7, page 15</p> <p>Section III, page 11</p>

Section I: The Message from the Chairperson

I am pleased to present the second annual performance report of the Canada Labour Relations Board for the period ending March 31, 1998.

This has indeed been an eventful year for the Canada Labour Relations Board. Upon my appointment as Chairperson of the CLRB, in March 1998, the organization was struggling to come to terms with significant administrative changes, certain criticisms contained in the Auditor General's report, and the departure of the former Chairperson. I have only the highest regard for the work that all the staff and Members of the CLRB accomplished throughout this difficult period. Because of their dedication, our clients' needs continued to be met, and organizational changes were made to set the foundation for the transition to the new Canada Industrial Relations Board.

In spite of a shortage of Vice-Chairpersons and Members, the Board continued to process, hear and determine cases quickly and effectively. I am encouraged at this time by the improvements I have begun to observe in our performance, and am confident that progress will continue as we move to implement a new case management structure, block scheduling and the increased use of duty panels to reduce the time to resolve matters.

Bill C-19 has now received Royal Assent, and we await its proclamation. Our strategic plan for the coming year has set our priorities: the establishment of new case management systems and practices; a work environment that promotes the collegial and professional exchange of information and ideas; consultation and communications with the labour relations community; and improved performance measurement practices. We welcome the challenges that await us.

Section II: Departmental Overview

A. Mandate, Vision and Mission

The *Constitution Act, 1867*, provides that provincial jurisdiction extends over "Property and Civil Rights", meaning that the negotiation of collective agreements containing terms and conditions of employment for employees is regulated by the provinces. The Constitution, however, assigns exclusive jurisdiction to Parliament over specific sectors of the economy, and as such, it has seen fit to enact laws regulating employment matters within those sectors that have constitutionally been reserved to it. These laws are contained in the *Canada Labour Code*, which is divided into three parts:

- Part I- Industrial Relations
- Part II- Occupational Safety and Health
- Part III- Labour Standards

Part I of the *Code* sets out the terms under which trade unions may acquire the legal right to represent employees in the negotiation of collective agreements with their employer. It also delineates the process under which collective bargaining takes place and provides remedies to counter infractions committed by any party subject to the *Code's* provisions.

Part I of the *Canada Labour Code* applies to approximately 700,000 employees and their employers across Canada. This includes interprovincial or international rail, road and pipeline transportation, shipping and related services, air transportation, interprovincial and international telecommunications, radio and television broadcasting, banks and federal Crown Corporations. Also included are industries declared to be for the general advantage of Canada, such as uranium mining, nuclear power installations, flour and feed mills, and grain elevators. Finally, all private works, undertakings, and businesses in the Yukon, the Northwest Territories and the soon-to-be created Nunavut Territory are under federal jurisdiction.

The enactment, in 1972, of Part V, now Part I, of the *Canada Labour Code* established the Canada Labour Relations Board as an administrative tribunal vested with quasi-judicial powers to enforce its provisions, and certain provisions of Part II of the *Code*.

Part I of the *Canada Labour Code* had remained virtually unchanged since 1972. However, with Bill C-19 receiving Royal Assent on June 19, 1998, significant changes were made to the *Code* in an effort to modernize it and improve the collective bargaining process for federally regulated industries. Under Bill C-19, amendments established the Canada Industrial Relations Board as an independent, representational, quasi-judicial tribunal responsible for the interpretation and application of Part I, Industrial Relations,

and certain provisions of Part II, Occupational Safety and Health, of the *Canada Labour Code*. Further amendments to the *Code* addressed: accelerating the certification and decertification process, encouraging the parties to reach agreement on issues before the Board, ensuring that the Board has appropriate remedial powers, protecting employee rights where there is a change from provincial jurisdiction, making existing structures more flexible and adaptable to the changing environment, improving the bargaining cycle, clarifying the rights and obligations of the parties during legal strikes and lockouts and ensuring that work stoppages do not endanger public health or safety and maintaining grain exports during work stoppages involving port operations.

*The Board's **mandate** is to contribute to and promote effective industrial relations in any work, undertaking or business that falls within the authority of the Parliament of Canada.*

Its **role** is to exercise its powers in accordance with the Preamble to the *Code*, which states that Parliament considers "... the development of good industrial relations to be in the best interests of Canada in ensuring a just share of the fruits of progress to all;..." To that end, the Board aims to be responsive to the needs of the labour relations community across Canada in all aspects of delivering its program. The key result sought by the Board is *to process, hear and determine applications and complaints fairly, expeditiously and economically.*

B. Operating Environment

The Canada Labour Relations Board has jurisdiction in all provinces and territories with respect to federal works, undertakings or businesses that fall within the legislative authority of the Parliament of Canada.

The Board

- *exercises statutory powers under Part I of the Canada Labour Code with respect to the acquisition, transfer, exercise or revocation of collective bargaining rights in the federal jurisdiction;*
- *investigates, mediates and adjudicates complaints filed by employees, unions and employers alleging contravention of the Code's unfair labour practice provisions;*
- *establishes remedies, including reinstatement or compensation of terminated employees;*
- *reviews and updates certification orders in order that bargaining relationships better reflect changing social, economic and organization realities;*
- *issues cease and desist orders in the case of unlawful strikes or lockouts; and*
- *reviews the decisions of safety officers under Part II of the Code concerning an employee's right to refuse dangerous work.*

The Board's services are provided directly to its clientele; there are no partnerships in their delivery. The clientele of the Board under Part I of the *Code* is varied. Those under the Board's jurisdiction include interprovincial or international rail, road and pipeline transportation, radio and television broadcasting, banks, federal Crown corporations, and industries declared by Parliament to be for the general advantage of Canada such as uranium mining, nuclear power installations, flour and feed mills and grain elevators.

Although the Board is autonomous as a quasi-judicial agency, the Minister of Labour, the Honourable Lawrence MacAulay, is responsible for certain statutory functions related to the Board's operations.

Objective

To contribute to and promote effective industrial relations in any work, undertaking or business within the authority of the Parliament of Canada.

Strategic Priorities

- responsive - responsive to the needs of the labour relations community across Canada by conducting its investigation, mediation, scheduling and decision-making activities in a timely, fair and consistent manner;
- adaptable - applying appropriate mediation and dispute resolution mechanisms over adjudication;
- consultative - consulting the labour relations community on its performance and on the development of its regulations, policies and practices; and
- informative - promoting an understanding of its jurisprudence, role and its processes.

Challenges

It is essential, in the first few months following its establishment as the Canada Industrial Relations Board, that the Board successfully address the following issues:

- timeliness of its decision-making - the need to revamp the existing case management systems and practices;
- responsiveness to client requirements - the need to establish consultation and communication mechanisms with the labour relations community;
- adequacy of current regulations - the need to develop CIRB regulations based on the amended legislation;

- level of operational effectiveness - the need to develop and undertake a complete orientation program for newly appointed Vice-Chairpersons and Members - the need to review and adjust the organizational structure, including the possible introduction of part-time Regional Vice-Chairpersons and Members, to make it more effective - the need to review and adjust the accommodation, tools and equipment of the Board to make it more efficient and effective - the need to establish a professional and collegial work environment among Board Members, management and staff - the need to develop and implement a comprehensive performance measurement regime.

C. Departmental Organization

Organization and Structure of the Program

The Board is currently comprised of the Chairperson, five full-time Vice-Chairpersons, and five full-time Members. All are appointed by the Governor in Council. The Chairperson and the Vice-Chairpersons are appointed to ten-year terms. The Members are appointed for five-year terms. Bill C-19 provides for a representational Board, made up of a lesser number of full-time Vice-Chairpersons and Members, with shorter terms.

The Chairperson is the Chief Executive Officer of the Board. The provisions of Bill C-19 define this role as follows:

supervision over and direction of the work of the Board, including:

- the assignment and reassignment to panels of matters that the Board is seized of;
- the composition of panels and the assignment of Vice-Chairpersons to preside over panels;
- the determination of the date, time and place of hearing;
- the conduct of the work of the Board;
- the management of the Board's internal affairs; and
- the duties of the staff of the Board.

The adjudicative services are provided through a two-stage process, involving firstly the Regional Offices and then the Board. (For purposes of adjudication, the Board consists of a three-person panel, one of whom must be either the Chairperson or a Vice-Chairperson. It should be noted that under the amended legislation, single Member panels, either the Chairperson or a Vice-Chairperson, may make a determination.) The Regional Offices, located in Dartmouth, Montréal, Ottawa, Toronto and Vancouver, with

a sub-office in Winnipeg are responsible for the processing and investigation of applications, complaints and referrals filed by the Board's clientele. Labour relations officers hold mediation/conciliation sessions with the parties in order to resolve contentious issues without involving the Board. Settling complaints and disputes at the Regional level eliminates the need for costly public hearings, accelerates the decision-making process, and in some instances, can avoid the unlawful shutdown of important services.

When differences arise between bargaining agents and employers that cannot be resolved by the labour relations officers in the Regional Offices, these differences are referred to the Board for adjudication. A large majority of all matters decided by the Board are adjudicated on the basis of the parties' written submissions and detailed investigation reports filed by the regional offices. The remainder are decided after the holding of public hearings at which the parties produce evidence and submit arguments in support of their respective positions. All Board decisions are issued in writing and when the reasons for decision are issued, they are subsequently published in both official languages for the benefit of the labour relations community at large.

The Board's Headquarters is located in the National Capital Region. Its two branches, Client Services and Legal Services, report directly to the Chairperson of the Board. The Regional Offices also report directly to the Chairperson with respect to certain aspects of case processing.

The Client Services Branch is headed by an Executive Director responsible for the following units: Regional Operations, Case Management, Informatics, Finance, Communications & Human Resources, Recorded Information Management, and the Research and Reference Centre which functions as a legal library, serving the Board, other government departments (through common services agreements) and the general public.

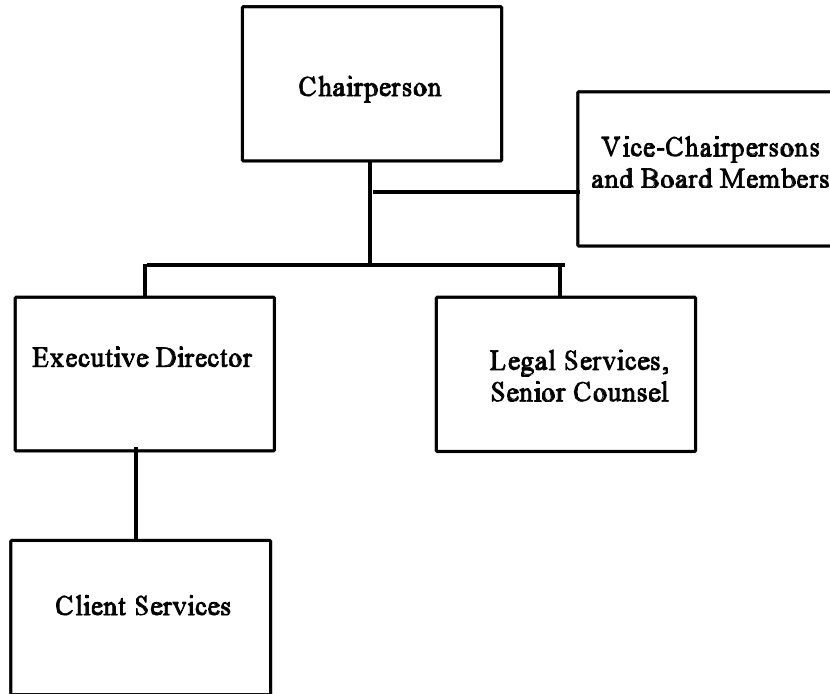
The mission of the Board's Client Services Branch is to provide timely and effective services to our clients in a professional and fair manner.

The Legal Services Branch provides legal assistance as required by the Board and its units. The Director of Legal Services directs a staff of two legal counsel, a legal researcher and an administrative assistant. The branch also acts as the Board's legal counsel in most judicial review proceedings.

-
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Organization Chart

Figure 2



Section III: Departmental Performance

Business Line - Adjudication (millions of dollars)	
Planned Spending	\$8.9
<i>Total Authorities</i>	\$8.9
1997-98 Actuals	\$8.6

A. Performance Expectations and Accomplishments

The Board's expectations for 1997-98 were clear and straightforward:

- to provide services on a more timely basis - to review the case processing system in order to accelerate delivery;
- to review the regulations of the Canada Labour Relations Board and to consult with the labour relations community as part of this review; and
- to review office space utilisation in order to achieve increased economies.
-

We have completed the review of our case processing system and intend to have a revised case processing system fully developed and ready for implementation when Bill C-19 is proclaimed. As for the regulations, discussions now must occur to determine the most effective and efficient consultation process with the Board and the labour relations community. We have reviewed our office space. Plans for required renovations, in view of our new structure, are being developed and we expect that this project will be completed by the end of the fiscal year.

It is our intention for 1999, commencing with the Report on Plans and Priorities, to develop more precise measures not only of outputs but outcomes as well. The performance measurement system will be built from the top down and from the bottom up, incorporating the directions and intent of the Chairperson as well as the front-line experiences of the labour relations officers in the Regional Offices.

In the speed and quality of service figures and measures that follow, the Board provides some detailed performance information on the volume of work, the speed with which it was handled and the quality of the work performed.

Workload

The workload is remaining relatively constant. The increase in files pending at year-end from the previous year is mainly attributable to the fewer cases being withdrawn this

year as opposed to last. It should be noted that the pending files contain at any one point in time a number of files that are backburnered. These files are not active - set aside temporarily, usually pending some action by one of the parties or by another agency (for example, Federal Court or the Arbitration Board). The Board has been successful as well in reducing the number of “backburnered” cases from the previous year - from 119 to 97.

Figure 3 - Workload

Total Files- Certifications, Complaints and Other							
	91/92	92/93	93/94	94/95	95/96	96/97	97/98
Received	<u>775</u>	<u>629</u>	<u>769</u>	<u>706</u>	<u>835</u>	<u>666</u>	<u>658</u>
Granted	255	217	254	245	347	221	228
Rejected	214	226	250	324	169	192	155
Withdrawn	<u>289</u>	<u>247</u>	<u>235</u>	<u>284</u>	<u>297</u>	<u>267</u>	<u>243</u>
Disposed	<u>758</u>	<u>690</u>	<u>739</u>	<u>853</u>	<u>813</u>	<u>680</u>	<u>626</u>
Pending	609	548	578	431	453	439	471

Processing Time

Processing time is the time required to complete a file - time spent investigating, mediating, holding hearings, where required, and rendering decisions. Figure 4 is for files requiring hearings; Figure 5 is for files that do not require hearings.

Figure 4 - Total Processing Time for Files with Hearings

	93/94	94/95	95/96	96/97	97/98
Certification Applications					
With Public Hearing					
Median Days - Received to Decision	322	225	455	270	260
Average Days - Received to Decision	372	250	462	474	290
Number of Applications	10	13	10	14	9
Unfair Labour Practice Complaints					
With Public Hearing					
Median Days - Received to Decision	249	311	316	324	246
Average Days - Received to Decision	301	332	336	336	262
Number of Complaints	56	73	55	62	46
All Files					
With Public Hearing					
Median Days - Received to Decision	255	294	322	314	259
Average Days - Received to Decision	319	431	434	449	330
Files Disposed	97	151	105	145	100

Figure 5 - Total Processing Time for Files without Hearings

	93/94	94/95	95/96	96/97	97/98
Certification Applications					
Without Public Hearing					
Median Days - Received to Decision	71	68	76	84	62
Average Days - Received to Decision	89	94	124	110	83
Number of Applications	149	144	137	129	126
Unfair Labour Practice Complaints					
Without Public Hearing					
Median Days - Received to Decision	150	140	135	121	148
Average Days - Received to Decision	157	182	155	157	169
Number of Complaints	269	232	249	220	227
All Files					
Without Public Hearing					
Median Days - Received to Decision	99	112	88	90	100
Average Days - Received to Decision	129	168	129	133	129
Files Disposed	642	702	708	534	520

The Board has been successful in reducing processing time for all files where hearings are involved. Given the cost of hearings, this is a positive step. However, despite this improvement, the Board is still not satisfied with its speed of processing. The redesign of the case processing system should provide further significant improvements in this area.

Where hearings are not involved, again there were improvements. The processing of unfair labour practice complaints is being examined given the slight delay in speed of processing from the previous year. It should be noted, however, that the practices in this area will also be affected in a positive way by the redesign of the case processing system.

Investigation and Mediation Performance in the Regional Offices

The Regional Offices investigate applications to establish and modify bargaining rights and mediate unfair labour practice complaints. Performance time frames have been established for their involvements in various types of files.

Figure 6 - Speed of Service Investigation and Mediation

Type of Activity	Regional Time Frame	% Completed Within Time Frame	97/98
Revocations	56 Days	70%	44%
Certifications	56 Days	70%	65%
Single Employer/Sale of Business	90 Days	50%	50%
Duty of Fair Representation / Hiring Hall Complaints	120 Days	50%	57%
Priority Cases	30 Days	100%	18%
Bargaining Unit Amendments	56 Days	70%	36%
Unlawful Strikes	N/A	N/A	N/A

The ability of the Regions to settle complaints eliminates the involvement of the Board and the need to hold costly and time-consuming hearings.

Figure 7 - Successful Complaint Resolution

Regional Performance	Target	Achieved
Withdrawal/Settlement Rate on Complaints	50%	65%

While targets for the investigation of applications and mediation of complaints were not always met, the rate of successful mediation far exceeded the target, suggesting that the extra time spent on these complaints to achieve such a high level of successful complaint resolution was time well spent.

Adjudicative Performance Standards (Proposed)

Figure 8

Non-Hearing Files	Average		Median	
	Cert	ULPC	Cert	ULPC
Ready to Meet	10	10	10	10
97/98	12	13	7	6
Ready to Disposed	10	25	10	25
97/98	27	66	13	16

Hearing Files	Average		Median	
	Cert	ULPC	Cert	ULPC
Ready to Meet	N/A	N/A	N/A	N/A
Ready to First Day of Hearing	70	70	60	60
97/98	45	56	18	30
Last Day of Hearing to Disposed	90	90	90	90
97/98	144	103	188	65
Ready to Disposed	160	160	150	150
97/98	218	184	208	114

Adjudicative standards were proposed for the first time this year. The above tables reflect how these standards were met.

The figures show that, for both hearing and non-hearing cases, the Board met its targets for getting cases scheduled but when it came to disposition of certifications and complaints, time frames were exceeded by as much as 36%. The median figures for unfair labour practice complaints show the opposite trend for this measurement.

A closer analysis of the data for the measurement of the disposition time in unfair labour practice complaints (non-hearing) shows that 21% of the cases took over 100 days, 6% took over 200 days, while 54% took 25 days or under (the target). Therefore, we met our target slightly more than half the time.

For certification cases that were heard, both averages and medians show that the Board did not meet its target. The footnote in figure 9 explains the cases that were

included in this measurement. An additional factor was the writing of formal reasons for the decision in these 6 cases, production of which took 89 of the 188 days (47% of the time).

For unfair labour practice complaints that were heard, for the measurements from last day of hearing to disposed and from ready to disposed, the averages achieved in 1997-98 exceed the target by 14 and 15% respectively. The medians however show the opposite, that we were well under the target for both measurements (by 28 and 24% respectively). An analysis of the cases shows that we met the target of 90 days in 67% of the cases and met the target of 150 days in 63% of the cases.

Decision-making

Board performance is also measured by the length of time it takes to dispose of matters before it. Panels, comprised of the Chairperson or a Vice-Chairperson and two Members, may decide cases on the basis of the evidence before it (file documentation, investigation reports) or decisions may be deferred until further evidence and information is gathered by way of a public hearing. Figure 9 presents the disposition time for both types of decision-making. (The Board measures its disposition time for cases decided with a public hearing from the date of the last day of the hearing until the date the decision is issued to the parties. Where cases are decided without a public hearing, the disposition time is measured from the date the case is deemed to be “ready” for the Board’s consideration until the date the final decision is issued.)

Figure 9 - Disposition Time

	93/94	94/95	95/96	96/97	97/98
Certification Applications					
With Public Hearing Held					
Median Days - Hearing to Decision	198	21	95	163	188
Average Days - Hearing to Decision	177	47	139	190	144
Number of Decisions	10	13	10	14	9
Without Public Hearing Held					
Median Days - Ready to Decision	11	11	9	9	13
Average Days - Ready to Decision	20	21	29	31	27
Number of Decisions	149	144	137	129	126

Median is higher because of the low number (9) in the data set combined with the fact that 6 of the 9 cases all took 188 days. These are the 6 files involving certification of

employees on vessels servicing the Hibernia offshore oil production installation. There was a jurisdictional issue that involved 3 days of hearing in Newfoundland.

The decision-making process for unfair labour practices complaints is vastly different from the process for certification cases. The decision often rests on the credibility of witnesses and the quality of evidence that is advanced; public hearings, as a result, are held in greater numbers. Decisions of this type are communicated to the parties by way of formal Reasons for Decision that are subsequently published for the benefit of the labour relations community at large.

Figure 10 - Disposition Time

	93/94	94/95	95/96	96/97	97/98
Unfair Labour Practice Complaints					
With Public Hearing Held					
Median Days - Hearing to Decision	47	68	48	80	65
Average Days - Hearing to Decision	59	129	88	152	103
Number of Decisions	56	73	55	62	46
Without Public Hearing Held					
Median Days - Ready to Decision	28	15	8	10	16
Average Days - Ready to Decision	46	84	53	57	66
Number of Decisions	269	232	249	220	227

Figure 11 - Disposition Time

	93/94	94/95	95/96	96/97	97/98
All Files					
With Public Hearing Held					
Median Days - Hearing to Decision	62	64	48	97	72
Average Days - Hearing to Decision	120	180	96	163	167
Files Disposed	97	151	105	145	100
Without Public Hearing Held					
Median Days - Ready to Decision	16	17	12	10	14
Average Days - Ready to Decision	38	287	37	40	48
Files Disposed	642	702	708	534	520

Quality of decision-making

The Board is concerned with more than the volume of its work and the speed with which it is processed. Quality of decision-making is a most critical performance measure for the Board. Dissatisfied parties may apply for judicial review of decisions of the Board. Less than 4% of decisions issued are contested and the Board succeeded in almost 95% of those reviews.

Figure 12

Judicial Review Applications							
	91/92	92/93	93/94	94/95	95/96	96/97	97/98
Board decisions issued*	1,137	2,009	1,861	904	918	723	626
Judicial reviews filed	44	33	28	36	24	30	24
Percent reviewed (%)	3.9	1.6	1.5	4.0	2.6	4.15	3.8
Reviews disposed	21	42	41	37	36	32	19
Reviews granted	1	3	2	2	2	1	1**
Reviews dismissed	8	13	26	24	20	17	9
Reviews withdrawn	12	26	13	11	14	14	9
Board success rate (%)	95.2	92.9	95.1	94.6	94.4	96.9	94.7

* "Decisions issued" are compiled based on the number of cases, not the number of files, in which a decision was issued since every individual party may apply for judicial review of a Board decision.

** This judicial review was granted in part.

The Board also affords parties a less expensive and more rapid review process. Parties may request a review of the decision made by a differently constituted panel of the Board.

Figure 13

Reconsideration Applications							
	91/92	92/93	93/94	94/95	95/96	96/97	97/98
Received	33	33	45	48	42	37	43
Granted	5	3	6	4	5	3	6
Rejected	33	27	27	47	25	34	33
Withdrawn	6	1	4	3	5	4	2
Disposed	44	31	37	54	35	41	41
Pending	6	8	16	10	17	13	16
Success Rate	11.4%	9.7%	16.2%	7.4%	14.3%	7.32%	14.6%

B. Year 2000 Readiness

The department is aware of the Y2000 readiness issue and has been actively addressing this issue over the past 18 to 24 months. Although the Board neither owns nor operates any government-wide mission critical systems, there are several in-house mission critical systems that need to be examined for Y2000 readiness. Our case management and information retrieval system, a comprehensive historical case data base, was examined and changes were necessary to ensure system compliance. These changes were completed in July of this year. In addition, all PC/LAN hardware, operating systems and off-the-shelf softwares have been inventoried and non-compliant components have been identified. All of these components will be replaced by Y2000 compliant components by April 1999. The Board is heavily dependent on GTIS for telecommunication compliance; however, in order to minimize the risk to the maintenance of ongoing operations, contingency plans have been developed in this area.

Section IV: Financial Performance

A. Financial Performance Overview

The Board's actual expenditures for 1997-98 were \$300,000 less than planned. The main reasons for the less-than-planned expenditures were vacancies among Board Member positions (the current Board could consist of up to 8 Members and 5 Vice-Chairpersons, but throughout most of the year there were 4 Vice-Chairpersons, and only 5 Members). In addition, the position of the Chairperson was vacant from January to March. Final staff reductions were completed in 1997-98. Changes were also underway in the hearing support function to reduce our travel costs.

B. Financial Tables

Financial Table 1: Summary of Voted Appropriations

Authorities for 1997-98			
Financial Requirements by Authority (millions of dollars)			
Vote	1997-98 Planned Spending	1997-98 Total Authorities	1997-98 Actual
Canada Labour Relations Board			
25 Program expenditures	7.9	7.9	7.6
(S)Contributions to employee benefit plans	1.0	1.0	1.0
Total	8.9	8.9	8.6

Financial Table 2: Comparison of Total Planned Spending to Actual Spending, 1997-1998

Departmental Planned versus Actual Spending by Business Line (millions of dollars)									
Business Line	FTEs	Operating	Capital	Subtotal:			Total Gross Expenditures	Less: Revenue Credited to the Vote	Total Net Expenditures
				Voted Grants & Contributions	Gross Voted Expenditures	Statutory Grants & Contributions			
Adjudication									
Planned	107	8.9	-	-	8.9	-	8.9	-	8.9
<i>Total authorities</i>	107	8.9	-	-	8.9	-	8.9	-	8.9
Actual spending	86	8.6	-	-	8.6	-	8.6	-	8.6
Totals									
Planned	107	8.9	-	-	8.9	-	8.9	-	8.9
<i>Total authorities</i>	107	8.9	-	-	8.9	-	8.9	-	8.9
Actual spending	86	8.6	-	-	8.6	-	8.6	-	8.6
Other Revenues and Expenditures									
Cost of services provided by other departments (Planned)									-
<i>Total authorities</i>									-
Actual cost									.3
Net Cost of the Program (Planned)									8.9
<i>Total authorities</i>									8.9
Actual net cost of the program									8.9

Financial Table 3: Historical Comparison of Total Planned Spending to Actual Spending

Departmental Planned versus Actual Spending by Business Line (millions of dollars)					
Business Line	Actual 1995-96	Actual 1996-97	Planned Spending 1997-98	Total Authorities 1997-98	Actual 1997-98
Adjudication	8.8	8.4	8.9	8.9	8.6
Total	8.8	8.4	8.9	8.9	8.6

The following financial tables are not applicable to the Canada Labour Relations Board:

- Financial Table 4 - Crosswalk between Old Structure and New Structure
- Financial Table 5 - Resource Requirements by Organization and Business Line
- Financial Table 6 - Revenues to the Vote
- Financial Table 7 - Revenues to the CRF
- Financial Table 8- Statutory Payments
- Financial Table 9 - Transfer Payments
- Financial Table 10 - Capital Payments by Business Line
- Financial Table 11 - Capital Projects
- Financial Table 12 - Status of Major Crown Projects
- Financial Table 13 - Loans, Investments and Advances
- Financial Table 14 - Revolving Fund Financial Summaries
- Financial Table 15 - Contingent Liabilities

Section V: Other Information

A. Contacts for Further Information

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B. Statutes Administered by the Canada Labour Relations Board

Canada Labour Code (Part I - Industrial Relations) R.S.C. 1985, c.L-2

Canada Labour Code (Part II - Occupational Safety and Health) R.S.C. 1985, c.L-2

C. Listing of Statutory and Other Departmental Reports and Publications

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