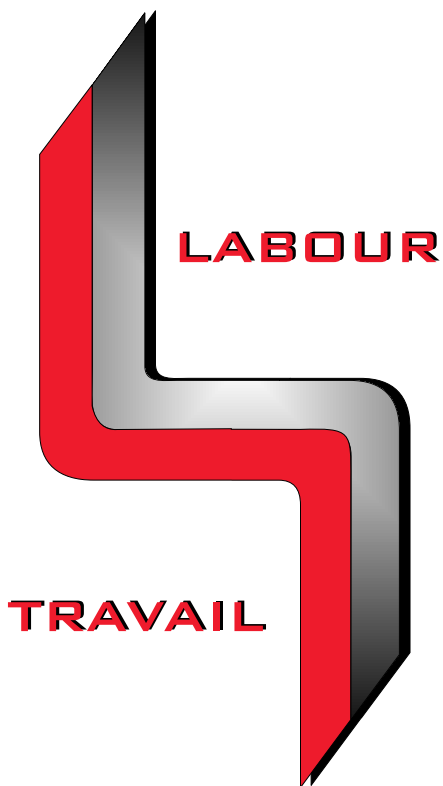




Working for You





Our Mission

The Labour Program mission
is to promote a fair, safe, healthy,
stable, cooperative and productive
work environment that contributes
to the social and economic
well-being of all Canadians.

Available on the Internet at:
<http://labour.hrdc-drhc.gc.ca/>

If you require additional copies or an alternate
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Canada 

Our Role

The Labour Program focuses on the workplace, the changes affecting the workplace and the needs of employers and employees in Canada. The Labour Program is responsible for developing, administering and enforcing legislation and regulations related to the workplace, including the **Canada Labour Code**, the **Employment Equity Act** and other legislation on wages and working conditions.

One of the key responsibilities is to administer legislation affecting the working relationship between employers and employees involved in federally regulated activities. The **Canada Labour Code** governs federally regulated employees which represent roughly 10% of all working Canadians employed in key sectors of the economy, including:

- ▶ Air, interprovincial rail, road and pipeline transportation;
- ▶ Banking;
- ▶ Broadcasting;
- ▶ Uranium mining;
- ▶ Shipping and related services;
- ▶ Telecommunications; and
- ▶ Crown corporations.

The **Canada Labour Code** governs industrial relations (Part I), occupational safety and health (Part II), and minimum labour standards and equal wages (Part III).

The **Canada Labour Code** applies to all interprovincial and international business activities in federally regulated sectors. The occupational safety and health provisions of the **Code** apply not only to these industries, but also to the federal public service and some employees involved in oil and gas exploration. The industrial relations aspects of the **Code** apply to all industries in the Yukon and

Northwest Territories, as well as federally regulated industries in all provinces.

The purpose of the ***Employment Equity Act*** is to achieve equality in the workplace and in the pursuit of that goal to eliminate barriers experienced by women, Aboriginal peoples, persons with disabilities and members of visible minorities.

How We Work For You

Since 1900 we have focused on the workplace. Our name, organization and mandate have changed over the decades in response to the rapidly changing realities of the workplace and the evolving needs of employees in Canada.

For most of this century, Labour Canada was an independent federal department. It became the Labour Program within Human Resources Development Canada (HRDC) when the Department was created in 1993.

The National Headquarter's Labour Branch is currently composed of four Directorates offering different services:

- ▶ Federal Mediation and Conciliation Service;
- ▶ Operations which includes: Occupational Safety and Health, Fire Prevention, Labour Standards and Workplace Equity, Federal Workers' Compensation, as well as Client Education and Training and Labour Operations Applications Development Services;
- ▶ Strategic Policy and Partnerships; and
- ▶ Workplace Information.

Our Objectives

Canada's ability to compete internationally and provide secure, rewarding jobs domestically depends on highly productive workplaces. The key to creating such workplaces is in striking the right balance among the interests of employees, organized labour, and employers in Canada.

The Labour Program supports that objective by promoting a cooperative work environment that fosters constructive labour management relations and encourages innovation, investment and employees' well-being. Through its policies and programs, technical advice and support services, it helps to promote workplaces that address emerging issues facing employers, organized labour, and employees alike.

It's our business to ensure that Canadians work in a safe, healthy and fair environment. We provide an array of programs and activities to equip employees and their employers with the skills they need to respond to emerging trends in the workplace and to adapt to the changing nature of work itself.

The Labour Program develops and administers legislation regulating the conditions of work within its jurisdiction and ensures employer compliance.

Working to Serve You

The Labour Program provides a wide range of services to assist and support labour and management through various HRDC offices across the country, including:

- ▶ Provision of industrial relations dispute settlement assistance and preventive mediation programs;

- ▶ Investigations of serious/fatal accidents, refusals to work, dangerous situations, group termination and unjust dismissals;
- ▶ Complaint investigations, programmed inspections, permit investigations, technical surveys and safety audits in the areas of safety and health as well as labour standards;
- ▶ Inspections, audits and on-site visits to monitor pay equity progress and support compliance on employment equity legislation and regulations;
- ▶ Advice and assistance to employers, employees, committees and representatives of occupational safety and health and unions' representatives;
- ▶ Counselling and education, including promotional activities such as seminars, conventions and conferences.

Information on Labour Program policies and procedures is available through the Service Delivery Network (SDN) of Human Resources Development Canada (HRDC). The "single window" Service Delivery Network links 100 HRDC offices to approximately 200 satellite offices, 400 automated kiosks, 11 telephone service centres and 10 mail centres serving communities across Canada.

Our Programs and Services

FEDERAL MEDIATION AND CONCILIATION SERVICE

Federal Mediation and Conciliation Service (FMCS) supports collective bargaining within the federal jurisdiction by helping management and labour settle their collective bargaining differences in an amicable and efficient manner. It promotes constructive industrial relations and helps to provide labour and management with the opportunities and skills necessary to resolve contentious issues before they

come to the bargaining table and thereby help avoid work stoppages.

The statutory conciliation process provides experienced conciliators to parties in collective bargaining disputes to help settle their differences. The Service enjoys over 90% success rate at settling disputes without either party resorting to a work stoppage.

FMCS offers grievance mediation as an alternative to arbitration. It oversees the Ministerial appointment of arbitrators, when the two sides are unable to agree on a suitable candidate; adjudicators to hear the unjust dismissal complaints of employees not covered by collective agreements; and, referees to hear appeals of payment orders or notices of unfounded complaints under the wage recovery provisions of the ***Canada Labour Code***.

The Service also provides parties in a strike/lockout situation with mediation assistance at the appropriate stage of the negotiations. A Preventive Mediation Program helps employers and unions communicate openly through labour management committees.

FMCS conducts research to support the work of mediators and conciliators. It aids in the development and implementation of industrial relations policy, and provides expertise to government departments and agencies on initiatives with industrial relations implications for sectors under federal jurisdiction. Collectively, these various forms of advice and assistance contribute to better workplace relations.

Labour-Management Partnerships Program

Continual innovation is critical if the Canadian workplace is to remain competitive. The Labour-Management Partnerships Program (LMPP) supports experimentation and

cooperation by funding joint labour-management projects at the worksite, as well as the sectoral and national levels.

The LMPP offers financial assistance to employers and unions so they can jointly investigate new approaches to workplace reorganization, restructuring, industrial relations and human resource management.

Funds are also provided for conferences and seminars aimed at improving labour-management dialogue or debating public policy issues. In addition, advice is offered on alternative approaches to collective bargaining and information is made available on pilot projects that may be of interest to the business and labour communities.

For further information,
you can contact our regional FMCS offices:

Halifax, N.S. (902) 426-9523
Montreal, Quebec (514) 283-5731
Ottawa, Ontario (819) 953-9861
Toronto, Ontario (416) 954-2871
Vancouver, B.C. (604) 666-0241

OPERATIONS

Occupational Safety and Health

One of the primary goals of the **Canada Labour Code** is to prevent workplace accidents and exposure to hazardous substances that could adversely affect employees' health. The Labour Affairs Officers conduct workplace inspections and safety audits, respond to employee complaints and investigate accidents. Employees of the Operations Directorate work with safety and health committees locally, help develop safety procedures and offer education programs to assist employers and employees to make their worksites safer and healthier.

The Labour Affairs Officers also administer the ***Non Smokers' Health Act and Regulations***, which prohibit smoking in all workplaces under federal jurisdiction except in designated smoking areas. Counselling, inspections, complaint investigations and enforcement measures promote and ensure compliance.

Fire Protection

One of the greatest risks to safety and health is workplace fires. To avoid needless loss of life or injury, and to protect against property damage, Fire Protection Services staff develop and administer fire protection policies and safety standards.

They enforce fire safety and building code regulations, inspect projects, conduct engineering surveys, and provide on-site educational and counselling services aimed at reducing fire risks. These services are provided to federal departments and agencies as well as First Nations.

Federal Workers' Compensation

Despite best practices and best efforts, accidents occur in the workplace. Injured employees need income protection while they are recovering. The Labour Program administers the ***Government Employees' Compensation Act***, which provides benefits to injured employees of the federal government.

Under this program, provincial Workers' Compensation Boards (WCBs) provide benefits to federal government employees at the same rate and under the same conditions as those of other injured employees. Deposits for these benefits are paid by the Labour Program to provincial WCBs and a portion of the cost is recovered from federal Crown corporations.

Labour Standards

Holidays, maternity related reassignment leave, maternity leave, parental leave, overtime, layoffs, severance pay, wages and sick leave are important issues to employees in Canada. The assurance of those rights has a direct impact on their job performance.

The Labour Program establishes and protects employees' rights through legislation and regulations governing labour standards for employees under federal jurisdiction. Wage recovery and payment orders, for example, are designed to ensure employees receive any outstanding salary or benefits owing to them from their employer. Once a Labour Affairs Officer (LAO) determines a complaint over non-payment of wages is founded, the LAO has the power to issue an order to an employer or director to pay the amount due to an employee.

When wage recovery from a corporation is unsuccessful, the company's directors may be held liable.

Labour Affairs Officers in regional offices across the country ensure federal labour standards are upheld through a mix of inspections, investigations of complaints, and promotional and informational activities.

Workplace Equity

A workplace that fully respects and fairly responds to the concerns of all its employees — regardless of gender, heritage or physical attributes — is both more productive and more competitive. It can fully capitalize on the richness of its diversity, an increasingly important asset in the global marketplace.

The Labour Program's efforts to ensure fairness in the workplace took a major step forward when the new ***Employment Equity Act*** came into force in October 1996.

This legislation expands coverage of the earlier **Act** to the federal public service, and continues to apply to Crown corporations and federally regulated employers in the private sector with 100 or more employees operating in such areas as telecommunications, banking, and inter-provincial and international transportation. The new **Act** clarifies employers' responsibilities and provides for enforcement of employer obligations through on-site audits by the Canadian Human Rights Commission, with final enforcement by an Employment Equity Review Tribunal if necessary.

The **Federal Contractors' Program** also promotes workplace equity among contractors doing business with the federal government. It applies to contracts for goods and services worth more than \$200,000 where the contractor employs 100 or more employees. The new **Employment Equity Act** requires that obligations to implement employment equity under the Federal Contractors' Program be equivalent to those under the legislation. Enforcement is the responsibility of the Labour Program.

The Labour Program supports implementation of the **Employment Equity Act** and the Federal Contractors Program by:

- ▶ conducting research, collecting data and reporting on progress for the four designated groups (women, Aboriginal peoples, members of a visible minority and persons with a disability);
- ▶ developing and conducting information programs to foster public understanding;
- ▶ providing information to employers concerning their obligations and how they can comply;
- ▶ recognizing outstanding achievements by employers;
- ▶ undertaking compliance reviews of employers subject to the Federal Contractors' Program;

- ▶ monitoring and evaluating all annual Employment Equity reports submitted by employers under the legislation; and
- ▶ producing an Annual Report on Employment Equity for Parliament.

The **Equal Pay Program** is designed to eliminate gender-based wage discrimination and to assure equal pay for work of equal value. The Labour Program determines whether a discriminatory practice is or has taken place under Section 11 of the **Canadian Human Rights Act** by:

- ▶ informing employers of their obligations and supporting their efforts to comply;
- ▶ conducting follow-up visits to answer technical questions and monitor compliance; and
- ▶ auditing or inspecting organizations to ensure the law is upheld.

Cases can be referred to the Canadian Human Rights Commission for investigation and resolution.

Questions specifically related to Occupational Safety and Health, Labour Standards, Workplace Equity and Fire Protection may be directed to a Labour Affairs Officer in your region. See the list of telephone numbers at the end of this brochure.

STRATEGIC POLICY AND PARTNERSHIPS

The Changing Workplace

The Strategic Policy and Partnerships directorate tracks changes occurring in the workplace, the changing nature of work, and the impact of those changes on workers. There have been several trends emerging in the workplace, such as the increase in work done outside the traditional hours and work site, the increase in part time, contract, home and tele work. There is also growing evidence of

flexible working arrangements and other innovative human resource practices being adopted in the workplace. As these issues emerge, the Directorate conducts research into new situations and consults on the impact on workers.

Key issues currently being explored include:

- ▶ innovative workplaces, ways to improve the working environment and achieve a productive workplace meeting both employees' and employers' needs;
- ▶ new working arrangements, advantages and disadvantages for workers, and workers' needs for security;
- ▶ the impact of technological change on the workplace and the need for continuous learning in the workplace and skill upgrading for workers to meet new challenges;
- ▶ flexible working arrangements for workers to meet their family and community responsibilities.

Through a process of investigation, consultation and exploration, new approaches may be developed to assist workers and the workplace adjust to the changing workplace environment.

Partnerships

Strategic Policy and Partnerships directorate coordinates Human Resources Development Canada's relations with provincial/territorial governments, international organizations, organized labour and the Canadian private sector regarding labour-related issues.

The Directorate promotes collaborative relations with provincial and territorial departments of labour, including information sharing and interjurisdictional cooperation. In addition, it provides secretariat services to the Canadian Association of Administrators of Labour Legislation.

It analyzes labour-related policies and legislation, and their social and economic impacts and maintains an information base on Canadian labour law.

It also advises on strategies/opportunities for working in cooperation with unions, business groups, researchers and others to encourage effective workplaces, especially in the federal jurisdiction.

Global pressures on Canada to become more competitive have a direct impact on trade and international relations. A strong federal presence is necessary to safeguard Canadian employees' rights and to support the industries that employ them.

The Labour Program represents the views of Canada abroad in policy matters concerning working conditions, labour relations, labour standards, occupational safety and health and their impacts on international agreements such as the North American and Canada-Chile Free Trade Agreements, as well as the World Trade Organization.

The Labour Program is concerned, as well, with improving labour standards in other parts of the world. It provides a national voice on issues such as child labour, employment equity and labour standards in relation to international trade. It plays a leadership role in Canada's international involvement with bodies such as the International Labour Organization and the North American Commission for Labour Cooperation. In addition, it coordinates federal involvement in other international labour activities.

WORKPLACE INFORMATION

Employers and employees in Canada strive to remain competitive in the emerging global economy. The Directorate provides employers, employees, labour organizations, governments, and other interested parties with information

on workplace conditions, trends and innovative practices through direct personal services and consultations, by electronic means and through various publications.

New approaches to creating workplaces of the future that allow Canadian business to remain competitive is of increasing interest to the industrial relations community. Workplace Information provides a one-stop information service that offers prompt access to a full range of collective-bargaining data and other labour-related information.

A team of consultants is available to respond to specific requirements with a fully tailored information package.

The Directorate also publishes a number of periodicals that help the industrial relations community stay abreast of recent initiatives in labour relations including:

- ▶ the monthly *Wage Settlement Bulletin* and *Collective Bargaining Bulletin*;
- ▶ the quarterly analytical report, *Workplace Gazette*;
- ▶ the annual *Directory of Labour Organizations in Canada*; and
- ▶ the annual overview of *Workplace Innovations*.

For the labour relations system to function effectively, the information must move both ways: from the Labour Program to Canadian workplaces, and vice versa. The Canadian Workplace Research Network aims to improve linkages between researchers and policy makers in the areas of workplace and industrial relations through joint research initiatives and events.

The Labour Program library, established in 1900, is international in scope. It offers 200,000 books and government documents as well as a comprehensive collection of labour-related periodicals and union publications, including a microfiche collection of labour newspapers dating from the

early years of the Canadian labour movement. Through its loans and reference services, the library's resources are consulted frequently by unions, industry and universities.

What More Can We Do For You?

Just ask. Chances are, the Labour Program can help you, your company or your union better address workplace and labour relations issues. It has a vast store of information and expertise which is readily available to Canadian workplaces.

In addition to the services listed above, other resources at your disposal include:

- ▶ Labour Program Internet Site:
<http://labour.hrdc-drhc.gc.ca>
- ▶ Canadian Labour Law Information Internet Site:
http://labour.hrdc-drhc.gc.ca/policy/e/welcome_e.html
- ▶ The Labour-Management Partnerships Program provides a toll-free telephone service to respond to labour and/or management inquiries at **1 (800) 563-5677**.
- ▶ Information on employment equity and equal pay is available by dialling **(819) 953-6616** or at the Workplace Equity Web site at:
<http://info.load.otea.hrdc-drhc.gc.ca/~weedis>.
- ▶ The Workplace Information Directorate that can be reached at **1 (800) 567-6866**, or in the National Capital Region at **(819) 997-3117** or on the Internet at:
<http://labour.hrdc-drhc.gc.ca>.

For further information on ways we can work together, contact Labour Program personnel at any of our locations across Canada.

Communications, Labour

Human Resources Development Canada

Ottawa, Canada K1A 0J2

(819) 994-6313

British Columbia and Yukon Territory

HRDC Regional Office:

Vancouver, B.C.

(604) 666-2205 and/or 1 (800) 661-1997

Alberta and Northwest Territories

HRDC Regional Office:

Edmonton, Alta.

NWT toll free:

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Edmonton Labour Program:

(403) 495-2993

Calgary Labour Program:

(403) 292-4566

All other Alberta locations:

1 (800) 559-7789

Saskatchewan

HRDC Regional Office:

Regina, Sask.

(306) 780-5408

Manitoba

HRDC Regional Office:

Winnipeg, Man.

(204) 983-3493

Nova Scotia

HRDC Regional Office:
Dartmouth, N.S.
(902) 426-4995

Newfoundland

HRDC Regional Office:
St. John's, Nfld.
(709) 772-5022

Prince Edward Island

HRDC Regional Office:
Charlottetown, P.E.I.
(902) 566-7171

New Brunswick

HRDC Regional Office:
Moncton, N.B.
(506) 851-6640

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HRDC Regional Office:
Toronto, Ont.
(416) 954-2891

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