



# Canada Labour Relations Board

1998-99  
Estimates

Report on Plans and Priorities

## The Estimates Documents

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 previous Part III of the Estimates has been split into two documents: a spring report "*A Report on Plans and Priorities*" and a fall report "*Departmental Performance Report*".

*A 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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1998-99  
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Approved:

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Honourable Lawrence MacAulay  
Minister of Labour

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## Section I: Message

### Management Representation Statement

***MANAGEMENT REPRESENTATION***  
***Report on Plans and Priorities 1998-1999***

I submit, for tabling in Parliament, the 1998-99 Report on Plans and Priorities (RPP) for the Canada Labour Relations Board.

To the best of my knowledge, the information:

- ☐ Accurately portrays the Board's mandate, plans, priorities, strategies and expected key results of the organization;
- ☐ Is consistent with Treasury Board policy, instructions, and the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*;
- ☐ Is comprehensive and accurate;
- ☐ Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

Jocelyne Cormier  
Acting Executive Director  
February 18, 1998

## **Section II: Departmental Overview**

### **A. Mandate, Roles and Responsibilities**

The Constitution Act, 1867, provides that provincial jurisdiction extends over "Property and Civil Rights", meaning that the negotiation of collective agreements containing the terms and conditions of employment for employees are 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 been constitutionally 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 & Health
- Part III - Labour Standards

Part I of the *Code* sets out the terms upon which trade unions may acquire the right to represent employees in the negotiation of collective agreements with their employer. It also delineates the process in which bargaining lawfully takes place and provides remedies to counter infractions committed by any party subject to the *Code's* provisions. The *Code* establishes the Canada Labour Relations Board as an administrative tribunal vested with quasi-judicial powers. Its mandate is to administer Part I of the *Canada Labour Code* and some sections of Part II in accordance with Parliament's consideration, expressed in the Preamble to the *Code*, that "... 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; ..."

### **C Organization and Program Composition**

The Board is comprised of one Chairperson and five Vice-Chairpersons, each appointed by the Governor in Council to ten-year terms, and eight Members, appointed to five-year terms. The Chairperson is the Chief Executive Officer and Deputy Head of the Board. The Board sits in three-person panels chaired by the Chairperson or a Vice-Chairperson to decide applications and adjudicate unfair labour practice complaints that are properly before it. The exercise of the Board's powers and duties under the *Code* constitutes its sole program.

Program delivery is accomplished through two service lines, adjudicative and operational:

- (1) the adjudicative service line is comprised of Governor in Council appointees (GICs) whose mandate is to administer the *Code's* provisions. This entails the development and application of policies through which rights are conferred upon parties who engage in collective bargaining. GICs also adjudicate differences that arise between bargaining agents and employers that could not be resolved at the regional office level. Adjudication is accomplished by Board panels who decide cases on the basis of the parties' written submissions and detailed investigation reports in 86.6% of all cases. 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. Board decisions are always issued in writing. When reasons for decision are issued, they are subsequently published in both official languages for the benefit of the labour relations community at large;
- (2) the operational service line, which is comprised of a network of regional offices located in Dartmouth, Montréal, Ottawa, Toronto and Vancouver, with a sub-office in Winnipeg, is responsible for the processing of applications, complaints and references filed by the Board's clientele. Labour relations officers hold mediation/conciliation sessions with the parties and conduct investigations of applications and complaints that enable the Board to adjudicate cases without holding public hearings.

The Board's Headquarters is located in the National Capital Region. Its internal operations are headed by an Executive Director who reports directly to the Chairperson. The newly-created Client Services branch reports to the Executive Director while the Legal Services branch reports to the Chairperson. The regional offices also report directly to the Chairperson with respect to case processing.

The Client Services branch came about as a result of the merger of the Operations branch and the Program Management & Administrative Services branch. The Operations unit oversees the regional offices and is responsible for the case processing cycle. To that end, it maintains a computerized case management and information retrieval system for the use of investigating officers and Board members. Operations also provides support services to Board panels to ensure timely disposition of the Board's caseload. The unit's services constitute the front line of program delivery to the Board's clientele: mediation of labour relations disputes, dispensation of expert information and advice on the *Code's* provisions and the Board's jurisprudence; and intervention into volatile situations such as unlawful strikes and lockouts.

Other units comprised in the Client Services branch include: Informatics, Finance, Communications and Human Resources, Recorded Information Management, Program Management & Review, and the Research and Reference Centre, which



functions as a legal library, serving the Board, other government departments (through common-services arrangements) and the general public.

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

## B. Financial Spending Plan

(\$ thousands)	Forecast Spending 1997-98*	<b>Planned Spending 1998-99</b>	Planned Spending 1999-00	Planned Spending 2000-01
<b>Gross Program Spending:</b>				
Adjudication	8,901	<b>8,906</b>	8,687	8,687
<i>Less:</i> Revenue Credited to the Vote	0	<b>0</b>	0	0
<b>Net Program Spending</b>	8,901	<b>8,906</b>	8,687	8,687
<i>Less:</i> Revenue Credited to the Consolidated Revenue Fund	5	<b>5</b>	5	5
<i>Plus:</i> Cost of Services Provided by other Departments	2,601	<b>2,593</b>	2,593	2,593
<b>Net cost of the Department</b>	11,497	<b>11,494</b>	11,275	11,275

\* Reflects best forecast of total planned spending to the end of the fiscal year.

## Section III: Plans, Priorities and Strategies

### A. Summary of Key Plans, Priorities and Strategies

The plans, priorities and strategies of the Canada Labour Relations Board will be established under the direction of the new Chair, whose appointment is effective March 16, 1998, and are contingent upon the adoption of Bill C-19, *An Act to amend the Canada Labour Code (Part I) and the Corporations and Labour Unions Returns Act and to make consequential amendments to other acts*. This proposed legislation provides for a representational board, new processes and time limits, more discretion in determining whether a hearing must be held and potential for regionalization.

Important initiatives have already been undertaken in response to the *Review on Part I of the Canada Labour Code*, and in preparation for a new legislative framework. On April 1st, 1998 new case management practices will be implemented within the Client Services branch. Accountability for case management will rest with case management teams in the Board's headquarters and regional offices. Not only will this new structure ensure more efficient case processing, it will also enable the regionalization of hearing support services, an initiative that is expected to reduce time and money spent on travel for hearing support, and that sets the stage for further regionalization.

Other initiatives of an administrative nature will also be implemented, as planned, by the end of the 1997-98 fiscal year. Headquarters staff will have been reduced by 25%, and as a result, each and every work unit will be challenged to review their operations and to ensure that diminishing resources are used effectively and efficiently. Increased emphasis will be placed on the information and communications functions through the establishment of a 1-800 public enquiries service line across Canada. Studies will continue to determine whether technological tools such as document scanning, electronic filing systems and video-conferencing would constitute cost-effective initiatives.

In the fall of 1997, regional and adjudicative performance standards were established. These are the standards against which performance will be measured in the Performance Report, to be published in the fall of 1998.

In spite of the rather unique circumstances in which the CLRB is currently operating, initiatives aimed at restructuring the Board's operations from a client service perspective, and from the perspective of new legislation, are continuing. However, further reforms of the Board's program and operations, and the development of plans, priorities and strategies in this regard must await the arrival of the newly appointed Chair and Chief Executive Officer.

## Investigation and Mediation Performance Statistics

Type of Activity	Regional Time Frame	% Completed Within Time Frame
Revocations	56 Days	70%
Certifications	56 Days	70%
Single Employer/Sale of Business	90 Days	50%
Duty of Fair Representation / Hiring Hall Complaints	120 Days	50%
Withdrawal/Settlement Rate on all Complaints is to be Used as a Measurement		50%
Priority Cases	30 Days	100%
Bargaining Unit Amendments	56 Days	70%
Unlawful Strikes	N/A	N/A

## Adjudicative Performance Standards (Proposed)

Non-Hearing Files	Average		Median	
	Cert	ULPC	Cert	ULPC
Ready to Meet	10	10	10	10
Ready to Disposed	10	25	10	25

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
Last Day of Hearing to Disposed	90	90	90	90
Ready to Disposed	160	160	150	150



## Planned Spending

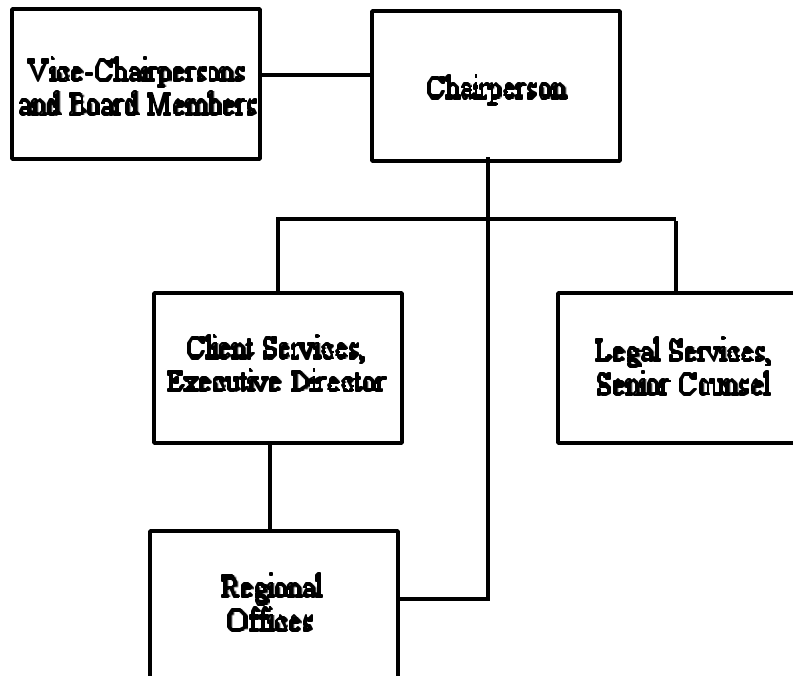
(\$ thousands)	Forecast Spending 1997-98	<b>Planned Spending 1998-99</b>	Planned Spending 1999-00	Planned Spending 2000-01
Gross Expenditures	8,901	<b>8,906</b>	8,687	8,687
<i>Less: Revenue Credited to the Vote</i>	0	<b>0</b>	0	0
<b>Total Net Expenditures</b>	8,901	<b>8,906</b>	8,687	8,687

## Section IV: Supplementary Information

**Table 1: Spending Authorities - Departmental Summary - Part II of the Estimates**

Vote	(thousands of dollars)	1998-99 Main Estimate s	1997-98 Main Estimates
25	Operating expenditures	7,728	7,927
	<i>Total Program</i>	7,728	7,927
(S)	Contributions to employee benefit plans	1,178	974
	Total budgetary	8,906	8,901
	<i>Total Program</i>	8,906	8,901
	Total Department	8,906	8,901

**Table 2: Organization Structure**



**Table 2.1: Planned Full Time Equivalent (FTEs) by Program and Business Line**

	Forecast 1997-98	<b>Planned 1998-99</b>	Planned 1999-00	Planned 2000-01
	107	<b>97</b>	97	97
<b>Total</b>	<b>107</b>	<b>97</b>	<b>97</b>	<b>97</b>

**Table 2.2 Details of FTE Requirements**

(\$ dollars)	Forecast 1997-98	<b>Planned 1998-99</b>	Planned 1999-00	Planned 2000-01
<b>Salary Ranges</b>				
<30,000	25	<b>16</b>	16	16
30,000-40,000	31	<b>32</b>	32	32
40,000-50,000	10	<b>10</b>	10	10
50,000-60,000	17	<b>13</b>	13	13
60,000-70,000	4	<b>7</b>	7	7
70,000-80,000	5	<b>3</b>	3	3
>80,000	15	<b>16</b>	16	16
<b>Total</b>	<b>107</b>	<b>97</b>	<b>97</b>	<b>97</b>

**Capital Projects Information**

**Table 3.1: Capital Spending by Program and Business Line - not applicable**

**Table 3.2: Capital Projects by Program and Business Line - not applicable**

**Table 3.3: Status of Major Crown Projects - not applicable**



**Table 4: Departmental Summary of Standard Objects of Expenditure**

(\$ thousands)	Forecast 1997-98	<b>Planned 1998- 99</b>	Planned 1999-00	Planned 2000-01
<b>Personnel</b>				
Salaries and wages	5,732	<b>5,608</b>	5,617	5,617
Contributions to employee benefit plans	974	<b>1,178</b>	1,180	1,180
	6,706	<b>6,786</b>	6,797	6,797
<b>Goods and services</b>				
Transportation and communications	975	<b>950</b>	800	800
Information	53	<b>35</b>	35	35
Professional and special services	800	<b>780</b>	700	700
Rentals	100	<b>100</b>	100	100
Purchased repair and maintenance	76	<b>60</b>	60	60
Utilities, materials and supplies	170	<b>170</b>	170	170
Other subsidies and payments	15	<b>19</b>	19	19
Construction and/or acquisition of machinery and equipment	6	<b>6</b>	6	6
	2,195	<b>2,120</b>	1,890	1,890
Total Operating	8,901	<b>8,906</b>	8,687	8,687
<b>Capital</b>	0	<b>0</b>	0	0
Gross budgetary expenditures	8,901	<b>8,906</b>	8,687	8,687
Less: Revenues credited to the Vote	0	<b>0</b>	0	0
Net budgetary expenditures	8,901	<b>8,906</b>	8,687	8,687
Non-budgetary (LIAs)	0	<b>0</b>	0	0
Total	8,901	<b>8,906</b>	8,687	8,687

**Table 5: Program Resources by Program and Business Line for the Estimates Year**

(\$ thousands)	Budgetary						Less: Revenue Credited to the Vote	Net Planned Spending
	FTE	Operating*	Capital	Grants and Contributions	Gross Voted	Gross Planned Spending*		
Program Expenditures	97	8,906	0	0	8,906	8,906	0	8,906
<b>Total</b>	<b>97</b>	<b>8,906</b>	<b>0</b>	<b>0</b>	<b>8,906</b>	<b>8,906</b>	<b>0</b>	<b>8,906</b>

\* Includes contributions to Employee Benefit Plans

**Table 6: Details of Transfer Payments by Program and Business Line - not applicable**

**Table 7: Details of Revenue by Program - 5K deposited to the CRF**

**Table 8: Net Cost of Program(s) for 1998-99**

(\$ thousands)	Program	Total
Gross Planned Spending	8,906	<b>8,906</b>
Plus:		
<i>Services Received without Charge</i>		
Accommodation provided by Public Works and Government Services Canada (PWGSC)	2,263	<b>2,263</b>
Contributions covering employees' share of insurance premiums and costs paid by TBS	319	<b>319</b>
Cheque issue and other accounting services received without charge from Public Works and Government Services Canada	11	<b>11</b>
	<u>2,593</u>	<u><b>2,593</b></u>
Total Cost of Program	11,499	<b>11,499</b>
Less:		
Revenue Credited to the Vote	0	<b>0</b>
Revenue Credited to the CRF	5	<b>5</b>
	<u>5</u>	<u><b>5</b></u>
Net Cost of Program	11,494	<b>11,494</b>
1997-98 Estimated Net Program Cost	11,497	<b>11,497</b>

**Table 9: Revolving Fund Financial Statements** - *not applicable*

**Table 10: Loans, Investments and Advances by Business Line** - *not applicable*

**Table 11: Tax Expenditures** - *not applicable*

## Other Information

### Table 12: Listing of Statutes and Regulations

#### Statutes and Regulations Currently in force

<i>Canada Labour Code (Part I - Industrial Relations)</i>	R.S.C. 1985, c.L-2
<i>Canada Labour Code (Part II - Occupational Safety and Health)</i>	R.S.C. 1985, c.L-2

### Table 13: References

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