

GUIDELINES ON LABOUR-MANAGEMENT RELATIONS COMMITTEES

INTRODUCTION

This document outlines a framework for the establishment of labour-management consultation committees between the Department of National Defence (DND) and the Unions representing its employees. It should be read in conjunction with the document “Benefits of Consultation”. The principles set out in this framework shall guide all labour-management committees operating in the Department. This document may be amended from time to time at any regular or special meeting of the Union Management Consultation Committee (UMCC). All committees, sub-committee or working group members will adhere to this framework.

PURPOSE OF COMMITTEES

The purpose of Labour-Management Relations Committees is to provide a forum for the frank exchange of information, views, and advice on workplace issues, between management and employee representatives as close as possible to the workplace. The focus of the LMRC is on consultation; committees must strive to ensure that the meetings do not become simply a forum for distribution of information.

Committees function in a consultative capacity only. They do not in any way restrict management’s authority, its obligation to manage, or the unions’ legal rights established by the Public Service Labour Relations Act (PSLRA) or applicable collective agreements.

GENERAL

These terms of reference shall serve as the basis for joint consultation proceedings at each level. However, within this general framework, some flexibility may be established by mutual agreement between the parties directly concerned in order to facilitate the efficient functioning of the committee.

LEVELS OF CONSULTATION

Labour-Management Relations Committees will operate at the National and Local levels, and as deemed appropriate at the Intermediate level, to ensure that matters

within their respective jurisdictions are dealt with promptly by persons with direct knowledge of the issues.

SCOPE

Almost all workplace issues can be the subject of consultation. However, committees have no authority to reach agreements which are beyond their level of responsibility or which would have the effect of amending collective agreements, Acts of Parliament, and statutory regulations.

The National Union-Management Consultation Committee (UMCC) has been established to deal with department wide policies, programs, and strategic issues. Intermediate level and local committees shall address operational and tactical issues respectively. Either party to the National Committee may refer matters that cannot be resolved at the Intermediate level committees. Similarly, if issues are raised at the National Committee which would be more appropriately dealt with at the Intermediate or Local level, the issues will be referred to the relevant committee.

COMPOSITION OF COMMITTEES

Representatives should include individuals with the appropriate managerial authority to make decisions and to speak to the issues of concern.

Important note: Management representatives must be either a member of the CF, or a civilian whose position is excluded from participating in a union or bargaining group or is part of an unrepresented group. They cannot be a member of a union or bargaining group and also sit as a management representative at any level of labour management consultation committee.

NATIONAL COMMITTEE

Management Representatives

- Deputy Minister & L1s designated by the DM
- And such other management representatives designated by the Deputy Minister

Bargaining Agent/Union Representatives

- National Union Presidents/Heads of Unions or their delegates

Resource Persons

- Committee Secretary

- Director General Labour Relations and Compensation
- Technical or specialist advisors as determined required by parties

INTERMEDIATE LEVEL COMMITTEES

To be established through Labour-Management consultation.

LOCAL COMMITTEES

Management Representatives

- Base/Unit Commander
- Senior Officers and other Management representatives designated by the Base/Unit Commander
- It is strongly recommended that a Human Resources Advisor attend in an advisory capacity

Bargaining Agent/Union Representatives

- Local Union Presidents(s)/Head(s) of Union(s) or their designates

- Other employee representatives designated by the Union(s)

Note: Provided representation by management and the union(s) is reasonably balanced, the size of the committees may vary by mutual agreement in order to ensure the effectiveness of the meetings.

Resource Persons

- Committee Secretary
- Human Resources Officer
- Technical or specialist advisors as determined required by parties

CHAIRPERSONS

There shall be two co-chairpersons for each meeting. Management and the Unions shall each nominate a co-chair. The co-chairpersons, at the request and concurrence of either party, may invite persons or speakers to address the meeting on predetermined topics.

The national committee shall be co-chaired by the Deputy Minister on behalf of management.

FREQUENCY OF MEETINGS

The National Committee will meet at least semi-annually or on an ad hoc basis at the call of the co-chairpersons.

Intermediate level and Local level committees will meet in accordance with each committee's individual Terms of Reference, which will be established through consultation with the appropriate unions.

LOCATION AND SCHEDULING OF MEETINGS

Meetings will normally be held on the employer's premises during normal working hours. Committee members shall be protected against any loss of regular pay due to attendance at meetings. Every reasonable effort will be made to schedule meetings respecting work schedules of committee members.

AGENDA

Unless otherwise decided by the committee, management shall provide administrative support (i.e., a committee secretary) to the committee. Management and Union representatives shall be responsible for providing agenda items and relevant background documents to the committee secretary in sufficient time to permit the agenda and supporting documents to be distributed at least one week in advance of the scheduled meeting. Items not placed on the agenda beforehand may be discussed with the approval of both parties.

RECORDS OF DISCUSSIONS

The committee secretary shall prepare agendas, keep records of discussions, and have records of discussions of each meeting signed by the chairperson and co-chairperson. Such records of discussions shall be prepared and distributed to each committee member within six weeks of the meeting. Records of discussions of the National Committee will be in both official languages, those of other committees will be in the language(s) appropriate to each Base/Unit as determined by the committee. Since communication is a prime purpose, the records of discussions are expected to communicate the results of the meeting. Records of discussions will also be a means for either party to refer unresolved issues to a different level of committee.

ESTABLISHMENT OF OTHER CONSULTATIVE COMMITTEES

Sub-committees, either standing or ad hoc, may be established at any level to deal with special or complex issues, or matters that may extend over a lengthy period of time. As sub-committees to the National committee are established, their terms of reference will be appended to these guidelines.

IMMUNITY

Committee members must be free to discharge their duties without fear of reprisal, or that their relationships within the Department will be affected by action taken in good faith as a member of the committee.

ROLE OF DIRECTOR GENERAL – LABOUR RELATIONS AND COMPENSATION (DGLRC)

DGLRC will act as executive co-ordinator for the National Union Management Consultation Committee. DGLRC's responsibilities will be to assist the chairperson with the development of the agenda; to assist in the preparation of the records of discussion; and to provide staff relations advice and guidance to the management members of the committee. With respect to other levels of committees, DGLRC has overall responsibility to ensure that the consultation is taking place in the spirit of this agreement.

LANGUAGE

Meetings shall be conducted in accordance with the Treasury Board Official Languages Policy.

PERIODIC REVIEW OF THE FRAMEWORK

To ensure that the framework continues to be relevant for the department, it is recommended that the executive coordinator for the national committee/Director General Labour Relations and Compensation review the Union Management Consultation Framework, every five (5) years. Amendments to the Framework will be done as required and sent to the national committee for approval.

APPROVAL

These terms of reference are approved by the UMCC at _____
(location), on _____(date).