



# Canadian Artists and Producers Professional Relations Tribunal

## Performance Report

For the period ending  
March 31, 2001

Canada

## **Improved Reporting to Parliament Pilot Document**

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament.

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*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of funds.

©Minister of Public Works and Government Services Canada — 2001

Available in Canada through your local bookseller or by mail from

Canadian Government Publishing — PWGSC

Ottawa, Canada K1A 0S9

Catalogue No. BT31-4/20-2001

ISBN 0-660-61662-9



## Foreword

In the spring of 2000 the President of the Treasury Board tabled in Parliament the document “Results for Canadians: A Management Framework for the Government of Canada”. This document sets a clear agenda for improving and modernising management practices in federal departments and agencies.

Four key management commitments form the basis for this vision of how the Government will deliver their services and benefits to Canadians in the new millennium. In this vision, departments and agencies recognise that they exist to serve Canadians and that a “citizen focus” shapes all activities, programs and services. This vision commits the government of Canada to manage its business by the highest public service values. Responsible spending means spending wisely on the things that matter to Canadians. And finally, this vision sets a clear focus on results – the impact and effects of programs.

Departmental performance reports play a key role in the cycle of planning, monitoring, evaluating, and reporting of results through ministers to Parliament and citizens. Earlier this year, departments and agencies were encouraged to prepare their reports following certain principles. Based on these principles, an effective report provides a coherent and balanced picture of performance that is brief and to the point. It focuses on results – benefits to Canadians – not on activities. It sets the department’s performance in context and associates performance with earlier commitments, explaining any changes. Supporting the need for responsible spending, it clearly links resources to results. Finally the report is credible because it substantiates the performance information with appropriate methodologies and relevant data.

In performance reports, departments strive to respond to the ongoing and evolving information needs of parliamentarians and Canadians. The input of parliamentarians and other readers can do much to improve these reports over time. The reader is encouraged to assess the performance of the organization according to the principles outlined above, and provide comments to the department or agency that will help it in the next cycle of planning and reporting.

---

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

<http://www.tbs-sct.gc.ca/rma/dpr/dpre.asp>

Comments or questions can be directed to this Internet site or to:

Results Management and Reporting Directorate

Treasury Board Secretariat

L’Esplanade Laurier

Ottawa, Ontario, Canada

K1A 0R5

Tel.: (613) 957-7167 – Fax: (613) 957-7044

# Canadian Artists and Producers Professional Relations Tribunal

## Performance Report

For the year ending  
March 31, 2001

---

The Honourable Claudette Bradshaw  
Minister of Labour

## Table of Contents

SECTION I	- Message from the Chairperson .....	1
SECTION II	- Departmental Overview .....	3
	A. Mandate, Role and Responsibilities .....	3
	B. Departmental Organization .....	4
SECTION III	- Departmental Performance .....	6
	A. Objectives .....	6
	B. Government Priorities .....	6
	C. Social and Economic Factors .....	6
	D. Performance Expectations and Accomplishments .....	8
APPENDIX A	- Financial Summary Tables .....	17
	A. Summary of Voted Appropriations .....	17
	B. Comparison of Total Planned Spending to Actual Spending ..	18
	C. Historical Comparison of Total Planned Spending to Actual Spending .....	18
APPENDIX B	- Supplementary Information .....	19
	A. Contact for Further Information .....	19
	B. Legislation Administered and Associated Regulations .....	19
	C. Statutory and Other Departmental Reports and Publications ..	19
APPENDIX C	- Notes on Changes Made to the Performance Measurement Framework .....	20

## I - Message from the Chairperson

---

Canada's cultural sector represents innovation and quality, understanding and insight. It provides the means by which Canadians define, understand and appreciate one another. Over time, supporting our cultural sector is one of the most effective and efficient ways to bolster national identity and build a strong sense of pride and belonging in Canadians.

The *Status of the Artist Act* contributes to our cultural sovereignty by encouraging constructive professional relations, thereby developing and enhancing cultural production. The *Act* provides enforcement mechanisms as well as a legal framework for conducting negotiations and resolving disputes.

The Tribunal achieved its objectives in 2000-2001. Faced with an increase in activity, it dealt with its cases promptly and competently.

The Tribunal fully met its commitment to inform and assist its clients. Although indicating general client satisfaction, a survey of clients in the previous year had shown that they were insufficiently informed about the Tribunal and the *Status of the Artist Act*. As a result, the Tribunal Secretariat held a number of information meetings for its client groups and also improved its Web site and other communications materials.

Progress continues in achieving the Tribunal's strategic objective—encouraging constructive professional relations between self-employed artists and producers in its jurisdiction. Ten first agreements have been concluded, including some with government producers and specialty television services.

As Chairperson of the Canadian Artists and Producers Professional Relations Tribunal, I reaffirm my commitment to this agency's role in promoting a stable and healthy cultural sector that contributes to our collective Canadian spiritual and economic well-being. I am pleased to present to Parliament this fifth annual performance report for the year ending March 31, 2001.

David P. Silcox  
Chairperson and Chief Executive Officer  
September 2001



## II - Departmental Overview

---

### A. Mandate, Role and Responsibilities

The Canadian Artists and Producers Professional Relations Tribunal (CAPPRT or the Tribunal) administers Part II of the *Act respecting the status of the artist and professional relations between artists and producers in Canada*, which governs professional relations (labour relations) between self-employed artists and federally regulated producers.

CAPPRT is a quasi-judicial, independent federal agency which reports to Parliament through the Minister of Labour. Certain provisions of Part II of the *Act* also specify a role for the Minister of Canadian Heritage whose clientele includes users of the Tribunal.

In 1995, the Tribunal joined the Canada Industrial Relations Board and the Public Service Staff Relations Board as one of three agencies which regulate labour relations in the federal jurisdiction. In Canada, provincial legislatures are responsible for labour relations between the vast majority of workers and employers. The few industry sectors regulated by the federal government include broadcasting, telecommunications, banking, interprovincial transportation and federal government institutions.

The Tribunal has jurisdiction over broadcasting undertakings regulated by the Canadian Radio-television and Telecommunications Commission (CRTC), federal government departments, and the majority of federal government agencies and crown corporations (such as the National Film Board and national museums).

The self-employed artists within the Tribunal's jurisdiction include artists covered by the *Copyright Act* (such as writers, photographers and music composers), performers (such as actors, musicians and singers), directors, and as specified by regulation, certain other professionals who contribute to the creation of a production, such as those doing camera work, lighting and costume design.

The Tribunal has a statutory mandate to define, within its jurisdiction, those sectors of cultural activity that are suitable for collective bargaining between artists' associations and producers; to certify artists' associations to represent independent entrepreneurs working in these sectors; to hear and decide complaints of unfair practices filed by artists, artists' associations or producers; and to prescribe appropriate remedies for contraventions of Part II of the *Act*.



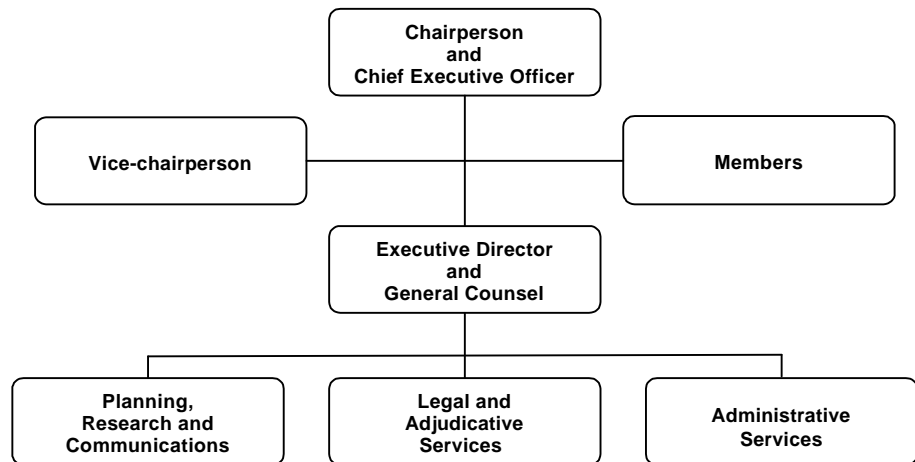
By following the procedures specified in the *Act*, certified associations have the exclusive right to negotiate scale agreements with producers. A scale agreement specifies the minimum terms and conditions that a producer must respect when engaging the services of, or commissioning work from, a self-employed artist in a specified sector.

The pictogram on page 5 illustrates CAPPRT's role and responsibilities.

## B. Departmental Organization

The Tribunal is composed of a Chairperson, a Vice-chairperson and four other members. Members are appointed by the Governor in Council, and all six members are part-time appointees.

The Chairperson is also the Chief Executive Officer. The Executive Director manages daily operations and reports to the Chairperson. During the fiscal year 2000-2001, nine FTEs (full-time equivalents) carried out the functions of legal counsel, registrar, planning, research, communications, mediation and administrative support. Some corporate services which the Tribunal does not require on a full-time basis, such as informatics, human resources and finance, are outsourced.



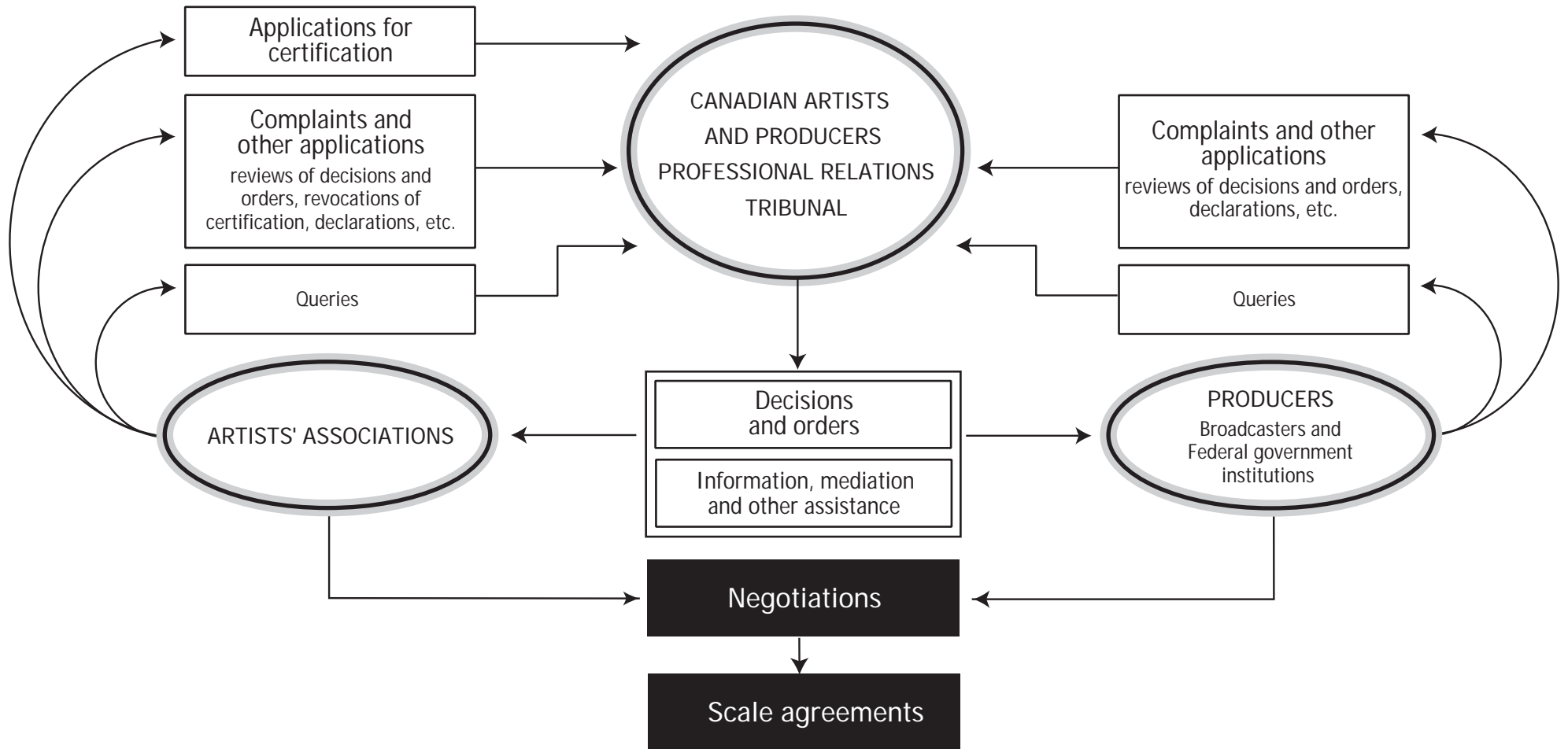
---

### **Business Line**

---

The Tribunal's sole business line is adjudication of applications, complaints and other matters pursuant to the *Status of the Artist Act*.

# STATUS OF THE ARTIST ACT



### **III - Departmental Performance**

---

#### **A. Objectives**

The Tribunal's strategic objective is to encourage constructive professional relations between self-employed artists and producers within its jurisdiction.

In pursuit of its strategic objective, the Tribunal has the following objectives: to deal with matters promptly and competently; to fully inform and assist its clients; and to manage financial resources well.

The Tribunal spent \$1.3 million, out of a budget of \$1.7 million, to realize its objectives in fiscal year 2000-2001.

#### **B. Government Priorities**

In its last Throne Speech, the Government committed to a new priority: a vibrant Canadian culture. "In these times of rapid change and globalization, it is more important than ever that we know who we are as Canadians and what brings us together". The Government announced two focuses for Canada's cultural policy: excellence in the creative process and diverse Canadian content. To achieve these, the Government has provided added support for various new and existing programs. The Tribunal contributes to a vibrant Canadian culture by encouraging constructive professional relations which ensure an equitable economic and social status for artists, and a stable, predictable labour environment, with an adequate pool of skilled artists.

#### **C. Social and Economic Factors**

---

#### **The economics of artistic endeavors**

---

Although the works of Canadian artists enrich our daily lives and help define who we are in the world, the valuable contribution of artists is not reflected in their earnings. According to the most recent Statistics Canada census data (the 2001 census data are not yet available), in 1995 the Tribunal's artist clients had an average income of \$23,000 (including income from other employment) compared to an average income for all Canadian workers of \$26,000.

Although exact figures are not available, estimates indicate a jump in the percentage of Canadian artists who are self-employed from 32 percent in 1991 to 42 percent in 1996. The proportion of

self-employed ranged as high as 50 to 75 percent in certain occupations such as writer, musician and visual artist in 1996. An estimated 100,000 of these workers fall within the Tribunal's jurisdiction. In addition to having lower earnings, artists do not have the advantages enjoyed by those working as employees, such as unemployment and training benefits.

---

**The changing industry environment**

---

Global competition and convergence of broadcasting and telecommunications technologies have led to horizontal and vertical integration in the media production, programming and distribution industries. Negotiating scale agreements in an environment of continual organizational upheaval is challenging to producers and artists' associations alike. Moreover, the line of demarcation between federal and provincial jurisdiction can be more difficult for the parties and, ultimately, for labour boards to determine in some cases.

The CRTC has determined that some Internet transmissions constitute broadcasting, although it has exempted these entities from the need for a license for now. As expected, it is taking time to initiate negotiations in this emerging sector. The CRTC's decision may broaden the Tribunal's jurisdiction to include unlicensed entities involved in broadcasting on the Internet, although the Tribunal has not yet dealt with a case in which it had to make a determination on this subject.

---

**Need for provincial legislation**

---

“It will be difficult to make improvements to the status of Canadian artists without the cooperation and participation of provincial governments. Existing federal status of the artist legislation will fulfil its purposes only if it is accompanied by complementary provincial legislation.”

*A Sense of Place, A Sense of Being*  
Report of the Standing Committee on Canadian Heritage

The amount of work offered to self-employed artists by producers in the Tribunal's jurisdiction is modest compared to the total amount of activity in the cultural sector in Canada. Labour matters in the cultural sector mostly fall under provincial jurisdiction, which includes independent film and television production, sound recording, art exhibitions, theatrical production and book publishing. Yet, outside of the Tribunal's jurisdiction, only the province of Quebec provides similar legislation.

The Canadian Conference of the Arts has embarked on an educational campaign to promote the adoption of provincial status of the artist codes across the country. Currently artists' associations and arts organizations in Saskatchewan and Newfoundland are actively lobbying for such legislation.

Although the Tribunal supports the adoption of status of the artist legislation in more provinces, it is not the Tribunal's role to advocate such action. The Tribunal has and will continue to provide information and advice to policy makers and other interested parties in provincial jurisdictions who are interested in considering the benefits of such legislation.

---

**Financial  
difficulties of  
artists'  
associations**

---

Even though collective bargaining has the potential to improve artists' earnings, the process of becoming certified and then negotiating scale agreements can be daunting. Many artists' associations are small, lack financial resources and have little or no experience in labour relations. Furthermore, cutbacks in government funding have made it more difficult for these associations to meet their objectives.

Because they lack sufficient time and resources, artists' associations have expressed the desire to negotiate with associations of producers rather than with individual producers. Also, many government producers would prefer to designate one department as the lead negotiator. The Tribunal encourages the parties to discuss this strategy since it might, ultimately, facilitate the bargaining process and make it more cost-effective.

It is with this context and these issues in mind that the Tribunal pursues its objectives.

#### **D. Performance Expectations and Accomplishments**

For the government's performance reporting exercise, departments and agencies attempt to show the impact that their activities have on Canada and Canadians. Impacts are not always easily quantifiable nor easily attributable to those responsible. The Tribunal strives to deal with these issues and to continually improve its performance measurement framework. The few changes made this year in its framework are noted in Appendix C. This performance report covers its fifth full year of operation.

For our performance measurement, we have chosen some measures which are objective and others which are subjective. Our client

consultations carried out in early 2000 provided feedback on client perceptions of the results of the Tribunal's work and these were presented in the performance report for 1999-2000. We have addressed the principle shortcoming which was identified in the consultations report, namely the inadequate understanding of artists' associations and producers of their rights and obligations under the *Status of the Artist Act*, and the results of this work to date are discussed on page 13.

A review of the *Status of the Artist Act* will be conducted by the Department of Canadian Heritage in consultation with the Department of Human Resources Development Canada in the year 2002, seven years after its coming into full effect. As required by the legislation, the review will cover the provisions and operations of the *Act*. It is expected that during the review, artists' associations and producers will have an opportunity to make their views known, and legislators will subsequently decide whether to take any action following recommendations resulting from the process.

**Strategic Result: Constructive professional relations between artists and producers**

The *Act* and its collective bargaining regime are intended to encourage constructive professional relations between artists and producers. There are several indicators we have chosen to measure constructive professional relations between the parties.

---

**Parties resolve differences themselves**

---

The Tribunal encourages parties to resolve as many differences as possible arising from matters prior to a hearing. When appropriate, the staff investigates the situation and provides mediation, thus fostering constructive relations between the parties as they resolve the issues at hand. This informal approach also reduces the number of panel decisions required, thus saving time and money for the clients and the Tribunal.

---

**Negotiation of scale agreements**

---

Issuing notices to bargain and negotiating scale agreements are also indicators of constructive professional relations between the parties. Although the Tribunal can facilitate the negotiation process by granting certifications, providing information on provisions in the *Act* regarding negotiations and resolving complaints, it has no ultimate control over whether the parties pursue negotiations after certification or over the results achieved in any negotiations. Although the Department of Human Resources Development Canada (Labour component) cannot

exercise any ultimate control over the outcome either, it may have a role in the negotiation of agreements since it can provide mediation assistance to the parties when they encounter difficulties in reaching a settlement.

Much progress in negotiations has been made, as over half of the some 40 agreements, which already existed, have been renewed and 10 first agreements have been negotiated, including with three government institutions and with three specialty channels. However, as shown in Table 1, less has been accomplished than expected. With the increase in awareness-building and assistance provided by the Tribunal in the last year, the Tribunal expects an increase in negotiations will take place.

---

**Recognition and  
improved  
conditions for  
artists**

---

Constructive professional relations also involve recognition, and improved earnings and working conditions for artists. For producers and artists alike, constructive professional relations imply a stable and predictable working environment.

The indicators for constructive professional relations, targets and actual results achieved are summarized in Table 1 below. Results for the five-year period are reported as they are expected to be achieved over the long-term.

Table 1 - Constructive professional relations

<i>Performance Measure</i>	<i>Results Expectation</i>	<i>Results Achieved 1996-2001</i>
Percentage of complaints resolved without a hearing. Client satisfaction.	Minimum of 50% of complaints to be resolved without a hearing. Client satisfaction to be determined by survey.	Six complaints were received. 67%, or four, were resolved or withdrawn without the need for a hearing; two are in abeyance. (Much assistance has also been given to parties to come to agreement over disputes regarding jurisdiction or other matters during certification applications.) The results of the client consultations in 2000 revealed that those who have sought assistance and information have a high level of satisfaction.
Negotiation of first agreements.	All certified artists' associations to have negotiated at least one new scale agreement within five years of certification.	Out of 15 associations whose certification had reached the five-year mark, seven had negotiated a total of 10 first agreements. Three others had given notice to bargain a first agreement to at least one producer but have not yet negotiated agreements. Five others have not yet issued a notice to bargain.
Greater recognition and improved wages and working conditions for artists. A stable and predictable working environment for artists and producers.	Targets being developed.	To be measured by client consultations and other means being developed. It is proposed that measuring be carried out in two to three years when more first agreements have been signed, particularly in the sectors where they didn't exist before such as the specialty TV services and government institutions.

The task of measuring constructive professional relations is difficult. Some aspects, such as improved recognition for artists, are subjective and will have to be determined by client survey. Furthermore, some clients may not want to acknowledge certain gains made under the *Act* such as a stable and predictable working environment. Business often resists agreeing with the existence of labour codes in the first place as such legislation impinges on their freedom to manage, although they are accorded certain rights as well. Measuring the improvement in artists' pay and working conditions in the Tribunal's jurisdiction could probably be done in a study of changes in scale agreements over time. However, to determine how much of any improvement or deterioration can be attributed to the *Status of the Artist Act* and the Tribunal's work is a complicated task, as other factors, such as the general labour relations climate, also play a role.



**Result: Cases dealt with promptly and competently.**

As expected, case activity increased in the last fiscal year. The Tribunal made significant progress in processing applications for certification that had been postponed once or more at the request of one of the parties involved. Six hearings were held during the period, five of which dealt with applications for certification. Details are contained in the Tribunal's annual report, available on its Web site.

Because of the complexity of some cases, the Tribunal's promptness in dealing with cases was very slightly above targeted times as indicated in Table 2. As reported last year, the client consultations indicated that clients were very satisfied with the Tribunal's speed. The Tribunal will continue to strive to meet the high standards set and will not change its target times at this point.

Table 2 - Cases dealt with promptly.

<i>Performance Measure</i>	<i>Results Expectation</i>	<i>1996-1998</i>	<i>1998-2000</i>	<i>2000-2001</i>
Average time to issue reasons for decision after the hearing concludes	maximum of 35 calendar days	36 days	25 days	37 days
Average time to process applications for certification from the date of receipt of the completed application to the date of decision	maximum of 240 calendar days	261 days	489 days	252 days

To measure the Tribunal's competence in dealing with cases, it uses the results of judicial review as an indicator. The *Act* provides that a party may, under specific circumstances, challenge a Tribunal decision by requesting a judicial review by the Federal Court of Appeal. Of the Tribunal's 41 interim and final decisions, one has been so challenged. The case, which was filed in 1998-1999, was dismissed by the Federal Court of Appeal in November 2000, thus confirming that the Tribunal acted within its jurisdiction.

The development of a suitable indicator to evaluate the soundness of the Tribunal's decisions is ongoing.

Table 3 - Competence

<i>Performance Measure</i>	<i>Results Expectation</i>	<i>1996-2001</i>
Rate of applications for judicial review that have been granted	Less than 50%	0 %

**Result: Clients fully informed and assisted.**

The Tribunal has always treated very seriously its responsibility to ensure that artists' associations and producers are fully aware of their rights and responsibilities under the *Status of the Artist Act*. In order for clients to be able to use and benefit from the *Act*, for negotiations to take place, and for long-term objectives of the *Act* to be achieved, the Tribunal's clients must fully understand this new and unique legislation. Despite the Tribunal's efforts however, negotiations have taken a long time to get initiated and/or arrive at a settlement. One of the reasons and the one over which the Tribunal has some influence, is that clients are not sufficiently informed, as confirmed by the client consultations carried out in the previous fiscal year.

---

**Meetings with artists' associations**

---

As a result, the Tribunal Secretariat stepped up considerably its outreach activities to the client community. It organized information sessions specifically for artists' associations in Toronto and Montreal which were attended by almost all certified associations and those whose applications were pending. According to their evaluation reports, participants very much appreciated the meetings and some participants requested that such meetings occur regularly to provide updates.

---

**Meetings with government producers**

---

In presentations organized for federal government producers, the Secretariat reached 61 representatives from 35 institutions. Among other issues, we clarified how the *Status of the Artist Act* is compatible with the government's contracting procedures, a major preoccupation of many participants, by using the analogy of other government rules and procedures, such as the *Fair Wages and Hours Act*, which institutions must respect when following the contracting procedures. Participants were very satisfied with the information provided, as indicated by their evaluation reports. As a result of these presentations and follow up work, government institutions have provided us with a list of contacts to receive information updates. Artists' associations had also requested such a list of contacts, which they have started to use, in order to initiate negotiations. Some institutions also requested one-on-one meetings to address specific issues.

---

**Meetings with  
broadcasters**

---

We have had some difficulty organizing informational meetings for broadcasters, our other major client group. Broadcasters are facing structural changes in their industry organizations, with whom we are collaborating, and facing a multitude of other important issues. Sessions are scheduled for September 2001.

---

**Improved  
communications  
materials**

---

In addition to the above meetings and other presentations made, the Tribunal Secretariat has improved its information bulletin, in response to the need for more information, particularly on negotiations, as revealed in the client consultations of 2000. The Tribunal's Web site was updated and reorganized to provide easier access to information. The navigation functions were enhanced, information was revised and new pages on negotiations under the *Status of the Artist Act* were created to respond to comments received from the client consultations.

The Tribunal's Web site meets the basic requirements of the Government on Line (GOL) initiative as appropriate to it. The Secretariat is looking into the possibility of an initiative in collaboration with other federal institutions. The Secretariat also developed its plan for meeting the requirements of the Common Look and Feel initiative and will be implementing the plan as required over the next two years.

---

**Draft  
regulations**

---

Since its inception, the Tribunal has attempted to use procedures that are fair to the parties and facilitate access to the Tribunal's operations. After carrying out client consultations and making several amendments over the years, the Tribunal has now initiated a process to have these draft procedures adopted as regulations. During this process, clients will have another opportunity to provide comments.

The above indicators, targets and results achieved are contained in Table 4 on the next page.

Table 4 - Client community fully informed and appropriately assisted

<i>Performance Measure</i>	<i>Results Expectation</i>	<i>1999-2000</i>	<i>2000-2001</i>
Quality and timeliness of information bulletins.	At least three information bulletins to be issued annually. Clients to be satisfied (to be verified by client consultations).	Three issued.	Three issued. More relevant information added. (No survey of clients done).
Quality of the Tribunal's Internet site.	Meets Government on Line standards (2000-2001 and beyond). Clients to be satisfied (to be verified by client consultations).	Mostly favourable comments.	Meets requirements of GOL Tier 1 and Common Look and Feel. Comments received informally were positive.
Accuracy and timeliness of responses to queries and requests for information.	Enquiries and requests for information to be dealt with within two working days. Clients to be satisfied (to be determined by client consultations).	Responded within two working days. Client consultations results indicated client satisfaction.	Responded on average within one working day to telephone requests.
Fair and effective procedures and regulations.	Simple and appropriate procedures and regulations; easily understood documents explaining the procedures.	Procedures being followed by clients without negative comments.	Procedures being followed by clients without negative comments.

**Result: Financial resources managed well**

The Tribunal, while remaining well under its total financial authorities, has increased its total expenditures from the previous year by 10 percent. These increases were due to an increase in its adjudicative workload and an enhanced communications program with our clientele. The Tribunal continues to operate with a small, dedicated and professional workforce and can and does, as a result, respond with speed and efficiency to both increases and decreases in the workload.

The Tribunal continues to manage its funds carefully. Cost-saving agreements and outsourcing were used as alternatives to full-time staffing for services (for example human resource and financial services, hearing room and library services) that the Tribunal requires on a part-time basis. Planning was underway to share our accommodation with the Office of the Chief Review Officer under the *Canadian Environmental Protection Act, 1999*. This action will lead to further economies for the government in subsequent years. We always seek economies in our procurement activity, and our internal procedures and processes are efficiently designed.

**Financial Summary Tables**

---

We have included the following financial tables:

Table 1 - Summary of Voted Appropriations

Table 2 - Comparison of Total Planned Spending to Actual Spending by Business Line

Table 3 - Historical Comparison of Total Planned Spending to Actual Spending

The summary financial information presented below includes three figures:

**Planned Spending** - what the plan was at the beginning of the fiscal year;

**Total Authorities** - planned spending plus any additional spending Parliament has seen fit to approve for departments to reflect changing priorities and unforeseen events; and

**Actuals** - what was actually spent during the fiscal year.

Financial Table 1  
Summary of Voted Appropriations

<b>Financial Requirements by Authority (\$ thousands)</b>				
		<b>2000-2001</b>		
<b>Vote</b>		<b><u>Planned Spending</u></b>	<b><u>Total Authorities</u></b>	<b><u>Actual</u></b>
	<b>Canadian Artists and Producers Professional Relations Tribunal</b>			
<b>30</b>	<b>Program expenditures</b>	1,559	1,586	<b>1,152</b>
<b>(S)</b>	<b>Contributions to employee benefit plans</b>	138	138	<b>138</b>
	<b>Total Department</b>	1,697	1,724	<b>1,290</b>

Financial Table 2  
Comparison of Total Planned Spending to Actual Spending

<b>Departmental Planned versus Actual Spending (\$ thousands)</b>			
<b>Business Line: Adjudication</b>	<b>2000-2001</b>		
	<b>Planned</b>	<b>Total Authorities</b>	<b>Actual</b>
FTEs	10		9
Operating	1,697	1,724	1,290
Capital	-	-	-
Grants and Contributions	-	-	-
<b>Total Gross Expenditures</b>	1,697	1,724	1,290
<b>Less:</b>			
Respendable Revenues	-	-	-
<b>Total Net Expenditures</b>	1,697	1,724	1,290
<b>Other Revenues and Expenditures</b>			
Non-respendable Revenues	-	-	-
Cost of services provided by other departments			393
<b>Net Cost of the Program</b>	1,697	1,724	1,683

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

<b>Historical Comparison of Departmental Planned versus Actual Spending (\$ thousands)</b>					
	<b>2000-2001</b>				
	<b>Actual 1998-99</b>	<b>Actual 1999-2000</b>	<b>Planned Spending</b>	<b>Total Authorities</b>	<b>Actual</b>
<b>Canadian Artists and Producers Professional Relations Tribunal</b>	1,271	1,150	1,697	1,724	1,290
<b>Total</b>	1,271	1,150	1,697	1,724	1,290

## Supplementary Information

---

### A. Contact for Further Information

Canadian Artists and Producers Professional Relations Tribunal  
240 Sparks Street, 8<sup>th</sup> Floor West  
Ottawa, Ontario K1A 1A1

Telephone: (613) 996-4052 or 1-800-263-2787  
Fax: (613) 947-4125  
E-mail: tribunal.artists@ic.gc.ca

Web Site: <http://capprt-tcrpap.gc.ca>

### B. Legislation Administered and Associated Regulations

*An Act respecting the status of the artist and professional relations between artists and producers in Canada* (Short Title: *Status of the Artist Act*) S.C. 1992, c.33, as amended

Status of the Artist Act Professional Category Regulations SOR 99/191

### C. Statutory and Other Departmental Reports and Publications

*Canadian Artists and Producers Professional Relations Tribunal Annual Report*

*Canadian Artists and Producers Professional Relations Tribunal Performance Report* (annual)

*Canadian Artists and Producers Professional Relations Tribunal Report on Plans and Priorities* (annual)

*Canadian Artists and Producers Professional Relations Tribunal Information Bulletins* (several per year)

*Canadian Artists and Producers Professional Relations Tribunal Procedures*, 3<sup>rd</sup> Edition, February 1999 (updated occasionally)

*The Status of the Artist Act Annotated*, prepared by the Legal and Adjudicative Services Branch of the Canadian Artists and Producers Professional Relations Tribunal, published by Carswell, 1999.



### Notes on Changes Made to the Performance Measurement Framework

---

1. Although the majority of the Tribunal's cases are applications for certification, there are a growing number of other kinds of cases, such as complaints and applications for review. Until this year, only certification cases were included in the measurement of promptness in dealing with cases. As of this year, the measurement of the promptness in issuing reasons for decision after a hearing includes all cases (page 12). The measurement of the promptness in processing cases from the completed application to the issuance of a decision still refers to only certification cases, since the steps involved in other kinds of cases can be quite different.

As the number of other matters to be dealt with grows, suitable measures of promptness in dealing with those cases will be used.

2. Until this year, ensuring visibility of the Tribunal's work to the public was an objective reported on in the performance report. Although it is still an objective pursued by the Tribunal, it is of lesser importance compared to the other ones and will no longer be part of the performance measurement framework.
3. We no longer include the quantity of use of the Tribunal's Internet Web site as a measure of the extent to which clients are fully informed. We do not have an adequate rationalization for including this indicator and we are looking for a suitable indicator.
4. The target time for the negotiation of first-time scale agreements has been increased from a maximum of three years to a maximum of five years after certification (page 11). The initial target of three years was chosen on the basis of experience in traditional labour relations involving employee-employer and on the limited experience under the Quebec status of the artist legislation. At the information meetings organized for artists' associations, many representatives said that the three-year target was too short because the legislation is new and different from other labour relations laws, it was still relatively unfamiliar to the associations and producers, particularly where no previous bargaining relationship existed, associations were uncertain whom to contact in order to initiate bargaining in the federal government, and associations lacked the resources to conduct bargaining on several fronts, particularly in Quebec where associations were negotiating first agreements under provincial status of the artist legislation.
5. In past performance reports, we measured the soundness of decisions by the percentage of decisions for which parties requested a judicial review. However, the Federal Court of Appeal does not review the soundness of decisions, that is whether they are good decisions with respect to the objectives of the *Act*. Rather, it determines whether the Tribunal acted within its jurisdiction and observed the principles of natural justice. Accordingly we are looking for an indicator for the soundness of decisions taken (page 12).