



# Canada Labour Relations Board



For the  
period ending  
March 31, 1997



Improved Reporting to Parliament —  
Pilot Document

Canada

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## Foreword

On April 24, 1997, the House of Commons passed a motion dividing what was known as the *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*. It also required 78 departments and agencies to table these reports on a pilot basis.

This decision grew out of work by Treasury Board Secretariat and 16 pilot departments to fulfil the government's commitments to improve the expenditure management information provided to Parliament and to modernize the preparation of this information. These undertakings, aimed at sharpening the focus on results and increasing the transparency of information provided to Parliament, are part of a broader initiative known as "Getting Government Right".

This *Departmental Performance Report* responds to the government's commitments and reflects the goals set by Parliament to improve accountability for results. It covers the period ending March 31, 1997 and reports performance against the plans presented in the department's *Part III of the Main Estimates* for 1996-97.

Accounting and managing for results will involve sustained work across government. Fulfilling the various requirements of results-based management – specifying expected program outcomes, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and report on achievements – is a building block process. Government programs operate in continually changing environments. With the increase in partnering, third party delivery of services and other alliances, challenges of attribution in reporting results will have to be addressed. The performance reports and their preparation must be monitored to make sure that they remain credible and useful.

This report represents one more step in this continuing process. The government intends to refine and develop both managing for results and the reporting of the results. The refinement will come from the experience acquired over the next few years and as users make their information needs more precisely known. For example, the capacity to report results against costs is limited at this time; but doing this remains a goal.

This report is accessible electronically from the Treasury Board Secretariat Internet site:  
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1996-97 Performance Report

Canada Labour Relations Board

For the  
period ending  
March 31, 1997

Approved by: \_\_\_\_\_  
The Honourable Lawrence MacAulay  
Minister of Labour

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## **Section 1: The Chairman's Message**

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On April 27, 1997, the 35th Parliament was dissolved by the Governor General of Canada on the advice of the prime minister. The government's decision to seek a new mandate from the population of Canada had the effect of ending a legislative initiative of great importance to the Canada Labour Relations Board, Bill C-66, *An Act to amend the Canada Labour Code and the Corporations and Labour Unions Returns Act and to make consequential amendments to other Acts*. The bill died on the order paper, awaiting third reading by the Senate, after having been adopted by the House of Commons on April 9, 1997.

Ever since the introduction of the bill in the House of Commons in November 1996, the Board has been reviewing its program and its operations in anticipation of the new legislative regime contemplated by Bill C-66. Had the bill been adopted, many of its features would have contributed significantly to the current restructuring of the Board's operations from a client service point of view. As the following Performance Report will show, many initiatives have been undertaken or are contemplated to improve service to the labour relations community, bearing in mind the continuing challenge of doing more with less. In fact, the Board has adopted new performance standards for the investigation of cases filed by the parties and is developing new ones for its adjudicative services. Both sets of standards will be published in the forthcoming Report on Plans and Priorities.

In light of the above, we therefore welcome the current Minister of Labour's public commitment to the spirit of the bill and will look forward to the introduction of a new legislative initiative during the course of the 36th Parliament. We in turn take this opportunity to make public our commitment to vigorously pursue current reforms to our processes and procedures so as to provide our constituency with the professional assistance and support it has a right to expect from us.

J.F.W. Weatherill  
Chairman

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## Section II: Departmental Overview

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### Mandate, Role and Responsibilities

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 establishes of 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*.

*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.*

### Organization and Structure of the Program

The Board is comprised of one Chairman and five Vice-Chairmen, each appointed by the Governor in Council to ten-year terms, and eight Members, appointed to five-year terms. all positions are held "during good behaviour" and may be renewed. The Chairman is the Chief Executive Officer and Deputy Head of the Board. Applications, referrals and unfair labour practice complaints are normally decided by three-person panels of the Board chaired by the Chairman or one of the Vice-Chairmen. The exercise of the Board's powers and duties under the Code constitutes its sole program.

Program delivery is accomplished through two services, adjudicative and operational.

- (1) the adjudicative service is comprised of Governor in Council appointees (GICs) who administer the *Code's* provisions. This entails the development and application of policies through which rights are conferred upon parties to enable them to engage in collective bargaining. Differences that arise between bargaining agents and employers that cannot be resolved by the Board's labour relations officers are adjudicated by the GICs. Close to 81% 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. 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 is comprised of a network of regional offices located in Dartmouth, Montréal, Ottawa, Toronto and Vancouver, with a sub-office in Winnipeg. It is 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, managing to solve 38% of the Board's caseload in 1996-97. Their investigations of applications and complaints allow the Board to decide cases without the holding of public hearings.

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

The Client Services branch is headed by an Executive Director responsible for the following units: Operations, Informatics, Finance, Communications & 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 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.



## Objective

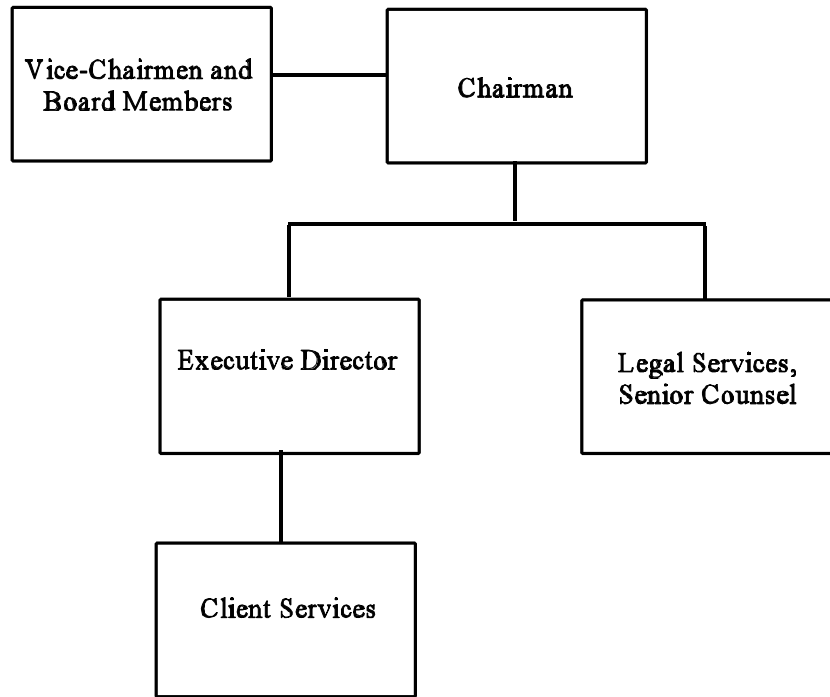
*To contribute to and promote effective industrial relations in any work, undertaking or business within the authority of the Parliament of Canada.*

## Strategic Priorities

- \* The introduction of a 1-800 public enquiries service line across Canada for general telephone inquiries. This service will allow the Board to satisfy its bilingual services obligations, in part, and will reduce the workload of regional staff;
- \* The development of policies and procedures with respect to proposed legislative changes to Parts I and II of the *Canada Labour Code*, and the concomitant review of the Board's *Regulations*;
- \* The review of the Operational Procedures Guide and the provision of additional alternative dispute resolution training for labour relations officers;
- \* The organization of an effective client consultation network;
- \* The conduct of a Case File Document Imaging Feasibility Study, to ascertain the cost effectiveness of document scanning and electronic filing as case management tools;
- \* The conduct of a study with respect to the application and benefits of video-conferencing for the holding of public hearings.

## Organization by Program

Figure 1



The operating context in which the Canada Labour Relations Board's program has been carried out has been quite complex since the last Part III of the Estimates report to Parliament. Adoption of Bill C-66 by the House of Commons in April 1997 foretold the most comprehensive overhaul of the Board's enabling statute, the *Canada Labour Code - Part I*, since the early 1970s. The bill was to reconstitute the Board itself into a more decentralized tribunal whose members would be representatives from labour and employer groups appointed to shorter terms, on a part-time basis. Major efficiencies of time and money would have been possible under the bill's new provisions concerning the need to hold public hearings and the constitution of a quorum to decide a case. The bill died on the order paper in the Senate when Parliament was dissolved later that month.

Successive budget cutbacks have also had an impact on the Board's ability to carry out its program: since early 1994, 12 staff positions have been eliminated with six more to come in the current fiscal year. Headquarters staff will have been reduced by 25% by the end of 1997-98. These reduced resources have constrained the Board's ability to carry out its program to some extent. It has therefore been necessary to re-prioritize the Board's caseload to make the most effective use of its human and financial resources.

● **Resource Plans and Financial Tables**

**A. Authorities for 1997-98 -- Part II of the Estimates**

**Financial Requirements by Authority**

Vote (\$ millions)	<b>1996-97 Actual</b>	1996-97 Main Estimates
<b>Canada Labour Relations Board</b>		
25 Program expenditures	<b>7.572</b>	7.976
(S) Contributions to employee benefit plans	<b>.861</b>	.829
<b>Total Agency</b>	<b>8.433</b>	8.805

**B. Use of 1996-97 Authorities - Volume II of the Public Accounts**

Vote (\$ millions)	Main Estimates	Total Available for Use	<b>Actual Use</b>
<b>Canada Labour Relations Board</b>			
25 Program expenditures	7.976	7.977	<b>7.572</b>
(S) Contributions to employee benefit plans	.829	.861	<b>.861</b>
<b>Total Program - Budgetary</b>	8.805	8.838	<b>8.433</b>

### Section III: Departmental Performance

#### A. Performance Expectations

**Figure 2: Planned Versus Actual Spending Tables**

Comparison of Total Planned Spending to Actual Expenditures, 1996-97 by Activity (millions of dollars)									
Activity	FTEs	Operating <sup>1</sup>	Capital	Voted Grants and Contri- butions	Subtotal: Gross Voted Expendi- tures	Statutory Grants and Contri- butions	Total Gross Expendi- tures	Less: Revenue Credited to the Vote	Total Net Expendi- tures
Canada Labour Relations Board	108	8.799	.006		8.805		8.805		8.805
	94	8.290	.143		8.433		8.433		8.433

Note: Shaded numbers denote actual expenditures/revenues in 1996-97.

1. Operating includes contributions to employee benefit plans.

#### Summary of Performance Expectations

**Figure 3: Key Results Commitments**

Canada Labour Relations Board, with a 1997/98 budget of 8,901,000 dollars.	
Provides to Canadians:	as demonstrated by:
Respect for their freedom of association with respect to labour relations	The provision of a timely framework for the conduct of collective bargaining by unions and employers so as to facilitate the conclusion of collective agreements
Development of a body of labour law jurisprudence that will guide employees, unions and employers	High standards with respect to the quality of Board decisions
Professional assistance to employees, unions and employers who allege violation of their rights under the <i>Code</i>	The settlement of unfair labour practice complaints through alternative dispute resolution efforts
Preservation of industrial peace during conflicts between unions and employers	The timely investigation and disposition of urgent labour relations conflicts, including unlawful strikes and lockouts

## B. Performance Accomplishments

### Departmental Accomplishments

The first step in the acquisition of the legal right to engage in collective bargaining under the *Code* is the filing by a trade union of an application for certification for a specific unit of an employer's employees. The certification process can be disruptive to a workplace, meaning that unfair labour practice complaints may be filed in the course of the processing of an application. Figure 4 below sets out the average and median times spent by Board labour relations officers in their investigation of certification applications and unfair labour practice complaints. These two types of files comprise approximately 60% of the Board's caseload. Statistics are also provided for all files dealt with by the Board during the reference period.

The statistics provided are for the period from the date a matter is acknowledged (ACK) as having been received by the Board, which is the starting point of a labour relations officer's investigation, to the date the investigation report is concluded (Report Filed) and transmitted to the parties and the Board.

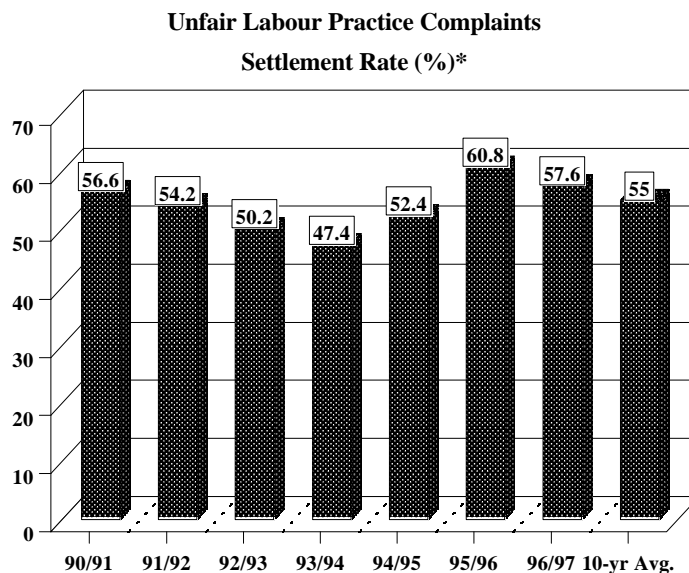
**Figure 4 Investigation Time**

<b>Certification Applications</b>					
	<b>92/93</b>	<b>93/94</b>	<b>94/95</b>	<b>95/96</b>	<b>96/97</b>
<b>Median Days - Ack. to Report Filed</b>	42	49	51	51	60
<b>Average Days - Ack. to Report Filed</b>	60	56	64	79	72
<b>Number of Reports Filed</b>	101	124	133	120	113
<b>Unfair Labour Practice Complaints</b>					
<b>Median Days - Ack. to Report Filed</b>	83	82	88	86	105
<b>Average Days - Ack. to Report Filed</b>	109	159	100	88	124
<b>Number of Reports Filed</b>	152	195	158	125	158
<b>All Files</b>					
<b>Median Days - Ack. to Report Filed</b>	62	62	63	63	74
<b>Average Days - Ack. to Report Filed</b>	90	106	80	91	100
<b>Number of Reports Filed</b>	354	467	397	379	364

The investigation of a certification application will normally take two months to complete before a report on the parties' positions is forwarded to the Board. The report will also contain confidential information on the union's support among bargaining unit members. Investigation of unfair labour practice complaints can take from 3.5 to 4 months, partly because Board officers are expected to engage the parties in mediation to resolve the dispute. The Board has had considerable success in this aspect of its program, managing to obtain settlements on average in 55% of all complaints decided over the past ten years, as per figure 5. In 1996-97, the settlement rate reached 57.6% which is well above the 50% mark the Board has used as a performance measure.

**Figure 5**

<b>Unfair Labour Practice Complaints</b>								
	<b>90/91</b>	<b>91/92</b>	<b>92/93</b>	<b>93/94</b>	<b>94/95</b>	<b>95/96</b>	<b>96/97</b>	<b>10-yr Avg.</b>
<b>Received</b>	298	311	267	319	270	313	317	312
<b>Granted</b>	22	15	18	11	23	21	22	20
<b>Rejected</b>	109	111	130	163	123	99	98	116
<b>Withdrawn</b>	171	149	149	157	161	186	163	166
<b>Decided</b>	302	275	297	331	307	306	283	302
<b>Pending</b>	252	288	258	246	209	216	250	240



\* The settlement rate is the percentage of all cases that were withdrawn/settled with the assistance of Board officers from all the cases that were disposed.

The time spent by the Board in deciding the matters before it is a measure of the performance of the adjudicative service. Sitting most often in panels composed of the Chair or a Vice-Chair and two members, panels may decide cases based on the documentation on file, including the investigating officer's report, or may hold a public hearing to hear evidence directly from the parties. Statistics on disposition time are thus provided for both types of decision-making processes (see figure 6: Certification Applications). Since 1984-85, only 10.1% of certification cases required a public hearing for the sake of disposition. Hence, when public hearings are held, four to six months may go by before the legal issues are determined and a certification case is decided. The vast majority of cases however are decided *in camera*, within one to three weeks of the report being filed.

For the purposes of statistical analysis, the Board measures its disposition time for cases decided *with a public hearing* from the date the last day of hearing is held until the date the decision is issued to the parties. Where cases are decided *without a public hearing*, the measurement is from the date a matter is deemed to be ready (Ready) for the Board's consideration, i.e. the investigation report has been filed and distributed to all parties, until the date the final decision is issued.

**Figure 6** **Disposition Time**

	92/93	93/94	94/95	95/96	96/97
<b>Certification Applications</b>					
<b>With Public Hearing Held</b>					
<b>Median Days - Hearing to Decision</b>	60	144	14	89	137
<b>Average Days - Hearing to Decision</b>	71	158	69	163	180
<b>Number of Decisions</b>	15	10	13	10	14
<b>Without Public Hearing Held</b>					
<b>Median Days - Ready to Decision</b>	7	7	7	7	8
<b>Average Days - Ready to Decision</b>	17	15	18	22	18
<b>Number of Decisions</b>	119	150	143	141	130

The increases in time for issuing decisions in cases requiring a public hearing are attributable in part to two vacancies at the Board level for the better part of two years now. A full complement of members is necessary for maximum efficiency in the hearing of cases. A separate yet related issue is that of timeliness of appointments to the Board: effective management of the caseload requires the orderly arrival and departure of members so as to minimize disruptions to the hearing schedule.

The decision-making process with respect to unfair labour practices complaints differs notably from that of certification cases in that adjudication often rests on the credibility of witnesses and the quality of evidence that can be adduced. Public hearings are therefore held in greater numbers. Over the past twelve years, 35.7% of more than 3,800 complaints decided by the Board required a public hearing to sort out the issues. As figure 7: Unfair Labour Practice Complaints shows, decision-making once a hearing is over can range from four to six months on average, with a median of 71 days in 1996-97. The Board's decision will most likely be 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 7** **Disposition Time**

	92/93	93/94	94/95	95/96	96/97
<b>Unfair Labour Practice Complaints</b>					
<b>With Public Hearing Held</b>					
<b>Median Days - Hearing to Decision</b>	48	44	64	45	71
<b>Average Days - Hearing to Decision</b>	119	68	125	113	188
<b>Number of Decisions</b>	72	57	74	56	62
<b>Without Public Hearing Held</b>					
<b>Median Days - Ready to Decision</b>	7	11	9	4	7
<b>Average Days - Ready to Decision</b>	22	24	66	29	26
<b>Number of Decisions</b>	225	274	233	250	221

Complaints decided on the basis of the report of the investigating officer and the parties' written submissions are dealt with more swiftly, on average within a month, with a median of only seven days.



The disposition time for all files (figure 8: All Files) reveals that median times have almost doubled from 1995-96 to 1996-97 for cases in which a public hearing was held, with averages at the six-month level. The Board is presently considering proposals for adjudicative standards to reduce the length of time taken to render a decision. The new standards will be part of the Spring Report on Plans and Priorities. Matters decided without the need of public hearings fared much better: decision-making averaged three weeks in 1996-97, with a median of seven days.

**Figure 8 Disposition Time**

	92/93	93/94	94/95	95/96	96/97
<b>All Files</b>					
<b>With Public Hearing Held</b>					
<b>Median Days - Hearing to Decision</b>	60	52	44	46	82
<b>Average Days - Hearing to Decision</b>	124	114	151	110	179
<b>Files Disposed</b>	142	93	146	104	143
<b>Without Public Hearing Held</b>					
<b>Median Days - Ready to Decision</b>	7	8	11	6	7
<b>Average Days - Ready to Decision</b>	20	23	52	25	21
<b>Files Disposed</b>	582	660	712	722	549

A performance measure of continuing importance is that of quality. The Board has always maintained high standards with respect to the integrity of its decisions. As figure 9: Judicial Review Applications shows below, applications for judicial review of Board decisions tend to be decided in the Board's favour (in well over 90% of cases). This is significant because fairness of process implies that the rules of natural justice will be respected by the board in its handling of cases. Quality of decision-making and fairness of process go hand in hand.

**Figure 9**

<b>Judicial Review Applications</b>							
	<b>90/91</b>	<b>91/92</b>	<b>92/93</b>	<b>93/94</b>	<b>94/95</b>	<b>95/96</b>	<b>96/97</b>
<b>Board decisions issued*</b>	945	1,137	2,009	1,861	904	918	723
<b>Judicial reviews filed</b>	48	44	33	28	36	24	30
<b>Percent reviewed (%)</b>	5.0	3.9	1.6	1.5	4.0	2.6	4.15
<b>Reviews disposed</b>	31	21	42	41	37	36	32
<b>Reviews granted</b>	1	1	3	2	2	2	1
<b>Reviews dismissed</b>	11	8	13	26	24	20	17
<b>Reviews withdrawn</b>	17	12	26	13	11	14	14
<b>Board success rate (%)</b>	<b>96.8</b>	<b>95.2</b>	<b>92.9</b>	<b>95.1</b>	<b>94.6</b>	<b>94.4</b>	<b>96.9</b>

\* "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.

The Board also affords parties a less expensive and more expedient avenue for review: the filing of a reconsideration application through which a party may request a review of the decision by a differently-constituted panel of the Board. Applicants have been successful in 12.6% of cases over the past ten years, although only 7.32% succeeded in 1996-97, as per figure 10.

**Figure 10**

<b>Reconsideration Applications</b>								
	<b>90/91</b>	<b>91/92</b>	<b>92/93</b>	<b>93/94</b>	<b>94/95</b>	<b>95/96</b>	<b>96/97</b>	<b>10-yr Avg.</b>
<b>Received</b>	27	33	33	45	48	42	37	34
<b>Granted</b>	3	5	3	6	4	5	3	4
<b>Rejected</b>	16	33	27	27	47	25	34	26
<b>Withdrawn</b>	1	6	1	4	3	5	4	3
<b>Disposed</b>	20	44	31	37	54	35	41	33
<b>Pending</b>	17	6	8	16	10	17	13	12
<b>Success Rate</b>	15%	11.4%	9.7%	16.2%	7.4%	14.3%	7.32%	12.6%

Board performance statistics in the aggregate are provided below in figure 11: Total Processing Time, With Public Hearing. Total Processing Time is the computation of time spent investigating/mediating applications, complaints and referrals, time spent holding hearings and time spent in the decision-making process. The Board is not satisfied with its performance where public hearings are held, given the substantial expenses incurred. Cases requiring a public hearing take well over a year to reach a conclusion. The statistics are even less favourable where certification applications are concerned, though these are few in number.

**Figure 11 Total Processing Time**

	92/93	93/94	94/95	95/96	96/97
<b>Certification Applications</b>					
<b>With Public Hearing</b>					
<b>Median Days - Received to Decision</b>	261	322	225	455	270
<b>Average Days - Received to Decision</b>	274	372	250	462	474
<b>Number of Applications</b>	15	10	13	10	14
<b>Unfair Labour Practice Complaints</b>					
<b>With Public Hearing</b>					
<b>Median Days - Received to Decision</b>	251	248	311	316	324
<b>Average Days - Received to Decision</b>	348	299	322	337	336
<b>Number of Complaints</b>	72	57	74	56	62
<b>All Files</b>					
<b>With Public Hearing</b>					
<b>Median Days - Received to Decision</b>	254	250	282	321	334
<b>Average Days - Received to Decision</b>	334	320	388	399	451
<b>Files Disposed</b>	142	93	146	104	143

Cases decided without a public hearing fared better on average, taking 3.5 months for certifications, five months for complaints and a bit more than four months for all file types.

The median times show a one-month improvement: half of certifications are decided in 2.5 months, half of complaints in four months and half of all file types combined are decided in three months, as per figure 12: Total Processing Time, Without Public Hearing.

**Figure 12 Total Processing Time**

	92/93	93/94	94/95	95/96	96/97
<b>Certification Applications</b>					
<b>Without Public Hearing</b>					
<b>Median Days - Received to Decision</b>	76	71	68	76	80
<b>Average Days - Received to Decision</b>	109	89	93	124	107
<b>Number of Applications</b>	119	150	143	141	130
<b>Unfair Labour Practice Complaints</b>					
<b>Without Public Hearing</b>					
<b>Median Days - Received to Decision</b>	118	149	141	137	119
<b>Average Days - Received to Decision</b>	167	158	187	156	156
<b>Number of Complaints</b>	225	274	233	250	221
<b>All Files</b>					
<b>Without Public Hearing</b>					
<b>Median Days - Received to Decision</b>	91	98	111	88	87
<b>Average Days - Received to Decision</b>	135	125	168	126	128
<b>Files Disposed</b>	582	660	712	722	550

These results must be set in the context of major efforts by the Board to trim its public hearings budget, as figure 13: Public Hearings Budget shows below.

**Figure 13** **Public Hearings Budget**

	<b>96/97</b>	<b>95/96</b>	<b>94/95</b>	<b>93/94</b>	<b>92/93</b>	<b>91/92</b>
<b>Cases</b>	179	194	199	150	246	263
<b>Days</b>	242	217	277	199	251	299
<b>A</b>	\$ 464,811	471,829	500,502	<b>402,296</b>	438,267	426,755
<b>B</b>	7,016	<b>1,612</b>	3,657	8,952	21,469	11,319
<b>C</b>	32,698	<b>21,770</b>	44,862	24,207	51,764	91,473
<b>D</b>	48,911	<b>42,592</b>	63,341	95,514	86,547	113,000
<b>E</b>	18,162	<b>7,068</b>	7,370	7,590	12,391	15,094
<b>F</b>	18,842	17,808	<b>12,225</b>	20,419	14,975	35,990
<b>G</b>	<u>34,493</u>	<u>31,966</u>	<b>30,377</b>	<u>63,983</u>	<u>85,711</u>	<u>118,697</u>
<b>T</b>	\$ 624,933	<b>594,645</b>	662,334	622,961	711,124	812,328

- Cases** Number of cases in which a public hearing was held.
- Days** Number of hearing days held.
- A.** Travel - Staff: cost of all hearings-related travel by all Members and staff.
- B.** Travel - Non-staff: cost of all hearings-related travel by interpreters.
- C.** Transcription Services: cost of all transcriptions of hearings done by outside contractors (not including in-house proofreading and in-house transcriptions).
- D.** Recording (outside): cost of equipment rental and technicians for hearings held elsewhere than at Board facilities.
- E.** Recording (inside): cost of equipment rental and technicians for hearings held at Board facilities.
- F.** Interpretation Services: late cancellation charges by Secretary of State for services.
- G.** Rental of hearing facilities.
- T.** Total expenditures - Public Hearings Budget.

Shaded area indicates highest actual expenditures per category for April 1991 to March 1997 period; **bold** indicates the lowest.

In 1996-97, expenditures are for only 77% of the 1991-92 public hearings budget. More savings could be realized in the Board's opinion if public hearings were not obligatory by statute, a situation that was addressed in Bill C-66, the government's legislative overhaul of the *Canada Labour Code*. Wider discretion to decide a case without a public hearing, and the ability to field one-member panels when hearings are called for were key features of Bill C-66 in these times of budgetary restraint.

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**Section IV:  
Supplementary Information**

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**Appendix 1**

A presentation of actual workload, by sector, handled by the Board over the past seven years. The last column represents the ten-year average for each sector.

<b>Workload = Files Disposed + Files Pending (at year end) - Files on Backburner Status</b>								
	<b>90/91</b>	<b>91/92</b>	<b>92/93</b>	<b>93/94</b>	<b>94/95</b>	<b>95/96</b>	<b>96/97</b>	<b>10-yr Avg.</b>
<b>Air Transport</b>	191	170	165	148	153	112	139	158
<b>Banks</b>	40	25	7	8	1	3	6	23
<b>Broadcasting</b>	103	106	80	78	75	139	90	96
<b>Crown Corporations</b>	184	144	193	207	214	87	91	152
<b>Communications</b>	20	20	34	46	64	60	55	39
<b>Feed &amp; Grain</b>	19	43	19	29	44	46	29	29
<b>Longshore</b>	52	56	29	27	41	31	48	46
<b>Miscellaneous</b>	33	16	26	32	25	31	40	30
<b>Northern Industries</b>	16	27	27	34	39	44	35	35
<b>Nuclear Power</b>	-	1	-	6	15	16	5	4
<b>Road Transport</b>	343	294	244	305	279	304	265	314
<b>Railways</b>	102	88	91	104	106	117	134	99
<b>Shipping &amp; Navigation</b>	62	49	35	45	50	57	41	56
<b>All Industries</b>	<b>1,165</b>	<b>1,039</b>	<b>950</b>	<b>1,069</b>	<b>1,106</b>	<b>1,047</b>	<b>978</b>	<b>1,079</b>

## Appendix 2

### Statement of Operations (\$ millions)

Statement of Operations	Actuals 1994-95	Actuals 1995-96	Planned 1996-97	Actuals 1996-97	1997-98 Estimates	1998-99 Planned	1999-00 Planned
<b>Expenses</b>							
Personnel	6.266	6.234	6.545	<b>6.167</b>	6.706	6.475	6.475
Transportation and communications	.967	.978	.970	<b>.963</b>	.980	.900	.900
Information	.041	.047	.065	<b>.033</b>	.053	.050	.050
Professional and special services	.794	.903	.824	<b>.744</b>	.800	.656	.667
Other	.588	.629	.395	<b>.526</b>	.362	.370	.370
Total Expenses	8.656	8.791	8.799	<b>8.433</b>	8.901	8.451	8.462

### Appendix 3 - Revenues and Expenditures

#### Gross and Net Departmental Expenditures by Activity (\$ millions)

	<b>Actual 1994-95</b>	<b>Actual 1995-96</b>	<b>Actual 1996-97</b>	<b>Planned 1997-98</b>	<b>Planned 1998-99</b>
<b>Gross Expenditures by Activity</b>					
Canada Labour Relations Board	8.656	8.791	8.433	8.901	8.451
<b>Total Gross Expenditures</b>	<b>8.656</b>	<b>8.791</b>	<b>8.433</b>	<b>8.901</b>	<b>8.451</b>
<b>Less:</b>					
<b>Revenue credited to the Vote</b> and Revenue credited to the Consolidated Revenue Fund by Activities					
Canada Labour Relations Board	-	-	-	-	-
	.011	.018	.020	.005	.005
Total Revenue credited to the Vote and to the Consolidated Revenue Fund	.011	.018	.020	.005	.005
<b>Total Net Expenditures by Activity</b>					
Canada Labour Relations Board	8.645	8.773	8.413	8.896	8.446
<b>Total Net Expenditures</b>	<b>8.645</b>	<b>8.773</b>	<b>8.413</b>	<b>8.896</b>	<b>8.446</b>



## Appendix 4

### Revenues Credited to the Consolidated Revenue Fund

<b>Revenue Credited to the Consolidated Revenue Fund (CRF) (\$ millions)</b>	<b>Actual 1994-95</b>	<b>Actual 1995-96</b>	<b>Total Planned Revenue 1996-97</b>	<b>Actual 1996-97</b>
Canada Labour Relations Board				
Program Expenditure	.011	.018	<b>.005</b>	.020
<b>Total Credited to the CRF</b>	<b>.011</b>	<b>.018</b>	<b>.005</b>	<b>.020</b>
<b>Total Revenue</b>	<b>.011</b>	<b>.018</b>	<b>.005</b>	<b>.020</b>

## **Appendix 5**

### **Statutes Administered by the Portfolio**

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

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

## **Appendix 6**

### **References**

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