

Working for You



Available on the Internet at:

<http://labour.hrdc-drhc.gc.ca>

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Our Mission

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

Our Role

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

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

- air, interprovincial rail, road and pipeline transportation;
- banking;
- broadcasting;
- uranium mining;
- shipping and related services;
- telecommunications; and
- Crown corporations.

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

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

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

How We Work for You

Since 1900 the Labour Program has focused on the workplace. Its name, organization and mandate have developed over the decades in response to the changing realities of the workplace and the evolving needs of employees in Canada.

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

The National Headquarters of the Labour Program is currently composed of four directorates offering different services:

- Federal Mediation and Conciliation Service;
- Operations, which includes: Occupational Health and Safety, Fire Protection, Labour Standards and Workplace Equity, Federal Workers' Compensation, and Client Education and Training;
- Strategic Policy and International Labour Affairs; and
- Workplace Information.

Our Objectives

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

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

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

Working to Serve You

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

- provision of industrial relations dispute settlement assistance and preventive mediation programs;
- investigations of serious/fatal accidents, refusals to work, dangerous situations, group termination, and unjust dismissals;
- complaint investigations, programmed inspections, permit investigations, technical surveys, and safety audits in the areas of health and safety as well as labour standards;
- inspections, audits and on-site visits to monitor pay equity progress and support compliance on employment equity legislation and regulations;
- advice and assistance to employers, employees, committees and representatives of occupational health and safety, and union representatives; and
- counselling and education, including promotional activities such as seminars, conventions, and conferences.

Our Programs and Services

Federal Mediation and Conciliation Service

The Federal Mediation and Conciliation Service (FMCS) supports free collective bargaining and the constructive settlement of labour disputes throughout Canada. It provides employers and trade unions subject to the *Canada Labour Code* with conciliation and mediation assistance to resolve collective bargaining disputes. FMCS also offers a variety of preventive mediation services designed to assist unions and employers develop and maintain constructive labour-management relations.

The statutory conciliation process in the *Canada Labour Code* provides employers and unions with the assistance of experienced conciliation officers and mediators who help them settle their differences. More than 90% of all federal jurisdiction labour disputes are settled without a work stoppage.

FMCS oversees the ministerial appointment of arbitrators, when the two sides cannot agree on a suitable candidate; adjudicators, to hear the unjust dismissal complaints of employees not covered by collective agreements; and referees, to hear wage recovery appeals.

The Preventive Mediation Program offers joint training in negotiation skills and problem solving to employers and unions who wish to improve their industrial relations. The services offered include training in committee effectiveness; interest-based negotiations; relationship by objectives; and joint problem solving. In addition, FMCS provides grievance mediation assistance to labour and management as an informal and low-cost alternative to arbitration. Grievance mediation emphasizes problem solving rather than the win-lose approach of the arbitration process.

FMCS conducts research to support the work of mediators and conciliation officers. It contributes to the development and implementation of industrial relations policy, and provides expertise to government departments and agencies on initiatives with industrial relations implications. Collectively, these various forms of advice and assistance contribute to stable industrial relations in the federal jurisdiction.

Continual innovation is critical if the Canadian workplace is to remain competitive. FMCS administers the Labour Management Partnerships Program (LMPP) that funds innovative labour-management projects at the work site, as well as at the sectoral and national levels.

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

LMPP also provides funds for conferences and seminars aimed at improving labour-management dialogue or debating public policy issues. As well, it offers advice on alternative approaches to collective bargaining and provides information on pilot projects that may be of interest to the business and labour communities.

For further information on the services available from FMCS, you can contact any one of our offices:

Headquarters	(819) 997-3292 or 1 (800) 563-5677
Halifax, N.S.	(902) 426-3834
Montreal, Quebec	(514) 283-5731
Toronto, Ontario	(416) 954-2872
Calgary, Alberta	(403) 292-4878
Vancouver, B.C.	(604) 666-0241

Operations

Occupational Health and Safety

One of the primary goals of the *Canada Labour Code* is to prevent workplace accidents and injuries that could adversely affect employees' health. The Health and Safety officers conduct workplace inspections and safety audits, respond to employee complaints, and investigate accidents. They work with the policy and workplace health and safety committees to help resolve health and safety issues in the workplace. They also assist employers and employees with making their work site healthier and safer by providing advice on health and safety matters.

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

Fire Protection

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

They enforce the fire safety regulations and fire protection requirements of the *National Building Code of Canada* and the *National Fire Code of Canada*. As well, they review design drawings and specifications; inspect buildings under construction; conduct engineering surveys; inspect existing buildings; investigate fires; and provide educational and counselling services aimed at reducing fire risks. These services are provided to federal departments and agencies, First Nations, and certain Crown corporations.

Federal Workers' Compensation

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

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

Labour Standards

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

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

When wage recovery from a corporation is unsuccessful, the company's directors may be held liable. Inspectors in regional offices across the country ensure federal labour standards are upheld through a mix of inspections, investigations of complaints, and promotional and informational activities.

Workplace Equity

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

The Labour Program's efforts to ensure fairness and an inclusive workplace are reflected in the *Employment Equity Act*, which came into force in October 1996.

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

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

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

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

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- monitoring and evaluating all annual Employment Equity reports submitted by employers under the legislation; and
 - producing an annual report on employment equity for Parliament.

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

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

Cases can be referred to the Canadian Human Rights Commission for investigation and resolution. Questions specifically related to occupational health and safety, labour standards, workplace equity, and fire protection may be directed to a Labour Affairs Officer in your region. (See the list of telephone numbers at the end of this brochure.)

Strategic Policy and International Labour Affairs

The Changing Workplace

The Strategic Policy and International Labour Affairs (SPILA) Directorate tracks changes occurring in the workplace, the changing nature of work, and the impact of those changes on workers. There have been several recent trends in the workplace such as the increase of work performed outside traditional hours or places of work, the increase in part-time and contract work, and the increase in home work and telework. There is also a recognition of the increased stress experienced by workers who are attempting to find a balance between their responsibilities at work and at home. Increasingly flexible employment practices and innovative human resource management solutions reflect these new workplace trends. The SPILA Directorate tracks and researches emerging issues in the workplace, consults on the impact on workers, and investigates positive workplace practices.

Key issues currently being explored include:

- practices aimed at improving the work-life balance of workers;
- changing employment relationships, particularly the increase of contract work, and the impact on workers' security and social well-being;
- learning, literacy and skill development in the workplace — ongoing needs of employees and employers; and
- innovative workplace practices that help improve employers' productivity and address employees' needs.

By exploring these issues, consulting and sharing information, new approaches can be developed to help workers and employers adjust to the changing workplace.

Partnerships

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

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

SPILA analyzes labour-related policies and legislation, their social and economic impacts, and maintains an information base on Canadian labour law. It also advises on strategies/opportunities for working in cooperation with unions, business groups, researchers and others in order to encourage effective workplaces, especially in the federal jurisdiction.

International Labour Affairs

The Labour Program represents the views of Canada abroad on policy matters concerning working conditions, labour relations, labour standards, and occupational safety and health. Much of the Program's international work takes place in the context of its ongoing participation in the International Labour Organization (ILO) and the Organization of American States (OAS), as well as in the North American, Canada-Chile, and Canada-Costa Rica Labour Cooperation Agreements.

The Labour Program is concerned with issues such as child labour, employment equity, and the protection and promotion of fundamental workers' rights and core labour standards in an increasingly global environment. It plays a leadership role in Canada's participation in international labour activities, particularly with respect to addressing labour issues in the context of bilateral and multilateral trade arrangements.

Workplace Information

Employers and employees in Canada strive to remain competitive in the emerging global economy. The Workplace Information Directorate provides employers, employees, labour organizations, governments, and other interested parties with information on workplace conditions, trends and innovative practices through direct personal services and consultations, electronic means, and through various publications.

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

A team of consultants is available to respond to specific requirements with a fully tailored information package within a 24-hour period. This service is also accessible through a toll-free number in Canada, a Web site (request form), e-mail, or by fax.

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

- the monthly *Wage Settlements Bulletin* and *Collective Bargaining Bulletin*; and
- *Workplace Gazette*, a quarterly analytical report.

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

The departmental library houses a comprehensive collection of labour-related periodicals and union publications that includes a microfiche collection of labour newspapers dating from the early years of the Canadian labour movement. Through its loans and reference services, the library's resources are consulted frequently by unions, industries and universities.

What Can We Do for You?

Just ask. Chances are, the Labour Program can help you, your company, or your union better address workplace and labour relations issues.

It has a vast store of information and expertise that is readily available to Canadian workplaces.

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

- Labour Program Internet Site:
<http://labour.hrdc-drhc.gc.ca>
- Canadian Labour Law Information Internet Site:
http://labour.hrdc-drhc.gc.ca/policy/e/welcome_e.html
- The Labour-Management Partnerships Program of FMCS provides a toll-free telephone service to respond to labour and/or management inquiries at **1 (800) 563-5677**
- Information on employment equity and equal pay is available by dialing **(819) 953-4775** or the Workplace Equity Web site at:
<http://info.load-otea.hrdc-drhc.gc.ca/~weeweb/homeen.shtml>

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- The Workplace Information Directorate can be reached at **1 (800) 567-6866**, or in the National Capital Region at **(819) 997-3117**, or on the Internet at: **<http://labour.hrdc-drhc.gc.ca>**
 - Information on work-life balance is available at: **<http://labour.hrdc-drhc.gc.ca/worklife>**

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

British Columbia and Yukon Territory

HRDC Regional Office:

Vancouver, B.C.

(604) 666-2205

1 (800) 661-1997

Alberta, Northwest Territories and Nunavut

HRDC Regional Offices:

Alberta

1-866-713-4397

Northwest Territories

1-888-700-5705

Saskatchewan

HRDC Regional Offices:

Regina:

(306) 780-5408

Saskatoon:

(306) 975-4303

Manitoba

HRDC Regional Office:

Winnipeg, MB

(204) 983-6375

Ontario

HRDC Regional Office:

Toronto, ON

(416) 954-2891

Quebec

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Montreal, QC

(514) 283-2214

1-800-954-2633

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Newfoundland and Labrador

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