



Labour Management Review Committee

**ANNUAL REPORT
2011-2012**

The Labour Management Review Committee was established in 2011, as an independent, consensus-based, bi-partite committee of business and labour representatives struck by government to improve labour relations and collective bargaining in the province.

The Government of Nova Scotia appointed the Committee to improve labour relations and collective bargaining in the province, and to assist with the development and maintenance of labour legislation and policy designed to encourage free collective bargaining and the constructive settlement of disputes.

As stated in its Terms of Reference, the Committee was established to provide:

- leadership in fostering a stable labour relations climate in Nova Scotia through the promotion of cooperation among business, labour, and government;
- upon request of the Minister of Labour and Advanced Education, a review of labour legislation, regulation, and issues with the intent of understanding respective viewpoints and reaching consensus whenever possible; and
- advice to the Minister regarding emerging labour-management issues and consensus-based approaches to ensuring a stable labour relations climate in Nova Scotia.

Membership

The LRMC members were appointed on March 29, 2011, for 3 year terms.

Rick Clarke, Co-Chair	Nova Scotia Federation of Labour 3700 Kempt Street Halifax, NS B3K 4X8
Phillip Veinotte, Co-Chair	VON Canada Eastern Region 7001 Mumford Road Tower 1 – Suite 300 Halifax, NS B3L 4N9
Jacqueline Bramwell	Canadian Union of Public Employees 271 Brownlow Avenue Dartmouth, NS B3B 1W6
Cordell Cole	IBEW 5 Birch Pond Court White's Lake, NS B3T 1W9
Les Holloway	CAW Canada 63 Otter Lake Road Halifax, NS B3S 1M1
Keiran Tompkins	NSGEU 100 Eileen Stubbs Avenue Dartmouth, NS B3B 1Y6
Myrna L. Gillis	DIRECTIONS Council for Vocational Services Society

	99 Wyse Road, Suite 920 Dartmouth, NS B3A 4S5
Roland King	Health Association Nova Scotia 2 Dartmouth Road Bedford, NS B4A 2K7
Greig MacLeod	Construction Labour Relations Association 260 Brownlow Avenue, Unit 1 Dartmouth, NS B3B 1V9
David W. Thomson (resigned Oct. 19, 2012)	Irving Shipbuilding Inc. PO Box 9110 3099 Barrington Street Halifax, NS B3K 5M7

The Committee was appointed in March of 2011, and met over 6 times in the first year of its operation. The initial meetings were held to approve its terms of reference, to review current activities and outcomes related to conciliation, and to review matters related to first contract. The Committee held meetings on April 13, 2011, May 16, 2011, July 7, 2011, August 16, 2011 and November 7, 2011, and conducted a Study Day with employer and labour stakeholders on September 23, 2011, at the Holiday Inn in Dartmouth.

Nova Scotia was one of the few jurisdictions in Canada that did not have provisions to assist parties in resolving first agreements, and there was a concern that some first agreements took several years to complete. As such, one of the major activities of the Committee in 2011 was a review of the issue of first contract legislation. One consultative process relied on by the LRMC was a Study Day in September, 2011. It was designed to provide an overview of the provisions that other jurisdictions had adopted, and to consult directly with two jurisdictions that had such legislation in place. The Chairs of the Labour Boards of Newfoundland and Nova Scotia presented opinions and perspectives on the federal and Newfoundland experience.

Further, the Committee released a Discussion Paper on First Contract Settlement in October 2011 and sought comments back from interested groups by November 2011. The Committee met with counsel from the Employers Roundtable and small business groups, as well as with Union Counsel to discuss their submissions. While no consensus emerged from these consultations, the Minister was appreciative of the process and the Government introduced and passed An Act to Prevent Unnecessary Labour Disruptions and Protect the Economy First Contract provisions in November 2011.

Appendix - Sections of *the Trade Union Act* that outline the role of the LMRC

LABOUR-MANAGEMENT REVIEW COMMITTEE

4A (1) The Minister shall establish a Labour-management Review Committee whose purpose is to improve labour relations and collective bargaining in the Province.

(2) The Committee is composed of not more than ten members representing in equal numbers unionized labour and employers, all of whom are appointed by the Minister.

(3) Members of the Committee shall be appointed for a three-year term and may be re-appointed, but may not serve more than two consecutive terms.

(4) After serving two consecutive terms, a person is eligible to be re-appointed to the Committee no sooner than three years following the expiry of the person's last term as a member.

4B Persons appointed to the Committee shall be paid expenses incurred by them in the course of carrying out their duties as members of the Committee, plus remuneration as is determined by the Minister.

4C The Minister shall select two co-chairs of the Committee, one of whom represents unionized labour and one of whom represents unionized employers.

4D A quorum of the Committee consists of a majority of members representing unionized labour and a majority of members representing unionized employers.

4E The function of the Committee is to

(a) review, report on and make recommendations to the Minister on labour-relations issues arising out of the Civil Service Collective Bargaining Act, Schedule A of the Corrections Act, the Highway Workers Collective Bargaining Act and the Trade Union Act, on an ongoing basis; and

(b) where directed by the Minister, conduct a review of this Act and the statutes referred to in clause (a) or any part of them.

4F (1) The Committee shall consult with unionized employers and employees in performing its function under Section 4E.

(2) The Committee shall consult non-unionized employers and employees in relation to (a) certification issues; and (b) other labour-relations issues that the Minister considers will affect non-unionized employers and employees.

4G Each year the Committee shall submit to the Minister an annual report concerning its activities during the previous fiscal year.