

ENVIRONMENT CANADA
LABOUR MANAGEMENT CONSULTATIVE COMMITTEE (LMCC)
TERMS OF REFERENCE

Revised September 24, 2007

TABLE OF CONTENTS

Introduction	3
Guidelines	4
Membership	7
Structure	9
Signatures	10

INTRODUCTION

In December, 2005 the Deputy Minister of Environment Canada proposed the establishment of a Working Group of union and management representatives to develop a strategy to improve labour management consultation within the Department. This Working Group comprised of union and management representatives presented their final report. A sub-committee of ECLMCC members was stricken and recommended a new Labour Management Framework for the Department. This Framework was approved by ELMCC in May 2007.

Management and union representatives at Environment Canada are committed to maintaining and improving labour management consultation as a means to improve the working conditions of all employees of Environment Canada. Consultation is a process for seeking and providing information and advice, exchanging views, and discussing issues, at a level (e.g., national, regional, local, sectoral or specific occupational group) appropriate to addressing or resolving issues, in an atmosphere of mutual respect and trust.

The Labour Management Consultative Process within Environment Canada will be guided by the following principles:

- Recognizing and respecting each other's roles, interests and accountabilities.
- Communicating with each other in ways that promote common understanding, effective problem solving and continued enhanced relationships.
- Working to earn and sustain trust.
- Using a collaborative approach to problem solving and decision making.
- Honouring the agreements we reach.
- Giving each other the benefit of the doubt.
- Utilizing the principle of early engagement.

GUIDELINES

These guidelines will govern the workings of the National ECLMCC. Regional, Branch, and Local Labour Management Consultative Committees (LMCC) will be requested to develop their own Term of Reference in accordance with these guidelines.

The ECLMCC will approve the Term of Reference of the Regional LMCCs and these TOR will be in Annex A of the National ECLMCC TOR.

Agenda

Managers and union representatives will bring issues to the LMCC table **before** the development of a policy or an operational initiative affecting the working conditions of employees, so that a joint discussion can determine whether the issue is appropriate for consultation, or for information-sharing, and to initiate the next steps accordingly.

Agenda items may be submitted by either management or union representatives. As a good practice that should be adhered to by both parties, background information will be provided on every item on the agenda of regular LMCC meetings far enough in advance for members to read, prepare and seek input from colleagues if needed (e.g. 2 weeks before the meeting). This should not however be used to limit discussion on last minute or emergency issues that arise in the period just before the meetings.

The following types of issues are appropriate for consultation and discussion at the ECLMCC:

- ◆ policies, programs, procedures and conditions of employment as they apply to Environment Canada employees on a departmental scale;
- ◆ significant structural or technological changes having departmental implications;
- ◆ identification and resolution of national situations/issues; and
- ◆ problems unresolved at the regional level.

Participation

Union and management will ensure that the representatives assigned to an LMCC are accountable for the effectiveness of the process and have the authority to make decisions within their respective jurisdiction on the matters that come to the table.

Delegated authorities will be responsible for resolving labour management issues at the lowest possible level.

Members of LMCCs may invite participants to LMCCs for specific items, or establish sub-committees where a subject requires in-depth study.

Commitment:

The Deputy Minister, the Branch Heads, the RDGs and the bargaining agent representatives commit themselves to being leaders for labour management consultation, and to demonstrating their interest and support for consultation on an ongoing basis.

Accountability

Senior management will ensure that managers assigned to an LMCC have the authority to make decisions on the matters that come to the table:

- National lead is DM; regional lead is RDGs (NCR lead is rotated); Branch lead is ADM, and local lead is the designated manager who shall be an excluded employee. The lead has the responsibility for ensuring meetings are convened on a regular basis
- In addition to leading the Regional LMCC, RDGs are responsible for ensuring that local LMCCs are conducted appropriately in their area, are representative and functional and adhere to the national terms of reference and the relevant TB guidelines.

Bargaining agents will advise of appropriate representation at the various tables.

Monitoring

LMCCs will be responsible for the ongoing monitoring of the implementation and effectiveness of the consultation process with technical assistance from HR. Tools and training will be provided to LMCCs to equip them to carry out this role.

Minutes

HR will be responsible to take the minutes at each LMCC. Draft minutes will be prepared in a timely fashion and distributed to all committee members for comments back to the secretary within two weeks.

Minutes may be approved on a preliminary basis to allow for earlier distribution of decisions and any comments can then be incorporated into a final version of the minutes that will be approved at the beginning of the next LMCC meeting.

Once approved on a preliminary basis, the minutes shall be distributed within three weeks and posted on the Environment Canada Infolane. Secretarial support will be provided by the employer through Labour Relations.

Training

All LMCCs will annually identify their training needs and develop mandatory training, jointly wherever possible. The following are areas where training could be considered, as required:

- a) labour management consultation, and LMCC structures
- b) negotiating
- c) conflict management
- d) understanding the collective agreement
- e) harassment policy

Each new member of an LMCC will be provided with an orientation. This orientation will be provided by the union and management as each case requires.

Review

A formal review of the entire consultation process should be undertaken every three years, by a cross-section of union and management representatives from local, regional and national levels.

MEMBERSHIP

NATIONAL COMMITTEE

Environment Canada Labour Management Consultative Committee

Frequency:

The Committee meets twice a year, normally during the months of June and December. Additional meetings may be called by the Chairperson as required.

Membership:

from management:

Deputy Minister (Chairperson of the ECLMCC)
Associate Deputy Minister
ADM, Finance and Corporate Branch
ADM, Meteorological Service of Canada
ADM, Strategic Policy Branch
ADM, International Affairs Branch
CIO, Chief Information Officer Branch
ADM, Environmental Stewardship Branch
ADM, Science and Technology Branch
ADM, Human Resources Branch
CEO, Enforcement Branch
RDG, Atlantic Region
RDG, Quebec Region
RDG, Ontario Region
RDG, Prairie and Northern
RDG, Pacific and Yukon
DG, Audit and Evaluation
DG, Communications Branch
DG, Corporate Secretariat
DG, Strategic Planning and Corporate Programs
Director, Labour Relations, Classification and Compensation

by invitation: Management representatives may be called as required to make presentations on specific subjects or participate as expert resource persons.

from the unions:

Vice-President, Professional Institute of the Public Service of Canada (PIPSC)
Chair of EC consultation committee, PIPSC
President, Union of Environment Workers (UEW), Component of the Public Service Alliance Of Canada (PSAC) or delegates
President, Canadian Association of Professional Employees (CAPE) or delegate
President, Association of Canadian Financial Officers (ACFO) or delegate
President, International Brotherhood of Electrical Workers (IBEW) or delegate

Additional attendees: The above Union Representatives may be accompanied by one or two members of their organizations.

REGIONAL COMMITTEE

Membership: RDGs and RDs
Regional and Local Union Representatives*

Frequency: 3 times a year (fall, winter, spring)

Chair: RDG is the designated chair of the regional LMCC with flexibility for each regional LMCCs to also name a union co-chair if so desired.

* Regional Terms of reference, which are to be developed in accordance with the guidelines included in this document, will include an Annex with the Terms of reference for the Local LMCCs in that region, including a specific list of those locals.

LOCAL LMCC

Membership: Local Management
Local Union Representatives*

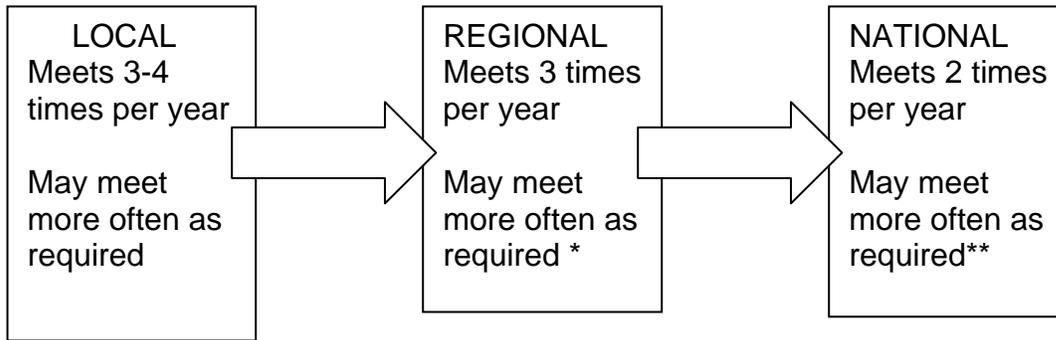
Frequency: 3 to 4 times a year

Chair: Co-chaired by Union and Management Representatives

*Local Terms of reference for LMCCs are to be developed in accordance with the guidelines included in this document. Local LMCCs will exist at work sites in areas determined by regional LMCCs.

STRUCTURE

Local, regional and national LMCC meetings will be scheduled in a sequence which allows each level to feed into the next. An example of a cycle of meetings over one year is shown below. An annual schedule of meetings will be established, to facilitate planning and full participation.



HR will be responsible to take the minutes at every LMCC meeting, National, Regional or local meetings.

** Consultation meetings may be convened at the Regional level by Regional Directors on a required basis to discuss emerging regional or sectoral issues.*

*** Consultation meetings may be convened at the National level by Branch Heads on a required basis to discuss emerging national or sectoral issues.*

*** Regularly scheduled HRLMCC meetings will be held in Ottawa to provide for early and on-going discussions on key issues prior to the ECLMCC.*

For Environment Canada

Date

For the Professional Institute of the
Public Service of Canada

Date

For the Union of Environment Workers,
Component of the Public Service Alliance
Of Canada

Date

For the Canadian Association of
Professional Employees (CAPE)

Date

For the Association of Canadian Financial
Officers

Date

For the International Brotherhood of
Electrical Workers

Date