

Public Service Labour Relations Act

(April 1, 2005)

Changes

Mandatory Provisions

- Informal Conflict Management System (ICMS)
- Labour / Management Consultation Committee
- Essential Service Agreements

Enabling Provisions

- Co-development
- Use of employer facilities
- Two-tier bargaining

Managerial Responsibilities

- Develop competencies on conflict resolution
- Identify and manage conflicts

Corporate responsibilities

- Put in place an ICMS and assign a Senior Manager to function
- Create harmonious working relationship with bargaining agents
- Develop co-development approach

Preamble

- Protection of the public interest
- Importance of dialogue and collaboration
- Recognition of the bargaining process
- Commitment to resolve matters arising in respect to terms and conditions of employment
- Recognition of the role of bargaining agents in resolution of such matters
- Commitment to mutual respect and harmonious relations

Consultation Committee

"Each deputy head must, in consultation with the bargaining agents, representing employees in the portion of the federal public administration for which he or she is deputy head, establish a consultation committee consisting of representatives of the deputy head and the bargaining agents for the purpose of exchanging information and obtaining views and advice on issues relating to the workplace that affect those employees." (s. 8)

A labour / management committee already exists in the Department.

Co-Development of Workplace Improvements

"The employer and a bargaining agent, or a deputy head and a bargaining agent, may engage in co-development of workplace improvements." (s. 10)

Informal Conflict Management System (ICMS)

"Subject to any policies established by the employer or any directives issued by it, every deputy head in the core public administration must, in consultation with bargaining agents representing employees in the portion of the core public administration for which he or she is deputy head; establish an informal conflict management system and inform the employees in that portion of its availability." (s. 207)

An ICMS service has been established in the Department.

Essential Services

- Definition: "essential service" means a service, facility or activity in the Government of Canada that is or will be, at any time, necessary for the safety or security of the public or a segment of the public (subs. 4(1))
- Replaces the previous process for the designation of positions
- Employees occupying such positions may not strike