

# **LABOUR-MANAGEMENT CONSULTATION AT ENVIRONMENT AND CLIMATE CHANGE CANADA**

## **Framework**

Revised and signed August 27, 2021



Environment and  
Climate Change Canada

Environnement et  
Changement climatique Canada

**Canada**

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# Introduction

Management and union representatives at Environment and Climate Change Canada (ECCC) are committed to maintaining and improving labour-management consultation as a means to improve the working conditions of all employees of Environment and Climate Change Canada. Consultation is a process for seeking and providing information and advice, exchanging views, and discussing issues at the level (e.g., local, branch, regional or national) that is appropriate to addressing and/or resolving issues in an atmosphere of mutual respect and trust. Consultation is essential in building relationships; it is an on-going process not limited to formal meetings between the parties.

## Guiding principles

The labour-management consultation process within ECCC will be guided by the following principles:

- Utilizing the principle of early engagement;
- 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.

This framework is structured around the following four (4) themes:

- Improving governance
- Supporting the process
- Increasing monitoring
- Improving communications

## Improving Governance

### Commitment

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

Management will involve the union representatives early in the discussions and/or development of, or changes to, a policy or an operational initiative that may affect the working conditions of employees.

Management encourages the active participation of employees who are union representatives in the labour-management consultation process.

The Treasury Board definition of consultation (see Annex B) will be used by all ECCC labour-management consultation committees (LMCC).

## **Accountability**

To ensure the effectiveness of LMCCs, management and union representatives must be accountable for the effectiveness of the process and have the authority to make decisions within their respective jurisdiction on the matters that are brought forward.

Depending on the topic and the impact, the subject will be tabled at the appropriate level of LMCC for either consultation or information sharing. As a principle, issues will be raised at the lowest level possible.

The various consultation committees have no authority to amend the provisions of the collective agreements or other regulations affecting employees' terms and conditions of employment.

## **Scheduling**

Local, regional, branch and national LMCC meetings will be scheduled, in a sequence, which allows each level to feed into the next. When possible, meetings will be scheduled in consultation with all parties and in a manner that will facilitate planning and full participation.

Informal consultation meetings are strongly encouraged. These may be convened at all levels as required to discuss and resolve emerging issues in a timely fashion.

## **Agenda Management**

The process of establishing the agenda is intended to be collaborative and consultative and liaison may be required to:

- Ensure resolution of the issue(s) has been attempted at the appropriate management level;
- Ensure the correct forum (Local, Regional, Branch or National) is proposed for the issue (subject and/or authority);
- Ensure issues relating to an individual such as grievance cases are not discussed in a way that would breach confidentiality;
- Determine who should participate;
- Ensure that adequate research on all items is done prior to the meeting;
- Guarantee efficient use of everyone's time spent, and;
- Ensure the effectiveness of all meetings.

Prior to the LMCC meeting, the secretariat support will send an email proposing follow-up agenda items as per the tracking system (page 6) and requesting new agenda items to be provided within a specific deadline. Both parties commit to providing issues and context, within the allotted timeframe, on every item being brought forward for the agenda of regular LMCC meetings (see Annex C for mapping of issues). This will allow enough time to prepare the agenda and seek input from appropriate individuals. In addition, it will allow the secretariat support to secure the presence of the appropriate individuals.

When the context on issues is not provided prior to the meeting and when last-minute items or emergency issues are brought forward at the meeting, it is understood by both parties that the right

people may not be able to attend the meeting and that some further research may be required after the meeting before a full response can be provided.

The secretariat support will endeavour to send out the final agenda two (2) weeks prior to the meeting and background information within one (1) week prior to the meeting. This will allow members sufficient time to read, prepare themselves and seek input from colleagues, if needed.

Secretariat support will be provided by the employer (i.e. LMCC Chair or Co-Chair EA/AA).

### **Minutes**

The secretariat support will prepare the draft minutes in a timely fashion. Issues discussed, decisions or follow-up actions and consensus or disagreement by the parties should be reflected in the minutes. These will be distributed to all committee members for comments and approval. The approved minutes will be distributed to all members and can be posted on ECCC's Labour Relations intranet page. Each LMCC is to determine the best method to communicate minutes/decisions of LMCC meetings to their respective organization (e.g. branch, region, worksites.)

## **Supporting the process**

### **Training**

All LMCCs will identify on a yearly basis the committee's training needs and develop mandatory training, for joint participation wherever possible, in the following areas:

- labour-management consultation framework;
- negotiating;
- conflict management;
- understanding the collective agreement;
- policies on work place harassment and violence prevention;
- other areas, as required.

This training will be supported by the Joint Learning Program, to the extent possible.

Management and union representatives accept the responsibility to provide assistance and training to their new representatives to ensure effective and efficient functioning of these committees.

### **Orientation**

For new employees joining ECCC, union information as well as information in regards to the labour-management consultation process is included in the Labour Relations section of the Departmental Orientation Guide for Employees.



## **Employer Facilities**

Management will allow the use of employer facilities for fulfillment of the union representative's responsibilities (e.g. meeting rooms, electronic access, etc.) under the terms of current departmental and/or Treasury Board policies as well as in accordance with collective agreements.

## **Time and Costs**

Where relevant, the applicable provisions of the collective agreements shall be followed. In all other situations, the [Guidelines on Time and Cost Associated with Union Management Consultation](#) will be referenced.

## **Increasing Monitoring**

### **Tracking System**

The Human Resources Branch (HRB) will ensure that there is adequate tracking of action items at all levels of the framework. The intent is to track all action items, facilitate the movement of items between levels and to keep them updated so everyone can easily see its flow through the structure and the final outcome.

Each LMCC will be accountable for the maintenance of their information in regards to: minutes, decisions/actions and follow up.

### **Monitoring/Review**

Management and union representatives will be jointly responsible for the effectiveness of the consultation process. It is recommended that all levels of LMCC undertake yearly evaluations of their process to ensure efficient use of the framework. This evaluation can be done differently and can be as simple as jointly completing the "Checklist for a Successful LMCC" under Annex A.

## **Improving Communications**

### **Intranet**

The following ECCC intranet page is accessible by all ECCC employees. The site contains information related to LMCCs and includes the links to all reference documentation noted in this framework, as well as committee minutes: <http://intranet.ec.gc.ca/hr-rh/default.asp?lang=En&n=EFF4269B-1>.

### **Communications**

All parties commit to:

- broad communication of LMCC discussions and decisions;
- open and respectful communication between management and unions to resolve issues;

- the proactive use of bilateral (labour-management) informal meetings, as needed.

## Committees

Although a core group of representatives is identified below, other participants including union officials and staff, senior managers, etc. may be invited, depending on the agenda, to ensure adequate representation at the LMCC meetings. When a guest is invited, the chair or co-chairs will be informed prior to the meeting.

All LMCCs can establish sub-committees where it is determined that a subject requires in-depth study.

Below is the list of the committees at ECCC.

### **Environment and Climate Change Canada LMCC (ECCCLMCC)**

Membership:

#### *from management*

Deputy Minister  
 Associate Deputy Minister  
 Director General, Chief Audit and Evaluation Branch (AEB)  
 ADM, Canadian Wildlife Service Branch (CWSB)  
 ADM, Climate Change Branch (CCB)  
 ADM, Corporate Service and Finance Branch (CSFB)  
 ADM, Environmental Protection Branch (EPB)  
 ADM, International Affairs Branch (IAB)  
 ADM, Meteorological Service of Canada Branch (MSCB)  
 ADM, Public Affairs and Communications (PACB)  
 ADM, Science and Technology Branch (STB)  
 ADM, Strategic Policy Branch (SPB)  
 Chief Human Resources Management Officer, Human Resources Branch (HRB)  
 Chief Information Officer, Enforcement Branch (EB)

#### *from the unions*

Bargaining agent co-chair is on a rotational basis  
 President, National Consultation Team, Professional Institute of the Public Service of Canada (PIPSC) and/or delegate  
 Vice-President, National Consultation Team, PIPSC and/or delegate

National President, Union of Health and Environment Workers (UHEW),  
Component of the Public Service Alliance of Canada (PSAC) and/or delegate

President, Canadian Association of Professional Employees (CAPE) and/or  
delegate

President, Association of Canadian Financial Officers (ACFO) and/or delegate

President, International Brotherhood of Electrical Workers (IBEW) and/or  
delegate

Chair: Deputy Minister (co-chair)

Frequency: The Committee meets twice a year, normally during the months of May and  
November. Additional meetings may be called by the chair or at the request of a  
union representative.

#### **Human Resources LMCC (HRLMCC)**

Membership: CHRMO, HRB and excluded members from the HRB management team  
National union representatives

Chair: CHRMO, HRB is the designated co-chair  
Bargaining agent co-chair is on a rotational basis

Frequency: A minimum of twice a year with the option of deferring or adding meetings as  
required

#### **Large Branch LMCCs (MSCB, STB, EPB, EB, CSFB, and CWSB)**

Membership: Branch Head and excluded members from the management team  
National union representatives or delegate

Chair: Branch Head is the designated chair with flexibility to name a union co-chair

Frequency: A minimum of twice a year for each large branch LMCC with the option of  
deferring or adding meetings as required

#### **Policy-Based Branch LMCC (Combined SPB, CCB, PACB, IAB and AEB)**

Membership: Branch Head and excluded members from the management team



	National union representatives or delegate
Chair:	Rotation among each Branch Head with flexibility to name a union co-chair
Frequency:	a minimum of twice a year with the option of deferring or adding meetings as required

#### **Regional LMCCs**

Membership:	Regional Director General (RDG)/Associate Regional Director General (ARDG), Regional Directors (RD) and excluded members from the management team (will endeavour to have representation from all branches)
	Regional and local union representatives
Chair:	RDG/ARDG is the designated chair with flexibility to name a union co-chair
Frequency:	A minimum of once or twice a year with the option of deferring or adding meetings as required

#### **Local LMCCs**

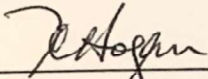
Membership:	Excluded members from the local management team
	Local union representatives
Chair:	Co-chaired by management and union representatives
Frequency:	A minimum of once or twice a year with the option of deferring or adding meetings as required

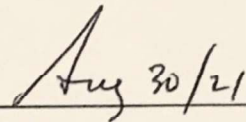
#### **Combined Regional/Local LMCC**

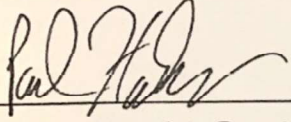
In those instances where it makes sense to do so and there is agreement between the RDG/ARDG and regional and local union representatives, the regional and local LMCCs may be combined as a means of fostering efficiency and effectiveness. The combined committee may decide to hold ad-hoc Local LMCCs to address specific local issues.

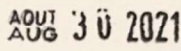
Membership:	Regional Director General (RDG)/Associate Regional Director General (ARDG), Regional Directors (RD) and excluded members from the management team (will endeavour to have representation from all branches)
	Regional and local union representatives
Chair:	RDG/ARDG is the designated chair with flexibility to name a union co-chair
Frequency:	A minimum of once or twice a year with the option of deferring or adding meetings as required

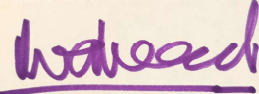
## Signatures

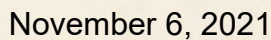
  
\_\_\_\_\_  
T. Christine Hogan, Deputy Minister,  
Environment and Climate Change Canada

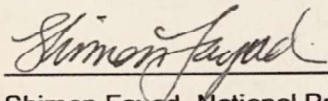
  
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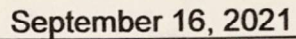
  
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Paul Halucha, Associate Deputy Minister,  
Environment and Climate Change Canada

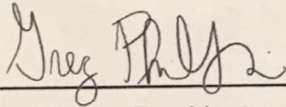
  
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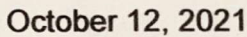
  
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Waheed Khan, President  
National Consultation Team,  
Professional Institute of the  
Public Service of Canada

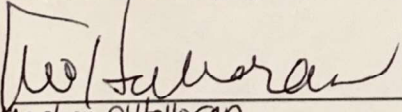
  
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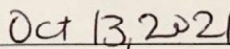
  
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Shimen Fayad, National President,  
Union of Health and Environment Workers,  
Component of the Public Service Alliance  
of Canada


  
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Date

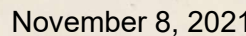
  
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Greg Phillips, President,  
Canadian Association of  
Professional Employees

  
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Date

  
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Meghan O'Halloran,  
~~Union Cases~~, Labour Relations Advisor  
~~and Legal Counsel~~,  
Association of Canadian Financial Officers

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Paul Cameron, Business  
Manager,  
International Brotherhood of  
Electrical Workers

  
\_\_\_\_\_  
Date

# ANNEX A

## Checklist for a Successful LMCC

- The Terms of Reference or Framework are up-to-date and all LMCC members have access to a copy.
- New members to the LMCC receive an orientation on the committee and its work.
- Resolution of the issues has been attempted at the lowest level possible.
- Agendas are developed jointly (management and union) and shared beforehand along with the background information, when possible, to allow both sides to prepare for the meetings.
- Agenda items are managed between management and union representatives, in such a manner that they are submitted to the right committee/decision making authority level (local/regional/branch/national).
- Individuals with decision making authority are at the table and are committed to regular attendance.
- Management and union representatives participate equally in the meetings.
- Global issues are discussed and not individual cases.
- Meetings are held regularly and the schedule is determined well in advance to maximize participation.
- Minutes agreed to by the parties are issued in a timely fashion.
- The committee is responsible to put in place a tracking tool to ensure all items are actioned.
- A process is in place to ensure staff/members are aware of the LMCC and its activities.
- Once approved, final and translated minutes are posted on the intranet page.

# ANNEX B

## Treasury Board Definition of Consultation

Consultation is a process for seeking and providing information and advice, exchanging views, and discussing issues, at a level (e.g., national, regional, local, or specific occupational group) appropriate to addressing and/or resolving issues, in an atmosphere of mutual respect and trust. To be effective, the process must be based on an honest and open commitment, by both parties, to the sharing of information and to listening to each other's opinions, observations, and recommendations, prior to decisions being taken. This allows each party to understand the full implications of decisions and actions on their legitimate interests. However, some limitations must be respected. They include:

- The rights of management and the bargaining agent must not be compromised, encroached upon, or diminished;
- The provisions of collective agreements and statutes, and their intent, must be adhered to;
- Matters for which other formal channels have been established (e.g., Occupational Health or Safety, National Joint Council matters) must normally be addressed in those fora; and
- Issues relating to an individual such as grievance cases must not be discussed in a way that would breach confidentiality. Note: Grievance cases may be discussed in a generic way if such discussions provide a means to identify trends or underlying causes that would help in resolving the problem.

As a general rule, matters should be discussed at a level (e.g., national, regional, local, sectorial or specific occupational group) appropriate to the resolution of the issue or the problem. In some cases it is helpful to discuss matters that are being addressed in depth at a different level. For example:

- To provide information on the matter;
- To explain or define the application of a policy related to the matter;
- To discuss problems related to the matter with a view to reducing tension and promoting understanding between the parties concerned; and
- To communicate information when appropriate to other levels of management.

LMCC representatives throughout the organization should ensure they have a common understanding of this approach prior to addressing issues. This can include discussing the process or joint training.

## TBS Policy on meeting location, time and costs

Committee meetings should be held on the employer's premises and at times determined by mutual agreement of the parties. Meetings should be scheduled during working hours. Some participants may not have the resources or information required to participate and financial assistance or other support may be needed for their representation to be assured. This could include leave with pay for preparation or follow-up from the meeting and travel costs associated with meeting. In all cases, collective agreement provisions and/or applicable terms and conditions of employment regarding travel time and leave for union business must be adhered to. Representatives on the committee or other employees

who are invited guests shall be protected against any loss of regular pay due to attendance at meetings.

LMCC members should be permitted to remotely attend through teleconference or videoconference.

Meetings must be conducted in accordance with the Treasury Board Policy on Official Languages.

# ANNEX C

## Mapping of Issues

Following is a list of all LMCC levels and the items that should be addressed at each forum:

Local	<ul style="list-style-type: none"><li>• All issues that are specific to a local.</li></ul>
Regional and Combined Regional-Local	<ul style="list-style-type: none"><li>• All issues that are specific to a region.</li><li>• All issues that were not resolved at the local level.</li></ul>
Branch	<ul style="list-style-type: none"><li>• All issues that are specific to a branch and that are national in scope.</li><li>• All issues that were not resolved at the local or regional level.</li></ul>
Human Resources (HRLMCC)	<ul style="list-style-type: none"><li>• All issues that are specific to human resources and that are national in scope.</li><li>• All issues that were not resolved at the local, branch or regional level.</li></ul>
National (ECCCLMCC)	<ul style="list-style-type: none"><li>• All issues that are national in scope.</li><li>• All issues that were not resolved at the local, branch, regional or HR level.</li></ul>