

# **THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE**

November 5, 2014

Honourable Erna Braun  
Minister of Labour and Immigration  
Province of Manitoba  
Room 162 Legislative Building  
Winnipeg MB R3C 0V8

Dear Minister Braun:

On behalf of the Manitoba Labour Management Review Committee, I have the honour to submit to you the Committee's Report covering the period from January 1, 2011 to June 30, 2014.

The Committee has been busy over the last few years, reviewing and providing advice on a wide variety of important issues. Highlights include providing consensus recommendations on:

- essential services legislation specifically applying to the healthcare sector;
- improving enforcement provisions in *The Pension Benefits Act*;
- revising Sunday shopping laws;
- repealing a provision of *The Employment Standards Code* allowing persons with disabilities to be paid less than minimum wage;
- adding protected job leaves to *The Employment Standards Code* for parents in the case of the death or disappearance, or critical illness, of a child;
- enhanced protections for temporary help workers; and
- requiring regulations to be established to ensure timeliness of decisions made by the Manitoba Labour Board.

It is satisfying to see that many of the Committee's recommendations are reflected in legislative and regulatory provisions now in place in Manitoba.

A summary of all of the Committee's activities over the last three and a half years is contained in this report. The Committee hopes the report will be informative and useful to members of the Legislative Assembly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Werier', written in a cursive style.

Michael Werier  
Chairperson

# COMITÉ D'ÉTUDE DES RELATIONS SYNDICALES- PATRONALES DU MANITOBA

Le 5 novembre 2014

Madame Erna Braun  
Ministre du Travail et de l'Immigration  
Province du Manitoba  
Palais législatif, bureau 162  
Winnipeg (Manitoba) R3C 0V8

Madame la Ministre,

Au nom du Comité d'étude des relations syndicales-patronales du Manitoba, j'ai l'honneur de vous présenter le rapport du Comité pour la période allant du 1<sup>er</sup> janvier 2011 au 30 juin 2014.

Au cours des dernières années, le Comité a examiné un large éventail de questions importantes et a fourni des conseils au sujet de celles-ci. Parmi les faits marquants, des recommandations consensuelles ont été formulées à l'égard des éléments suivants :

- les dispositions législatives concernant les services essentiels s'appliquant expressément au secteur des soins de santé;
- l'amélioration des dispositions d'exécution de la *Loi sur les prestations de pension*;
- la révision des heures d'ouverture des commerces le dimanche;
- l'abrogation d'une disposition du *Code des normes d'emploi* qui permettait que les personnes handicapées soient payées moins que le salaire minimum;
- l'ajout au *Code des normes d'emploi* de mesures donnant droit aux parents de prendre congé en cas de décès, de disparition ou de maladie grave d'un enfant;
- l'amélioration de la protection offerte aux travailleurs temporaires;

- l'exigence visant l'établissement de règlements faisant en sorte que les décisions de la Commission du travail du Manitoba soient prises en temps opportun.

Il est encourageant de voir que bon nombre des recommandations du Comité se retrouvent dans les lois et les règlements actuellement en vigueur au Manitoba.

Un résumé de toutes les autres activités du Comité au cours des trois dernières années et demie est offert dans le présent rapport. Les membres du Comité espèrent que les députés de l'Assemblée législative trouveront ce rapport informatif et utile.

Veillez agréer, Madame la Ministre, l'expression de ma haute considération.



Le président,  
Michael Werier

**REPORT OF  
THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE  
JANUARY 1, 2011 TO JUNE 30, 2014**

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**HISTORY**

The Labour Management Review Committee (LMRC) was officially established on May 11, 1965 by a unanimous resolution of the Legislature (see Appendix A), although it had already been functioning for about a year at that time. In its original form, the Committee's mandate was to undertake a continuing and comprehensive review of labour legislation and labour-management relations in the Province of Manitoba.

The LMRC, with equal representation from labour and management, came into being as the culmination of a process which began in 1963. Several labour-management seminars were held over a 12-month period to examine the main aspects of industrial relations in Manitoba. Labour and management representatives attended these sessions, and a consensus developed that the establishment of a permanent committee representing both parties would make a valuable contribution to labour-management relations. In the Speech from the Throne of February 1964, the government announced its intention to establish such a committee. The LMRC was formed shortly thereafter.

**STRUCTURE**

In a review of the LMRC conducted in 1999, committee members examined their role and function and developed a new structure and mandate to improve committee effectiveness in providing timely advice to the Minister of Labour and Immigration. Prior to the review, the LMRC was guided in its activities by a Steering Committee (6 members), which coordinated the work of the Full or Main committee (26 members). The Steering Committee was responsible for setting the direction and focus of sub-committees and performing much of the policy review work of the LMRC. It then reported back to the Main committee for final review and approval of various policy issues.

As a result of the review, the structure of the Committee was changed to its current form in April 2000. The membership of the LMRC consists of five labour and five management representatives (decided as appropriate by the labour and management constituencies), a chairperson, a government representative and a secretary (appointed by the Minister of Labour and Immigration). The length of term and conditions of appointment are determined by the respective caucuses. Each caucus co-chair is responsible for ensuring that there are processes in place for obtaining input and

representation from their broader constituencies and for keeping them informed on committee developments.

The review also looked at whether various sub-committees should be continued. The Arbitration Advisory Sub-Committee was retained but the other standing committees (Health Sector Working Group and Construction) were disbanded. It was decided that new sub-committees or working groups would be created as needed with the membership to be determined by each caucus.

Another change that took effect in 2000 was the addition of alternate members to the LMRC. Each caucus has named one individual to attend those meetings where there are not enough regular members to meet a quorum of three representatives each for labour and management.

Please see Appendix B for membership of the LMRC and its sub-committee as of June 30, 2014.

## **METHODS OF OPERATION**

The LMRC has felt, since its inception, that open and frank discussions would best be facilitated if attendance was restricted to committee members only.

The minutes of committee meetings are produced for the benefit of the members and their respective caucuses. Members are generally not identified in the proceedings.

In addition, a communications' guideline has been developed for dealing with questions from the media or stakeholder groups. Generally, the guideline states that members are free to express their own opinions on issues as long as it is understood that they are speaking on their own behalf and not on behalf of the LMRC. Only the Chairperson, or individuals designated by the Chairperson, can speak about matters before the Committee. A copy of the guideline is contained in Appendix C.

When the LMRC arrives at a decision which has majority support from each side, the recommendations for action are then forwarded to the government or the appropriate body.

The Chairperson of the LMRC communicates regularly with the Minister of Labour and Immigration and departmental officials to update them on the current and planned activities of the Committee.

The LMRC is assisted in its work by the research facilities of the Labour Programs Division of Manitoba Department of Labour and Immigration. A staff person of the

Department also functions as the LMRC's secretary.

Labour and management members serve voluntarily on the LMRC without remuneration for the time they devote to its work.

## **MANDATE AND GUIDING PRINCIPLES**

The mandate of the LMRC is as follows.

### **MANDATE**

#### **MISSION**

The LMRC's mission is to promote a harmonious labour relations climate and to foster effective labour-management cooperation in support of the economic and social well-being of Manitobans.

#### **OBJECTIVES**

1. To provide leadership in promoting labour-management cooperation and fostering a stable labour relations climate in Manitoba.
2. To provide the Manitoba Government with an ongoing review of proposed labour legislation with the intent of reaching consensus between labour and management whenever possible.
3. To respond to problem areas in labour-management relations and to develop policies/initiatives to resolve them.
4. To discuss, on an ongoing basis, emerging issues of common concern towards a better understanding of each other's point of view.

#### **GUIDING PRINCIPLES**

- Take leadership in promoting effective labour-management relations.
- Provide objective and independent advice to government and others.
- Identify and address emerging labour-management relations issues.
- Seek consensus on issues and where honest differences occur, identify the differing views of labour and management.
- Communicate with the labour-management community on relevant issues.
- Act as an effective sounding board for proposed government policy.
- Operate as an autonomous but responsive entity in relation to the provincial government.

## **COMMITTEE ACTIVITIES – 2011, 2012, 2013, 2014 (up to June 30, 2014)**

### **2011**

#### **ESSENTIAL SERVICES DURING A WORK STOPPAGE IN HEALTH CARE**

The LMRC was tasked with conducting a review of proposed legislation respecting essential services during a work stoppage in health care, to be called *The Essential Services (Health Care) Act*. The proposal was to have the health care sector covered by separate essential services legislation that would provide for a system of negotiated agreements respecting services that must be maintained during a work stoppage. A mechanism would be provided where, if the parties are unable to reach an essential services agreement, either of them may refer the matter to arbitration. An arbitrator or arbitration board would then set the terms of the agreement. An overriding principle of the proposed legislation was that no work stoppage would occur in any health care facility that did not have an essential services agreement in place to protect those vulnerable citizens that depend on these services. The LMRC reviewed the proposal and gave its consensus support.

*The Essential Services (Health Care) Act* received Royal Assent on June 16, 2011.

#### **THE PENSION BENEFITS ACT – ENFORCEMENT PROCESS FOR A NEW MULTILATERAL PENSION AGREEMENT**

The LMRC was asked to comment on proposed changes to *The Pension Benefits Act* (PBA) that were recommended by the Pension Commission of Manitoba.

After reviewing the recommendations by the Commission, the LMRC unanimously supported the appropriateness of such legislation. The LMRC felt that proposed changes to the PBA would improve enforcement processes and provide for a new multilateral pension agreement that would provide a more effective approach for administration for plans with members in more than one jurisdiction. Proposals included:

- provisions that would allow for the adoption in Manitoba of a Proposed New Multilateral Agreement for the regulation of multi-jurisdiction pension plans;
- improved enforcement of Superintendent orders, including the filing of liens in the case of a failure to remit contributions; and
- corporate director liability for unpaid pension contributions that the corporation (employer) had failed to remit to the pension plan.

Members of the LMRC indicated that the legislation should make it clear that the corporate director liability attaches only to directors of the employer corporation, and not to a director on the board of trustees of a pension plan.

The amendments to the PBA were given Royal Assent on June 16, 2011.

## **2012**

### **THE RETAIL BUSINESSES HOLIDAY CLOSING ACT**

The LMRC was requested to review and make recommendations on proposed changes to Sunday shopping in Manitoba under *The Retail Businesses Holiday Closing Act* (the Act). The LMRC's recommendations were as follows:

- **Expanded Hours**: It was recommended by the LMRC that the Act be amended to provide greater flexibility in opening hours on Sundays. The LMRC recommended that opening hours be changed to 9:00 a.m. to 6:00 p.m. from 12:00 p.m. to 6:00 p.m. In those communities where bylaws that allow wide open shopping from 12:00 p.m. to 6:00 p.m., a new bylaw would have to be enacted to allow for the wider hours.
- **Enforcement of Right to Refuse Working Expanded Hours on Sundays**: The LMRC recommended that retail workers' right to refuse work on Sundays be enforced by allowing Employment Standards Officers to order compensation and reinstatement in those cases where employees were terminated or otherwise discriminated against for exercising the right to refuse.
- **Days off Work for Retail Workers**: The LMRC recognized the unique nature of the retail sector in that a very significant portion of shopping and sales occur on Saturday and Sunday. Given this, the LMRC recommended that the right to one day off each week for retail workers be maintained. This is consistent with the current requirements of *The Employment Standards Code* and consistent with other sectors where work is performed at businesses with continuous operations throughout the week.
- **Leases and Other Agreements**: The Act provided that where a lease or other agreement requires that a store must remain open on a Sunday or other holiday, the business can choose to remain closed or open for fewer than the hours provided for in the lease or agreement. The LMRC suggested that the Act be amended to make it clear that a business could also remain closed on a Boxing Day that falls on a Sunday, or open for fewer hours, despite the requirements of a lease or other agreement.

- Canada Day: The Minister of Labour and Immigration also asked the Committee to review the situation where Canada Day falls on July 2 (under *The Federal Holidays Act*, Canada Day is observed on July 1, unless that date falls on a Sunday, in which case July 2 is the statutory holiday). The LMRC's consensus recommendation was that specific legislative changes relating to July 2 are not required since Canada Day occurs on July 2 only once every 7 years.

Amendments to the Act reflecting the LMRC's recommendations received Royal Assent on June 14, 2012.

### **THE EMPLOYMENT STANDARDS CODE – REPEAL SUB-MINIMUM WAGE**

The LMRC was asked to provide input and make recommendations on the proposal to repeal section 85 of *The Employment Standards Code* (Code), which gave the Director of Employment Standards authority to issue a permit to allow persons with a disability to be paid less than the provincial minimum wage while working. It was also proposed that the legislation allow for existing permits to continue.

The LMRC noted the history of the permit system and that, while over 200 active permits were in existence in the early 1990s, there were only 19 active permits at the time of the review. Those permits were issued mainly for employment in retail stores, restaurants, personal care homes, and light manufacturing. Most were issued to employers based in rural Manitoba, where work for persons with disabilities was especially hard to come by.

The LMRC reviewed the issue and unanimously agreed with the appropriateness of the repeal of section 85 of the Code. In addition, all members recognized that the elimination of the 19 existing permits could have a detrimental effect on the individuals working under those permits. As such, it was agreed that those permits should be allowed to remain in effect.

Section 85 was repealed on December 5, 2013. As was recommended by the LMRC, existing permits were allowed to continue.

### **THE EMPLOYMENT STANDARDS CODE – UNPAID LEAVE FOR PARENTS OF MURDERED OR MISSING CHILDREN OR PARENTS OF GRAVELY ILL CHILDREN**

In 2012, the federal government announced its intention to provide employment insurance benefits to parents caring for a child with a critical illness and also provide income support to parents of murdered or missing children whose death or disappearance

is the result of a suspected Criminal Code offence. To be eligible, the child's parent must take a leave from their work.

In response, the LMRC was asked to review and make recommendations on proposed amendments to *The Employment Standards Code* (Code) that would provide employees with the right to take an unpaid leave of absence to deal with the circumstances relating to children. Such a leave would allow employees to access recently announced federal benefits. After extensive review and consultation, the LMRC unanimously agreed with the appropriateness of such legislation as follows:

- Critical illness of a child: Up to 37 weeks of unpaid leave to allow parents to provide care and support for a critically ill child who is under 18 years old.
- Death or disappearance of a child: Up to 104 weeks of unpaid leave for parents in the event of the death of a child, or up to 52 weeks of unpaid leave in the event of the disappearance of a child, that occurred as a result of a crime under the *Criminal Code*.

Amendments to the Code reflecting the above received Royal Assent on December 6, 2012.

## **COMPREHENSIVE REVIEW OF MANITOBA'S GENERAL MINIMUM WAGE**

The LMRC was tasked with conducting a review of the minimum wage, provided for under *The Employment Standards Code*, in order to consider any appropriate future adjustments. In the course of their deliberations, the LMRC took into account factors such as Manitoba's wage rate relative to other jurisdictions, the preservation enhancement of the spending power of minimum wage workers, the cost of living and the need to establish predictable and manageable wage increases. Labour and management caucus members consulted with stakeholders and members of their respective organizations throughout the process.

There have been a number of significant issues that the LMRC has been asked to consider in recent years, and the desire was evident from both caucuses to find common ground on which to build consensus recommendations. However, it was recognized that the minimum wage issue presents its own unique challenges with wide-ranging opinions on how to address minimum wage adjustments, and the Committee was unable to reach a consensus recommendation.

The labour caucus recommended that the minimum wage should be increased by \$0.50 in the current year and each year thereafter until the target of 60% of Manitoba's Average Industrial Wage is reached.

Management recommended an increase of 10 cents per hour to \$10.35 per hour. They also recommended an increase in the Provincial Income Tax personal exemption and the establishment of separate gratuity earner and inexperienced worker rates, which they said should be frozen at the current minimum wage of \$10.25 per hour until they are 15% less than the minimum wage.

### **RESOLUTION OF DISPUTES UNDER A COLLECTIVE AGREEMENT**

The LMRC was requested to review and provide advice and direction on potential alternative dispute resolution mechanisms under *The Labour Relations Act* (the Act) that could assist parties to settle collective bargaining impasses and avert lengthy work stoppages. Significant time was spent by the LMRC discussing alternative mechanisms for resolving collective bargaining disputes. This included reviewing processes in place in other Canadian jurisdictions.

In terms of the resolution of collective bargaining disputes generally, the LMRC felt that more creative methods involving mediation could be considered, including the appointment of two mediators in certain cases (one management and one labour representative). Following discussions, all labour and management representatives agreed to explore this avenue.

In most jurisdictions, including Manitoba, labour boards can utilize mediation for purposes of settling any application made to the Board, including complaints related to collective bargaining. The LMRC membership recognized that mediation processes are utilized in other jurisdictions to a much greater extent than in Manitoba, and that expanded mediation could be used in resolving collective bargaining disputes.

Consideration was also given to expanding Section 140(6) of the Act, which authorizes the labour relations officer to inquire, investigate and settle a complaint before the Board. The general consensus by the LMRC was that the current legislative language appeared to be sufficient, and should be utilized more often by Board policy.

In terms of the settlement of collective bargaining disputes, both caucuses felt that the greater use of mediation, and the use of more creative mediation, would assist in resolving disputes.

## **SECTION 87.1 -87.3 OF THE LABOUR RELATIONS ACT**

Section 87.4 of *The Labour Relations Act* (the Act) states that at least once every two years the Minister of Labour and Immigration is to request that the LMRC review the operation of procedures contained in sections 87.1 to 87.3 of the Act, respecting the settlement of subsequent agreements during a work stoppage. In undertaking its deliberation, the LMRC agreed not to forward any recommendations for changes to these provisions. The next review of sections 87.1 to 87.3 will be conducted in 2015.

### **2013**

#### **ARBITRATION ADVISORY SUB-COMMITTEE ACTIVITIES**

Section 117(2) of *The Labour Relations Act* provides that the Manitoba Labour Board (Board) establish and maintain a list of arbitrators in consultation with representatives of employers and employees. Since this provision came into effect in 1985, consultation has been achieved using the Arbitration Advisory Sub-Committee of the LMRC.

The Sub-Committee undertook a review of the list of arbitrators maintained by the Board and after consulting with their respective constituents, both labour and management representatives on the Sub-Committee indicated that they were satisfied with the current list of arbitrators.

The Sub-Committee also briefly discussed whether there should be guidelines for arbitrator's timelines for decisions, standardization of cancellation fees and procedural matters in place. The Sub-Committee agreed to explore options.

### **2014**

#### **COMPREHENSIVE REVIEW OF MANITOBA'S GENERAL MINIMUM WAGE**

The LMRC was tasked with conducting a review of the minimum wage, provided for under *The Employment Standards Code*, in order to consider what, if any, future increases in the minimum wage would be appropriate.

The extensive review of Manitoba's minimum wage involved reviewing material from Statistics Canada, such as the demographic characteristics of minimum wage earners in Manitoba (ex.: age, educational attainment, living situation, etc.), as well as cross-jurisdictional information on average weekly earnings, inflation, unemployment, and

taxation. Inter-jurisdictional minimum wage charts, including historical and planned future increases in other provinces were also examined.

Labour and management caucus members consulted with stakeholders and members of their respective organizations throughout the process and submitted their respective positions. Based on those positions, the two sides were unable to reach a consensus recommendation. Separate recommendations were submitted by labour and management caucuses.

The labour caucus stated a belief that an appropriate minimum wage would be set at a living wage of at least 60% of Manitoba's Average Industrial Wage, and that a multi-year plan should be put in place to reach that level. Their recommendation was to increase the minimum wage by \$1.00 an hour to \$11.45, and \$0.50 per hour each year thereafter until the target of 60% of Manitoba's Average Industrial Wage is reached.

The management caucus recommended increasing the minimum wage by 20 cents per hour to \$10.65 per hour, and also recommended establishing gratuity and student rates and freezing those rates at the current minimum wage of \$10.45 until they reach 15% less than the minimum wage. In addition, they recommended increasing the Provincial Income Tax personal exemption and decreasing the bottom tax rate by 2%.

### **IMPLEMENTATION OF REGULATED WAGE FOR SECURITY GUARDS**

As requested, the LMRC convened to review and make recommendations on a proposal for implementing a special minimum wage that would apply to persons working as licensed security guards in Manitoba. The proposal was to implement a minimum wage for security guards of \$2.25 per hour above the general minimum wage rate, to be phased in over 4 years.

The Committee reviewed information on the regulation of the security industry, the number of licensed security guards and registered employers of security guards, and statistics on security guard wages across Canada.

Upon reviewing and discussing the proposal, the Committee was not able to arrive at a consensus recommendation. Separate recommendations were submitted by both labour and management caucus.

### **PROTECTIONS FOR TEMPORARY HELP WORKERS**

On request, the LMRC reviewed proposed amendments to *The Worker Recruitment and Protection Act* and *The Employment Standards Code* that would reduce barriers to

sustainable employment; enable temporary help workers to access termination notice provisions comparable to employees in standard employment relationships; and ensure temporary help workers are paid for the work they have done.

After reviewing the proposal, the LMRC's consensus recommendations were to proceed with the following aspects of the proposal:

- Amendments to *The Worker Recruitment and Protection Act* (the Act) and regulations to:
  - Require temporary help agencies to be licensed under the Act in order to operate; and
  - Prohibit temporary agencies from:
    - charging fees to temporary help workers for such things as signing on with an agency, being assigned work, or accepting employment with a client employer;
    - restricting a temporary help worker from entering into an employment relationship with a client employer;
    - restricting a client from providing references to a temporary help worker or from entering into a direct employment relationship with the worker;
    - charging a fee to a client employer for directly employing a temporary help worker (sometimes referred to as a conversion fee) more than six months after the first day the worker was assigned to the client; or
    - charging a fee to a client for directly employing a temporary help worker that amounts to more than 20 per cent of the worker's annual salary.
- Amendments to *The Employment Standards Code* and regulations to ensure that temporary help workers have access to termination provisions comparable to other Manitoba employees.

The LMRC did not support an option to amend *The Employment Standards Code* to allow temporary help workers to seek wages from clients of the temporary help agency where the temporary help agency has failed to pay. Members felt that it would not be fair to create the potential for clients of temporary help agencies to have to pay wages for the same work twice. The LMRC did, however, believe that it is important to ensure that workers are paid for their work, and recommended that the Minister consider other options to ensure that temporary help agencies pay their workers the wages they earned.

*The Protection for Temporary Help Workers Act (Worker Recruitment and Protection Act and Employment Standards Code Amended)*, which contains the provisions recommended by the LMRC, received Royal Assent on June 12, 2014.

## **TIMEFRAMES FOR HEARINGS AND DECISIONS OF THE MANITOBA LABOUR BOARD**

The LMRC was asked to consider whether legislative changes were desired to help ensure timeliness of scheduling of hearings and issuance of decisions by the Manitoba Labour Board (Board). Information on legislative and policy measures taken in other Canadian jurisdictions respecting timeframes for hearings and decisions by their labour boards were discussed.

The Chairperson of the Board was invited to appear before the Committee to provide background information on current wait times and on policy measures that have been implemented and planned at the Board to help ensure the timeliness of hearings and decisions.

After thorough discussions, the LMRC reached consensus recommendations as follows:

- *The Labour Relations Act* should be amended to require the Board to establish regulated timeframes for the issuance of a decision following the conclusion of a hearing into a complaint, application or other referral to the Board; and rules and procedures respecting the timeliness of hearings on applications for certification or decertification of a union as bargaining agent for a group of employees; and
- *The Labour Relations Act* be amended to require the Board to review any regulations it has made under the Act at least once every six years.

*The Labour Relations Amendment Act (Time Lines for Labour Board Decisions and Hearings)*, which mirrors the LMRC's recommendations, received Royal Assent on June 12, 2014.

## **CONCLUSION**

For 50 years, since its formation in 1964, the LMRC and its sub-committees have been committed to working together to promote and foster a harmonious labour relations climate in Manitoba. The Committee has proven to be very successful and effective over the years, reaching many consensus agreements on important labour relations matters and demonstrating a strong commitment towards the social well-being of Manitobans. The Committee has been, and continues to be, a significant and valuable resource for labour-management consultation and cooperation across a wide range of challenging issues affecting labour and business. Effective dialogue and cooperation between the labour market stakeholders and with government is recognized as an essential step in building a strong and vibrant economy in Manitoba.

**APPENDIX A**

**LABOUR MANGEMENT REVIEW COMMITTEE**

**RESOLUTION - May 11, 1965**



**UNANIMOUS RESOLUTION OF THE MANITOBA LEGISLATURE**  
**LABOUR MANAGEMENT REVIEW COMMITTEE**  
**MAY 11, 1965**

WHEREAS it is in the best interests of Manitoba that every effort be made to promote, establish and perpetuate, a sound and harmonious relationship between management and labour; to create and maintain an attitude which will be conducive to the retention of present industry and to the encouragement of the establishment of new industries here.

AND WHEREAS one of the best methods of achieving the foregoing is through study and research on labour and management problems;

AND WHEREAS the Economic Consultative Board is composed of labour and management representatives, and is developing programs for industrial development, through research, analysis and consultation with labour and management;

AND WHEREAS the Minister of Labour has established a joint Labour-Management Review Committee composed of 12 representatives selected by labour, 12 representatives selected by management with a Chairman from a University, and a Vice-Chairman from the legal profession;

AND WHEREAS such Labour-Management Review Committee has been functioning for several months and is making good progress towards developing a better understanding between labour and management and in reviewing Manitoba's labour legislation.

THEREFORE BE IT RESOLVED:

- (a) That the joint Labour-Management Review Committee set up by the Minister of Labour and commonly known as the Woods' Committee be approved and endorsed by this House; and

**UNANIMOUS RESOLUTION OF THE MANITOBA LEGISLATURE**

**LABOUR MANAGEMENT REVIEW COMMITTEE**

**MAY 11, 1965**

**(cont'd)**

- (b) That such Committee function on a continuing basis; and
- (c) That the Government give consideration to continuing to provide this Committee with such research facilities as the Committee may request from time to time to enable it to carry out its functions most effectively; and
- (d) That the Committee make an annual report to the Minister of Labour as to its deliberations and findings to be laid before this Legislature 15 days after the commencement of each annual Session; and
- (e) That the Government recommend improvements in the Labour Legislation of the Province as from time to time it deems advisable, give due consideration to the recommendations of the joint Committee as well as to any other submission which may be made by labour, management, or the general public.

**APPENDIX B**

**COMMITTEE AND SUB-COMMITTEE MEMBERSHIP**

**AS OF JUNE 30, 2014**



**MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE**  
**MEMBERSHIP**  
**AS OF JUNE 30, 2014**

**Labour Caucus**

Kevin Rebeck (Co-Chair)  
Manitoba Federation of Labour

Bill Comstock  
Manitoba Government and  
General Employees' Union (retired)

Ron Stecy  
Manitoba Building and Construction  
Trades Council (retired)

Jeff Traeger  
United Food and Commercial Workers  
Local 832

Sandra Oakley  
Canadian Union of Public Employees (retired)

**Alternates**

Bill Anderson  
Manitoba Government and General  
Employees' Union

**Management Caucus**

Peter Wightman (Co-Chair)  
Construction Labour Relations  
Association of Manitoba

William Gardner  
Pitblado

Ed Huebert  
Mining Association of Manitoba

Darcy Strutinsky  
Winnipeg Regional Health  
Authority (retired)

Jim Witiuk  
Canada Safeway Limited

**Chairperson**

**Government Representative**

**Secretary**

Michael D. Werier

Dave Dyson

Karen Lockhart

**ARBITRATION ADVISORY SUB-COMMITTEE  
MEMBERSHIP  
AS OF JUNE 30, 2014**

**Labour Caucus**

Kevin Rebeck (Co-Chair)  
Manitoba Federation of Labour

Garry Bergeron  
United Food and Commercial Workers,  
Local 832

Kathy A. McIlroy  
Myers Weinberg

Bruce Buckley  
Professional Institute of the Public  
Service of Canada

**Alternates**

David Lewis  
Manitoba Government and General  
Employees' Union

**Management Caucus**

William Gardner (Co-Chair)  
Pitblado

Darcy Strutinsky  
Winnipeg Regional Health  
Authority (retired)

Jane MacKay  
Previously from Motor Coach  
Industries

Jim Witiuk  
Canada Safeway Limited

**Chairperson**

Michael D. Werier

**Government Representative**

Dave Dyson

**Secretary**

Karen Lockhart

**APPENDIX C**

**COMMUNICATIONS' GUIDELINE**



## **PUBLIC INFORMATION GUIDELINE**

### **THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE**

Information on labour management issues should generally be publicly available, not only because of its importance to the public, but because of the openness required by "right-to-know" legislation at both the provincial and federal levels.

The general guideline will be followed by the members of the LMRC and its sub-committees under the following parameters:

1. The Chairperson of the LMRC will act as the spokesperson for the Committee on all matters under consideration by the Committee. Notwithstanding this procedure:
  - a) Another person(s) may be designated by the LMRC for a specific matter(s); or
  - b) Another person(s) may be designated by the Chairperson in the absence of the Chairperson.
2. Matters under active consideration by the LMRC may be commented on in general terms, but not specifically, unless so considered and agreed to by the Committee.
3. Matters concluded by the LMRC may be commented on specifically, provided they do not require further decision by government. In the case that they require further decision, members' comments should so indicate and information should be sought from those required to make the further decisions.
4.
  - a) Members of the LMRC are free to comment on their principal's positions on matters under consideration by the Committee as long as it is made clear that the position is that of the principal and not that of the LMRC; and
  - b) Members of the LMRC may keep their principals apprised of various matters under consideration to the degree appropriate.
5. Since the LMRC is not a public body, its meetings are closed, except as decided by the Committee. This does not preclude the LMRC from having persons other than members in attendance to facilitate the deliberations of the Committee.

## **PUBLIC INFORMATION GUIDELINE**

### **THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE (cont'd)**

6. Minutes, once approved by the LMRC, will be distributed to all members of the LMRC. (Commentary to follow the procedure outlined in 1, 2 and 3.)
7. Materials used in assisting the LMRC in its deliberations should remain within the Committee unless decided otherwise by the Committee:
  - a) If these are the property of groups outside the LMRC, they are under the control of these groups.
  - b) If these are the result of the work of the Department, they are under the control of the Department.
8. All members of the LMRC and its sub-committees are to be provided with a copy of these guidelines.