

TERMS OF REFERENCE

3rd CANADIAN DIVISION (3 Cdn Div) LABOUR MANAGEMENT RELATIONS COMMITTEE (LMRC)

References: A. DAOD 5008-0 – Civilian Labour-Management Relations
B. DAOD 5008-2 – Civilian Labour-Management Consultation

BACKGROUND

1. Union Management Consultation Committees (UMCC's), or LMRC's, have operated at the National level of the Department since 1970, and at the Division and Local level within 3 Cdn Div (formerly LFWA) since 1994.
2. The Division level committee is seen as the appropriate forum to facilitate Consultation on issues that cannot be resolved at the local level and may require furtherance to the national forum.

COMMITTEE PURPOSE AND SCOPE

3. 3 Cdn Div leadership, and its major bargaining agent representatives (Union of National Defence Employees (UNDE), the Professional Institute of the Public Service of Canada (PIPSC), and the International Brotherhood of Electrical Workers (IBEW)) are committed to cooperatively establishing effective union-management relations across 3 Cdn Div on matters of mutual interest.
4. The purpose and primary focus of the 3 Cdn Div LMRC is to provide a forum for the frank exchange of information, views and advice on workplace issues, between management and union representatives as close as possible to the workplace. The focus of the LMRC is on consultation; committees must strive to ensure that the meetings do not become simply a forum for distribution of information. Committees function in a consultative capacity only. They do not in any way restrict management's authority, its obligation to manage, or the unions' legal rights established by the Public Service Labour Relations Act (PSLRA) or applicable collective agreements.
5. The term "consultation" is defined as a process of seeking and providing information and advice, exchanging views and discussing problems in an atmosphere of mutual respect and trust. To be effective, the process must be motivated by a commitment of both sides to sharing information, to listening to the opinions and observations of the other and to working together to solve problems and resolve differences. Consultation in a labour relations context can be defined as: full disclosure, to the maximum extent possible, of contemplated actions to the representatives of the other party, prior to decisions being taken, with a view to ascertaining the full implications of those actions on the legitimate interests of the other party and resolving any problems which are identified. Almost all workplace issues can be the subject of consultation. However, committees have no authority to reach agreements which are beyond their level of

responsibility or which would have the effect of amending collective agreements, Acts of Parliament, and statutory regulations.

6. 3 Cdn Div and the bargaining agent representatives support the resolution of issues, through consultation, collaboration, and/or co-development, at the lowest level possible and as appropriate. Either party to the committee may refer matters that cannot be resolved at the local level committees to this committee. Either party to the committee may refer matters that cannot be resolved at this level to the National UMCC. Parties at all levels are not restricted to these formal mechanisms and are encouraged to be creative and innovative in their approaches to consultation; either party may contact each other to discuss issues of concern as they arise.

COMMITTEE COMPOSITION

7. Representatives should include individuals with the appropriate managerial authority to make decisions and speak to the issues of concern.

a. Management representatives:

- (1) Commander, 3 Cdn Div or representative (usually Comd 3 CDSG) (Co-Chairperson)
- (2) COS, 3 CDSG
- (3) Chief Personnel Services, 3 CDSG
- (4) CO, RPOU West

b. Union representatives: (Unions to confirm Co-Chair)

- (4) UNDE (VP MB/SK)
- (5) UNDE (VP AB/North)
- (6) IBEW
- (7) PIPSC

c. Resource Persons: (Subject Matter Experts, Observers)

- (8) ADM HR Civ Representative
- (9) Labour Relations Officer
- (10) Mgr Conflict Resolution Centre
- (9) Recording Secretary (provided by management)
- (10) Other agreed-upon attendees based on specific agenda items

COMMITTEE PROCEDURES

8. The role of the chair may either act as a co-chair to each meeting or alternate as chair from meeting to meeting. The chairpersons, at the request and concurrence of either party, may invite speakers to address the committee on predetermined topics if necessary.

9. Management and employee representatives shall provide agenda for distribution to the members at least ten working days in advance of scheduled meetings. Items not identified in advance of meetings may still be discussed, subject to the agreement of the Co-Chairs.

10. The secretary will prepare agendas, maintain a record of discussion, and compile minutes for the review and approval of the Co-Chairs. Distribution of minutes to members will occur within a reasonable period of time.

11. Meetings will be held semi-annually, or more frequently based on need and mutual agreement.

IMMUNITY

12. Committee members must be free to discharge their duties without fear of reprisal, or that their relationships within the Department will be affected by action taken in good faith as a member of the committee.

AMENDMENT PROCEDURES

12. These terms of reference may be amended at any time by approval of the committee members.



Management Co-Chair

Approved via Email

Union of National Defence Employees

Approved at 24 May LMCC

Professional Institute of the
Public Service of Canada

Approved at 24 May LMCC

International Brotherhood of
Electrical Workers