
ONTARIO LABOUR RELATIONS BOARD ANNUAL REPORT 2004-2005



June 2005
Chair – Kevin Whitaker

Chair's Message

The first responsibility of the Ontario Labour Relations Board is to provide quick, practical, fair and effective dispute resolution services in labour and employment disputes. Although the range and type of work we do has changed over time, this first responsibility remains the same one that informed the Board's work when it was first created in the spring of 1944.

In 2005, the Board exercises authority under a broad range of some twenty different workplace and employment related laws. In addition to those areas of law for which we are formally responsible, we also provide administrative and institutional support for other workplace related agencies such as the Pay Equity Hearings Tribunal, the Colleges Relations Commission and the Education Relations Commission.

The Board is no longer just concerned with the supervision and regulation of collective bargaining in the province of Ontario - but rather co-ordinates and regulates just about every aspect of workplace governance that falls within the responsibility of the provincial government.

During the period covered by this Report, measured in a variety of different ways, the Board has experienced an increase in its workload. Our resources, both budget and staff size, have remained the same from the previous year. Despite these constraints, and by continuing to devise and implement creative ways to resolve workplace conflict, we do more with less.

Our ability to adapt with and manage the ever changing world of labour and employment matters in this province turns on our integration into the communities we serve. We are grateful for the continuing support and guidance that we get from you, the users of our services.

I would like to conclude by thanking the staff of the Ontario Labour Relations Board for their tireless dedication to the highest standards of public service. We are blessed with some of the most skilled adjudicators, professional and administrative staff to be found across Canada. In particular, I would like to congratulate Esther Foorer our Co-ordinator of Client Services on her fortieth anniversary of employment with the Board. Esther's is a rare achievement and epitomizes the exceptional depth of commitment by our staff to the service of the people of Ontario.

We look forward to another year of providing the best possible workplace and employment problem solving. As always, we welcome and value your comments and suggestions.

Kevin Whitaker

Chair:

Ontario Labour Relations Board

Colleges Relations Commission

Education Relations Commission

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Accountability Statement

The OLRB's Annual Report for the fiscal year ending March 31, 2005 was prepared under my direction for submission to the Minister of Labour in accordance with the *Agency Establishment and Accountability Directive – February 2000*, as issued by Management Board of Cabinet.

Preface

The Public Accounts of Ontario are the annual financial statements that are prepared in compliance with the requirements of Section 13 of the *Ministry of Treasury and Economics Act*. The Public Accounts consist of the financial report of the Government of Ontario and the financial reports of each ministry. In accordance with the Ministry of Labour's Delegation of Financial Authority Framework, financial authority is delegated to the agency. Each year the OLRB verifies that all its transactions are reflected accurately and completely in the Public Accounts through the execution of a Certificate of Assurance.

The Business Plan of the Ministry of the Labour, which is to be released in the fall of each year, contains the Ministry's mission and accountability statements, the consolidated financial/allocation statements of the Ministry and an annual comparison of actual performance results to desired results set out in the Ministry business plan.

As an agency of the Ministry of Labour, the OLRB's Annual Report is subject to the minimum reporting requirements established in the *Agency Establishment and Accountability Directive*, including:

- financial statements that have been audited or subject to the appropriate level of external assurance;
- analysis of operational performance;
- analysis of financial performance;
- names of appointees and term of appointments
- performance measures, targets achieved/not achieved and action to be taken.

This report covers the fiscal year April 1, 2004 to March 31, 2005.

Table 3**Labour Relations Officer Activity in Cases Processed *****Fiscal Year 2004-05**

| Type of Case | Total Cases Assigned | Cases in Which Activity Completed Pending April 1, 2004 | | | Referred to Board | Pending** |
|---|----------------------------|--|--------|---------|----------------------|-----------|
| | | Total | Number | Percent | | |
| Total | 6,467 | 4,128 | 3,388 | 82.1 | 740 | 1,856 |
| CERTIFICATION OF BARGAINING AGENTS | 1,074 | 811 | 682 | 84.1 | 129 | 263 |
| SUCCESSOR EMPLOYER OR COMMON EMPLOYER STATUS | 282 | 115 | 83 | 72.2 | 32 | 167 |
| REFERRAL ON EMPLOYEE STATUS | 37 | 19 | 16 | 84.2 | 3 | 18 |
| CONTRAVENTION OF ACT | 1,424 | 916 | 772 | 84.3 | 144 | 508 |
| REFERRAL OF CONSTRUCTION INDUSTRY GRIEVANCE | 1,087 | 862 | 755 | 87.6 | 107 | 225 |
| COMPLAINT UNDER THE OCCUPATIONAL HEALTH AND SAFETY ACT | 160 | 107 | 88 | 82.2 | 19 | 53 |
| EMPLOYMENT STANDARD ACTS (APPEAL) | 1,704 | 1,171 | 875 | 74.7 | 296 | 533 |
| OCCUPATIONAL HEALTH AND SAFETY ACT (APPEALS) | 216 | 127 | 117 | 92.1 | 10 | 89 |
| ALL OTHER CASE TYPES | 483 | 321 | 269 | 83.8 | 52 | 162 |

*Includes all cases assigned to labour relations officers, which may or may not have been disposed of by the end of the year.

**Includes all cases in which the officer activity may or may not be complete but which was not disposed of by the end of the year.

