



LETHBRIDGE
CHAMBER of COMMERCE®

Maintaining a Fair Balance on the Labour Relations Board

Issue

In the wake of Bill 17, the Fair and Family-Friendly Workplaces Act (2017), the Lethbridge Chamber of Commerce is concerned that a strict representative balance of union and management sector individuals be maintained on the Labour Relations Board to ensure that the decisions and initiatives of the Board remain balanced and fair.

Background

The Alberta Labour Relations Board is the independent and impartial tribunal responsible for the application and interpretation of Alberta's labour laws. It processes applications and holds hearings, actively encourages dispute resolutions, employs officers for investigations, and makes major policy decisions. The Board is comprised of 41 individuals, representative of both unions and management, who have experience and credentials in labour and employment issues. Traditionally, the Board's members are drawn equally from organized labour and management¹. Term limits vary from as little as 1 year to as much as 18 years.

Hitherto, this body has performed admirably, generally exceeding performance measures. For example, since 2010, an average of 98.98% of collective bargaining agreements have been negotiated without a strike or lockout². This key indicator paints a picture of a Labour Board that is performing well and is succeeding in balancing the concerns of both labour and management, while finding solutions and compromises that work for both.

Bill 17, the Fair and Family-Friendly Workplaces Act (Royal Assent, June, 2017) contains a number of critical revisions to the Labour Relations Code which dial back the clock on labour progress and institutes a system that heavily empowers the bargaining position of unions at the expense of employers. These provisions include both a mixed Card-check system, wherein Union drives to certify can achieve certification without a secret ballot by demonstrating 65% support, and mandated first-contract arbitration, which dictates that a drive to certify will always succeed. These amendments take significant bargaining power away from employers, unbalancing the system in favor of unions.

Given that Bill 17 is now law, it is our hope that the government of Alberta will remain committed to preserving a balanced Labour Relations Board that represents both unions and management equally and that it will continue to maintain labour peace in our province.

The Lethbridge Chamber of Commerce recommends that the Government of Alberta:

1. Maintain a fair balance on the labour relations board by strictly adhering to the policy of 1 to 1 representation between the union and management sectors among the Board Membership, and prioritize re-establishing this balance in the next available round of appointments.
2. Ensure that the Chair and Vice-Chairs hold a strict neutral bias, or, if a vice-chair has a union or management sector affiliation that they are balanced by a representative with opposite leanings of commensurate experience.

¹ Alberta Labour Relations Board, Policy and Procedure Manual. Chapter 7, Board Appointments.

[http://www.alrb.gov.ab.ca/procedure/7\(a\).pdf](http://www.alrb.gov.ab.ca/procedure/7(a).pdf)

² Alberta Labour Relations Board, Labour Business Plan 2016 – 19.

<http://www.finance.alberta.ca/publications/budget/budget2016/labour.pdf>