



Liberal Party of Newfoundland and Labrador Response to Unifor

1. **Do you, on behalf of your party, commit to reviewing the Labour Standards Act and regulations and to updating those laws to improve working conditions for all workers, including:**
 - a. **Amending the Labour Standards Act to raise the minimum wage to \$15 an hour; make it clear in the Regulation under the Act that overtime is paid at 1.5 times a person's regular hourly rate or 1.5 times the minimum wage, whichever is greater; provide for 2 paid sick days, where required, after 1 year of employment with an employer and decrease the number of years necessary to reach three weeks of paid vacation from 15 years to 7 years ;**
 - b. **Providing restrictions on the ability of employers to schedule employee work hours, so that employees have access to more regularly scheduled shifts and less precarious employment;**
 - c. **Increasing the number of Labour Standards officers in order to proactively identify and rectify violations of the Labour Standards Act, as opposed to having a complaints driven system?**

For the first time in the history of our province, our Government established a growing minimum wage that is tied to an economic indicator. This means that annual increases to minimum wage are predictable for both employees and employers. We are committed to continue to monitor this process to ensure it remains responsive and comparable to jurisdictions across the country. We acknowledge where our minimum wage compares with other provinces and understand the formula may need to be adjusted.

The Labour Standards Act stipulates a review of the regulations respecting the minimum wage every two years from the date of regulations coming into effect, or within the lesser period that the Lieutenant-Governor in Council decides. As always, we welcome the input of Unifor and other stakeholders in reviewing this matter.

As you have referenced, as a government, we have enhanced compassionate care leave to allow residents the opportunity to provide care for a gravely ill family member for 28 weeks without having to worry about job security. We have also introduced family violence leave where the employee or a person to whom the employee is a parent or caregiver has been directly or indirectly subjected to family violence. With the introduction of family violence leave, an employee can use 3 days of paid leave and 7 days unpaid leave in a year for family violence. We are proud of our record on these matters and are welcome to new ideas.

Overall, there is a legislative review happening within government to determine which pieces of legislation require review and modernization. The Labour Standards Act would be considered within this overall review. We are very much open to discussing specific ideas in continuing the collaborative relationship we have built over recent years.

While enforcement officers do respond to complaints, the system is not entirely complaint driven. We do appreciate concerns raised on enforcement approaches, and as always, welcome input on how to improve approaches with a view toward a collaborative and good faith approach to achieving tangible results.

- 2. Do you, on behalf of your party, commit to amending the Labour Relations Act so that:**
- a. Where a company tenders work to a third party and the third party provides services at the company's location, if the company retenders such work then any bargaining rights relating to the contracted work is maintained, even if the third party provider changes, as if there had been a sale of business;**
 - b. After 90 days of a strike or lockout, the Labour Board must appoint a special mediator with the power to compel the parties to meet and negotiate in good faith with the assistance of the mediator;**
 - c. Either party may apply to the Board for an order requiring the resolution of a strike or lockout by binding arbitration and providing the Board with specific authority to make such an order, where the Board is satisfied that:**
 - i. Based on a review of the bargaining history the parties will not be able to conclude a collective agreement; or**
 - ii. One of the parties has committed an egregious unfair labour practice relating to collective bargaining;**
 - d. Where employers lockout employees as part of its collective bargaining strategy, such employers are precluded from using replacement workers.**

Last spring, our government adopted a motion introduced by a member of our Liberal caucus to begin consultations with unions and employers to identify measures that would support the collective bargaining process while avoiding prolonged work stoppages. The goal is to respect the rights of unionized labour while protecting the long-term sustainability of various industries for the benefit of all Newfoundlanders and Labradorians.

While we have a proven history of stepping in where necessary, such as in the situation with DJ Composites in Gander, we believe bargaining discussions should be happening between unions and employers, not in the Premier's Office

boardroom. In the case of DJ Composites, however, dispute resolution was necessary. We recognize more must be done to prevent prolonged labour disputes and look forward to these consultations.

Our government is committed to promoting a stable and constructive labour relations climate and fostering productive workplace relationships, and we see these consultations as a measure to ensure we are meeting the needs of today's labour environment in Newfoundland and Labrador.

3. Do you, on behalf of your party, commit to negotiating with the Federal Government in order to establish a well-resourced inter-governmental regulator for the offshore oil and gas industry, which deals solely with health and safety issues, as well as environmental protection matters?

Our offshore holds vast untold economic potential for the people of Newfoundland and Labrador. As a government, we are committed to ensuring Newfoundland and Labrador continues to be a globally-preferred location for investment to secure lasting benefits and to employ hundreds more people in direct operations in oil and gas. We are committed to sustainable development of our offshore, and offshore safety is paramount.

In 2011, the functions of 'Safety' and 'Operations' were separated into two different departments at the C-NLOPB with a separate manager and staff for each.

Judge Wells, Commissioner of the Inquiry, has noted that he is pleased that the CNLOPB implemented Recommendation 29(b), further noting that 29(b) is perfectly suitable to ensure safety in the offshore area.

Judge Wells also noted the significant progress made in the offshore since his report, most notably the improvements to Search and Rescue capabilities for the Newfoundland and Labrador offshore area and the implementation of in-house aviation experts at the C-NLOPB.

It is also important to note here that the moratorium on helicopter transport operations at night is still in effect.