

CEC Bulletin

(September, 2006)

CEC Speaks to Provincial Deputy Ministers of Labour on Business Priorities

Andrew Finlay spoke to the Provincial Deputy Ministers of Labour on business priorities at the ILO on September 21, 2006, in Winnipeg.

The Canadian Association of Administrators of Labour Legislation (CAALL) is made up of Deputy Ministers of Labour from all Provinces and Territories, and is supported by the International & Intergovernmental Labour Affairs group in HRSDC. The Deputy Ministers meet annually, as do the Ministers of Labour under the same umbrella. The Ministers meet in February, the Deputies in September.

For the first time, business and labour were invited to present and discuss international issues with the group. Along with Andrew Finlay, on the panel were Barb Byers of the Canadian Labour Congress, and Karen Curtis of the ILO, who spoke on the Committee of Freedom of Association, and on ILO supervisory mechanisms.

Andrew Finlay, who is Vice President & Assistant General Counsel of Scotiabank, is past Chairperson of the Canadian Employers Council, and currently sits on the ILO's Governing Body. Finlay encouraged the Government of Canada to better engage the provinces on ILO issues, especially with regard to standard setting, and in dealing with complaints before the ILO supervisory bodies. It was noted that Canada has had the fifth highest number of complaints of all member countries, since 1951.

Finlay complimented the Government of Canada as a leader at the ILO in promoting reform, good governance, and effective planning, but noted that they could be more effective if they were to use their influence among governments to better partner with both labour and business to find common positions.

Finlay also asked that the Government of Canada promote greater rigour in establishing International Labour Standards, pointing out that the low ratification rate is partly, and likely significantly, due to standards being irrelevant, too prescriptive, and inappropriate in most economies.

In speaking to ILO priorities, Finlay suggested greater focus on what the ILO does well, and less on what others can do better. Examples of what the ILO has done well would include critical socio-economic issues like HIV/ AIDS, and Child Labour, where the ILO has had remarkable success partnering with business and labour for good results in developing economies. To this end, the ILO has to better prioritize its work, rather than, as now, make everything it does or is asked to do a priority.

Finlay stressed that what happens internationally is a concern to all Canadian business. Whether it is an international bank operating in 50 countries looking for economic stability and growth, democratic institutions, and effective public administration in order to grow its own banking business, or a small business in Canada that is servicing that bank, the international economy is critical to all business.

Barb Byers asked that more ILO Conventions be ratified in Canada, starting with Convention 144 on Tripartism, to be followed by 138 on Minimum Age, and 98 on Freedom of Collective Bargaining.

Karen Curtis suggested that the Provinces could be more effective in responding to complaints if they better understood the processes and principles involved in ILO standards supervision, and offered to work more directly with the provinces to this end.

The Province of Ontario noted that most Freedom of Association/ Collective Bargaining complaints against Canada involved provinces as employers, and asked who was representing the provinces as employers at the ILO. Finlay explained that the employers' group does not represent governments, but that it does try to ensure that outcomes of complaints are reasonable. He explained that the federal government represents the provinces in these situations, but that both the federal government and employers need more and better information to deal with complaints. Finlay stressed that this is one important reason why provincial governments should be very engaged in the international labour policy process.

For four years, the CEC has been encouraging HRSDC to involve the CEC and CLC in meeting with the provinces on International Labour Policy. The CEC wants to ensure that the provinces receive a more balanced picture than could be achieved through HRSDC alone. Also, in the past, provincial involvement has tempered the federal position on matters, resulting in more constructive positions. Finally, it is important that the provinces realize that international labour policy is a concern to business.

In addition to the obvious benefits of this meeting, it was a good opportunity to introduce the CEC to the Deputies. Since the CEC is a niche business organization dealing with international labour matters, provinces have little exposure to the organization. It was explained that the CEC is supported and endorsed by all of the major business organizations in Canada.

In informal discussions, Finlay was told that the reason for the CEC / CLC invitation was due to the CEC having raised the need for better interprovincial / labour / business dialogue directly with the provinces during briefings last Spring on the International Labour Conference. Thus, CEC persistence paid off (it has been raised at each ACILA meeting, and in a briefing of provincial policy advisors last winter). Finlay has encouraged HRSDC to suggest the same format for the upcoming meeting of Ministers of Labour.

The Canadian Employers Council (CEC) prepares and distributes the CEC Bulletin for its members' individual use only. This message is composed in MS Outlook and contains hyperlinks that require an HTML-enabled email program. For inquiries or comments, please contact Steve Bedard of TELUS, Chair of the CEC, at steve.bedard@telus.com or Brian Burkett of Heenan Blaikie, Counsel to the CEC, at bburkett@heenan.ca.
