



ONTARIO LABOUR RELATIONS BOARD

Business Plan

2020 - 2023

Chair – Bernard Fishbein

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Executive Summary

The Ontario Labour Relations Board continues to maintain its reputation for excellence and expertise. The Board is always working to improve service to the public by increasing the use of case management and other methods of access to adjudicative justice in the workplace community and to render its decisions and fulfill its statutory mandate in an even more timely and expeditious manner. As of 2018, electronic filing was made available and the Board's forms were modernized to allow for electronic submission of forms and other documents as well as fee payments and greater accessibility to the Board's processes. Improvements to the Board's modernized electronic case management system continue as required to ensure efficient delivery of services including improvements to enhance the Board's ability to report on its performance. Subject to expenditure restraints, the Board expects to complete a website modernization project in 2019/2020 to better assist its community and to meet AODA requirements as of 2021. The Board also began holding electronic votes in 2017/18 and its mediation staff are now trained to run the Help Desk for e-voters in most cases. Thirty-seven votes have been successfully held to date. The Board will continue to provide and increase the use of electronic voting where appropriate. The Board has also begun a review of its use of videoconferencing and whether it may share facilities with other agencies, and in particular the Workplace Safety and Insurance Appeals Tribunal, as a means to ensure modern, efficient and cost-effective services.

Board policies continue to provide additional case management including expedited hearings on a variety of files, such as certification and termination of bargaining rights applications in the construction industry, first contract and unlawful strike/lockout applications, video and teleconferencing, the use of consultations for *Occupational Health and Safety Act* (OHSA) complaints, stacking construction industry grievances under the *Labour Relations Act, 1995*, *Employment Standards Act* appeals and OHSA complaints before a single Vice-Chair and expedited case management under the *School Boards Collective Bargaining Act, 2014* and the *Crown Employees Collective Bargaining Act*.

Active recruitment and appointments of Vice-Chairs and Members continue as needed. The Board continues to seek to make appointments of part-time adjudicators resident outside of Toronto and who can hold hearings outside Toronto to reduce travel expenditures for the Board and stakeholders and increase accessibility.

Case loads are anticipated to remain relatively high. In 2020, it can be anticipated that the Board will receive additional applications during collective bargaining in the education sector, as it has in the past, and has happened in 2019 so far Government initiatives, for example, regarding regional or health care reorganization, leading to bargaining unit and union representation issues may also add to the Board's caseload. The government restraints on hiring staff permanently or from outside the OPS together with new increasing demands on the

Board, for example the upsurge in requests under the *Tribunal Adjudicative Records Act, 2019*, continue to put pressure on the Board's operations. The Board will continue to monitor and review its staffing levels and resource allocation where possible. The Board's ability to attract and retain experienced adjudicators continues to be impacted by current salary levels. Delays in timely appointments or refusals to reappoint adjudicators has impacted the timely disposition of cases. For the first time, qualified applicants, who would have otherwise been recommended for appointment, withdrew their applications before such recommendations or appointments would be made. Finally, with the passage of the *Tribunal Adjudicative Records Act, 2019*, and the related litigation which preceded it, the Board received numerous requests (approximately 43 in total) to date in 2019 for access to and copies of Board files and documents contained within those files. The Board published its Access to Documents and Exhibits Policy in 2019 and further revisions may now be required. Requestors have included parties to a case, media, other organizations, unrelated lawyers and members of the public. They seek active files currently being heard by a Vice-Chair, files which have been adjourned and older closed files. Many of these files are complex and may contain hundreds of pages, if not boxes of documents, which must be reviewed by the Board's Solicitor or a Vice-Chair. In most cases, the parties in a case are notified and submissions are directed which must also then be reviewed. The Board does not currently have the authority to charge fees in relation to these requests for example, printing charges. It is to be noted that this new requirement is creating a pressure on the Board's resources. In early 2020, the Board intends to examine the pattern and nature of requests as well as the Board's processes, resources and time involved, as it explores options in early 2020 for addressing this new pressure. Additional resources may be required.

Mandate and Statutory Authority

Mandate: To provide excellence in administrative justice through the effective resolution of labour and employment disputes.

The Ontario Labour Relations Board (the "Board") was established by section 2 of the *Labour Relations Act, 1948* and is continued by subsection 110(1) of the *Labour Relations Act, 1995* S.O. 1995, C1, ("LRA") as amended. The Board is an adjudicative agency of the Government of Ontario and its staff are appointed under the *Public Service Act*. The Board has original jurisdiction under the LRA but also appellate jurisdiction under the *Employment Standards Act, 2000*, S.O. 2000, c. 41 and the *Occupational Health and Safety Act R.S.O. 1990, c.O.1* as well as jurisdiction over complaints under a myriad of different statutes (numbering over 20). The Board also has jurisdiction under the *School Boards Collective Bargaining Act, 2014* SO 2014, c. 5 with respect to both local and central bargaining regarding teachers and other education-related workers (all of whom are currently involved in a difficult and contested bargaining cycle), the *Colleges Collective Bargaining Act 2008*, S.O. 1990 c.5, *Crown Employees Collective Bargaining Act, 1993*, S.O. 1993, c. 38, *Ambulance Services Collective Bargaining Act, 2001*, S.O. 2001, c.10, *Hospital Labour Disputes Arbitration Act, R.S.O. 1990, c. H. 14* and the *Public Sector Labour Relations Transition Act, 1997*, S.O. 1997, c.21, Schedule B.

The Board is an independent adjudicative tribunal issuing decisions based upon the evidence presented and submissions made to it by the parties, as well as its interpretation of the relevant legislation and jurisprudence. It plays a fundamental role in the labour relations regime in Ontario. By dealing with matters before it as expeditiously and fairly as possible, the Board provides effective delivery of neutral dispute resolution and adjudicative services, thereby encouraging harmonious relations among employers, employees and trade unions, and the just treatment of individual employees. This in turn maintains the stability of labour relations in the Province by ensuring that economic activity is not disrupted by labour disputes and providing for the expeditious resolution and/or adjudication of such disputes whether they be strikes or lockouts, construction industry grievances or the acquisition or termination of bargaining rights. Often the Crown itself is a litigant before the Board.

The acceptance of (and therefore compliance with) the Board's decisions plays a crucial role in all of the above. Stakeholders, including the Crown, expect qualified senior experienced adjudicators to hear the most important/urgent cases, as does the public, when the resolution of issues can have a significant impact on great numbers of Ontario's citizens and businesses such as transit, teachers or OPSEU strikes, and health and safety appeals in all sectors including police forces, schools, hospitals and correctional institutions.

By law, the Board is required to schedule certain cases very quickly such as construction industry grievances and first contract arbitrations. Other urgent cases such as unlawful strikes/lockouts are scheduled within a day or two. Certification and termination votes are conducted within five days of application as the statute suggests, unless the Board orders otherwise. To fulfil its mandate under the *School Boards Collective Bargaining Act* and to facilitate teacher bargaining in the Province, the Board hears and resolves cases such as whether an issue is to be bargained provincially or locally within weeks. And under the *Crown Employees Collective Bargaining Act*, the Board is required to mediate and hear essential service agreement disputes.

Overview of Programs and Key Activities

The OLRB can be described as engaging in two key activities: Mediation and Adjudication, primarily, although not exclusively, in the realms of Labour Relations, Employment Standards and Occupational Health and Safety. These two core functions are the foundation for the Board's vision of maintaining a reputation for adjudicative and dispute resolution excellence. The Board engages in these activities as it fulfills its mandate under three key statutes, as well as over twenty others within its mandate. The Board hears and resolves applications for the certification and termination of trade unions, school board collective bargaining disputes, unfair labour practice complaints, unlawful strikes and lockouts, construction grievance referrals, essential services agreements, sale of business/related employer applications, certain broader public sector restructuring which leads to bargaining unit and union representation issues, and employer reprisal complaints. As well, the Board settles and adjudicates appeals from decisions of Employment Standards Officers and Occupational Health and Safety Inspectors.

Adjudication – Vice-Chairs are lawyers appointed to the Board who draw upon specialized expertise in labour and employment law issues in hearing and determining the cases before them. The Board is quasi-judicial in nature and must conduct hearings consistent with the principles of natural justice and procedural fairness. The Board strives to keep its procedures informal, expeditious and fair, and to avoid being overly technical or legalistic. Board Members are appointed to sit on cases as part of the tripartite system. From their past experience and involvement in collective bargaining in various sectors, Board Members bring with them a unique knowledge of labour relations matters and issues as they affect their particular employer or union constituencies.

The Board has exclusive jurisdiction to exercise the power conferred upon it and to determine all questions of fact or law that arise. Its decisions are not subject to appeal and privative or finality clauses in the *Labour Relations Act* and other legislation are intended to limit the scope of judicial review. The Board is also entitled to determine its own practices and procedures, to make rules and to deal with issues on many case types in a consultative manner rather than a traditional hearing.

Mediation – The Board is considered expert in the area of alternative dispute resolution. Mediators at the Board are responsible for mediating all cases coming to the Board. In addition to settling cases, Mediators assist parties in identifying issues and streamlining cases in order to avoid unnecessary litigation and expedite those issues that must be litigated.

Provision of administrative services and adjudication (by way of cross appointment) to other Tribunals - The OLRB provides services to the Pay Equity Hearings Tribunal and the Education Relations Commission. Services provided by the Board include: administration and support staff, budgeting and scheduling expertise, human resources, legal services, library and information technology services and client services. The benefits of these arrangements include an efficient use of resources, consistency of process and outcome and the ability to maintain and monitor quality control practices. These objectives are accomplished while also safeguarding the particular and unique expertise of each agency or tribunal. A number of OLRB Vice-Chairs are cross-appointed to the Grievance Settlement Board, the Education Relations Commission and the Pay Equity Hearings Tribunal.

Education Relations Commission: The role of the ERC is to determine when, in its opinion, students' course of study is in jeopardy due to a strike or lock-out of a school or schools and to advise the government accordingly. The OLRB provides administrative support to the Commission. The Chair and three Vice-Chairs of the Board are cross-appointed to the ERC. In 2015, for the first time in over a decade, the ERC was asked by the Minister of Education to advise the government of its opinion as to whether students' course of study was in jeopardy due to the continuation of strikes in several school boards. Following consultation with stakeholders, the ERC issued an advisement to the Minister. The tumultuous state of the current cycle of bargaining under the SBCBA makes it very possible that the ERC could be called on (even repeatedly) in 2020.

Pay Equity Hearings Tribunal: The *Pay Equity Act* established the Tribunal to hear and decide pay equity disputes. The Tribunal has exclusive jurisdiction to determine all questions of fact or law that arise before it and decisions of the Tribunal are final and conclusive for all purposes. The OLRB provides administrative support to the Pay Equity Hearings Tribunal. Currently, the Presiding Officer of the PEHT is a Vice- Chair of the OLRB, and a Deputy Presiding Officer and two Members are cross-appointed from the OLRB where they are appointed on a part-time basis. Others are cross-appointed from WSIAT. Additional cross-appointments from the OLRB or other tribunals are expected to fill current vacancies.

Service Delivery

An electronic case management system supports the Board in its aim to deliver timely, cost effective solutions to parties. The Board continues to improve upon the system both for efficiency in delivery of services as well as to enhance the Board's ability to measure performance.

The Board completed an extensive e-filing project for Board and PEHT forms, submissions, attachments and fee payments for construction-industry grievances. Over 90 Board forms in French and English eg. Applications, Responses, Notices, Information Bulletins, Guides and Rules as well as several PEHT forms were modernized as part of the project. In addition to the usual methods of filing with the Board, stakeholders are now able to electronically submit forms, submissions and attachments and fees thereby making the Board and PEHT more accessible to the public and its stakeholders. Legislative and other changes often result in requirements to change the electronic forms which are hosted by OSS and the Board is charged for all changes.

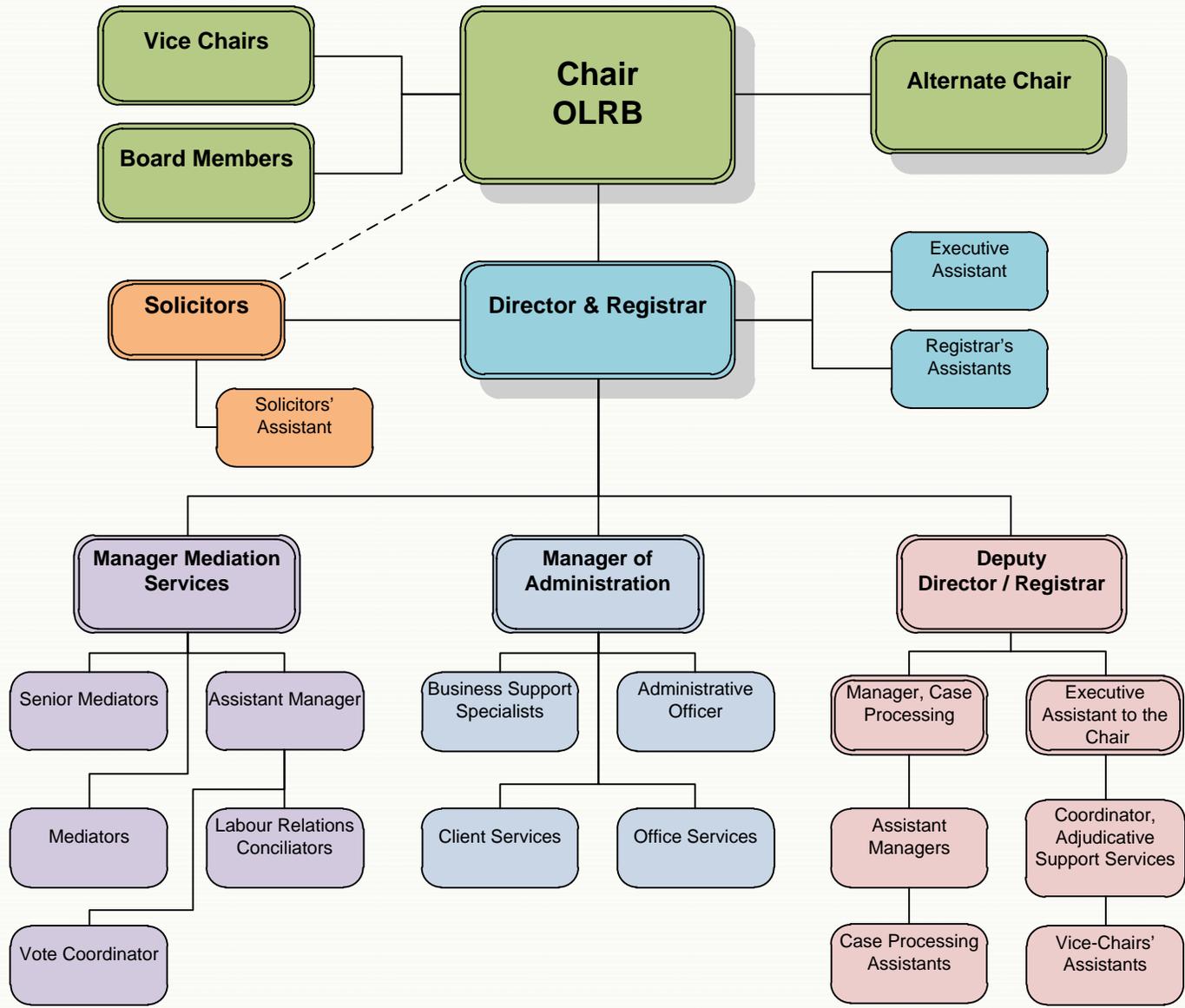
The Board holds votes of employees in certification and termination of bargaining rights cases, final offers as well as *Public Sector Labour Relations Transition Act* applications. In 2017/18, the Board began holding electronic votes allowing employees to vote via phone or online as a means to provide greater accessibility, flexibility and potentially save travel costs for Board staff who travel province-wide to conduct votes on short notice. To date, 37 votes have been successfully held. The Board's mediation staff has now been trained to run the Help Desk provided for e-voters and will do so in most cases. The Board will continue to provide and look for opportunities to increase the use of electronic voting where appropriate.

The Board is currently engaged in a website modernization project to better assist its community and meet 2021 AODA requirements. The project is expected to be completed in the 2019/20 fiscal year.

The Board has also begun a review of its use of videoconferencing which to this point has been done by SKYPE. This undertaking has not been as generally embraced or proven as successful as originally hoped. Accordingly, the Board is currently in discussions about whether it may share facilities with other agencies, and particularly WSIAT, as a means to ensure modern, efficient and cost-effective services.

The Board is also working with the MOL Cluster to migrate the current OLRB Sharepoint solution from the on-premise Sharepoint 2010 environment (five site collections) to Sharepoint Online. All cases will then be managed at the root site, the complexity of current unique permissions will be removed and the need to have an external application to upload files will also be removed.

Ontario Labour Relations Board Organizational Chart



OLRB Environmental Scan

External Scan:

Client and stakeholder expectations for quicker, less expensive and less onerous forms of dispute resolution and adjudication are a constant pressure on the OLRB. The Board's case management system includes an experienced and flexible roster of adjudicators who, where appropriate, can use a range of options to handle cases including consultation rather than formal hearings, adjudicator-led mediation or by making determinations and directions to eliminate issues in the hope that hearings will move along more expeditiously.

The Board continues to consult with the community about innovative ways of dealing with files to ensure more efficient processing of cases and therefore fewer hearing dates lost to the consideration of preliminary, procedural or production issues. The Board will continue using an expedited process for certification applications in the construction industry which includes increased obligations on the parties to identify issues and deliver detailed submissions and a Vice-Chair review of the file prior to a case management hearing. It is to be noted that these processes result in more time spent by Vice-Chairs in the early stages of a case. The Board will also continue to engage Mediators in the early stages of construction jurisdictional disputes in an effort to reduce hearing times.

Thirty-seven electronic votes have been conducted since this process was introduced at the Board in 2017/18. The Board reached out to its community with a consultation paper and questions on electronic voting in 2019/20 and an Information Bulletin or Practice Note will be published on its website. The Board will continue to determine whether there are other opportunities for the conduct of such votes in the future with a view to increasing the number of electronic votes.

Expedited hearings of specified cases will continue for discharges, interim orders, unlawful strikes or lockouts etc. The Board will also continue to use case management methods for employment standard appeals and construction industry grievances which constitute a significant amount of the Board's caseload.

The increasing need to address and meet the diverse needs of our client groups and to deliver accessible services across all channels will continue to be a pressure and a priority for the Board. The Board expects to complete a website modernization project in 2019/20. The Board is required to meet AODA requirements by 2021. The Board recently modernized all forms and implemented electronic filing for its stakeholders. The costs involved in engaging in IT transformation including changes to its electronic forms have shown to be substantial in the past and will continue to be a pressure for the Board as such costs are funded from within the Board's budget.

Legislative changes to any one of the more than 20 statutes under the Board's jurisdiction or the addition of new jurisdiction for the Board must be responded to within required timelines. This may result in a pressure on the Board both in terms of response time and effort in creating new processes, forms and Rules of Procedure as well as an additional pressure on the Board's available resources including additional costs for changes to electronic forms which require engaging Ontario Shared Services.

The total caseload of judicial review applications and related motions and appeals has increased by approximately 25% over the last five years. In a number of cases, the applicants are self-represented. Notwithstanding the increased number of judicial reviews, their rate of success has not changed. This increase is causing a noticeable pressure on the Board's resources due to the time-consuming and legal nature of the work which falls necessarily to the Board's solicitors.

Finally, with the passage of the *Tribunal Adjudicative Records Act, 2019* ("TARA"), and the related litigation which preceded it, the Board has received numerous requests (approximately 43 in total) to date in 2019 for access to and copies of Board files and documents contained within those files. The Board had published its Access to Documents and Exhibits Policy in 2019 however revisions may be necessary in light of the developing Board jurisprudence under TARA and the increase in the number of requests. Requestors have included parties to a case, media, unrelated lawyers, other organizations and members of the public. They seek active files currently being heard by a Vice-Chair, files which have been adjourned and closed files going back as far as 2002. Many of these files are complex and may contain hundreds of pages, if not boxes of documents, which must be reviewed by the Board's Solicitor or a Vice-Chair. In most cases, the parties in a case are notified and submissions are directed in a decision and must then be reviewed. The Board does not currently have the authority to charge fees in relation to these requests eg. printing charges. It is to be noted that this new requirement is creating a new pressure on the Board's resources due to the additional and time-consuming workload. In early 2020, the Board intends to examine the pattern and nature of requests as well as the Board's processes, resources and time involved, as it explores options for addressing this new pressure. Additional resources may be required.

Internal Scan:

The Board is responsible for mediation and adjudication under a number of statutes including the *Labour Relations Act, 1995*, *Employment Standards Act*, *Occupational Health and Safety Act*, *Crown Employees Collective Bargaining Act*, *School Boards Collective Bargaining Act*, *Hospital Labour Disputes Arbitration Act* and more than 20 others. The Board also provides administrative services to the Pay Equity Hearings Tribunal and the Education Relations Commission to which a number of its adjudicators are cross-appointed resulting in more complex administrative arrangements. In 2018/19, there was a 12% increase in applications to the Board. Future legislative changes added to the Board's jurisdiction, which are clearly beyond the Board's control, may add to the Board's caseload without much warning. The increasing demands associated with the OLRB's own caseload including judicial reviews the ongoing difficulty in filling adjudicator positions or delays in appointments, the early retirement of Board staff and subsequent loss of positions, the restrictions on hiring staff externally or permanently,

the new requirements under TARA for public access to Board files and expenditure restrictions are all a pressure on the Board's resources. Additional resources may be required for the management of increased requests for public access to Board files and documents under TARA.

Vice-Chair salaries are increasingly less attractive to those from the private sector. Vice-Chairs are all lawyers who the Board and, in particular stakeholders, expect, if not demand, to have practiced for a number of years in order to gain the necessary experience and expertise. Yet Vice-Chair starting rates are much less than similarly experienced lawyers can earn at law firms which appear before the Board or the Board's solicitors who are paid as Crown Counsel 3. This has resulted in a situation where the solicitors retained to advise and assist Vice-Chairs in decision-writing are significantly better paid than those they assist. It has also effectively put an end to the prior practice and tradition of Board solicitors being appointed (or promoted) as Vice-Chairs, further exacerbating recruitment problems. These salaries are also dramatically less than what Vice-Chairs could earn as private arbitrators and mediators which has resulted in an ongoing history of Vice-Chairs leaving the Board as experienced adjudicators and mediators to successfully pursue private careers at enhanced income levels. It is not a coincidence that virtually all of the most popular and highly sought-after arbitrators in the province are former Vice-Chairs of the Board. Not only do the low salary levels create retention and recruitment problems (particularly in areas of heavily sought expertise such as construction) but these problems are compounded by the Agency and Appointments Directive. Notwithstanding the great diversity and scope of the different tribunals to which the Directive applies, very few, if any, have comparable caseloads and demands for special and wide expertise that the Board requires or operate in areas where adjudicators can so easily transition to far more lucrative private sector careers.

The updated Government Directive continues to provide that appointees will not normally be appointed in excess of 10 years except in exceptional circumstances. This rule applies to all appointees who reach the 10-year threshold. In addition, recent changes may require the Chair to demonstrate the failure of other recruiting methods before seeking an exemption to the 10 year rule. This may compel the Board to run competitions only to discover there are no candidates available or as qualified as the Vice-Chair who has been hearing and deciding cases at the Board for ten years. This will only add to the time-consuming administrative cost and delay for re-appointments. The increasing work load, lower salaries, delays in the processing of recommended appointments and job insecurity associated with the limits imposed on appointment terms may result in the loss of extremely valuable, senior OLRB adjudicators and make it difficult for the OLRB to attract well-qualified replacements as part of its succession plan. In its last competition in 2019, several qualified candidates who would likely have been recommended for appointment, withdrew their applications before the recommendation (or even appointment in one case) due to a variety of these factors. In the past, the Board has made successful applications for the re-appointment of its senior Vice-Chairs based on exceptional circumstances. The Board intends to continue to do so. When considering succession planning, the challenges the Board faces in attracting experienced adjudicators to underpaid positions will significantly impact the Board's ability to deliver on its commitments.

The Board recently commenced an initiative to ensure all Vice-Chairs are able to hear and decide cases both in the construction and non-construction industries. In the past, Vice-Chairs have tended to be specialized in one area or the other however, the Board's caseload has changed over the years resulting in not only more construction-related applications but also more time-consuming ones. In an initiative to modernize the Board's processes and use of resources and to enable more efficient and effective processing and scheduling of cases, a

training program has been developed which will see all “ industrial or non-construction industry” Vice-Chairs trained in construction labour law including hearings over the next two years. The training will necessarily take place over time to ensure the Board’s current schedule is not affected.

There is a continued need for succession and recruitment activities to support a modern service organization that reflects Ontario’s diversity and ensures that the Board is well positioned for the future. Training, development and engagement activities are priorities however opportunities remain significantly reduced at this time in keeping with expenditure and hiring restrictions. Succession planning is a priority and will be a pressure for the Board if further early retirement initiatives are extended to staff without the ability to retain and fill the now vacant positions. Further reduction in staffing will put significant pressure on the Board’s ability to maintain its prior performance levels including difficulty in meeting statutory timelines and process cases and provide mediation in a timely and efficient way.

Innovation and the modernization of services will continue as a priority. The recently implemented e-filing system resulted in over 90 modernized Board forms, Notices, Information Bulletins, Rules of Procedure, in both English and French. The system allows for electronic submission of forms, attachments and fees. As a result, the e-filing system created efficiencies in case processing for the Board. The Board engaged the Labour and Transportation Cluster as well as Ontario Shared Services (OSS) in order to maximize existing systems. Since all electronic forms are now hosted by OSS on its electronic system and OSS charges the Board for all changes, any changes to the forms, will result in pressure on the Board’s resources. In 2019/20, the Board commenced a project to modernize its website to provide better access to its services by engaging new technologies and design where fiscally possible. Changes are also required for the website by 2021 to meet the requirement of the AODA. The cost will be borne entirely within the Board’s budget and may create a significant pressure for 2019/20 and possibly 2020/21.

The Board is reviewing its current performance measures and capability of its electronic case management system to produce additional and more detailed performance-related data. The Board expects to have developed additional measures and reports by the end of the 2019/20 fiscal which will be added to its Annual Report. The Board continues to review its internal processes with a view to modernization and efficiencies. A review of the *Employment Standards Act* appeals and the Board’s related internal processes was recently completed and resulted in several significant changes to streamline and update the Board’s process and interactions with the Ministry of Labour, Training and Skills Development. The Board currently shares a library and printing/courier services with WSIAT. A review of these arrangements and costs has begun to ensure it is as efficient and modern as possible. The Board has also begun exploring the use of shared facilities with other agencies and in particular, WSIAT for the provision of video-conferencing at certain types of hearings.

The Board supports the development and implementation of initiatives to increase employee awareness, understanding, respect and engagement with respect to enhancing and embracing diversity.

The Board recently optimized efficiencies through the elimination of many, if not most, landlines throughout its office. In addition, by increasing the use of technology and, in particular electronic votes, the Board hopes to reduce its travel and accommodation costs. Mediation staff have now been trained to provide services to voters through a Help Desk in most electronic votes thereby reducing costs.

Strategic Plan Implementation and Risk Assessment			
Environmental Scan Issues:	Key Strategies and Implementation (Identifying Risks)	Risk and Operating Implications (Assessing Risk)	Strategy for Mitigating Risk (Taking Action on Risk)
Amendments to legislation under Board's jurisdiction including LRA and ESA and/or new legislation may increase the Board's caseload and/or increase pressure on financial and human resources. Further caseload pressures include cross-appointments to other Tribunals, construction sector activity and increases in inter and intra union disputes.	Delivery/Operational Governance/Accountability Stakeholder/Public Perception /Reputation	Service levels and OPS Service Directive jeopardized. Performance measures may not be met. Case disposition times and statutory mandate impacted. Statutory timelines may not be met. Institutional responsiveness impacted. Possible Client dissatisfaction.	Modern case management strategy in place to deliver timely, cost effective solutions to parties. Expanded adjudicator case management and mediation, increase in use of electronic or written hearings (where appropriate), enhanced use of consultation power. Enhanced use of electronic voting where appropriate Monitor and respond to legislative changes in a timely manner. Resources reallocated to balance case/policy/and program pressures. Monitor caseload and resources for increased need for OICs and human resources. Succession plans implemented to fill service gaps and organizational needs. The Board will continue to seek exemption from the Ministry's 10- year rule to minimize potential impacts. Ongoing review of management structure and staffing mix to more effectively manage change and resources. Review and change current forms, Rules, policies, processes and practices in light of legislative amendments or to achieve greater efficiencies and expedition. Attempt to better communicate with Government and Ministry officials to receive earlier warning of upcoming legislative changes.

Expenditure Controls	<p>Delivery/Operational</p> <p>Stakeholder / Public Perception</p> <p>Governance/Accountability</p>	<p>Administrative and operational efficiencies not realized; future organizational changes on hold.</p> <p>Compromised ability to attract and retain experienced Adjudicators with expertise.</p> <p>Reduced ability to meet corporate (AODA, FLS, Diversity) targets and objectives.</p> <p>Inability to implement IT projects or other digital transformation. .</p> <p>Inability to meet statutory timelines and respond to new legislation requirements.</p>	<p>Fiscal strategies reviewed quarterly and contingency offsets identified to safeguard statutory and program priorities and create savings.</p> <p>Follow objectives to maximize service with minimum business cost – travel audits, travel policy, alternative service delivery models etc.</p> <p>Remuneration of OICs to meet market standards will impact financial resources. Leverage Ministry and corporate resources to meet targets and objectives.</p> <p>Seek additional resources where required as a result of legislative changes and/or caseload.</p>
New technology requirements	Delivery/Operational	<p>Will not be able to correct or develop new technology in order to improve operations; may impact statutory mandate; client expectations for accessibility, speed and efficiency not met, lack of reporting capabilities impacts transparency and reporting capabilities.</p>	<p>Continue to work with Cluster to continue improvements and fixes to the case management system.</p> <p>Continue to work with OSS to keep electronic filing up-to-date and make changes to forms where necessary.</p> <p>Maximization of current technologies</p> <p>Review and modernize websites in a manner which, among other things, takes into account current technology, cost-effectiveness and efficiency.</p>
<p>Difficulty in the recruitment and retention of Vice-Chairs.</p> <p>Uncertainty regarding renewal of appointees who have reached the 10-year maximum appointment period.</p> <p>Inadequate human resources and delays in hiring</p>	Delivery/Operational	<p>Will affect case disposition times if unable to hire effectively. Potential loss of institutional memory. New (junior) appointees may require longer training times than more senior or experienced hires. Appointments may not live up to the expectations of the parties.</p> <p>The length of time in processing recommendations for appointments may impair the Board’s ability to nimbly manage its resources to adjusting needs and demands. Notwithstanding interim increases (already several years ago), the low OIC salaries (both on government and private sector comparisons) significantly impact ability to recruit and retain Vice-Chairs.</p> <p>Will affect case processing and disposition times if unable to replace retirees.</p>	<p>The Board will recommend the extension of the terms of most if not all of its senior Vice-Chairs.</p> <p>Continue to discuss remuneration of OICs with MOL senior management and government.</p> <p>Seek approval to replace staff taking early retirement where necessary.</p>

Performance Measures and Targets

The OLRB's goal is to provide efficient, fair, accessible and modernized services in all areas, including case processing, mediation, votes and adjudication, in a fiscally responsible manner. In addition to closely monitoring files and processes internally, it uses performance measures and targets to track and focus on outcomes. Performance measures and targets are revised or created in the event of legislative changes or changes to the Board's operations. Results are published in the Board's annual reports.

The Board is currently working to develop additional performance measures; some of which may require changes to its electronic case management system. Further refined analysis of data such as more detailed tracking of decisions, will be undertaken and improved. Additional measures and results may be included in the Board's annual report for 2019/20 and in future business plans.

The following are the performance measures and targets for the 2020-2023 Business Plan :

1. Efficient Case Processing

- Files opened within two days after an application is filed in accordance with the Rules of Procedure. Target: 80%
- Board confirms filing of application to parties within four days of an application filed in accordance with the Rules of Procedure (except for ESA appeals). Target: 80%

2. Meets Legislated Timelines

- 90% industrial certification votes held within 5-7 days
- 95% held within 10 days
- 5% or less held within more than 10 days

3. Mediation-Cases Resolved without a Final Hearing

- 80-85% of disputes settled without final litigation
- LRA case 85%
- ESA cases (appeals) 75%
- OHSa (appeals) 75%
- OHSa (reprisal complaints) 75%

4. Fair and Reasonable Adjudication

- 90-100% of the Board's decisions are upheld on judicial review

5. Fiscally Responsible

- Target: less than 2% variance between year-end allocation and expenditure.

Key Activities with Stakeholder Groups

Advisory Committee: The Ontario Labour Relations Board has established an Advisory Committee whose mandate is to function as a consultative group for the Board. The Committee is composed of members of the labour and management side bar, the Director of Legal (MOL), representatives from the Ontario Bar Association Labour & Employment Law Section (plus the OLRB Chair, Alternate Chair, Director/Registrar and Solicitor) and acts as a resource to the Board for consultation/feedback. The Committee meets three times per year, and more often if necessary. Committee membership and minutes of meetings are posted on the Board's website.

Internship Programs: Collaborative external partnership programs with client labour law firms and post-secondary institutions continue. The program provides opportunities for students currently articling and recent graduates (and/or current students of MIR and Labour Studies programs) to put their academic training to practical use with a hands-on professional learning experience at the OLRB.

Outreach: Regular community outreach by the Chair, Alternate Chair, Director and Deputy Director/Registrar at consultations held with client and stakeholder groups and Town Hall and community meetings where advisable.

These individuals are invited to and routinely speak at professional and stakeholder conferences, conventions, seminars, continuing education programs and meetings. In the past, events have included those listed below but are now subject to expenditure restrictions:

- Representation at Labour Board conferences
- Conference of Labour Board Chairs and Senior Administrators
- Association of Labor Relations Agencies (ALRA)
- Council of Canadian Administrative Tribunals (CCAT)
- Canadian Institute of Administrative Justice (CIAJ)
- Society of Ontario Adjudicators and Regulators
- Ontario Bar Association
- Canadian Institute of Administrative Justice
- Law Society of Ontario
- Various private continuing legal education providers
- Various stakeholder conferences and meetings

The OLRB provides services in both official languages, including the publication of forms, information bulletins, website messages etc., and strives to ensure the accessibility of our websites and the conduct of hearings. The ability of our clients and stakeholders to readily communicate with the Board in an accessible manner in either French or English - from reception through to adjudication – continues to be a priority.

Communications Plan

The OLRB will continue to communicate with its community through the use of our website and through our regular publications: *HIGHLIGHTS*, Bi-monthly Reports; Annual Report, Notices to the Community, etc. A review and modernization of the Board's website is underway and is expected to be completed in 2019/20. Engaging the community through regular participation in the Canadian Bar Association of Ontario Labour Sub-Section will also be part of our ongoing dialogue with our client and stakeholder groups. The Chair regularly meets with a large cross section of the parties and counsel that regularly appear before the Board.

APPENDIX A – FINANCIAL: OLRB 2020-21

FY 2020-21 (\$000)											
Program/Region	FTE	Salaries & Wages	Benefits	Transp. & Comm.	Services	Supplies & Equipt.	Total ODOE	Transfer Payment	Sub-Total	Recoveries	TOTAL
Ontario Labour Relations Board	103.0	8,159.9	1,002.1	448.9	1,490.7	82.2	2,021.8		11,183.8		11,183.8
Program Sub-total	103.0	8,159.9	1,002.1	448.9	1,490.7	82.2	2,021.8	-	11,183.8	0.0	11,183.8
OLRB IT Project							-		-		-
Lease					1,704.5		1,704.5		1,704.5		1,704.5
Grand Total	103.0	8,159.9	1,002.1	448.9	3,195.2	82.2	3,726.3	-	12,888.3	-	12,888.3
Revenue											
Construction Grievances							-		-		410.0
Subscriptions							-		-		22.0
Total Revenue		-	-	-	-	-	-	-	-	-	432.0

APPENDIX A – FINANCIAL: OLRB 2021-22

FY 2021-22 (\$000)											
Program/Region	FTE	Salaries & Wages	Benefits	Transp. & Comm.	Services	Supplies & Equipt.	Total ODOE	Transfer Payment	Sub-Total	Recoveries	TOTAL
Ontario Labour Relations Board	103.0	8,159.9	1,002.1	448.9	1,490.7	82.2	2,021.8		11,183.8		11,183.8
OLRB IT Project							-		-		-
Program Sub-total	103.0	8,159.9	1,002.1	448.9	1,490.7	82.2	2,021.8	-	11,183.8	-	11,183.8
OLRB IT Project											
Lease					1,704.5		1,704.5		1,704.5		1,704.5
Grand Total	103.0	8,159.9	1,002.1	448.9	3,195.2	82.2	3,726.3	-	12,888.3	-	12,888.3
Revenue											
Construction Grievances							-		-		410.0
Subscriptions							-		-		20.0
Total Revenue		-	-	-	-	-	-	-	-	-	430.0

APPENDIX A – FINANCIAL: OLRB 2022-23

FY 2022-23 (\$000)											
Program/Region	FTE	Salaries & Wages	Benefits	Transp. & Comm.	Services	Supplies & Equipt.	Total ODOE	Transfer Payment	Sub-Total	Recoveries	TOTAL
Ontario Labour Relations Board	103.0	8,159.9	1,002.1	448.9	1,490.7	82.2	2,021.8		11,183.8		11,183.8
Program Sub-total	103.0	8,159.9	1,002.1	448.9	1,490.7	82.2	2,021.8	-	11,183.8	0.0	11,183.8
IT Corporate Account OLRB											
Lease					1,704.5		1,704.5		1,704.5		1,704.5
Grand Total	103.0	8,159.9	1,002.1	448.9	3,195.2	82.2	3,726.3	-	12,888.3	0.0	12,888.3
Revenue											
Construction Grievances							-		-		410.0
Subscriptions							-		-		20.0
Total Revenue		-	-	-	-	-	-	-	-	-	430.0

APPENDIX B – FTE LIMIT: OLRB 2020-23

Compensation Group	2020-21						2021-22						2022-23					
	Regular		Fixed Term		Total		Regular		Fixed Term		Total		Regular		Fixed Term		Total	
	FTEs	Funded Vacancies	FTEs	Funded Vacancies	FTEs	Funded Vacancies	FTEs	Funded Vacancies	FTEs	Funded Vacancies								
SMG / ITX					0.0	1.0					1.0	0.0					1.0	0.0
MCP					0.0	30.0					30.0	0.0					30.0	0.0
Excluded					0.0	0.0					0.0	0.0					0.0	0.0
OPSEU					0.0	44.0					44.0	0.0					44.0	0.0
AMAPCEO					0.0	7.0					7.0	0.0					7.0	0.0
PEGO					0.0	0.0					0.0	0.0					0.0	0.0
ALOC					0.0	0.0					0.0	0.0					0.0	0.0
OCAA (Excluded)					0.0	2.0					2.0	0.0					2.0	0.0
PSAT					0.0	0.0					0.0	0.0					0.0	0.0
AOPDPS					0.0	0.0					0.0	0.0					0.0	0.0
OPPA					0.0	0.0					0.0	0.0					0.0	0.0
Minister's Staff					0.0	0.0					0.0	0.0					0.0	0.0
OIC					0.0	19.0					19.0	0.0					19.0	0.0
To be Determined					0.0	0.0					0.0	0.0					0.0	0.0
Students					0.0	0.0					0.0	0.0					0.0	0.0
Total	0.0	0.0	0.0	0.0	0.0	103.0	0.0	0.0	0.0	0.0	103.0	0.0	0.0	0.0	0.0	0.0	103.0	0.0

TOTAL with Funded Vacancies 103.00

TOTAL with Funded Vacancies 103.00

TOTAL with Funded Vacancies 103.00