



RESPONSE TO PETITION

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PETITION No.: **421-00957**

BY: **MR. BLAIKIE (ELMWOOD-TRANSCONA)**

DATE: **NOVEMBER 23, 2016**

PRINT NAME OF SIGNATORY: **SIGNED BY THE HONOURABLE SCOTT BRISON**

Response by the President of the Treasury Board

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Royal Canadian Mounted Police

ORIGINAL TEXT

REPLY

Bill C-7 responds to a 2015 Supreme Court of Canada (SCC) decision that ruled major elements of the RCMP's labour relations regime to be unconstitutional. Bill C-7 respects the SCC's decision by providing RCMP members and reservists the freedom to pursue their collective workplace interests and objectives through collective bargaining.

The original bill introduced in Parliament in March 2016 provides a process for an employee organization to be recognized as the representative of RCMP members and reservists, and it includes provisions that regulate collective bargaining, arbitration, unfair labour practices, and grievances. The proposed legislation amends the Public Service Labour Relations Act, the legislation governing labour relations and collective bargaining in the public service, to address the specific and unique circumstances of the RCMP as a police organization. The Bill also amends the Public Service Labour Relations and Employment Board Act, to ensure the administrative tribunal responsible for matters related to labour relations and collective bargaining has expertise on police matters.

The intent of the proposed legislation is to address the SCC decision while taking into consideration the interests and concerns of RCMP members, as expressed through consultations that took place during the late summer of 2015, the views communicated by provinces and territories that have police services agreements with the RCMP, as well as the RCMP's operational reality.

The Bill introduced in March 2016 includes a number of elements to account for the particular circumstances of the RCMP as Canada's police organization. A key element is that RCMP members do not have the right to strike, with binding arbitration as the dispute resolution process for bargaining impasses. Moreover, RCMP civilian members are not covered by Bill C-7; the legislation only applies to RCMP regular members and reservists. This addresses the preference of RCMP members of being represented by a single national bargaining unit whose primary mandate is the representation of police officers. However, civilian members can seek representation and bargain collectively pursuant to the current Public Service Labour Relations Act.

The proposed legislation also includes general restrictions that are already precluded from collective bargaining for other federal public servants, such as pensions. Notwithstanding, under Bill C-7, a large number of matters can be collectively bargained, including pay, benefits, leave entitlements, working conditions and workplace safety. Avenues outside of the formal collective bargaining process have also been established to allow employees to pursue their interests and objectives in a collaborative, solution-oriented manner. Examples include Occupational Health and Safety Committees, Labour Management Consultation Committees, and the RCMP Pension Advisory Committee.

The original bill proposed to amend the manner in which RCMP members are compensated when suffering from occupational illnesses or injuries by extending coverage to all members under the Government Employees Compensation Act. The Bill was amended to remove these provisions on April 2016 by the House of Commons' Standing Committee on Public Safety and National Security. As a result, the current bill does not include any amendments pertaining to the Government Employees Compensation Act and the application of the provincial workers' compensation schemes.

On June 21, 2016, the Senate adopted C-7 at third reading with substantial amendments. An analysis of the Senate's amendments is ongoing; the Government is reviewing the Senate amendments to assess their legal and labour impacts. The analysis takes into consideration the particular circumstances of the RCMP as a police organization and the alignment of the labour relations regime applicable to RCMP members and reservists with the regime applicable to the rest of the federal public service. Upon completion, the Government will engage openly with the House of Commons and the Senate as the Bill moves through the legislative process.

The President of the Treasury Board and the Minister of Public Safety and Emergency Preparedness are committed to respond to the Senate's amendments in order to provide clarity on the labour relations regime applicable to the RCMP regular members and reservists. It is anticipated that the proposed response to the Senate will be tabled by the spring of 2017.

In addition to providing the RCMP members and reservists with the ability to choose independently their bargaining agent, the Government of Canada trusts that the amended labour relations regime will allow them to engage in meaningful discussions in good faith on a wide range of topics of common workplace interests that will lead to the conclusion of a collective agreement.