

Worker Adjustment Committee Manual

A HANDBOOK FOR
WORKER ADJUSTMENT COMMITTEES

PURPOSE OF THE MANUAL

Years of experience have proved a Worker Adjustment Committee to be the most efficient and effective way to assist workers facing loss of employment. Whether dealing with layoffs or total plant closure it delivers an immediate response that can quickly assess and provide for the unique needs of the workers it serves.

No two labour adjustment situations are identical and each one will present unique problems and challenges. A Worker Adjustment Committee provides a single, flexible model that can be adapted to meet the needs of workers in all of the varied situations and circumstances that may be encountered.

The unique problems and challenges faced by each committee means that no manual is able to provide a definitive procedure to be followed precisely. The purpose of this manual is to provide guidelines, based on years of experience, to assist a committee to utilize the model in a manner that will allow it to efficiently and effectively meet the challenge of providing all of the services that will be required by workers facing loss of employment.

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Section 1 Introduction to the Adjustment Process

- 1.1.....Introduction to the adjustment process
- 1.2.....Goal of adjustment process
- 1.3.....Development of a strategy
- 1.4.....Employee advantages
- 1.5.....Employer advantages

SECTION 1: INTRODUCTION TO THE ADJUSTMENT PROCESS

Notes

employees with the fundamental information necessary to establish an effective Worker Adjustment Committee.

The approach outlined in this manual is based on a model that has been used effectively for over twenty-five years. It utilizes the organization and resources of both management and affected labour unions. It encourages the use of existing employment services and programs delivered through Manitoba Education and Training to enable workers to locate new employment as quickly as possible. When dealing with a large number of workers a committee may employ external staff to operate programs or deliver services and out-placement activity.

The committee model detailed in this manual consists of a Chair and equal representation from employees and the employer. Their role is to develop a program utilizing all available service providers, provincial or local, public or private, which can provide reemployment services for workers facing job-loss. The committee will also act as a focal point for communication regarding the progress of changes in the workplace and the provision of services.

1.2 Goal of adjustment process

The primary goal of a Worker Adjustment Committee is to provide an innovative, flexible, cost-effective and co-operative means for the reemployment of job-threatened or laid off

SECTION 1: INTRODUCTION TO THE ADJUSTMENT PROCESS

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The members of a committee will have a wealth of knowledge and experience about the workplace, the industry, the community and the employees. The committee must build on this collective experience and knowledge to develop and implement an effective adjustment plan.

1.4 Employee advantages

Both labour and management benefit from their involvement in an adjustment committee but the focus of the committee is to help the workers who face the loss of employment.

Employees gain the following from a carefully planned program prepared in advance of layoffs.

➤ **Quick response time for earlier reemployment**

As there is no need to negotiate a detailed contract to establish an adjustment committee it can be formed quickly and easily with a simple Charter Document. The quick formation of a committee provides the maximum amount of time to provide services prior to actual job loss. The more time that is available for the provision of services before jobs are lost the greater the chance for employees to find new work and fulfill the goal of reemployment with uninterrupted earnings.

SECTION 1: INTRODUCTION TO THE ADJUSTMENT PROCESS

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By co-ordinating the delivery of information regarding events, activities and services the Committee will minimize the spread of conflicting and confusing rumours that only add to existing stress.

1.5 Employer advantages

An employer will benefit indirectly from all advantages to their employees and directly from the adjustment process in the following ways.

➤ **Cost effective co-ordination of services**

Workforce Adjustment Committees have proven to be the most cost-effective way to co-ordinate adjustment services. This is to management's benefit, as the company will share in the cost of providing services.

➤ **Productivity and Morale**

Low morale prior to and after layoffs frequently results in high absenteeism and decreased productivity. Experience proves that when workers participate in the development of a transition program well in advance of layoffs these problems can be minimized or avoided.

Section 2: Formation of An Adjustment Committee

2.1.....	Voluntary nature of committees
2.2.....	Rapid response
2.3.....	Charter Document
2.4.....	Timing of Committee Work
2.5.....	Teamwork and focus
2.6.....	Confidentiality
2.7.....	Role of government departments
2.8.....	Adjustment committee costs
Appendix A.....	Charter Document
Appendix B	Fee for Service Agreement

SECTION 2: FORMATION OF AN ADJUSTMENT COMMITTEE

Notes

- a) An understanding by both the employer and the employees that the committee is designed to work on a co-operative, not confrontational, basis.
- b) Establishment of objectives.
- c) Determination of possible expenses and contributions to those expenses.
- d) Development of a Charter Document.
- e) Appointment of committee members.
- f) Selection of a chairperson.
- g) Orientation and training sessions to familiarize members with their role and available services.

2.3 Charter Document

When all parties have agreed to the establishment of a committee a Charter Document will be drawn up. This document ensures that all parties in the adjustment process understand and agree to the terms and conditions under which the committee will operate.

The Charter Document will cover the following basic points.

- Organizational structure.
- Appointment of a chairperson.
- Committee membership.
- Objectives of the committee.
- Time frame for committee activity.

SECTION 2: FORMATION OF AN ADJUSTMENT COMMITTEE

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possible. Flexibility is the key and the committee will have to adapt to reach its goals.

2.5 Teamwork and focus

To achieve the goals of the adjustment process it is essential that committee members work together as a team. This requires that decisions be made by consensus or general agreement.

The adjustment process is not part of a collective bargaining process and discussion cannot be conducted as if it were a negotiating table. Employee and employer members must set aside differences and keep their focus on assisting affected employees.

2.6 Confidentiality

Members of the adjustment committee do not normally have access to confidential personal information but they will take part in discussions that are confidential. Maintaining that confidentiality is critical.

Confidential treatment of employee personal information that may be encountered is necessary if the committee is to gain and maintain the trust and co-operation of those it is trying to assist.

SECTION 2: FORMATION OF AN ADJUSTMENT COMMITTEE

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2.8 Adjustment committee costs

Adjustment committee activities cost money. Any support for committee expenses must be negotiated in advance with representatives of the government departments involved with approved costs subject to equal sharing by the employer and the provincial government. Labour Adjustment Services and Industry, Training and Employment Services representatives working with your committee will provide information regarding appropriate expenses. Depending on the size and scope of the committee appropriate expenses may include certain office supplies, printing costs and the hiring of assistance on a fee-for-service basis.

When assistance is to be provided on a fee-for-service basis a Fee for Service Agreement will be drawn up. A sample Fee for Service Agreement is provided as Appendix B to this section.

Appendix A

Charter Document

Appendix B

Fee for Service Agreement

ABC COMPANY LIMITED
EMPLOYEE ADJUSTMENT COMMITTEE
CHARTER DOCUMENT

BACKGROUND

As a result of the recently announced closure of the production facility of ABC Company Limited, a representative from Labour Adjustment Services and Industry, Training and Employment Services met with management from ABC Company Limited to discuss the merits of establishing a joint- consultative labour/management worker adjustment committee. This Charter document reflects the decisions that were agreed upon by all parties at this meeting.

- A joint-consultative Labour/Management Committee will be established to mitigate the impact of job loss at ABC Company Limited.
- Anna Fuller, Manitoba Growth, Enterprise and Trade will chair the Committee meetings.
- The joint-consultative labour/management committee will be comprised of equal representation from both labour and management, as well as one or two ex-officio provincial government representative from Manitoba Education and Training. This Committee can create as many ad hoc working groups as needed to ensure that their "Adjustment Action Plan" is successfully implemented.
- The committee will operate for the period commencing, March 1, 2012 to March 1, 2013, unless otherwise agreed to by the parties.

OBJECTIVES

The responsibilities and objectives of the ABC Company Limited Employee Adjustment Committee shall be:

- To recommend to the EMPLOYER and EMPLOYEE REPRESENTATIVES courses of action, which the Committee deems essential in the development of a private program of human resource adjustment, in order to effectively assist the workers obtain alternate employment and to minimize the impact of job loss.
- With the assistance of Manitoba Growth, Enterprise and Trade and Manitoba Education and Training, bring to bear and make the most effective use of all available private and public adjustment services that are appropriate.

MEETINGS

The Committee will meet at least once a month on a date, time and place as established by the Committee. A motion of the Committee can cancel any meeting, but such a motion must be passed during a meeting held prior to the meeting to be cancelled. Sub-committees will meet as often as necessary and will be called by the Chair.

ADMINISTRATION AND FINANCES

The operation of the joint Labour-Management Workforce Adjustment Committee will be financed by the partnership of key stakeholders, Manitoba Education and Training and ABC Company Limited.

The Committee will effectively administer and manage the "Adjustment Action Plan" resulting from Employee Needs Surveys and be responsible for control of the attached draft budget (see Appendix A).

ACCOUNTING RECORDS

The Committee will maintain accounting records and other documentation in accordance with generally accepted accounting principles.

AUDIT

The accounts and records of this Committee will, by the end of the Agreement period be audited and reported by an internal auditor from the Department of Manitoba Education and Training and/or by a qualified auditor, who will be a member of a professional accounting or auditing organization.

SPECIFIC DELIVERABLES

- That a Labour Market Consultant be hired immediately.
- Organize a town hall meeting to familiarize the affected employees with the services which will be available through the Worker Adjustment Committee within the first two weeks of operation.
- Develop and administer an employee "Needs Assessment" and analyze within the first four weeks of operation.

- Develop and implement an action plan based on the identifiable "Needs Assessment". (Appendix "B" outlines some of the key activities that may be undertaken by the Committee)
- Measurable outcome of clients who have voluntarily developed adjustment plans must result in a minimum of 70% placement rate of active participating clients as defined-to have:
 - Full-time employment if previously employed full time.
 - Exploring and registration in recognized retraining program.
- The maintenance and submission of a case management report describing the intervention required by the clients who become re-employed or enrolled in training programs to confirm the 70% placement rate to meet the target of the program's service providers.

APPENDIX A

PROPOSED BUDGET PROJECTION

ITEM		AMOUNT
Services by Consultant:		
1.	Marketing Clients – Permanent layoffs	
	Number of projected participants	50
	5 hours per client	250 hours
	Professional fees per hour	\$60.00
	Projected fees:	\$15,000.00
2.	Administrative Functions – Permanent layoffs	
	Number of projected participants	50
	4 hours per client	200 hours
	Professional fees per hour	\$25.00
	Projected fees:	\$5,000.00
3.	Group Workshops	
	# of hours	20
	Professional fees per hour	\$60.00
		\$1,200.00
	# of hours	10
	Administrative fees per hour	\$25.00
	Projected fees:	\$250.00
4.	Committee Meetings	
	Number of committee meetings	12
	3 hours per meeting	36 hours
	Professional fees per hour	\$60.00
	Projected fees:	\$2,160.00
	SUB-TOTAL	\$23,610.00
	GST	\$1,180.00
5.	Office supplies	\$ 1,500.00
	TOTAL	\$26,290.50

FINANCIAL CONTRIBUTORS:

ENTREPRENEURSHIP, TRAINING AND TRADE	\$13,145.25
ABC COMPANY LIMITED	\$13,145.25
TOTAL	\$26,290.50

The majority of the cost projections are based on previous funding arrangements for similar Workforce Adjustment Committees.

FOOTNOTES:

- Consultant/Co-ordinator Position - is based on a fee for services basis only. This would not be an employee of the Committee. Therefore no employee benefits would be paid out.
- This budget represents operational committee funding only. Individual and/or group training needs that are identified will be sourced separately.

APPENDIX "B"

The services to be coordinated by the Committee are as follows:

- To organize a town hall meeting for all affected employees.
- To contract the services of a Labour Market Consultant to:
 - To carry out and oversee participants' skills and needs surveys.
 - To work directly with participants in the preparation or updating of resumes.
 - To provide job placement assistance - job leads and career opportunity to all participants.
 - Works with participants in matching skills with retraining options including self-employment opportunities.
 - To schedule the delivery of group information sessions for participants.
 - To co-ordinate the delivery of specific job search, career and interview skill-training workshops/seminars for participants as needed.
 - To provide one-on-one consultation/career counselling to identify barriers to employment and assist participants to develop job readiness skills and job search strategies.
 - To collect labour market information for participants regarding job openings, skill requirements and other occupational information.
 - To provide ongoing personal support and labour adjustment advocacy by handling basic concerns and issues of participants and if necessary refers participants to the appropriate community service organization for further assistance.
 - To develop and distribute committee newsletters to all participants.
 - To maintain participant records on all services provided (training, educational and employment activities) and provide reports to the Committee on the status of all participants at Committee meetings.
 - To maintain a liaison with Labour Adjustment Services and Industry, Training and Employment Services.
 - To maintain and provide all necessary reports required by Labour Adjustment Services and/or Industry, Training and Employment Services.

THIS CONTRACT made at the City of Winnipeg in the Province of Manitoba
this, 1st day of March 2012

Between:

LABOUR MARKET CONSULTING

(hereinafter known as the "Consultant")

OF THE FIRST PART,

-and-

ABC COMPANY LIMITED

(hereinafter known as the "Client")

OF THE SECOND PART

WHEREAS the Client is attempting to carry out a Labour Marketing Consulting service for employees who have been laid off from ABC Company Limited.

AND WHEREAS the Consultant warrants and represents that they have the skill, knowledge, know-how, and experience necessary to enable them to assist the Client in reaching its developmental objectives, and is desirous of entering into an agreement with the Client;

AND WHEREAS the Client requires the services of the Consultant, and is desirous of entering into a contract with the Consultant;

NOW THEREFORE in consideration of the mutual covenants and premise herein contained, the parties mutually agree as follows:

1. The Client agrees to pay the Consultant according to the payment schedule contained in Appendix A and forming part of this Contract.
2. During the term of this Contract the Consultant agrees to provide the services set out in Appendix B and forming part of this Contract.
3. The term of this Contract shall be for a period commencing with the date of March 1, 2012 and terminating on March 1, 2013.
4. Either party to this Contract may terminate this Contract at anytime by giving 30 days written notice to the other party.

5. The Consultant, upon giving written notice to the Client or upon receiving written notice from the Client, agrees to provide the Client with all information gathered, material collected, reports or documents prepared, together with a final report and statement of account up to the date of termination of the Contract, within 3 days of giving or receiving the written notice.
6. Any notice required or permitted to be given under this Contract shall be served by prepaid registered mail to the parties at:

(a) The Consultant:

Labour Market Consulting
123 Anywhere Street
Winnipeg, Manitoba
R1C 2P3

(b) The Client:

Mr. John Smith
Plant Manager
ABC Company Limited
456 Nowhere Ave.
Winnipeg, Manitoba
R4C 5B6

Any such notice will be deemed to have been served and given forty-eight (48) hours after same has been posted in one of her Majesty's post boxes.

7. In the event of termination, the Consultant shall have no claim against the Client except to be paid in accordance with work performed up to the date upon which termination becomes effective.
8. In the event of termination, the Client shall have no claim against the Consultant except to be provided with all information gathered, materials collected, reports or documents prepared, together with a final report and statement of account up to the date upon which termination becomes effective. The Client shall also have the right to be indemnified by the Consultant for any monies paid out to a third party by virtue of the Consultant exceeding his authority under this Contract or by virtue of the Consultant committing a breach of any term of this Contract.

9. This Contract shall not render the Consultant an employee, partner, agent of, or joint venture with the Client and or the ABC Company Limited Employee Adjustment Committee. The Consultant is and will remain an independent contractor.

The client shall not be responsible for withholding taxes with respect to the Consultant's compensation hereunder and the Consultant will be solely responsible for ensuring that all withholding payments and taxes are made to the appropriate authorities.

The Consultant will have no claim against the client hereunder or otherwise for vacation pay, sick leave, retirement benefits, workers' compensation benefits, health or disability benefits, employment insurance benefits, or employee benefits of any kind and is solely responsible for arranging his own coverage for any of these benefits.

10. It is the intention of the parties hereto that this is a contract for services only, and the Consultant will not have the legal authority to contract on behalf of the Client, or in any way bind the Client to any further contract for services, and the Client is not responsible except as herein contemplated for services provided pursuant to this Contract.
11. The Consultant undertakes to maintain strict confidentiality of Client information and any other sensitive information regarding this contract.
12. Labour Market Consultant will be the sole consultant working on this Contract.
13. This Contract is not assignable by either of the parties hereto without the written consent of the other party to this Agreement.
14. The waiver by one party hereto or breach of any provision of this Contract by the other shall not operate or be construed as a continuing waiver.
15. All of the provisions of this Contract shall be binding upon the parties hereto and their respective heirs, successors and assigns.
16. No amendment, change or modification of this Contract shall be valid unless in writing and signed by the parties hereto.
17. This Contract and any exhibit attached constitute the entire understanding and agreement of the parties, and any and all prior agreements, understandings, and representations are hereby terminated and cancelled in their entirety and are of no further force and effect.

18. If any provision of this Contract or any portion thereof, is held to be invalid and unenforceable, then the remainder of this Contract shall nevertheless remain in full force and effect.
19. The laws of the Province of Manitoba shall govern the validity of this Contract, the construction of its terms and the interpretation of the rights and duties hereto.

IN WITNESS WHEREOF the parties have executed this Contract on the day and year first above written.

For the Consultant:

PER: _____

Witness: _____

For the Client:

PER: _____

Witness: _____

Appendix A

Payment Schedule

As full compensation for the services rendered pursuant to this Contract, the Client shall pay to the Consultant:

One-on-one Counselling Service & Marketing Clients (permanent layoffs) - \$60.00 per hour up to a maximum of 5 hours per client, not exceeding 50 clients. Subject to Committee approval any surplus or residual unused hours may be directed to those clients requiring additional time.

50 x 5 hours = 250 hours @ \$60.00 = \$15,000.00

Administrative Functions - to deliver and carry out all other administration functions including, the development of skills inventory, resumes, database, newsletter, \$25.00 per hour up to a maximum of 4 hours per client, not exceeding 50 clients.

200 hours @ \$25.00 = \$5,000.00

Group Workshops - to deliver and carry out group workshops as required for transition services, for example interview skills workshops, how to cope with change, etc.

75 hours @ \$50.00 = \$3,750.00

Administrative Functions - to deliver and carry out all r administration functions relating to group workshops.

10 hours @ \$25.00 = \$250.00

Committee Meetings - to attend Client or Committee meetings once per month up to 3 hours per meeting (12 months X 3 hours)

36 hours @ \$60.00 = \$2,160.00

SUB-TOTAL	\$23,610.00
GST	\$1,180.50

Office supplies – the cost of printing/xeroxing workshop materials as well as resumes for clients. **\$1,500.00**

TOTAL **\$26,290.50**

- (1) The Consultant shall submit invoices to the Client on a monthly basis to:

Mr. John Smith
Plant Manager
ABC Company Limited
456 Nowhere Ave.
Winnipeg, Manitoba
R4C 5B6

- (2) The invoice shall be in writing and be to the satisfaction of the Client in both form and content. The Consultant shall provide to the Client such supporting documents, vouchers, statements and receipts as may be requested by the Client.
- (3) The Client shall endeavour to pay the Consultant any fees due within 30 days after receipt and approval of an invoice and any supporting materials requested under subsection (2).
- (4) Those invoiced fees not paid by the Client within 45 days of receipt and approval shall bear interest from the 45th day at the prime rate in effect for the period in question.
- (5) The total fees and expenses paid under this Agreement shall not exceed (\$12,500.00).

APPENDIX "B"

The services to be provided by the Consultant are as follows:

- Carry out and oversee participants Skills and Needs Survey.
- Scheduling the delivery of group information sessions for participants.
- Co-ordinates and delivers specific job search, career and interview skill-training workshops/seminars for participants.
- Provides one-on-one consultation/career counselling to identify barriers to employment and assist participants to develop job readiness skills and job search strategies.
- Works directly with participants in the preparation or updating of resumes.
- Develops skill based training opportunities for participants and possible sources of funding.
- Works with participants in matching skills with retraining options including self-employment opportunities.
- Collects Labour Market information for participants regarding job openings, skill requirements and other occupational information.
- Provide job placement assistance - job leads and career opportunity to all participants.
- Provide ongoing personal support and labour adjustment advocacy by handling basic concerns and issues of participants and if necessary refers participants to the appropriate Community Service Organization for further assistance.
- Maintain a liaison with the Manager of the Winnipeg Employment Centre and Service Canada Centre of Canada which is the focal point for delivery of provincial government employment and training services including employment counselling, testing, selection and referral to employment opportunities and training.
- Develops and distributes Committee newsletters to all participants.
- Maintain participant records on all services provided, training and educational activities, employment activities and update the Committee on the status of all participants at Committee meetings
- Treats participant's information and activities strictly confidential.

Section 3: COMMITTEE STRUCTURE

- 3.1.....General considerations
- 3.2.....Employer representatives
- 3.3.....Employee representatives
- 3.4.....Ex officio members
- 3.5.....The chairperson
- 3.6.....Manitoba Growth, Enterprise and Trade Adjustment
Services assistance
- 3.7.....Additional government assistance

Notes

3.1 General considerations

A Worker Adjustment Committee provides an immediate, simple, proven and cost-effective way to meet the challenges caused by closure or layoff. A committee relies on active participation by both employer and employee representatives but will be most effective when employees participate actively and enthusiastically in its work.

A Worker Adjustment Committee is normally composed of an equal number of employer and employee representatives. However, with the approval of all parties, the final composition of the committee may be changed to meet particular circumstances.

The selection and role of committee representatives is dealt with in the following sections but it must be noted that continuous representation is essential. Progress cannot be made unless all areas of responsibility are present and fully informed as to their duties. All members should have an alternate who is also well informed in order that work may continue without interruption should the alternate be required to attend a meeting.

A meeting at which members with required information are absent accomplishes very little and wastes everyone's time.

SECTION 3: COMMITTEE STRUCTURE

Notes

3.2 Employer representatives

Employer representatives should include individuals with sufficient authority that they can make decisions at the committee table that will be supported by the company. The manager with direct responsibility for affected employees should be on the committee.

Employer representatives bring the following to committee discussion in addition to managerial ability.

- Knowledge of the industry.
- Knowledge of the affected work force.
- Knowledge of labour market conditions.
- Established contacts with other employers.
- The ability to authorize and implement company actions approved by the committee.

3.3 Employee representatives

Employee representatives have a very important role in the adjustment process. They bring the following strengths to the committee.

- When unionized, the support and co-operation of the union organization.

SECTION 3: COMMITTEE STRUCTURE

Notes

making process but they do not vote when a motion is put to the committee.

Government service representatives will control the manner in which services under their jurisdiction are delivered.

3.5 The chairperson

Representatives in consultation with government representatives will decide how the committee will be chaired.

Options include the following.

- Employee (union) and company co-chairs with alternating responsibility at meetings.
- Provincial government consultant as chairperson or facilitator.
- A company chairperson.
- A union chairperson
- When required by the situation, an appointed, independent chairperson from outside the organization.

The chairperson's responsibilities are detailed in Section 4 but usually include the following.

- Call, and provide agendas for, all committee meetings.
- Control discussions and the general course of the meeting thereby managing group dynamics.
- Ensure appropriate minutes of meetings are kept.

SECTION 3: COMMITTEE STRUCTURE

Notes

- Identify consultants with required technical expertise.
- Develop and negotiate cost-sharing agreements with stakeholders.
- Facilitate committee access to other local, provincial or federal programs and services.
- Monitor and evaluate the delivery of programs based on established deliverables.

3.7 Additional government assistance

In addition to Manitoba Growth, Enterprise and Trade, Manitoba Education and Training, additional provincial and federal departments may be able to assist the committee to design and carry out a successful program. Two such government departments, and the assistance they may provide, are the following.

- Manitoba Education and Training may provide assistance in areas pertinent to their expertise including information regarding the industrial sectors involved in proposed adjustment programs.
- The federal department of Service Canada may provide services related to their mandate. Most commonly this will be the provision of information and assistance regarding Employment Insurance.

Section 4: ROLE AND RESPONSIBILITY OF COMMITTEE CHAIRPERSON AND MEMBERS

- 4.1.....The committee
- 4.2.....The chairperson
- 4.3.....Committee spokesperson
- 4.4.....Role of committee members
- 4.5.....Consultants – government and external
- 4.6.....Duration of committee
- 4.7.....Time commitment of committee members

SECTION 4: ROLE AND RESPONSIBILITY OF COMMITTEE CHAIRPERSON AND MEMBERS

Notes

- Ensuring that consistent minutes are taken at each meeting. The chairperson may take minutes, have a member act as recording secretary or provide secretarial staff.
- Oversee administrative procedures such as the distribution of agenda, minutes, reports, correspondence, etc.
- Work with the Labour Adjustment Services Consultant to ensure that contracts entered into are properly constructed and approved.
- Work with Labour Adjustment Services and Industry, Training and Employment Services consultants to ensure accurate financial records and the production of required financial reports and claims.
- Assist with the production and distribution of required reports including the final report.
- Act as committee spokesperson. (See Section 4.3)

4.3 Committee spokesperson

Normally the chairperson will act as spokesperson for the committee. If the chairperson is a government consultant or if it is the will of the committee an alternate spokesperson from management or labour may be named. The designated spokesperson will make all public statements on behalf of the committee and respond to all media enquiries.

SECTION 4: ROLE AND RESPONSIBILITY OF COMMITTEE CHAIRPERSON AND MEMBERS

Notes

- Be an advocate for the committee and build worker acceptance.
- Define issues and objectives as seen by those they represent.
- Establish good communications with all employees as described in Section 7.
- Develop an action plan to assist employees as described in Section 8.
- With the assistance of the Labour Adjustment Services Consultant identify available resources.
- Ensure delivery of required services in a manner that meets employees' needs as detailed in Section 9.
- Evaluate activities to determine if the action plan is meeting its objectives as described in Section 10.
- Modify the action plan when necessary.
- Deal with workplace rumours and misinformation.

4.5 Consultants – government and external

The roles and responsibilities of Labour Adjustment Services and other government consultants in the work of the committee were described in Sections 3.6 and 3.7 while the role and responsibilities of hired Employment Co-ordinators and/or Labour Market Consultants will be dealt with in Section 9. While hired consultants bring expertise and experience to committee deliberations it must be remembered that final responsibility for actions of the committee rests with its members.

Section 5: ALTERNATIVES TO CLOSURE OR DOWNSIZING

- 5.1.....First task is the adjustment plan
- 5.2.....Assessing possible alternatives
- 5.3.....Closure and its alternatives
- 5.4.....Workforce adjustment and its alternatives
- 5.5.....Focus

SECTION 5: ALTERNATIVES TO CLOSURE OR DOWNSIZING

Notes

- job sharing
- new investors
- restructuring within the existing business
- retooling for a more profitable product line
- purchase by another business

5.3 Closure and its alternatives

Understanding the cause of the closure is critical to deciding what alternatives are potentially available for committee analysis. Company representatives are the best source of information regarding the reason for the planned closure that may be one of the following.

- Bankruptcy due to cash flow or management problems.
- Recession or other market specific slowdown.
- Product line no longer in demand.
- Corporate restructuring causing closure of a plant.
- Retirement of the owner.

Only with a clear understanding of the reason for the closure can a committee consider whether or not all feasible alternatives have been pursued.

If company representatives are unable to provide the required information the committee may consider retaining an outside financial consultant to provide an expert opinion and

SECTION 5: ALTERNATIVES TO CLOSURE OR DOWNSIZING

Notes

and implementation of an adjustment plan to deal with the initial action announced by the employer.

It is far better to have developed a plan that is not needed than to suddenly need a plan that has not been developed.

Section 6: COMMITTEE MEETINGS

6.1.....	Keys to an effective meeting
6.2.....	Minutes
6.3.....	Confidentiality
Appendix A.....	Sample Agenda
Appendix B.....	Conflict Management Approaches
Appendix C.....	Sample Minutes

SECTION 6: COMMITTEE MEETINGS

Notes

- directing all comments to the chairperson and not to other members of the committee.

4. There must be agreement on action. Discussion must be brought to a conclusion and agreement reached as to what will be done, when, how, where and by whom. Once agreement has been reached, all committee members, no matter what their position during discussion, are expected to support the collective decision of the committee.

The most effective meeting is one that promotes an interchange of ideas, encourages input from all members and then arrives at a conclusion based on consensus. How consensus is achieved will vary with the style of the chairperson, the purpose of the meeting or the topics under discussion. Appendix B to this section outlines conflict management approaches that can assist in bringing contentious issues to a conclusion.

As noted previously, government representatives take part in discussions, offer advice and guidance and control the delivery of programs under their jurisdiction but they do not have a vote in formal committee decisions.

SECTION 6: COMMITTEE MEETINGS

Notes

- New business discussed.
- Date and location of next meeting.

Minutes are also a means of communication and may be posted or made available for all workers to see.

Sample minutes are provided as Appendix C to this section.

6.3 Confidentiality

The committee will decide what information under discussion will remain confidential and all members must observe strict confidentiality. The leaking of confidential information causes rumours and undermines the ability of committee members to work together constructively.

All committee members share a responsibility to pass information to co-workers but they should remember that the chairperson or designated spokesperson is the only one who should speak to the press or make public statements.

ABC COMPANY LIMITED WORKER ADJUSTMENT COMMITTEE

*Meeting No. 2
THURSDAY, MARCH 20, 2012
12:00 P.M.
123 Anywhere St.
Winnipeg*

AGENDA

- 1) ***AGENDA FOR MEETING #2– REVIEW AND APPROVE***
- 2) ***MINUTES OF MEETING #1– REVIEW AND APPROVE***
- 3) ***UPDATE ON CLOSURE/LAY-OFF***
- 4) ***LABOUR MARKET CONSULTANT REPORT***
- 5) ***REVIEW OF ACTION ITEMS***
- 6) ***OTHER BUSINESS***
- 7) ***NEXT MEETING DATE***

CONFLICT MANAGEMENT APPROACHES

There are five types of conflict management styles. These include competing, avoiding/delaying, accommodating, compromise and collaborating.

The style that is most effective for adjustment committees is the collaborative style, sometimes called the “win-win” style. Collaborating refers to the situation where both parties are working together to come up with a solution to a problem that will result in both parties being satisfied with the outcome. This approach tends to look under the surface of the conflict to try to understand the roots of it, and the other’s position. This will allow both parties to come up with new and creative solutions for the adjustment situation.

Collaboration is co-operative in nature, but also assertive. The emphasis in this mode is for the conflicting parties to work together to come up with solutions that meets the needs or goals of both parties. Therefore a collaborative approach, if successful, should result in a “win-win” situation for both parties.

Often the collaborative approach results in very creative solutions, since this “problem- solving approach” is the only way that both parties can be able to meet the needs addressed. The process may involve in-depth discussions of the problem, analysis, etc., and a great deal of communication between the conflicting parties.

Benefits

- If successful, both parties will be pleased with the outcome
- Can have the effect of building a “team-sense”
- Can result in very creative solutions which will benefit the adjustment committee
- Enhances the relationship between the parties through increased listening, communications and mutual respect.

Drawbacks

- Can be time-consuming and require efforts on both sides
- Will not succeed if either party insists on using power (competition) to deal with conflict
- Requires both parties to have some basic communication skills and be willing to use them

When to Use

- When team-building is a high priority
- When there is a high commitment to your goals and there is a strong commitment to the relationship with the other party
- Where conflict situations are used to find creative solutions

When Not to Use

- When a decision is needed immediately and there is not enough time to work in a collaborative way
- When one party insists on using a competitive solution based on power to enforce their goal
- Where the importance of the conflict issue is small and the time for collaboration is not justified.

Collaborating management style encourages a type of meeting called “interchange”. In this form of meeting the chair along with the employer and employee reps. discuss and develop solutions for the adjustment process. Discussion flows between all participants and is not dominated by the chair. In the worker adjustment committee process, the consultants from Labour Adjustment Services participate in the discussion, offer advice and guidance, but do not have a voice in final committee decisions.

ABC COMPANY LIMITED WORKER ADJUSTMENT COMMITTEE MEETING #1

Meeting held on Thursday, March 6, 2012 at 9:00 a.m. at ABC Company Limited at 123 Anywhere St., Winnipeg.

Present:

Mary Bugle

Jack Diamond

John Smith

Denise Winter

Jane Snow, Labour Market Consultant

Maria Helpful, Manitoba Growth, Enterprise and Trade

Andrea Round, Manitoba Education and Training

1. AGENDA :

The agenda was reviewed and accepted as written.

2. MINUTES:

The minutes were reviewed and accepted as written.

3. UPDATE ON CLOSURE/LAY-OFF

- 15 Salaried terminated, another 10 before May 15, 2012
- 20 Hourly terminated, another 15 before May 15, 2012
- 5 Hourly resigned this week - going to new jobs

4. LABOUR MARKET CONSULTANT REPORT

Jane provided the following report:

- Preparing another newsletter for circulation.
 - Newsletter to be put out monthly at the beginning of each month.
 - A question and answer area to be added for the employees.
 - Career transition service to all personnel starting immediately.
 - Need to communicate to all employees that the WAC is only available until August 31, 2012.
 - EI people coming in with EI applications on March 10/03
 - EI applications to be completed and picked up on March 17/03.

5. OTHER BUSINESS

No other business to report.

6. NEXT MEETING DATE

The next meeting has been set for Thursday, March 20 2012 at 9:00 at ABC Company Limited, 123 Anywhere Street.

Action Items:

	WHO	WHAT	BY WHEN	COMPLETE
1	Jane Snow	Prepare newsletter – submit to committee members for review prior to mailing	For review by March 27/12	

Section 7: COMMUNICATION

- 7.1.....Communication Strategy
- 7.2.....First meeting with employees
- 7.3.....Employee to committee communication
- 7.4.....Committee to employee communication

SECTION 7: COMMUNICATION

Notes

should assume the responsibility. If a language problem exists for some employees a translator should be present to ensure that everyone understands what is said.

The agenda for the first meeting will vary with circumstances but consideration should be given to the following.

- Information regarding the planned workforce adjustment or closure that is as complete, accurate and as up-to-date as possible. This will help to dispel rumours.
- Explanation of the purpose of the Worker Adjustment Committee.
- Explanation as to how the committee will operate.
- Introduction of employee representatives. Employer representatives should be named and may be present but the focus is on the employees' representatives.
- Assurance of confidentiality.
- An explanation of the need for communication.
- Establishment of the means by which workers can communicate with the committee. (See Section 7.3)
- Details of the means by which the committee plans to communicate with workers. (See Section 7.4)
- Encouragement of employee response by providing adequate time for questions and concerns.
- A reminder of the destructive nature of rumour and encouragement to avoid passing on unconfirmed information.

SECTION 7: COMMUNICATION

Notes

- A question/comment box or telephone answering machine may be provided.

To ensure the continuation of established communication confidentiality must not only be promised, it must be provided.

Emotions can run high during workforce adjustment and committee members may receive strongly worded aggressive or hostile comments. Such comments should not be taken as a personal attack but neither should they be completely disregarded. Hostile comments often indicate a need that is being expressed inappropriately.

7.4 Committee to employee communication

It is also essential that the committee establish and maintain adequate communication with employees. Techniques for adequate communication with the workforce will depend on many local circumstances but may include the following.

- Establish a location where current information is always available. This may be one or more notice boards located where they are easily available to workers.
- If language is a concern written information should be provided in all applicable languages.

Section 8: DESIGNING ACTION PLANS

8.1.....	What is an Action Plan?
8.2.....	Service delivery models
8.3.....	How to start
8.4.....	Employee survey
8.5.....	General skills inventory
8.6.....	Prospective employers
8.7.....	Limit of involvement
8.8.....	Delivery of services
Appendix A.....	Sample Action Plan
Appendix B	Sample Employee Needs Survey
Appendix C	Sample Letter to Prospective Employers
Appendix D.....	Sample Ad

SECTION 8: DESIGNING ACTION PLANS

Notes

based on the primary location for the operation of the committee and the delivery of services.

1. A plant based service operating within the employer's premises.
2. A union based service utilizing union premises and services.
3. A "store front" operation utilizing leased commercial space.
4. Utilization of available government space.

The Labour Adjustment Services Consultant will provide advice concerning a delivery model most suitable for the existing situation.

8.3 How to start

The creation of an Action Plan should begin immediately, as the sooner the process starts after the announced closure or layoff, the better the results will be. The time prior to closure or layoffs must be used to the benefit of employees. Do not delay or reduce attention to an Action Plan because an alternative to the layoff is being considered. Keep all options open but ensure required services are being identified and plans made for their delivery.

The committee should draw on its collective knowledge of the workers' skills and needs together with industry and

SECTION 8: DESIGNING ACTION PLANS

Notes

- Services desired including resume writing, job search and job interview skills.
- Information desired including Employment Insurance, Canada Pension Plan, Old Age Security and retirement pension benefits.
- Personal, financial or family counselling requested.

It is critical that all employees receive, complete and return a questionnaire. If the survey process is incomplete the services provided may also be incomplete. The first step in complete response is complete distribution. The method by which the survey is distributed will depend on local circumstances. It can be:

- mailed,
- provided with pay cheques,
- handed out at work, or
- completed in one-on-one sessions.

The last method yields the best results but is the most time consuming. Any other distribution requires collection points and repeated calls for the completed forms.

The distribution of bulk questionnaires passed through a chain of supervisors is not recommended as it provides no guarantee that all workers will receive a copy.

A sample employee survey is given in Appendix B to this section.

SECTION 8: DESIGNING ACTION PLANS

Notes

- Anticipated date of layoffs and availability of workers.
- The general profile and skills inventory of affected workers.
- The name of the individual who will make personal contact to discuss possible employment opportunities.

The mailing of letters should be timed so that the individuals making personal contacts can do so within two weeks. The personal contact should be kept to a simple “Can you help?” approach. A sample letter is provided as Appendix C to this section.

Public service announcements on radio and television or in local newspapers provide another possible option to announce the availability of employees. If a suitable local trade newsletter is available it may be utilized.

8.7 Limit of involvement

A member of the committee or contracted employment co-ordinator can find job opportunities and refer workers. The employment co-ordinator may arrange an interview but that is usually done directly between the prospective employer and the worker. An offer of employment will be made directly by the new employer to the worker who, on acceptance of the position, must notify the committee so that accurate records can be maintained.

**ABC COMPANY LIMITED EMPLOYEE
ADJUSTMENT COMMITTEE –
ACTION PLAN**

ACTIVITY	TIMING
Organizational meeting	March 6, 2012
Contract with labour market consultant	March 10, 2012
Arrange office space	nly if applicable
Consultant to distribute employee survey	March 20, 2012
Committee Meeting	March 20, 2012
Town Hall Informational meeting for all employees	March 25, 2012

**ABC COMPANY LIMITED EMPLOYEE ADJUSTMENT COMMITTEE
EMPLOYEE SURVEY FORM**

This survey will be used by your committee to provide the services you need to become re-employed. Please help us by filling in all the spaces you can. If you need help to complete the form, contact a committee member. Please return your completed survey to a committee member.

Name: _____

_____ first
Social Insurance Number: ____ - ____ - ____

_____ last
Employee Number: _____

Address: _____
street address town/province postal code

Home phone number: _____ Phone number for messages: _____

CURRENT EMPLOYMENT

Company Name _____ Seniority Date ____/____/____
Employed from 19 ____ to 20 ____

Job Title _____

Duties _____

Please check if you would be willing to work at a similar job.

WHAT OTHER TYPES OF WORK WOULD YOU LIKE?

1) Job: _____ Possible Employer: _____
Please check one: I would

- be able to do this job without any extra training.
- need on the job training to do this job.
- need a course or upgrading to do this job.
- need some help to find out whether or not I may need some

2) Job: _____ Possible Employer: _____
Please check one: I would

- be able to do this job without any extra training.
- need on the job training to do this job.
- need a course or upgrading to do this job.
- need some help to find out whether or not I may need some

WHEN WOULD YOU LIKE TO START A NEW JOB? _____

ARE YOU WILLING TO (CHECK IF YES): () WORK SHIFTS () MOVE FOR A NEW JOB

PREVIOUS EMPLOYMENT

Company Name _____

From 19 ____ To ____

Job Title _____

Duties _____

Company Name _____

From 19 ____ To ____

Job Title _____

Duties _____

ABC Company Limited to Close Winnipeg Plant

This manufacturing facility will cease operations on April 30, 2012 after over 25 years of continuous operation. The Company has past offshore export sales history, adopted lean manufacturing initiatives and long standing relationships with key suppliers. This closure will leaves 75 skilled long-serving employees out of work and seeking alternate employment.

The ABC Company Limited Employee Adjustment Committee, mandated to assist employees through the employment transition process, is asking for your assistance to help us tap the hidden job market by obtaining direct employment opportunity information from the source.

Here is an overview of our dedicated and skilled employees:

<u>Hourly Employees</u>		<u>Salaried Employees</u>	
Distribution Personnel:	8	Accountants:	1
Production Machine Operators	18	Administrators:	5
Quality Assurance Personnel:	8	Engineers:	2
Maintenance Support Personnel:	4	Facilitators & Supervisors:	8
Industrial Journeyman Mechanics:	5	Department Managers:	4
Industrial Journeyman Machinists:	1	Draftsperson:	1
Industrial Journeyman Electricians:	4	Plant Manager:	1
		Production Schedulers:	2
		Technicians:	2
		Training Co-ordinator:	1

If you have or anticipate a need in your organizations for people with the above mentioned skill sets, we would appreciate that you:

1. Contact by phone or email either of the contact names mentioned below **as soon as possible**. We would be pleased to discuss your human resource needs and help determine if our people could fit your requirements.
2. Provide your company contact information and a brief description of the position available. Your job opportunity will be provided to our personnel through our Committee newsletter.

THANK YOU!

CONTACT:

Jane Snow, Co-ordinator
ABC Company Limited Employee Adjustment
Committee
Phone: (204) 555-1234
Fax: (204) 555-4567
Email: jsnow@abccompany.com

SECTION 9: DELIVERING SERVICES

Notes

9.2 Determining who will deliver services

When the required services and their priority have been established the committee must decide the best way for each of them to be delivered. There are three general ways for services to be delivered depending on circumstances, the number of workers to be served and financial arrangements that have been negotiated.

1. The committee may be able to utilize expertise existing in the workplace and the assistance of various government departments together with community and/or employee organization resources to provide all needed services.
2. The committee may provide most of the required services but hire experienced assistance to provide one or two specific needs.
3. The committee may hire a Labour Market Consultant and/or an Employment Co-ordinator to provide all services related to helping workers find new employment.

Administrative assistance may be hired to support any of the above options.

When deciding which option to follow the committee must take into account financial arrangements provided by the Charter Document and consider each of the following possibilities.

- Does the expertise required to deliver the service exist on the committee or in the workplace? If so, is the

SECTION 9: DELIVERING SERVICES

Notes

9.4 Role of Labour Market Consultants / Co-ordinators

A sample job description for Labour Market Consultants/Co-ordinators is provided in Appendix A to this Section.

9.5 Use of existing resources

Whether or not a Labour Market Consultant or Employment Co-ordinator is employed, the committee should make use of services already available in the community.

Following are some examples.

- Employment Centres operated throughout the province by Manitoba Education and Training offer a wide variety of employment related information and services.
- Service Canada centres offer a wide variety of services.
- The existence of a local job finding club may mean that there is no need to create one.
- Some unions have expertise and programs that can be made available to workers.
- The provision of personal, financial or other counselling may be available through an Employee Assistance Plan if one is in place.

SECTION 9: DELIVERING SERVICES

Notes

so that individuals have time to consider the information and their possible options prior to the deadline.

9.7 Physical location for the delivery of services

There are a number of factors that affect where services are delivered. Some services, such as the provision of Employment Insurance information, can be given to fairly large audiences. Others, such as instruction in resume writing, should be given to small groups. Some, such as personal counselling, are one-on-one situations. Some services will only be of interest to the employee, while some, like retirement planning, general stress counselling or financial counselling should be open to spouses.

Location is important. Participation tends to be highest when the service is provided on-site. A decision on location will take into account the type of service, the size of the room required, visual and other aids to be used, the length of the session and the session provider.

Personal counselling is best done off-site where anonymity is possible. Information sessions provided by government representatives may be given on-site if a significant number of employees have requested the information and a suitable room is available. If only one or two individuals request the information they may be required to go to a department office.

SECTION 9: DELIVERING SERVICES

Notes	Appendix A	Job Description, Labour Market Consultant / Co-ordinator

_____	Appendix B	Sample Case Management Report

_____	Appendix C	Statistical Summary

LABOUR MARKET CONSULTANT/CO-ORDINATOR JOB DESCRIPTION

The services to be provided by the Committee are as follows:

- Carry out and oversee participants Skills and Needs Survey.
- Schedule the delivery of group information sessions for participants.
- Co-ordinates and delivers specific job search, career and interview skill-training workshops/seminars for participants.
- Provides one-to-one consultation/career counseling to identify barriers to employment and assist participants to develop job readiness skills and job search strategies.
- Works directly with participants in the preparation or updating of resumes.
- Develops skill-based training opportunities for participants and possible sources of funding.
- Works with participants in matching skills with re-training options including self-employment opportunities.
- Collects labour market information for participants regarding job openings, skill requirements and other occupational information.
- Provide job placement assistance - job leads and career opportunity to all participants.
- Provide ongoing personal support and labour adjustment advocacy by handling basic concerns and issues of participants and if necessary refer participants to the appropriate Community Service Organization for further assistance.
- Maintain a liaison with the Manager(s) of the appropriate Employment Centre and Service Canada Centre of Canada, which is the focal point for delivery of provincial government employment and training services including counseling, testing, selection and referral to employment opportunities and training.
- Develops and distributes Committee newsletters to all participants.
- Maintain participant records on all services provided including training and educational activities, employment activities and update the Committee on the status of all participants at Committee meetings.
- Treats participant's information and activities strictly confidential.

ABC COMPANY LIMITED EMPLOYEE
 ADJUSTMENT COMMITTEE
 CASE MANAGEMENT REPORT

Emp. #	Status Active (A) or Non-Active (NA)	Employed	In Training Program	Retired (R) or Workers Compensation (WCB)	Resume	Cover Letter	Job Search Assistance	Contacted	Comments
001	A				X	X	X	X	
002	A				X	X	X	X	
003		X			X	X	X	X	
004	A				X	X	X	X	
005			X		-			X	
006		X						X	
007	NA		X		X	X	X	X	
008	NA							X	
009				R				X	
010	A				X	X	X	X	
011		X			X	X	X	X	
012	A				X			X	
013	A				X		X	X	
014				WCB				X	
015		X						X	
016	A						X	X	
017	A				X		X	X	
018	A				X		X	X	
019	A			R	X		X	X	
020	NA				-		-	X	
021	A				X		X	X	
022	NA				-		-	X	

**ABC Company Limited
Statistical Report**

Status	March-12
Total Terminated	75
Active (Registered with Committee)	45
Employed (based on Actives only)	12
Self-Employed	3
In Training (based on Actives only)	6
Not Participating	30
% Participating	60%
% Adjusted (based on Actives only)	47%
% Not Adjusted (based on Actives only)	13%
% Not Participating	40%

Section 10: EVALUATION AND FINAL REPORT

10.1.....	Evaluating provision of services
10.2.....	Final Report
10.3.....	Approval and Distribution
Appendix A.....	Outline for a Final Report

SECTION 10: EVALUATION AND FINAL REPORT

Notes

The Labour Adjustment Services Consultant will assist the Labour Market Consultant/Co-ordinator if possible. An outline for a more formal Final Report is given in Appendix A to this Section.

The Final Report will require the following.

- The number of employees affected.
- Services provided.
- The number of employees successfully moved to new employment or otherwise adjusted.

The Final Report may also include the following.

- The makeup of the committee.
- An account of the committee's mandate and activities.

10.3 Approval and Distribution

The committee should approve the Final Report prior to printing and distribution. In addition to Labour Adjustment Services a copy must be provided to Industry, Training and Employment Services, Manitoba Education and Training.

Further distribution will be determined in consultation with the Labour Adjustment Services Consultant.

Appendix A

Outline for a Final Report

OUTLINE FOR A FINAL REPORT

- 1.0 Executive Summary
- 2.0 Committee Background
- 3.0 Terms of Reference
- 4.0 Adjustment Services Provided
- 5.0 Results Achieved - Measurable Outputs