



KAHNAWÀ:KE LABOR OFFICE MANDATE

Mandate:

The **Kahnawà:ke Labor Office** is a component of **Operations** within the Mohawk Council of Kahnawà:ke (MCK) and is mandated with the authority and duty to govern over strategy, scope, and standards in labor matters particular to the construction industry. This includes maintenance of Laws and Regulations, Administrative Policy, Procedures and Guidelines.

The **Kahnawà:ke Labor Office** is responsible to plan and implement a management system designed to develop and oversee its activities, roles and responsibilities, policies and procedures for the planning and development of all aspects of labor governance within Kahnawà:ke in accordance with the Quebec - Kahnawà:ke Labor Agreement (QKR).

The management system will define the rules governing construction and all labor related activities particularly through the following domains and identified functions:

- a) **Worker Compensation for Industrial Accidents and Occupational Diseases:** Compensation and Indemnity, Rehabilitation and Worker Reintegration, Inspections and Investigations, MSI coordination of the MSI reserve fund, Management of Financial Relationship with CNESST including Re-insurance and Risk Analysis.
- b) **Occupational Safety and Health:** Ensuring a safe and healthful workplace by enforcement of regulations and standards through inspections, accident investigations, training, education, outreach and assistance.
- c) **Construction:** Training Standards and Public Programs, Worker and Contractor Qualifications and Training, Liaise with Quebec Professional Training Institutions and Unions, Liaise with CCQ regarding training opportunities.
- d) **Certifications of Competency:** Worker and Contractor Certification, Maintain a Registry of Local Trades and Contractors in relation to Certification, Grievance and Complaints.
- e) **Work Conditions:** Maintain Fair Wage Agreements including Implementation, Monitor Union and Collective Bargaining Agreements in Quebec.
- f) **Resolution Procedures and Corrective Actions:** Grievances and remedies, Penalty and levy system for infractions, Maintain a Review Board.
- g) **Workforce Mobility:** Liaise with Provincial Labor Institutions with respect to Workforce Mobility, Comparative Analysis of both regimes, Kahnawà:ke Workforce data in and outside of Kahnawà:ke.

Authority & Responsibility:

Organizational units of the MCK have the authority and responsibility to identify unit objectives and develop operational plans to support the strategic direction of the organization which contributes to the Comprehensive Community Plan and supports the community vision.

The **Kahnawà:ke Labor Office** has authority and responsibility to govern its administrative and operational affairs. It shall implement unit strategies, standardized practices and provide expertise and guidance to the MCK for decision making to serve the best interest of the community.

The **Kahnawà:ke Labor Office** has the authority to govern its activities and will be accountable to the **Executive Office**.

The Leadership within the **Kahnawà:ke Labor Office** will be accountable for all decisions made and actions performed.

Affiliated Authorities:

1. Portfolio Chiefs for Community Safety
2. Finance, Administration and Operations (FAO) Committee
3. Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)
4. Commission de la construction du Québec (CCQ)
5. Quebec Labor Unions

APPENDIX

Definitions

Analysis: A method used for determining the nature of something or of its essential features and their relations.

Certification: Refers to the confirmation of certain characteristics of an object, person, or organization. This confirmation is often, but not always, provided by some form of external review, education, assessment, or audit.

Comprehensive Community Plan: is the consolidation of the various areas of organizational planning and strategy along with comprehensive community engagement in relation to or under delegated mandates handed down by Chief and Council or its delegate. This ensures the best use of resources that integrates and links all other plans the community has produced, is inclusive at all levels including community and represents the perspectives of community members. Consideration of all key planning areas through one unified process using a multi-disciplinary approach defines community planning as a holistic and integrated exercise.

Contractor: A company or person who is hired and formally contracted to do a specific job, perform work, or to provide goods; at a certain price or within a certain timeframe, supplying labor and materials and providing and overseeing staff if needed.

Comparative Analysis: The item by item comparison of two or more comparable alternatives, processes, products, qualifications, sets of data, systems, or the like.

Corrective Actions: KLO safety inspectors providing mitigative citations.

Develop: To (cause something to) change into a more advanced, larger, or stronger form.

Expertise: Basis of credibility of a person who is perceived to be knowledgeable in an area or topic due to his or her study, training, or experience in the subject matter.

Fair Wage: Is a mandatory minimum wage set at rates which are very similar to those paid to unionized labour doing the task in question.

Inspections: An organized examination or formal evaluation exercise.

Liase: To establish a working relationship, typically in order to cooperate on a matter of mutual concern.

Management System: a framework of policies and procedures used to ensure that an organization can fulfill all tasks required to achieve its objectives. Requirements for policy, operational, project, strategic and quality management frameworks are applicable to the Mohawk Council of Kahnawà:ke.

Pay Indemnity: Security or protection against a loss or other financial burden.

Quebec/Kahnawà:ke Labor Agreement: An agreement signed between the Quebec government and the Mohawk Council of Kahnawà:ke establishing a framework for the development of the Kahnawà:ke Labor Regime.

Regime: A mode or system of rule or government.

Rehabilitation Services: To restore to a condition of good health, the ability to work or the like.

Resolution Procedures: Dispute mechanisms (ADR).

Risk Management: A process used by organizations to identify, assess, manage and prioritize different risks associated with operation. After a risk is identified, the risk manager must develop a plan to minimize or reduce the impact of it. Managers must assess and prioritize risks in order to prevent potentially damaging events.

Standards: A level of quality or attainment, an idea or thing used as a measure, norm, or model in comparative evaluations.

Training: Teaching or developing in oneself or others, any skills and knowledge that relate to specific useful competencies. Training has specific goals of improving one's capability, capacity, productivity and performance.

Worker(s): A person or group of people who perform work, especially at manual or industrial labor or with a particular material.

Worksite: An area where an industry is located or where work takes place.

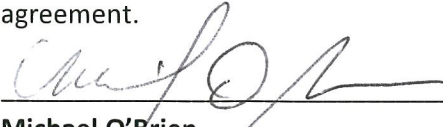
Workforce Mobility: Having Kahnawà:ke 's certification and working cards recognized outside of Kahnawà:ke.

Mandatory Requirements

1. Kahnawà:ke/Quebec Labor Agreement 2014
2. Kahnawà:ke Workforce Inclusion Program
3. Fair Wage Agreement
4. Any applicable Kahnawà:ke Laws and associated regulation(s)

Signatories

This mandate has been reviewed and is accepted. On behalf of the **Kahnawà:ke Labor Office**, I sign in agreement.



Michael O'Brien
Director of Labor

Date June 21/17



Kevin Kennedy
Executive Operations Officer

Date 21/06/17