

## Department of Environment and Labour

### Non-Adjudicative Board Selection Criteria

NON-ADJUDICATIVE		Occupational Health and Safety Advisory Council
<b>1</b>	<b>Statute</b>	Occupational Health and Safety Act
<b>2</b>	<b>Purpose</b>	<p>The purpose of the Advisory Council is set forth in the Act. The Occupational Health and Safety Act states that the Council may advise the Minister on:</p> <ol style="list-style-type: none"> <li>a. the administration of this Act and the regulations;</li> <li>b. occupational health and safety including, but not limited to, providing recommendations, giving advice and monitoring and reporting on occupational health and safety throughout the Province;</li> <li>c. the exclusion of any profession, employee, employer, workplace, project, owner, occupation, industry, self employed person or dependent contractor from all or part of the application of this Act or the regulations;</li> <li>d. any other matter relating to occupational health and safety.</li> </ol>
<b>3</b>	<b>Functions</b>	The function of the Advisory Council is to provide recommendations, give advice and monitor and report on occupational health and safety throughout the Province, without limiting the scope of its activity.
<b>4</b>	<b>Composition</b>	<p>The Council is composed of six employee representatives, six employer representatives and an equal number of alternates.</p> <p>In addition, the Director and the Chair of the Workers' Compensation Board, or a person designated to represent the Chair, and a representative of any group or groups selected by the Minister are members of the Council.</p> <p>The Advisory Council is Co-Chaired by representatives one from the employer representatives and one from the employee representatives.</p>
<b>5</b>	<b>Formal Qualifications</b>	<p>Members of the Occupational Health and Safety Advisory Council are appointed by the Minister. The Act states,</p> <p style="text-align: center;"><i>"The Minister shall appoint to the Council persons who have a particular knowledge and experience relating to the protection and promotion of occupational health and safety generally."</i></p> <p>The Act provides the following requirements with regard to membership of the Council:</p> <ul style="list-style-type: none"> <li>• the membership of the Council shall include equal representation from employers and employees</li> <li>• in addition, the Executive Director of the OH&amp;S Division and the Chair of the WCB or a person designated to represent the Chair, and a representative of any group or groups selected by the Minister and members of the Council</li> <li>• the Minister may appoint one or more alternative members of the Council</li> <li>• an alternative member of the Council shall act in place of a member of the Council</li> <li>• the Minister may designate one employer representative and</li> </ul>

		one employee representative as co-chairs of the Council
<b>6</b>	<b>Work &amp; Experience Requirements</b>	Members require significant experience and knowledge of employment Occupational Health and Safety in the workplace.
<b>7</b>	<b>Skills Required</b>	Members are appointed for their practical experience and depth of knowledge of Occupational Health and Safety.
<b>8</b>	<b>Statutory/Traditional Nomination Requirements</b>	<p>The employee representatives are identified from employee groups. The Council has not been able to identify any reasonable way to appoint non-unionized employees who could speak representatively. Recognizing that this constraint exists, all six positions will be nominated from unionized employees. The NS Fed. Of Labour is asked to nominate 6 members and 6 alternates in consultation with any non affiliated unions. The nominees selected to be representative of the workplaces in the province as outlined below.</p> <p>The 6 employer representatives will be identified by employer associations. The association will be grouped by Standard Industry Classification and a representative appointed from the group.</p> <p>To assist in the selection of employer and employee representatives, the following classification of member is generally used. One construction sector representative, one natural resources sector representative (including the agriculture, forestry, fishing and mining sectors), one service sector representative (including transportation, commercial activity, finance, real estate, accommodation, business services and other sectors), one retail / wholesale sector representative (including all retail and wholesale operations), one public sector representative (including government, health care, education and social services) and one manufacturing sector representative (including all manufacturers).</p>
<b>9</b>	<b>Term of Appointment</b>	A member or alternate member of the Council holds office during the time prescribed in that person's appointment (traditionally 3 years), and may be reappointed
<b>10</b>	<b>Remuneration</b>	Members are remunerated for wage replacement up to \$175 per day plus any expenses necessarily incurred in the performance of their duties (as per government policy Manual 500); S.24 of C.6 of the Acts of 2004, the Justice Administration Amendment (2004) Act allows for remuneration as determined by Minister.
<b>11</b>	<b>Anticipated Time Commitments</b>	One meeting per month, plus preparation time.
<b>12</b>	<b>Other Notes</b>	None.