

ADVISORY COMMITTEE
Minutes - September 24, 2001

In Attendance:

Committee Members

Gillian Wallace (Chair)
Phillip Bryden
Susan Christie (Secretary)
Lisa Cowan
Margaret Eckenfelder
Diane Flood
Fern Jeffries
Wendi Mackay
Janet McGregor

Project Staff

Frank Falzon
Deborah Lovett
Bruce McKinnon
Anne Preyde
Angela Weltz
Angela Westmacott

1. **WELCOME and INTRODUCTIONS**
2. **MINUTES OF AUGUST 21, 2001 - Approved**
3. **WORKPLAN REVIEWS**

For each background paper, the author(s) described their proposed approach to the topic area by leading the committee through their workplan noting in particular the subjects identified for review and timelines for the paper and consultation.

The committee noted the several related initiatives being undertaken by government at this time - Core Services Review, revised budget targets and the Administrative Justice Project and reiterated the need to ensure that key stakeholders are kept informed about relevant developments on all fronts. With respect to the AJP projects, the committee urged the Project team to take the time to consult with key organizations at the front end in order to build the consensus required for successful implementation of any recommendations which are forthcoming.

- **Administrative Justice Review - Frank Falzon and Bruce McKinnon**
Building on work done in BC and elsewhere, the paper will seek to identify issues and options to be considered in building an administrative justice system that accords with the principles articulated in the AJP Terms of Reference. The committee was asked to identify any major gaps or omissions in the paper and provide suggestions on consultation strategies. The committee members noted that the one day Consultation on this topic planned for Friday, September 28, should be very useful.
- **Workplace Tribunals Review - Anne Preyde**
Anne will work closely with Stan Lanyon on this review. The Workplace Tribunal Review will focus on ways to ensure effectiveness and efficiency among the various fora within which workplace disputes are resolved. The bodies included are the Labour Relations Board, the Employment Standards Tribunal, the Human Rights Tribunal and the review boards and appellate functions of the Workers Compensation Board. As the project includes the Human Rights Tribunal, Anne Preyde will maintain good links to Angie Westmacott and Debbie Lovett as they carry out the review of the Human Rights system. The committee urged project staff to ensure that the background paper is clear about what the government is trying to accomplish with this review, honest about options being considered and cautious about the use of language which may provoke a negative reaction among stakeholders.
- **Human Rights Review - Debbie Lovett and Angela Westmacott**
The paper's authors noted that much work on this topic has already been done - both in BC and elsewhere. Insofar as the human rights system links to the resolution of workplace disputes, the authors will coordinate with Anne Preyde and Stan Lanyon's review. The work being done by Frank and Bruce will be especially relevant in the consideration of constitutional questions. The committee members were asked to provide their views as to how much emphasis the authors should place on the protections provided under the Code as distinct from procedural issues - both those embedded in the Code and those which have emerged in implementation. In general, the feedback suggested that substantive protections should only be addressed if improved functioning would result - for example, clarifying legislative intent by providing definitions to minimize the need for interpretation of coverage.

- **Agency Appointment Policy - Angela Weltz**

The project's work in this area is very timely in light of the Oceanport decision recently handed down by the Supreme Court of Canada. Angela noted that her paper will link to the work being done by Bruce and Frank in that enabling statutes frequently address appointment issues. The committee members suggested that paper address issues of remuneration and tenure as well as issues around how financial and human resources are allocated to boards.

4. **ADMINISTRATIVE JUSTICE REVIEW - Consultation Workshop - September 28**

Plans for the Consultation were discussed. The committee expressed support for the plan.

5. **OTHER ISSUES**

The committee requested clarification on the role of the AJP with respect to the Core Services Review for agencies included in the project. The Project Director reiterated the information noted in the Project's terms of reference, specifically for Table 1 agencies, the Project team will assist host Ministries as appropriate in developing their Core Services Review presentation and will coordinate the actual presentations to the Task Force.

6. **NEXT MEETING - Monday, November 19, 2001**