

**ADMINISTRATIVE JUSTICE PROJECT
WORKPLACE TRIBUNALS ADVISORY COMMITTEE
Minutes of Meeting - September 26, 2001**

In Attendance:

Committee Members

Roz Currie - Human Rights Commission
Fern Jeffries - Employment Standards Tribunal
Brian King - Workers Compensation Review Board
Richard Longpre - Ministry of Labour
Heather MacNaughton - Human Rights Tribunal
Harinder Mahil - Human Rights Commission
Morgan Rea - Human Rights Tribunal
John Steeves - Workers Compensation Board
Patti Stockton - Ministry of Labour
Fran Watters - Labour Relations Board

Project Staff

Wendi Mackay - Project Director
Stan Lanyon - Co-Lead WTR Project
Debbie Lovett - Co-Lead HR Project
Anne Preyde - Co-lead WTR Project
Susan Christie - Secretary to the Advisory Committee

1. WELCOME

2. INTRODUCTIONS

3. ADMINISTRATIVE JUSTICE PROJECT

Wendi Mackay gave a brief overview of the Administrative Justice Project and described the four projects which are scheduled this fiscal year: Administrative Justice Review (Frank Falzon and Bruce McKinnon); Human Rights Review (Angela Westmacott and Debbie Lovett), Appointment Policy (Angela Weltz) and Workplace Tribunals Review (Stan Lanyon and Anne Preyde). Two projects are scheduled for next year: Core Competencies/Training and Performance Measurement & Accountability.

4. - 8. WORKPLACE TRIBUNALS REVIEW

Anne and Stan provided some background on the concerns underlying the project: including delays, procedural complexity and client confusion over the multiplicity of fora.

They explained that the committee is being asked to help clarify issues and provide options for the background paper due by the end of November. The background paper will provide the basis for targeted consultations [BC Business Council, BC Federation of Labour, BC Human Rights Coalition, Coalition of BC Businesses] resulting in a white paper (February) for the public consultation phase. They assured the committee that there is no predetermined outcome for the project and that this committee is being asked to provide leadership and direction.

The Project Director indicated that, in developing the White Paper, the project team will consult as widely as this committee recommends. Two additional stakeholder groups were recommended: 1) the members of the Bar that routinely appear for complainants in human rights complaints and, 2) the CBA (BC Branch) Poverty Law subsection. It was also suggested that unions should be mentioned specifically in the project terms of Reference (Workplan for the WTR Background Paper, page 1, last point).

The members provided their views on the issues which the background paper needs to address to get at problems of delay [appointment procedures and training of decision-makers, financial and human resources available to tribunals], accessibility, confusion and procedural complexity [specialization of fora, the need for legislative clarity on the jurisdiction of each tribunal and inter-relationships of these across tribunals, remedies available in each].

The authors of the background paper will revise the outline to address the points raised by the committee.

Committee members were asked to provide the project with:

- A description of their tribunal's jurisdiction
- Recommendations that might help address any of the problems noted in our discussion (e.g. legislative amendments)
- Ideas about consultation and key stakeholders
- Example of ways in which tribunals have addressed any of the above problems (e.g. protocols, case management systems)
- Relevant reports and/or cases on these issues

9. WENDI MACKAY - CORE SERVICES REVIEW

The AJP is responsible for organizing the approach to the Task Force on Core Services Review and Deregulation for all agencies included in the project. The intent is to have all Workplace Tribunals presenting to the Task Force on the same day in order that the Task Force can develop a more comprehensive picture of the area. The Project Director will contact each tribunal to ensure this co-ordination. The committee will receive a status report at the next meeting.

10. HUMAN RIGHTS REVIEW - NO DISCUSSION

11. NEXT MEETING

Late October or early Nov.

It was agreed that consultation activities of the project and individual tribunals would be co-ordinated.