

Department of Labour and Workforce Development

Adjudicative Board Selection Criteria

ADJUDICATIVE BOARD		Construction Industry Panel
1	Statute	Trade Union Act, Part II, s.94
2	Purpose	The purpose of the Construction Industry Panel is to assist in the resolution and adjudication of matters filed in accordance with Part II of the <i>Trade Union Act</i> .
3	Functions	The Construction Industry Panel makes adjudicative decisions on labour relation matters in the construction industry. The Panel is a division of the Labour Relations Board. The jurisdiction and powers of the Labour Relations Board are vested in, and may be exercised by, the Panel in relation to any matter or proceeding related to the construction industry.
4	Composition	The Panel is made up of a Chair, Vice-Chairs, Alternate Vice-Chairs (who are also Chair, Vice-Chairs and Alternate Vice-Chairs of the Labour Relations Board), members, and alternate members. The Panel sits to hear cases in panels of three, consisting of a neutral Chair and one member representing Labour and one member representing Management.
5	Formal Qualifications	Chair and Vice-Chair(s) will be, or entitled to be a member of the Nova Scotia or other barristers' society.
6	Work & Experience Requirements	Panel members must have construction industry knowledge and experience with labour relations matters acquired through job responsibilities, or prior relevant labour relations board experience, covered under labour relations statutes, including, but not limited to, the Nova Scotia <i>Trade Union Act</i> .
7	Skills Required	The Panel members must possess: a practical understanding of labour relations law; have knowledge and experience administering, interpreting or applying collective agreement provisions covered by labour relations statutes; possess experience and demonstrated ability to make impartial, independent decisions, for example, through experience on adjudicative, arbitration or governance boards; demonstrated decision-making skills; and lengthy and diverse experience with collective bargaining, mediation and/or negotiations. Members are required to identify whether they represent labour or management based on their labour relations experience. Additionally, Panel members, including Chair, Vice-Chairs and Alternate Vice-Chairs should possess excellent oral and written

		communication skills and have public speaking experience. The Chair, Vice-Chairs and Alternate Vice-Chairs for the Construction Industry Panel are appointed to the Labour Relations Board, and as part of that appointment serve as Chair/Vice-Chair of the Construction Industry Panel.
8	Statutory Nomination Requirements	None.
9	Traditional Nomination Requirements	The Panel members are from labour and management groups from the construction industry sector. Broad geographic representation is sought on the Panel from the various regions of the Province. Members should also contribute to the gender and racial diversity of the Panel. Traditionally the Chair, Vice-Chairs and Alternate Vice-Chairs are the neutral chairs of the Labour Relations Board.
10	Remuneration	Members and Alternate members are remunerated at the rate of \$150 per day plus reasonable and necessary expenses. The Chair, Vice-chairs and Alternate Vice-Chairs of the Panel are remunerated at the rate of \$300 per day plus reasonable and necessary expenses.
11	Anticipated Time Commitments	These are part-time positions and the time commitment will vary depending on the number of applications and complaints, and the complexity of the issues before the Panel. Hearings and meetings are usually conducted during business hours. Hearings usually last two to four days, but may be of a longer duration. All members must provide a reasonable commitment in terms of availability for hearings as a member of the Panel to meet its statutory mandate.
12	Other Notes	None.