

Department of Labour and Workforce Development

Adjudicative Board Selection Criteria

ADJUDICATIVE BOARD		Labour Standards Tribunal
1	Statute	Labour Standards Code and Regulations
2	Purpose	The purpose of the Tribunal is to provide a fair and impartial appeal process arising from complaints filed under the Labour Standards Code.
3	Functions	The function of the Tribunal is to hear appeals by employers or employees against Director of Labour Standards Orders, or appeals by complainants after the Director has found no violation of the Code. The Tribunal may issue orders for compliance to the terms of its decisions.
4	Composition	The Tribunal is composed of one chair, one vice-chair, two members and two alternate members.
5	Formal Qualifications	It is preferable that the Chair and Vice-Chair be lawyers.
6	Work & Experience Requirements	The Chair and Vice-Chair should have legal training and experience acting for or appearing before administrative tribunals.
7	Skills Required	<p>The Tribunal members must have a practical understanding of employment law in the Province. Additionally, all members of the Tribunal must possess the ability to make impartial, independent decisions, good communication skills, a high degree of integrity, past experience in community related activities and a good reputation amongst their peers.</p> <p>Any individual interested in the position of Chair or Vice-Chair must have excellent leadership abilities with experience in chairing boards or large meetings and proven accomplishments in negotiation, problem solving and leading groups to bring about consensus decisions. The Chair and Vice-Chair further require exceptional communication skills including demonstrated ability to communicate in public forums, and administrative and employment law training and experience.</p>
8	Statutory Nomination Requirements	None.

9	Traditional Nomination Requirements	<p>The Tribunal endeavors to operate a balanced panel. Traditionally, the Tribunal has had members with either labour or management experience. The Chair and Vice-Chair are generally lawyers who do not represent management or union groups, but have a broad background in administrative and employment law.</p> <p>Membership should cover as many varied occupational sectors as possible. Broad geographic representation is sought on the Tribunal from the various regions of the Province. Members should also contribute to the gender and racial diversity of the Tribunal when possible.</p>
10	Remuneration	<p>The Chair is remunerated at the rate of \$6,000 per year plus \$300 per day plus any expenses necessarily incurred in the performance of the Chair's duties.</p> <p>The Vice-Chair is remunerated at the rate of \$2,500 per year plus \$300 per day plus any expenses necessarily incurred in the performance of the Vice-Chair's duties.</p> <p>Members are remunerated at the rate of \$150 per day plus any expenses necessarily incurred in the performance of the their duties.</p>
11	Anticipated Time Commitments	<p>These are part time positions and the time commitment will vary depending on the number of appeals and the complexity of issues before the Tribunal. Hearings and meetings are usually conducted during business hours. Hearings usually last between half a day and two days, but may be of a longer duration. Approximately six hearings are conducted in Halifax per month and approximately six hearings are conducted in Sydney per year.</p>
12	Other Notes	<p>Members are generally appointed for three year terms, and may be reappointed.</p>