

Department of Labour and Workforce Development

Non-Adjudicative Board Selection Criteria

NON-ADJUDICATIVE		Occupational Health and Safety Advisory Council
1	Statute	Occupational Health and Safety Act
2	Purpose	<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"> a. the administration of this Act and the regulations; 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; 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; d. any other matter relating to occupational health and safety.
3	Functions	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.
4	Composition	<p>The Council is composed of eight employee representatives and eight employer representatives.</p> <p>In addition, the Director of the OH&S Division 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 one employer representative and one employee representative.</p>
5	Formal Qualifications	<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"> • the membership of the Council shall include equal representation from employers and employees, • in addition, the Director of the OH&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, • the Minister may designate one employer representative and one employee representative as co-chairs of the Council.

6	Work & Experience Requirements	Members require significant experience and knowledge of occupational health and safety.
7	Skills Required	Members are appointed for their practical experience and depth of knowledge of occupational health and safety.
8	Statutory/Traditional Nomination Requirements	<p>The employee representatives are nominated/endorsed by unions as the Council has not been able to identify any reasonable way to appoint non-unionized employees who could speak representatively. As well, the Nova Scotia Federation of Labour is asked to nominate 8 members in consultation with any non affiliated unions.</p> <p>The 8 employer representatives are nominated/endorsed by employer associations or employers. Industry associations are also asked to nominate 8 members.</p> <p>The nominations are considered by Standard Industry Classification with the purpose of appointing a membership which is reflective of the Nova Scotia workforce.</p>
9	Term of Appointment	Members of the Council hold office during the time prescribed in that person's appointment (traditionally 3 years), and may be reappointed.
10	Remuneration	Members are remunerated at the rate of \$200 per day plus any expenses necessarily incurred in the performance of their duties.
11	Anticipated Time Commitments	Generally, the Council meets monthly. Additional time will be required to attend subcommittee meetings or for meeting preparation.
12	Other Notes	Members are required to serve on at least one sub-committee of the Council.