

Nova Scotia Arbitration Advisory Committee



The Nova Scotia Arbitration Advisory Committee was created in 2006 as part of Bill 219, legislation that made a number of amendments to the *Trade Union Act*. Amongst other reforms, Bill 219 introduced an expedited arbitration process to the province's labour relations community. The Arbitration Advisory Committee was, in part, created to address stakeholder concerns that the province lacked the capacity to deal with the introduction of expedited arbitration. The mandate is broad enough, however, to examine other issues in making arbitration in the Province more efficient. The Committee is to advise the Minister of Environment and Labour about "the selection of arbitrators *and* matters related to arbitration".

The Advisory Committee members were appointed in late 2006, and the Chair convened the first meeting on December 5, 2006. The Committee has adopted a two-level work plan that will deal with narrow issues related to Ministerial appointment of arbitrators under the *Trade Union Act*; and broader issues related to the global effectiveness of arbitration in Nova Scotia's labour relations system.

The Committee is composed of three members representing trade unions, three employer representatives, and a neutral chair:

Committee Chair

Professor Bruce P. Archibald, Q.C.

Bruce Archibald is a native Nova Scotian who has taught at Dalhousie Law School since 1976. His subject areas include criminal law and procedure, evidence, comparative law, and labour law. He has served as a consultant to the Law Reform Commission of Canada, the Federal and Nova Scotia Departments of Justice, and the Royal Commission on the Donald Marshall Jr. Prosecution.

Bruce has acted as a labour arbitrator in both the public and private sectors since 1984. He has been a part-time Vice-Chair of the Nova Scotia Labour Relations Board/Construction Industry Panel since 1992. He is also currently Chair of the Nova Scotia Correctional Facilities Employee Relations Board, the Nova Scotia Civil Service Employee Relations Board, and a part-time Chair of the Nova Scotia Provincial Judges' Salary and Benefits Tribunal.

Trade Union Representatives

Larry Wark

Larry Wark is the former Atlantic Director for the Canadian Autoworkers (CAW) Canada. He retired in 2007 after 28 years as a National Staff Representative for the CAW and 14 years as an elected union representative.

As well as organizing, he was responsible for negotiating collective agreements with numerous employers throughout the Atlantic Provinces, presenting cases before arbitrators, conducting organizing campaigns, teaching courses for CAW Locals and staff and numerous other union-related duties.

Larry served as a member of the Nova Scotia Labour Relations Board for eight years. He was Vice-President of the Nova Scotia Federation of Labour for 13 years and sat on the Board of Directors for the National Seafood Sector Council, numerous boards and committees. He was the first co-chair of the

Labour Management Committee under Voluntary Planning Program which created the Non-Binding Arbitration Program. He currently sits on the Non-Binding Advisory Group and is also a panellist.

He was been appointed to various provincial and federal government committees and often speaks to university classes about labour relations.

Larry was recently elected president of the Nova Scotia Federation of Union Retirees.

Linda Gallant

Linda Gallant is the retired Atlantic Regional Director of the Canadian Labour Congress. Commencing in 1976, Linda was a Representative of the CLC working out of Sydney. Since that time she also worked in the National Headquarters as Head of the Women's Bureau and later as an Executive Assistant to the President Bob White. She was Regional Director from 1989 until her retirement in August of 2007.

Raymond F. Larkin, Q.C.

Ray Larkin has practiced labour relations law in Atlantic Canada for over 30 years and is a former President of the Nova Scotia Barrister's Society. He is a founding partner of Pink Larkin. Ray frequently speaks and writes on matters related to labour law and employee rights. Throughout his career, he has been active in the legal profession; and in advocating for reform of labour relations, employment standards, and workers' compensation legislation in the region.

Employer Representatives

Robert Dunn

Robert Dunn is the Director of the Human Resource Service at the Nova Scotia Association of Health Organizations. NSAHO provides labour relations services to unionized health care employers such as hospitals and nursing homes throughout the province of Nova Scotia. Areas of service include collective bargaining, collective agreement interpretation and the presentation of labour arbitration cases. Mr. Dunn graduated from Dalhousie Law School in 1985. He is a member of the Nova Scotia Barristers' Society and a past member of the Law Society of Upper Canada. Before coming to NSAHO, Mr. Dunn was engaged in the private practice of labour relations law with major law firms, first in Ontario and then in Halifax. In recent years, he has been involved primarily in the representation of major hospital employers in collective bargaining and in providing advice on strategic labour relations issues in the health care sector.

Gordon MacLean

Gordon MacLean has been involved in labour relations and related matters in Nova Scotia for over 30 years. He gained much of his labour relations experience working in the province's coal industry where he held various senior positions, including Vice President, Human Resources for the Cape Breton Development Corporation; and, later as the Director of Human Resources at Cape Breton University. Gordon has been employed by the Nova Scotia Public Service Commission since 2000. He is presently the Executive Director, Employee Relations and Compensation.

Peter McLellan, Q.C.

Peter McLellan is a nationally recognized leader in his field and is a Partner with Stewart McKelvey's Labour and Employment Group in their Halifax Office. With over 25 years of experience he frequently appears before the Nova Scotia Labour Relations Board as well as the Labour Standards Tribunal on behalf of employers. Peter is a respected advisor to businesses on labour and employment issues including pensions and employee benefits. He is a Founding Director of the Canadian Association of Counsel to Employers and designated by Lexpert as a leading practitioner in labour, employment and human rights matters. Peter is a member of the Bar of Nova Scotia and holds a Bachelor of Arts from Mount Allison University and a Bachelor of Laws from Dalhousie University.