

Nova Scotia Environment and Labour  
Annual Accountability Report for the Fiscal Year 2007-2008

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## 1. Accountability Statement

The accountability report of Nova Scotia Environment and Labour for the year ended March 31, 2008, is prepared pursuant to the *Provincial Finance Act* and government policies and guidelines. These authorities require the reporting of outcomes against Nova Scotia Environment and Labour's business plan information for the fiscal year 2007-08. The reporting of the department's outcomes necessarily includes estimates, judgments and opinions by Nova Scotia Environment and Labour management.

We acknowledge that this accountability report is the responsibility of department management. The report is, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the department business plan for the year.

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Minister

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Deputy Minister

## 2. Message from Minister

I am pleased to provide you with highlights of our achievements for the fiscal year 2007-08 through our latest Accountability Report.

Together with our many partners, Environment and Labour staff works to protect and promote:

- the safety of people and property;
- a healthy environment;
- employment rights; and
- consumer interests and public confidence in pension services, and in the alcohol and gaming sectors

by providing a regulatory regime which is effective, sustainable, and supportive of Nova Scotia's economic viability and competitiveness.

The department made commitments in each of these areas of responsibility in its Business Plan for the last fiscal year, which ended on March 31, 2008. I am pleased to say the department has achieved or made significant progress on all of them.

The department's approach to regulation is reflected in its many commitments. The goal is to help businesses and the Nova Scotia economy flourish while protecting the things that are important to Nova Scotians, including public health and safety, a clean environment and a safe workplace. Environment and Labour's commitment to working better together is reflected in the collaborative approaches taken on broad, cross-cutting issues such as drinking water, the green plan and the *Environmental Goals and Sustainable Prosperity Act*, and workplace safety. On these, and other such issues, the department recognizes that integrated action is key to achieving real progress.

I am also pleased to announce that another important step has recently been made in tackling challenges to both the workforce and the environment. Effective April 1, 2008, Nova Scotia Environment and Labour was reorganized into two new departments: the Department of Environment, and the Department of Labour and Workforce Development.

I believe in the importance of accountability to Nova Scotians, and I believe this report shows significant progress on achieving or completing our significant business goals.

Sincerely,

Honourable Mark Parent  
Minister of Environment and Labour

### 3. Introduction

This Accountability Report provides information on Nova Scotia Environment and Labour (NSEL)'s performance in relation to the goals, priorities, performance targets, and budget expenditure targets presented in its 2007-2008 business plan.

During 2007-2008, NSEL continued to promote safe and healthy workplaces, and safe facilities and equipment. A number of supporting activities including; education campaigns, consultations and partnerships resulted in notable progress in the Workplace Safety and Insurance System. This success is reflected in 51,000 fewer days lost due to injury and an improved return to work rate.

The Department continues to champion sustainable management and protection of the environment, natural areas and public health through various activities, including establishment of the Round Table on Environment and Sustainable Prosperity, working towards the development of a water resources management strategy, and strengthening our partnerships with other departments and industry to further implement objectives under the *Environmental Goals and Sustainable Prosperity Act*.

Promotion of employment standards, fair processes for wage compensation, effective labour management relations, fairness for injured workers and protecting the interests of pension plan members remains a top priority for the department. The department implemented the Minimum Wage Committee's recommendation of a three-year increase for minimum wage earners which will make a measurable difference in improving the lives of Nova Scotians.

In 2007-08, the Competitiveness and Compliance Initiative continued implementation of its 5-year strategy. The strategy included choosing and designing quality tools, making it easier for business to achieve compliance, improving compliance with our regulatory programs, and continuous improvement of the department's regulatory programs.

The Department's Human Resources Strategy continues to build capacity to meet future needs, create a climate that promotes growth and development and a work environment that is safe, supportive and diverse. Initiatives such as Career Planning, Recognition, Healthy Workplaces, and Diversity strive to help the department reach its mandate, employees realize their potential, and government to better serve the public.

More detailed information on the results achieved by NSEL in 2007-2008 can be found in:

- Section 4 of this report which outlines the results achieved in each of NSEL's core business areas:
  - Environmental Protection and Natural Areas Management
  - Public Safety and Occupational Health and Safety
  - Employment Standards, Workers' Advisers, Labour Services and Pensions
  - Alcohol, Gaming, Theatre and Amusements Regulation
  - Support for Agencies, Boards, Commissions and Tribunals

- Section 5 of the report which summarizes the financial results achieved in NSEL for 2007-08; and
- Section 6 of the report which presents the results achieved for the performance measures established for each of NSEL's core business areas.

NSEL's 2007-08 business plan is available on our website at:  
<http://www.gov.ns.ca/enla/pubs/docs/NSELBusinessPlan07.pdf>.

## 4. Departmental Progress and Accomplishments

**Priority: Promote continuous improvement in the quality, coherence, and effectiveness of our regulatory systems in protecting the public interest and in support sustainable economic competitiveness.**

### Competitiveness and Compliance Initiative

The department is working hard to improve how we design, implement and evaluate our regulatory programs. CCI encourages and supports good regulatory practice through:

- Training on policy analysis, performance measurement and instrument selection. The training was developed in 2007-2008 and is being delivered in 2008-2009. This training will assist staff in complying with the department's Regulatory Management Policy. In 2007-2008, 72% of all regulatory proposals in the department were in compliance with the Regulatory Management Policy. This is expected to increase following the delivery of the training in 2008-2009. An additional module will be added to the program on consultation in 2008-2009.
- The department continues to work with the province's Better Regulation Initiative to reduce administrative burden and develop service standards. At the end of fiscal year 2007-08, the department had a cumulative total reduction of 7.1% just exceeding our target of 7%.
- The department continued delivering standardized foundation training for inspectors and investigators. By the end of 2007-2008, 29% of inspectors and investigators in the department were trained.
- The development and refinement of the Activity Tracking System has continued in OHS. The project to implement the Alcohol & Gaming Division (AGD) into the Activities Tracking System (ATS) was put on-hold as the impact of the Department restructuring on AGD was unknown at that time. However, as a result of the recent Auditor General's Report the Environmental Monitoring & Compliance (EMC) Division was identified as the next division for implementation of the ATS. EMC is expected to have implemented the ATS by the end of the 2008/2009 fiscal.
- The department continued to work on incorporating meaningful performance measures into our regulatory programs. We are making progress as 33% of our new regulatory programs have identified indicators of success. We expect this number to increase as staff receives training in performance measures to be offered this year.

**Core Business Area 1: Environmental Protection and Natural Areas Management**

Priority: Promote sustainable management and protection of the environment, natural areas and public health

***NSEL successfully brought forward amendments to the Environment Act in 2006. The amendments will support departmental efforts on the following priorities for 2007-2008: undertaking a multi-stakeholder consultation on the development of contaminated site regulations that will maintain or improve environmental protection while expanding investment and redevelopment opportunities; working with stakeholders to identify new approaches to product stewardship and best practices in solid waste management, while proceeding with implementation of new e-waste regulations; establishing a Minister's round table on environmental sustainability and work with stakeholder directors to develop a framework and policies for the Environmental Trust Fund; developing a framework for class environmental assessments, starting with the strategic environmental assessment of the potential for tidal energy; updating the public guide to the Environment Act; and developing options for putting the environmental registry on-line.***

- NSEL is currently in the process of developing regulatory tools respecting redevelopment of contaminated lands in Nova Scotia. In the last year, this has involved the formation of internal and external working groups and stakeholder committees. External multi-stakeholder focus sessions are planned for Summer 2008 to discuss specific issues around contaminated sites management.
- A provincial product stewardship committee has been established to provide advice to the Department on the development of new programs requiring industry to take physical and/or financial responsibility for the collection and recycling of waste materials. The Department has also been exploring best management practices for construction and demolition waste, aimed at further increasing the diversion of these materials.
- In response to government regulations passed in 2007, the Atlantic Canada Electronics Stewardship (ACES) organization introduced an industry-led electronics recycling program in February 2008. Nova Scotians can now drop off their end-of-life TVs, computers and printers for recycling free of charge at collection facilities located throughout the province. A second phase of equipment will be added to the program in 2008.
- The Round Table on Environment and Sustainable Prosperity has been established to advise the Minister on issues related to environmental sustainability, providing a broad stakeholder perspective on environmental matters. The *Environmental Goals and Sustainable Prosperity Act* also gives the Round Table the specific responsibility of preparing an annual progress report to the Minister on the achievement of the goals set out in the Act. This will contribute toward informed decision-making on environmental policy matters that affect the well-being of Nova Scotians and the future sustainability of our province.
- The Environmental Trust Regulations are currently under revision to: support the re-establishment of the Trust; enable money to be directed to it from environmental fines

and penalties; and streamline the application and reporting process. Ads have been run seeking external Trustees for the Fund, and it is expected to be operational in the upcoming year.

- NSEL contributed to the development of the tidal power strategic environmental assessment (SEA), and will be looking at this process in terms of its applicability to other classes of development in the province. In addition, the Environmental Assessment Branch is developing GIS tools and resources which can be used in the development of a class environmental assessment process.
- The department is in the process of making the Environment Act more accessible to the public by ensuring the Guide to the Environment Act is released in a "plain language" format. This project will be completed in the upcoming year and will be made widely available on the website and in print.
- Work continues in order to provide the public with a central location on NSEL's website for online access to records held in the Environmental Registry, which in the last year included well logs and the pesticide applications approval database.

*The department will also continue to build on each of the four pillar areas of the 2003 document "Towards a Sustainable Environment" (The Green Plan) while supporting the interdepartmental implementation of "Opportunities for Sustainable Prosperity (2006)" as follows:*

*Sustainable Growth - undertake specific multi-stakeholder consultation as a step towards streamlining the hazardous waste management program by reducing jurisdictional duplication and providing greater flexibility and predictability for business so that they can comply with regulations; support the environmental economy, including increasing the export capacity of firms involved in environmental planning and management through innovation and trade development; work with other departments on renewable energy development in areas such as wind and tidal power; administer regulatory programs related to the Sydney Tar Ponds and Coke Ovens Remediation Project and establish an independent remediation monitoring board to monitor regulatory management related to the project.*

- The department has initiated administrative changes to the Dangerous Goods Management Regulations to maintain consistency with federal requirements, and over the coming year will continue to revise the overall hazardous waste management program, making it easier for business to be in compliance.
- NSEL signed an Implementation Arrangement with the Government of the Republic of Trinidad and Tobago with regards to sharing and sourcing expertise related to the development of an integrated solid waste resource system for Trinidad and Tobago. In addition, the department led a trade mission to Brazil regarding opportunities related to ethanol, and two more trade missions to the United Arab Emirates including attendance at the World Future Energy Summit in January.

- NSEL is working with the Department of Energy to develop Ecotrust projects in several areas including wind and tidal power, and in doing so is contributing to greenhouse gas and air pollutant reduction.
- The department established a Regulatory Branch Office to support the Sydney Tar Ponds and Coke Ovens Remediation Project in April 2007. In January 2008, a three member Remediation Monitoring Oversight Board (RMOB) was appointed by the Minister to oversee the suitability and effectiveness of NSEL's regulatory management process. NSEL has committed to provide timely information to the RMOB to assist the Board with this process.

***Human Health and Environmental Quality - Support finalization and implementation of a Canada-wide strategy for managing municipal wastewater effluent, and develop best management practices for biosolids and operation of septage lagoons; continue to implement air quality goals in the Energy Strategy this year focusing on: implementing a plan to reduce mercury emissions by 2010; developing a plan to reduce particulate matter emissions, and emissions that lead to ground level ozone; in consultation with Nova Scotians, develop a Water Resource Management Strategy to address security and sustainability of Nova Scotia's water supply to ensure long term prosperity of water-dependent industries and health of communities and ecosystems; support a multi-departmental initiative to strengthen environmental health protection services in Nova Scotia by developing a private well audit program, in collaboration with the departments of Health Protection and Promotion, Agriculture, and Fisheries and Aquaculture; NSEL will work in partnership with other departments on the Department of Health Promotion and Protection led initiative to develop 500 km of trails in the province.***

- In Fall 2007, NSEL hosted five focus sessions with stakeholders and participated in an advisory group to provide policy input and help shape the final draft version of the Canada-Wide Strategy for the Management of Municipal Wastewater Effluent. The Strategy is expected to be finalized in Fall 2008.
- The Department, in consultation with stakeholders and biosolids researchers, has completed a review of the 2003 Biosolids Management Guidelines and will be using recommendations provided through the consultation to enhance biosolids management in the province.
- NSEL is working with municipalities and regions to adopt new technology for efficient management of septage lagoons, including the adoption of mobile dewatering technology and funding for lagoon upgrades.
- A new cap for Mercury air emissions of 65 kg per year has been implemented by NSEL. This cap, which applies to Nova Scotia Power Inc (NSPI), will take effect in 2010. The department will continue to work with NSPI on the implementation of this target. In

addition, NSEL is in the process of finalizing an implementation plan for reducing particulate matter and ozone emissions.

- NSEL continues to move forward with the development of a water resource management strategy. Working with the Interdepartmental Water Management Committee, NSEL brought together water and water-related expertise to help scope out the issues and information necessary to put together a discussion paper. Released in January 2008, this paper “Towards a Water Resources Management Strategy for Nova Scotia” launched the beginning of a 4-month consultation period in which the public was invited to comment on the best ways to protect, preserve, and use the province's water resource. This feedback, in conjunction with the ongoing work of the Water and Wastewater Branch, will go towards the development of a water resources management strategy for the province.
- Based on recommendations from an inter-departmental working group looking at private well issues, a provincially delivered Water Well Construction Inspection Program was created. Stakeholder engagement was initiated over the past year through six regional focus sessions. In Spring of 2008, a pilot inspection program was developed and implemented. At the end of the first year a recommendation report will be developed and the recommendations will be incorporated into Nova Scotia's *Water Resource Management Strategy*.
- NSEL continues to work in partnership with other departments contributing to the Department of Health Promotion and Protection led initiative to develop 500 km of trails in NS.

***Leading by Example - Apply best practices for pollution prevention, green procurement, and sustainable transportation to departmental operations - specific focus in 2007-2008 will be green procurement, both at the department and government-wide level; communicate best practices to companies and other departments in order to help them become more environmentally and economically sustainable; NSEL lead the Advisory Group on Radon, the interdepartmental committee that developed Nova Scotia's plan to implement effective public health measures with respect to radon gas in anticipation of new federal radon gas guidelines.***

- In partnership with Nova Scotia Economic Development (NSED), research, consultation, and analysis was undertaken to inform the development of a government-wide sustainable procurement policy.
- In partnership with the NS government Green Fleet Implementation Committee, the department developed a Vehicle Purchasing Guide for NS government and a preliminary reporting mechanism for tracking outcomes of the green vehicle policy.
- In an effort to assist other government departments in their efforts to incorporate environmental responsibility into their operations, NSEL participated in the reThink

multi-departmental committee and completed presentations on the department's pollution prevention initiative to Transportation and Infrastructure Renewal.

- Over the past year, NSEL lead the inter-governmental Advisory Group on Radon (AGOR). During this time, AGOR completed radon testing at approximately 2,000 public buildings, as part of a comprehensive radon testing program which aims to test all public buildings within 5 years. AGOR's communication initiatives during this period focused on reporting radon testing results to the public and providing advice to homeowners, through news releases and working with the province's Environmental Home Assessment Program. AGOR also worked with Dalhousie University to develop and deliver training programs on radon testing and mitigation to ensure that Nova Scotians will have access to qualified radon professionals.

***Sustainable Communities - Finalize an outreach plan and a science strategy for the department and host forums for discussion of key issues; work towards a comprehensive protected area system plan leading to protection of 12% of the province's land base. In 2007-2008 this will include: 4 new nature reserves, designation of a substantial majority of recently acquired Bowater Mersey lands, continuing collaboration with environmental organizations and with forestry companies through the Colin Stewart Forest Forum, and continuing work on creating improved conditions for the protection of private lands; provide financial and technical assistance to septage treatment facility operators to protect the quality of drinking water and groundwater resources through proper construction, maintenance and operation facilities, including through the Septage Treatment Facility Program; implement year two of the Environmental Home Assessment Program focused on assessing of well water, septic systems and oil tanks in private homes and providing financial assistance to qualified Nova Scotians to support the repair or replacement of failed septic systems, while dedicating new resources to help Nova Scotians on private wells to protect their health and the health of their families; continue to support and participate with First Nations, municipalities and federal departments in the Collaborative Environmental Planning Initiative, the multi-participant process that is developing a management plan for the Bras d'Or Lake Watershed.***

- The Outreach and Engagement Policy and supporting Outreach Framework were completed in August 2007, and the corresponding work plan is anticipated to be finished in the upcoming year. In addition to this, preparations are currently underway for science forums and/or knowledge days in fall/winter 2008.
- NSEL continued to work towards the goal of protecting 12% of the province's land base in 2007/08 with the designation of the Blandford nature reserve, and has committed to designate lands at Ship Harbour, Long Lake, Blue Mountain-Birch Cove Lakes, and lands acquired from Bowater Mersey Paper Company by December 2008. In addition, the department is continuing to collaborate with the Colin Stewart Forest Forum in the development of a proposal to achieve the 12% goal while mitigating impacts on the forestry industry.

- Towards the close of 2007-08 year, it was announced that the Province would use some of the Crown Share Adjustment Payment to fund an independent Nova Scotia Crown Share Land Legacy Trust (CSLLT). This organization will assist non-governmental conservation land trusts to secure and protect ecologically significant private lands by providing funds to assist with the securement or purchase costs. A lack of land securement funds was previously identified as the single biggest barrier preventing private owners from agreeing to the protection of their ecologically significant properties.
- Over the last year, more than 90% of facilities across the province accessed funding through the Septage Treatment Assistance Program, with \$1.4 million in funding provided to assist lagoon owners upgrading their sites. In addition to providing financial assistance, NSEL will continue to foster the implementation of new and innovative technologies throughout the remainder of this four year program.
- The number of home assessments completed and septic system repair grants disbursed in year two of the Environmental Home Assessment Program more than doubled those given out in year one. Over 1000 home assessment visits were provided across rural Nova Scotia and 200 septic system repair grants were provided to lower income families, assisting rural Nova Scotians with operation and maintenance of their septic systems, water wells and oil tanks. The program will continue to be delivered in the upcoming year based on positive client response.
- The Department continues to work in collaboration with First Nations, Municipalities, Federal government partners, industry and community groups to develop an environmental management plan for the Bras d'Or Lake and its watershed.

**Core Business Area 2: Public Safety & Occupational Health and Safety**

Priority: Promote safe and healthy workplaces/work practices and safe facilities and equipment  
 This core business area is now part of the new Department of Labour and Workforce Development.

*Improve public safety by increasing the effectiveness and efficiency of regulatory programs related to equipment safety by updating legislation. In 2007-2008, this will include working with stakeholders to identify opportunities for legislative streamlining in public safety statutes to reflect best practices and technology changes, and to improve consistency by enabling the adoption of standard tools such as a common compliance model.*

- Adopted the *Technical Safety Act* which harmonizes the following legislation into one Act: boilers and pressure vessels, fuel safety, power engineers and crane operators, electrical safety, amusement safety devices and elevators and lifts. Regulations will be updated in 2008-2009

***Develop a framework with the Department of Education to ensure training and compliance promotion for the licensing and certification of skilled trades reflects best practices and improves safety for Nova Scotians.***

- With the creation of the new Department of Labour and Workforce Development in April 2008, we will continue to explore synergies with the former Department of Education staff relating to the licensing and certification of skilled trades.

***Consult with stakeholders on Fire Safety retrofit regulations for multi-occupant buildings and work with the Fire Service, municipalities and the fire training community to improve access to training and support for fire protection services across the province.***

- Continue to work on regulations for multi-occupant buildings relating to fire safety.
- A training program for firefighters who conduct rescues in elevators has been launched in cooperation with the fire service and a private consulting firm.
- The Office of the Fire Marshall, in cooperation with the fire service and the Ontario Fire Marshall, has undertaken a review and development of a recruitment and retention program for volunteer emergency responders.
- In consultation with the Fire Service Training Committee, completed a report that identifies the elements of a successful fire training model for the province.

***Continue to update the Building Code regulations to ensure greater flexibility in the construction of nursing homes without compromising safety; and to allow the use of new technologies and practices in the construction industry.***

- Changes will be made to the National Building Codes in 2010. These changes will allow us to build smaller care facilities with a reasonable level of safety and create a higher quality of life for the residents, and a more economical approach for the operator.

***Improve the overall safety of Nova Scotians through an integrated workplace safety strategy that combines effective initiatives on accident prevention and education, developed and implemented collaboratively with the Worker's Compensation Board, the Workplace Safety Insurance System (WSIS) and other partners; improve compliance with existing laws; ongoing development and refinement of occupational health and safety regulatory and non-regulatory instruments focusing on priority issues such as compliance with the elements of an internal responsibility system and, the Workplace Hazardous Materials Information System (WHMIS); and implementation of the Activity Tracking System to support decision making.***

- Continue work on the Violence in the Workplace Strategy including providing training sessions across the province dealing with violence risk assessments and workplace violence prevention plans; and provided self-help documentation on workplace violence prevention plans to workplaces across the province.
- Continued to work with partners making up the Workplace Safety and Insurance System through stakeholder meetings and several committees including the Coordinating

Committee, the Heads of Agencies Committee, the Strategic Performance Advisory Committee and the Issues Resolution Committee.

- To improve compliance with existing laws, the division hired 4 compliance co-ordinators to increase awareness of occupational health and safety in general and violence in the retail sector.
- A number of social marketing campaigns were implemented including television and print advertisements on workplace safety.
- Participated in the review of the WHMIS laws and their potential harmonization with international standards through the Globally Harmonized System of Classification and Labelling of Chemicals. Delivered presentations to a Committee of Canadian Ministers responsible for workplace health and safety to confirm that a national initiative could proceed to address a revision of WHMIS standards.
- The Division implemented a new Activity Tracking System to generate better information on staff activities and to support the Summary Offence Ticket regulations as they are introduced.
- Began work on a strategic planning process to identify present and future occupational health and safety issues, research the implications and prioritize work for the coming years.
- Completed planning and development of an internal Strategic Plan to address major operations within the Inspection and Compliance Division. The plan will be implemented in 2008/2009.
- Continuation of work on an ISO-9001 compliance Quality Management System. In the area of client satisfaction, the division continued to receive high scores on surveys initiated through an e-mail service, the internet and a publication mailout.
- The Division participated in serving on Canadian Standards Association technical committees addressing ergonomics, occupational diving, hard hats and guarding and served on the Canadian Association of Administrators of Labour Legislation.

***Regulatory Management Initiatives include: working with the Department of Energy to ensure that Occupational Health and Safety inspectors have the authority and tools needed to regulate occupational health and safety in liquefied natural gas plants; implemented an effective regulatory regime for underground coal mining.***

- The division developed and/or implemented several regulatory initiatives including the Summary Offence Ticket Regulations, the Blasting Safety Regulations, the Liquefied Natural Gas Regulations, and the *Nova Scotia-Canada Offshore Accord Act*.
- Working with federal partners, the department agreed upon a regulatory regime for the Donkin Mine in Cape Breton. In consultation with federal partners, the mining industry and workers, the department prepared drafting instructions for the revised Underground Mining Regulations which were approved in June 2008.

**Core Business Area 3: Employment Standards, Labour Services, Workers' Advisors and Pensions**

Priority: Promote employment standards, fair processes for wage compensation, effective labour-management relations and fairness for injured workers; and protect the interests of pension plan

members. This core business is now part of the new Department of Labour and Workforce Development.

***Participate in the Canadian Association of Administrators of Labour Legislation (CAALL) Advisory and Working Committees mandated to build capacity of labour mediators in the Federal, Provincial and Territorial governments***

- Continued to participate on the CAALL committees including mediation, occupational health and safety and work-life balance.

***Maintain existing service levels to injured workers and participate in initiatives of the strategic plan for the Workplace Safety and Insurance System (WSIS) which relate to the Workers' Advisers Program.***

- Service delivery levels were maintained during 2007-08.
- Workers' Advisers Program is a continuing participant in WSIS which is made up of the Workers' Compensation Board, Workers' Compensation Appeals Tribunal, OH&S and Workers' Advisers Program. The goal of this committee is to improve the services to injured workers, reduce injury and improve the appeals process.

***Continue to improve Labour Standards service delivery response times; implement year two of the compliance strategy; continue to support the work of the Minimum Wage Committee; update regulations specific to Compassionate Care Leave, breaks and Reservists' Leave.***

- The divisional compliance strategy continues to be developed and implemented with a focus on increasing awareness.
- Amendments to the Labour Standards Code regarding breaks and reservist leave were implemented.
- Regulations regarding Compassionate Care Leave and hours of labour in the offshore petroleum sector were created and implemented.
- A three-year plan to increase the minimum wage to the Low Income Cutoff Level was recommended, approved and is being implemented.

***Continue to work with the Canadian Association of Pension Supervisory Authorities (CAPSA) on the development of model pension laws; revise reciprocal agreements between pension regulators; develop a program for unlocking pension funds for the reason of financial hardship; and conduct discussions with stakeholders on the continuing opportunities of the solvency funding rate.***

- Continued to work with the Canadian Association of Pension Supervisory Authorities (CAPSA) on the finalization of the Model Law Principles and associated regulatory principles;
- Continued to work with CAPSA on the development of a revised reciprocal agreement between pension regulators;
- Developed and implemented temporary solvency funding relief regulations under the *Pension Benefits Act* (the "Act") for specified multi-employer pension plans (building trades);
- Developed and implemented an amendment to the Pension Benefits Act to require employers to fully fund their pension plans on wind up;
- Undertook a review of the Act by the appointment of an independent review panel that will review the current legislation in consultation with stakeholders and make recommendations for changes to the Government in the fall of 2008.

***Provide administrative support to the Arbitration Advisory Committee which will advise the Minister on the composition of the list of arbitrators from which arbitrators will be appointed to handle expedited arbitrations, while also providing strategic advice on the dispute resolution process as well as provide an important forum for tr-partite dialogue. Maintain existing service response time for conciliation requests as required by the Trade Union Act; continue to offer Preventative Mediation Programs to promote harmonious labour relations; and continue to implement and evaluate two new processes under the Trade Union Act related to the duty of fair representation and expedited arbitration.***

- The Arbitration Advisory Committee met regularly through 2007 and 2008 to discuss the development of standards and criteria for establishing a new Minister's List of Arbitrators. Implementation of the new process for appointments to the Minister's List is in progress. The Arbitration Advisory Committee successfully hosted a workshop in 2007 for arbitrators to discuss alternatives to formal arbitration processes.
- All conciliation requests were processed and completed within the response times as required by the Trade Union Act. The Conciliation Services section continued to provide Preventative Mediation programs to its clients, including Joint Supervisor/Stewart Training Programs and Grievance Mediation. Results of conciliation and mediation cases are provided in the Annual Report.
- The two recently added options under the Trade Union Act (duty of fair representation and expedited arbitration) have been fully implemented administratively. The Labour Relations Board received 23 duty of fair representation complaints in 2007-08 and 1 requested for expedited arbitration.

#### **Core Business Area 4: Alcohol, Gaming, Theatre and Amusements Regulation**

Priority: Protect the public interest with respect to gaming, sale of liquor, operation of theatres and amusements, distribution of film products and video games, and enforcement of the *Smoke*

*Free Places Act* in Nova Scotia. This core business area is now part of the new Department of Labour and Workforce Development.

***Modernize the Liquor Licensing Regulations to make them more relevant to industry and consumer demand. Assist the Nova Scotia Gaming Corporation in the review of new initiatives to improve the charitable sector's fund-raising capabilities in the province. Within the mandate provided by the gaming strategy, oversee the completion of a socio-economic study on gambling. Enhance the investigation and enforcement areas to meet increased service demands and work with the law enforcement community to ensure that only controlled gaming products are available in Nova Scotia.***

- Changes to the Liquor Licensing Regulations were completed and were approved by Cabinet, effective August 19, 2007.
- To improve fund-raising capabilities of the charitable sector, the department continued special financial rules for low revenue bingos; conducted province wide workshops to hear licensee concerns; approved new products such as break-open tickets for bingos; and gave presentations around the province in conjunction with Revenue Canada regarding new charitable fundraising options.
- The final report on the study relating to the socio-economic impacts of gambling is scheduled to be completed by December 2008.
- Initiated a 'risk based' system of inspection scheduling for the HRM area; established a list of contacts with local police forces for the amendments to the Liquor Licensing Regulations and the *Smoke Free Places Act*.
- Consulted and collaborated with the law enforcement community on illegal gaming in Nova Scotia; worked with the RCMP to shut down illegal poker games in licensed premises.
- Established a Ministerial Advisory Panel to advise the Minister on issues related to ticket lotteries in Nova Scotia. The report was release in November 2007.

**Core Business Area 5: Support for Agencies, Boards, Commissions and Tribunals**

Priority: To assist the more than twenty-two agencies, boards, commissions, and tribunals established pursuant to legislation administered by NSEL, to fulfill their statutory mandates. This core business area is now part of the new Department of Labour and Workforce Development.

***Ensure that appointments to these entities are carried out in accordance with provincial procedural standards and with applicable statutory and operational requirements; providing resources to implement Board policy and procedures; and participating effectively in inter-***

*jurisdictional discussions related to policy and programs within the domain of these entities. A list of the department's agencies, boards, commissions and tribunals is included in Appendix B.*

- The creation and implementation of the Round Table of the Environment and Sustainable Prosperity required the appointments of a chair, 12 representative members and six members at large. We also witnessed the repealing of the General Blasting Regulations, which revoked the Board of Examiners for the Certification of Blasters and its board members, appointments; and implemented the new regulations respecting blasting safety.
- Approximately 90 appointments were made using the Adjudicative and Non-Adjudicative Appointment Protocols, ensuring the boards were able to continue with their legislated mandate. The department ensured these appointments were made in accordance with the governments' diversity and regional representation requirements, and provided the necessary administrative support for these appointments to occur in a timely manner.
- The department worked with the OHS Advisory Committee on a plan to update its membership and composition. This plan will be implemented in 2008.

#### French Language Services

*Implement in collaboration with the Office of Acadian Affairs, NSEL's multi-year action plan to enhance the department's capacity to deliver French language services to its clients. Priorities for 2007-2008 include: increase employee awareness of the provincial government's commitment to provide French language services, and promote interest and involvement in service delivery; explore opportunities to address French language community needs; and continue to build departmental capacity to provide service in French through employee training in the French language.*

- Throughout 2007-08, NSEL continued to promote awareness and support employees interested in French language education via presentations and training provided through the Office of Acadian Affairs.
- NSEL participated as a member of the Consultation Sub-committee to identify and prioritize community needs for French language services, and to build stronger relationships between the provincial government and Acadian and francophone community-based organizations.
- The department prepared reports and press releases in French and English, including the minimum wage report and the water strategy.

#### Strategic Human Resource Initiatives

*To ensure we meet government's vision for the Nova Scotia of 2020, NSEL's multi-year Human Resource Strategy will help achieve our goals by supporting the attraction and retention of a highly motivated, skilled and diverse workforce. With a large proportion of*

***NSEL's workforce concentrated in its four inspectorates (Occupational Health and Safety, Environmental Monitoring and Compliance, Alcohol and Gaming, and Public Safety), there is a continuous need to build knowledge, skill and capacity to meet the challenges of a changing workforce and marketplace, and ensure necessary tools are in place to allow them to work effectively. Building the capacity of our people to fulfill our regulatory and advisory responsibilities and prepare for leadership roles therefore continues to be one of the department's strategic goals in this year's Business Plan.***

The department remains focused on the 4 key areas of our Human Resource Strategy: Career Planning, Recognition, Healthy Workplaces, Diversity and Affirmative Action. This year, NSEL completed its second year of the Human Resource Initiatives which included:

#### Career Planning

Phase II Implementation of the Career Planning Process was completed introducing all employees across the department to the process. Performance Management, Career Development Planning and Coaching Workshops were enhanced and delivered to support Phase II implementation. A department-wide Talent Review process was also conducted providing an inventory of strengths and development needs of participating staff as well as critical role analysis for the department. Analysis of Talent Review information will result in recommendations for sustainability over the coming fiscal year and assist with future departmental workforce analysis and HR planning activities.

#### Recognition

This initiative and the associated Recognition Committee, managed the coordination and presentation of two Minister's Awards of Excellence events; one at the beginning of the fiscal year and one prior to its conclusion in order to celebrate the achievements at the wind-up of the Department of Environment and Labour. The committee also commenced work on developing and promoting resources and tools for informal recognition practices within the department. NSEL continued the presentation of the Malcolm K. Sparrow Award for Excellence in Regulatory Practice.

#### Healthy Workplaces

This initiative promoted the importance and value of work breaks and physical activity through two important activities: lunchtime intramural activities for staff and walking challenges. Activities of the committee also focused on promoting nutrition and healthy dietary (and environmentally friendly) choices at meetings, and supported corporate education and training for employees such as Family Caregiving and the Workplace.

#### Diversity

The Diversity Committee focused on education and awareness activities and held events on cultural awareness, disability management and corporate resources available to support managers and staff. The department established representation for the department at the corporate Diversity Roundtable. Training was also provided to the committee on the Government's new Employment Equity policy which will help provide guidance for future workforce analysis and the review of employment systems in the department.

### Leadership

As identified in the Employee Survey and department focus groups results, confidence in leadership is strengthened through the implementation of programs, processes and training and development activities under our four Human Resource Initiatives. The department continues to build a solid performance management foundation through delivery of training to staff that aligns Career Planning with the performance management process. The department is working toward complementing corporate leadership and management training by offering in-house training in such areas as conflict resolution and grievance and discipline administration. The department has a well established formal recognition program and is working toward the development of informal recognition tools to support improved leadership and continues to implement and develop programs through the Healthy Workplaces initiative that supports improved work/life balance. As part of the business planning and policy development processes, workshops and outreach are conducted to ensure staff are involved and connected.

### Success Indicators

The 2007 “How’s Work Going” employee survey indicates that the department has had good growth and improvement in the work environment over the 2004 survey results. The department also commenced development of a logic model and corresponding performance measures for its strategic HR Initiatives to identify specific outcomes that will help track our successes and enable process improvement.

## 5. Financial Results

<b>Environment and Labour</b>		
	<b>2007-08 Estimate</b>	<b>2007-2008 Actual</b>
<b>Program and Service Area</b>	(\$thousands)	(\$thousands)
<b>Ordinary Revenues</b>	\$4,937	\$5,174
<b>TCA Purchase Requirements</b>	<u>\$0</u>	<u>0</u>
<b>Net Program Expenses</b>		
Administration	\$2,141	\$1,988
Policy	\$739	\$673
Boards & Commissions	\$978	\$674
Workers' Advisers Program	-	\$2
Alcohol & Gaming	\$4,503	\$4,829
Public Safety	\$3,247	\$3,639
Occupational Health & Safety	\$297	\$224
Labour Services	\$1,413	\$1,117
Labour Standards	\$1,214	\$1,090
Environmental Monitoring & Compliance	\$10,378	\$10,375
Environmental & Natural Areas Management	\$6,562	\$30,243*
Information & Business Services	\$3,372	\$3,184
Pension Regulation	(\$77)	\$(65)
<b>Total Net Program Expenses</b>	\$34,767	\$57,973
<b>Funded Staff (FTEs)</b>	476.7	447.9

\*The Department of Environment and Labour spent \$22.3 million more than budget due primarily to a \$23.4 million Crown Share payment to the Nova Scotia Land Legacy Trust. This was offset by salary savings.

## 6. Measuring Our Performance

### Core Business Area 1: Environmental Protection and Natural Areas Management

#### The Outcome: Clean and safe drinking water

Nova Scotia Environment and Labour (NSEL) is committed to sustainable management and protection of the environment. A desired outcome in meeting this commitment is clean and safe drinking water.

#### The Measure:

*Percentage of population served by municipal water supplies that meet the health-based criteria for bacteriological quality, as stated in the Guidelines for Canadian Drinking Water Quality, at all times during the calendar year.*

#### What Does The Measure Tell Us?

Approximately 60 per cent of Nova Scotians obtain their drinking water from municipal water supplies. Health Canada, together with provincial health and environment ministries, has established the *Guidelines for Canadian Drinking Water Quality*. This document specifies the health-based criteria for a number of parameters, including bacteria content. NSEL tracks the proportion of people serviced by municipal water supplies who have access to drinking water meeting the health-based criteria for bacteriological quality. This measure helps to provide an overall picture of access to quality drinking water. It also helps to gauge the effectiveness of *NSEL Guidelines for Monitoring Public Drinking Water Supplies* and the *Water and Wastewater Facilities and Public Drinking Water Supplies Regulations*.

#### Where Are We Now?

NSEL's boil water advisory database provides a tracking system for municipal water quality based on the health-based criteria for coliform bacteria (in the *Guidelines for Canadian Drinking Water Quality*). In 2007-08, 98.2 per cent of the population served by municipal water supplies received water meeting the health-based criteria for bacteriological quality at all times during the calendar year. This result shows improvement over the results obtained in previous years, with the exception of last year (2006-07: 98.7%). The very slight decrease is attributed to a slight increase in the population affected by the issuance of boil advisories due to the presence of total coliform and *E. coli*. The total number of boil advisories issued for the period was the same as the previous year but inclusion of a supply serving a larger population increased the total population affected compared to the previous year.

#### Where Do We Want To Be?

Our on-going target is to maximize the percentage of population served by municipal water supplies that meet the health-based criteria for bacteriological quality. NSEL is contributing to this outcome by implementing Nova Scotia's drinking water strategy, supporting development of municipal water supply protection plans, and enforcing the *Water and Wastewater Facilities and Public Drinking Water Supplies Regulations*, including *NSEL Guidelines for Monitoring Public Water Supplies*.

### The Outcome: Clean air

Clean air is an essential component of a healthy environment as well as contributing to human health. Many contaminants affect Nova Scotia's air quality and the department works actively to reduce them. Measuring the air emissions of sulphur dioxide, mercury, and nitrogen oxides helps to track the progress made toward this outcome, as described below.

### The Measure:

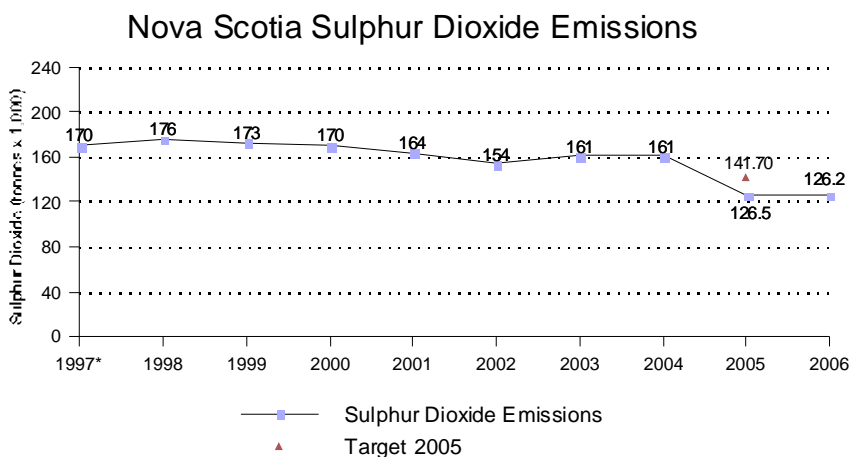
*Annual total sulphur dioxide (SO<sub>2</sub>) air emissions (tonnes) in the province.*

### What Does The Measure Tell Us?

Sulphur dioxide (SO<sub>2</sub>) is a major contributor to acid rain and smog, and can have significant effects on human health if concentrations are elevated. Improved air quality is therefore partly dependent upon reduction in SO<sub>2</sub> emissions. Through reductions in SO<sub>2</sub> emissions, we are effectively working toward our clean air outcome.

### Where Are We Now?

Sulphur dioxide emissions have fluctuated over the past five years (see graph below). In 2004, approximately 161,000 tonnes of SO<sub>2</sub> were emitted in the province, primarily through electricity generation. In 2005, this was lowered to 126,500 tonnes as a result of the amended *Air Quality Regulations*. In 2006, this dropped even further to 126,281 tonnes. This remains below the target of 141,750 tonnes.



(\*Rates are reported for calendar year, rather than fiscal).

### Where Do We Want To Be?

The *Air Quality Regulations* were amended in March of 2005 and included a lowering of the provincial SO<sub>2</sub> emission cap to 141,750 tonnes per year. The *Environmental Goals and Sustainable Prosperity Act* has established a target of reducing the sulphur dioxide emissions by fifty per cent of the 2001 levels, by the year 2010. Reductions will be accomplished by working with major industries and establishing a requirement to reduce SO<sub>2</sub> emissions through the use of lower sulphur fuels and process upgrades.

**The Measure:**

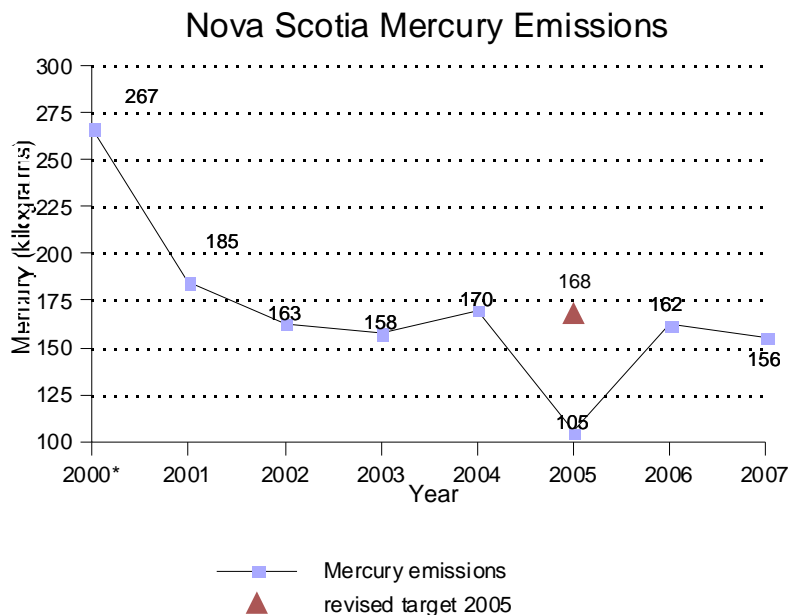
*Annual total mercury (Hg) air emissions (kg) from electrical power generation in the province.*

**What Does The Measure Tell Us?**

In Nova Scotia mercury emissions are produced primarily by thermal electrical power generation. Mercury has serious effects on both human and environmental health. Through reductions in total mercury emissions, we are effectively working toward our clean air outcome.

**Where Are We Now?**

Nova Scotia’s electrical power generation sources emitted approximately 170 kg of mercury in 2004. In 2005, this was lowered to 105 kg. In 2006, emissions increased to 162 kg of mercury; this was attributed to Hurricane Juan which required Nova Scotia Power to obtain additional coal supplies which were of lesser quality. In 2007, emissions dropped to approximately 156 kg, which is both significantly less than the baseline measure of 267 kg in the year 2000, as well as meets the annual target of 168kg (see graph below).



(\*Rates are reported for calendar year, rather than fiscal).

**Where Do We Want To Be?**

The *Air Quality Regulations* were amended in 2005 and established an annual mercury emission cap of 168 kg, commencing March 1, 2005. This target has been met in 2007. This target is consistent with the province's Energy Strategy and supports commitments in the Northeastern Governors and Eastern Canadian Premiers Climate Change Action Plan. Nova Scotia has recently adopted a new Canada-wide standard for mercury emissions from coal-fired power plants. As a result, the mercury cap will be reduced to 65 kg in 2010. The *Environmental Goals and Sustainable Prosperity Act* has established a target of reducing mercury emissions by seventy per cent of the 2001 levels, by the year 2010.

**The Measure:**

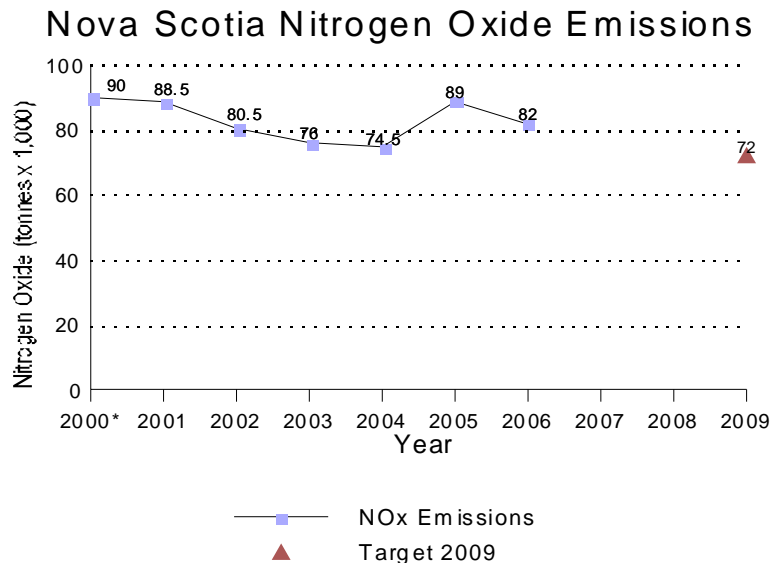
*Annual total nitrogen oxide (NO<sub>x</sub>) air emissions (tonnes) in the province.*

**What Does The Measure Tell Us?**

In Nova Scotia, nitrogen oxide (NO<sub>x</sub>) emissions are produced by a variety of sources, including thermal electrical power generation, industrial processes and the transportation sector. Nitrogen oxides are a pre-cursor to ground level ozone (smog) and acid rain, and therefore have serious environmental impacts. Through reductions in nitrogen oxide emissions, we are effectively working toward our clean air outcome.

**Where Are We Now?**

The NO<sub>x</sub> data shows a steady decline from the 2000 base year measure of 90,000 tonnes to 74,500 tonnes in 2004. The emissions data for 2005 was previously reported to be 72,000 tonnes; however, Environment Canada has since reported the correct amount to be 89,000 tonnes. Current data shows an estimate of 82,000 tonnes for 2006, which indicates a decrease of 7,000 tonnes. It should be noted that the 2006 data will not be verified until the end of 2008, and therefore may have to be modified in the department's 2008-09 Accountability Report.



(\*Rates are reported for calendar year, rather than fiscal).

**Where Do We Want To Be?**

The department is targeting a 20 per cent reduction in nitrogen oxide emissions (from 2000 base year levels) by 2009, which sets our target at 72,000 tonnes of NO<sub>x</sub>. Nova Scotia Power's annual

NO<sub>x</sub> emissions cap of 21,365 tonnes will also take effect in 2009. The *Environmental Goals and Sustainable Prosperity Act* has established this target of reducing nitrogen oxide emissions by 20 per cent of the 2000 levels, by 2009. Our strategy is to work with major industrial sources to reduce emissions, and require the use of low NO<sub>x</sub> burners for new and upgraded facilities. Federal initiatives on cleaner vehicles, engines and fuels will also contribute to NO<sub>x</sub> emission reductions.

### **The Outcome: Protected Natural Areas**

Nova Scotia Environment and Labour is committed to sustainable management and protection of the environment and natural areas. A desired outcome in meeting this commitment is establishing and maintaining a network of protected natural areas.

### **The Measure:**

*Total hectares of land protected through NSEL program options.*

### **What Does The Measure Tell Us?**

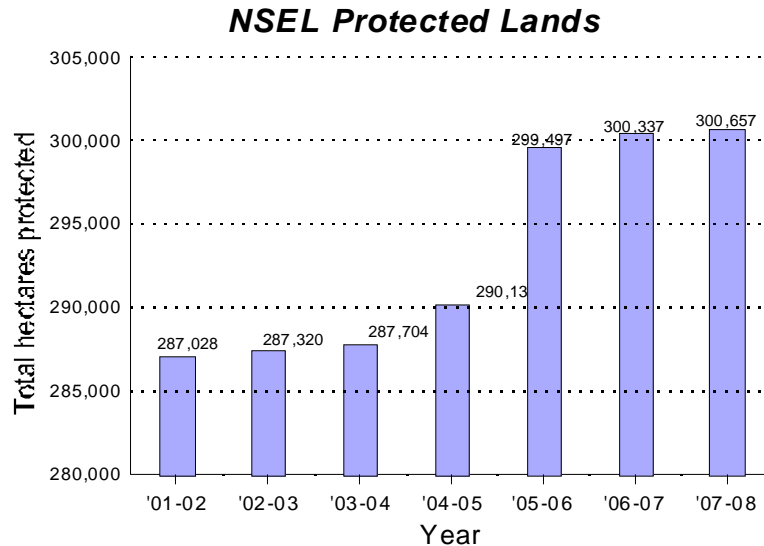
Protected areas are representative examples of the province's natural landscapes as well as sites and features of outstanding natural value. The department supports a number of program options for protection, including:

1. designation of Wilderness Areas and Nature Reserves;
2. acquisition of department priority properties through partnership programs;
3. protection of Crown lands in collaboration with the Department of Natural Resources; and
4. voluntary private stewardship for significant lands.

Measuring the hectares of provincial land protected through department programs helps track the progress made in meeting provincial and national commitments to establish systems of protected areas. This measure also provides an indication of the state of biodiversity conservation in the province, as protected areas provide habitat for a wide range of species.

### **Where Are We Now?**

Through its various program options, the department protected a total of 300,657 hectares throughout the province in 2007-08. This represents an increase of 13,629 hectares protected, when compared to the base year measure (2001-02). In March 2007, the province acquired over 10,000 hectares of land from Bowater Mersey for conservation purposes. It is anticipated that most of these lands will be designated as protected by December 2008.



### Where Do We Want To Be?

The *Environmental Goals and Sustainable Prosperity Act* has established the target to legally protecting twelve per cent of the total land mass of the Province by 2015. The department is proceeding with the process to designate additional Wilderness Areas and Nature Reserves. We have established a process with Department of Natural Resources and key partners through the Colin Steward Forest Forum to work towards a comprehensive system of protected areas to help meet this target. We will also continue to work with industry and land conservation groups to identify and protect new sites on private land.

### The Outcome: Shared responsibility for environmental management

Nova Scotia Environment and Labour is committed to sustainable management and protection of the environment and natural areas. Environmental management is most effective when responsibility is shared across all sectors and levels of society. Three measures are used to track progress in this regard. The first helps to gauge community participation in waste diversion. The second helps to measure industry stewardship, while the third indicates Nova Scotia's success in keeping various materials out of landfills.

### The Measure:

*Annual municipal solid waste disposal rate per capita (Kg/person) compared with the regional and national disposal rates.*

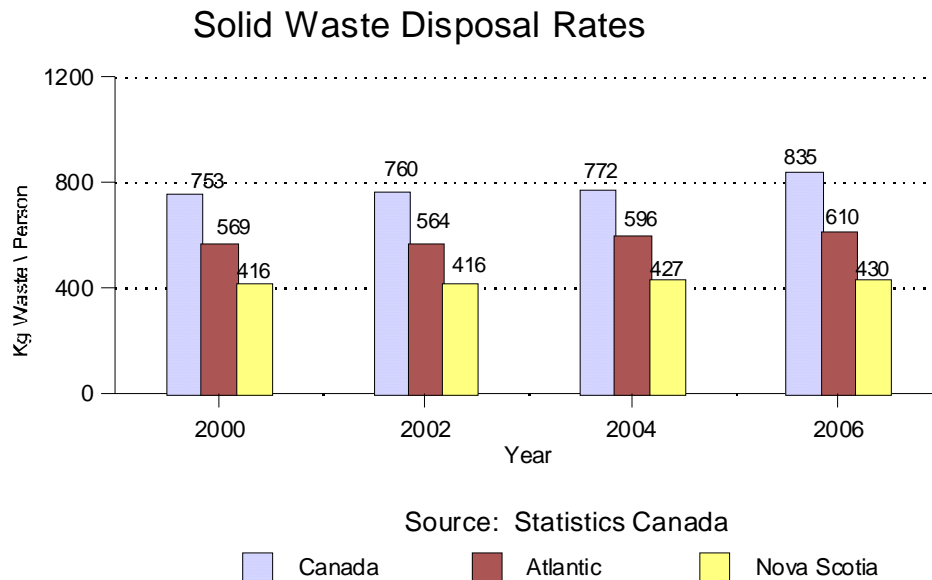
### What Does The Measure Tell Us?

Communities share responsibility for environmental management through efforts like managing solid waste responsibly. Nova Scotia is working actively to ensure community participation in reuse, recycling, composting, and other waste management initiatives. The average amount of waste discarded by each person per year is an indicator of the level of participation in waste diversion programs. Low disposal rates suggest that more material is being diverted from the waste stream, either through reduction at source, reuse, recycling or composting. By comparing

disposal rates in Nova Scotia with those of the Atlantic region and Canada as a whole, we can assess Nova Scotia's performance, relative to the rest of Canada.

### Where Are We Now?

Statistics Canada reports provincial solid waste disposal data every two years with a delay of approximately two years. As the graph indicates, the national per capita disposal rate in 2006 was 835 kg per person. In Nova Scotia, we disposed of just over half this amount in 2006, at 430 kg per person.



(\*Rates are reported for calendar year, rather than fiscal).

### Where Do We Want To Be?

We will continue to maintain a disposal rate well below the national disposal rate. The *Environmental Goals and Sustainable Prosperity Act* has committed to an even more ambitious disposal target of 300 kg of waste per capita by 2015. The department will support this goal through industry/product stewardship, promotion of best management practices, research and development, continued public education, and compliance with the Solid Waste-Resource Management Regulations.

### The Measure:

*Total number of product sectors under voluntary or mandatory stewardship agreements.*

### What Does The Measure Tell Us?

Private sector participation in environmental stewardship improves environmental performance and helps develop environmentally responsible business sectors. Management agreements with industry sectors reduce waste and increase the use of recyclable materials. Voluntary and mandatory agreements encourage industry to modify products and packaging to reduce

disposable waste and to increase product or packaging recyclability. This measure provides an indication of the numbers of products for which an agreement has been negotiated with the Province.

### **Where Are We Now?**

In 2007-08, a regulated stewardship program for electronic product recycling was established by the electronics industry. The first phase of the program covers TVs, computers and printers with a second phase of products to be added in 2009. This brings the total number of stewardship programs to nine.

Other industry stewardship agreements in the Province include dairy containers, daily/weekly newspapers, residential sharps, beverage containers, tires, used oil, paint and telephone books. In addition, there are stewardship initiatives that are active in the province, but not counted in the measure, including national programs for rechargeable batteries and cell phones.

### **Where Do We Want To Be?**

The department's target is to develop stewardship agreements with 13 product sectors by 2009. It should be noted that some product sectors covered by agreements capture several different product categories. For example, the Province's most recent stewardship regulations for electronics encompass nine categories.

The department continues to explore stewardship opportunities for additional product sectors by working with the NS Resource Recovery Fund Board (RRFB), industry, and municipalities.

### **The Measure:**

*Total number of categories of materials banned from disposal in Nova Scotia.*

### **What Does The Measure Tell Us?**

The number of categories of materials banned from disposal provides another measure of Nova Scotia's success in keeping materials out of landfills and using them as resources. Disposal bans require that waste materials are separated at source through municipal and private programs and also encourage the development of business opportunities in the province by ensuring a steady feedstock of "waste resources" for input into manufacturing. For example, Nova Scotia's ban on the disposal of corrugated cardboard ensures a constant supply of fibre for the production of linerboard by Minas Basin Pulp and Power.

### **Where Are We Now?**

The department established a target of 17 categories of materials banned from landfills in 2007-2008. Since February 2008, four categories of electronics were added to the list of already banned materials, achieving the target of 17. The categories are televisions; desktop, laptop and notebook computers; computer monitors; and computer printers, including printers that have scanning or fax capabilities.

### **Where Do We Want To Be?**

The department's ultimate target is to establish 21 or more categories of materials banned from landfills by 2010. NSEL will support this goal by working with RRFB Nova Scotia to facilitate the establishment of new markets for materials through research and development, business innovation, and product stewardship programs. Additional disposal bans will be under consideration as the department develops a renewed solid waste resource management strategy to achieve the province's 2015 disposal target. Household hazardous waste products and construction and demolition materials are examples of candidate items.

**The Outcome: Proactive environmental management**

Nova Scotia Environment and Labour is committed to sustainable management and protection of the environment and natural areas. Proactive environmental management - addressing potential environmental issues before the environment is damaged - is a desired outcome in meeting this commitment.

**The Measure:**

*Total number of business sectors and municipalities participating with NSEL in environmental management and/or pollution prevention programs and initiatives.*

**What Does The Measure Tell Us?**

The department actively works with business sectors and other levels of government to incorporate sustainable environmental management into their operations through the use of pollution prevention plans, environmental management systems, best management practices, and other environmental management tools. This cooperative approach helps to minimize the long term environmental impacts of business and municipal operations. The greater the number of business sectors and municipalities involved, the greater the environmental benefits.

**Where Are We Now?**

In 2007-08 there were 22 sectors participating in department programs ranging from developing a green flagging system to identify environmentally preferable items in the government stationary stockroom catalogue to working with janitorial product suppliers and service providers to promote green cleaning practices. This is an increase from 18 sectors in 2006-07, and 5 in the base year of 2001-02.

**Where Do We Want To Be?**

The target is to increase the number of business sectors and municipalities participating in these types of initiatives. This will be accomplished by providing technical assistance to businesses, municipalities and provincial government departments, and partnering with business associations, non-government organizations, funding agencies and other levels of government.

**The Measure:**

*Number of environmental home assessments completed through Environmental Home Assessment Program (EHAP); number of septic repairs completed with funding from EHAP.*

**What Does The Measure Tell Us?**

Over 400,000 Nova Scotians rely on private wells and on-site septic systems. Experience has shown us that many rural homeowners are not properly maintaining their septic systems and wells by not pumping out septic tank at the 3-5 year intervals; not testing their drinking well water; and dumping harsh chemicals and other materials down the drain that is harmful to the long life of the septic system. This measure will help to track the progress made by the EHAP program in providing Nova Scotians with the information and/or financial support they need to make environmentally friendly decisions and to protect the health of their families.

### **Where Are We Now?**

In 2007-08, year two of the EHAP program, 1000 home assessment visits were provided across rural Nova Scotia and 200 septic system repair grants were provided to lower income families. This is an increase from year one of the program, in which 400 home assessments and 70 septic system repair grants were provided.

### **Where Do We Want To Be?**

The target is to complete 1000-2500 environmental home assessments per year in each year of the program. This will be accomplished through non-governmental organizations delivering the educational component of the program, with ongoing program management and evaluation by NSEL.

### **The Outcome: Efficient and effective program delivery**

Nova Scotia Environment and Labour is committed to sustainable management and protection of the environment and natural areas. A desired outcome in meeting this commitment is the delivery of efficient and effective environmental programs to clients. Two measures are used to track progress in this regard. The first measures the application of a risk-based inspection and auditing program and the second tracks average processing time for on-site sewage disposal system approvals.

### **The Measure:**

*Percentage of industrial facility approvals in operation for at least one year to which a risk based inspection and auditing (RBIA) program has been applied.*

### **What Does The Measure Tell Us?**

Regulatory compliance plays an important role in the department's ability to promote sustainable environmental management. The terms and conditions that are developed for approvals stipulate discharge criteria for the facility that will adequately protect the receiving environment. The department targets inspections by using information on primary receptors, performance criteria, treatment controls, scope, and level of impact and reporting requirements as evaluation criteria to rate the facility's risk of negatively impacting the environment. Facilities with the highest rating are inspected more often to determine whether the facility is operating in compliance with the terms and conditions of the approval and whether the facility self-monitoring results accurately represent the discharges from the facility. This measure illustrates the progress made in applying this risk based inspection and auditing program to industrial facilities in Nova Scotia. It also provides an indication of the department's effectiveness in allocating inspection resources, as this program focuses an inspector's time on facilities that pose a higher risk to the environment.

### **Where Are We Now?**

By the end of the fiscal year 2007-08, it was determined that approximately 86 per cent of industrial facilities that have been in operation for at least one year have had a risk based inspection and auditing program applied to them. Considerable progress has been made since first implementing this target. It should be noted that this target is a dynamic measure, since new facilities are approved each year, new risk assessments must be conducted each year. Therefore, although 90% may be achieved one year, the next year automatically begins with a deficit as the new facilities added the previous year must be assessed. The actual number of facilities subject to RBIA has increased by 400% since this measure was implemented. This reflects both increased tracking capability and industrial growth.

### **Where Do We Want To Be?**

The target continues to be to apply a risk based inspection and auditing program to at least 90 per cent of industrial facility approvals. Progress will continue to be made in this area by validating data-based assessments at facilities and adhering to the schedule for risk based inspection audits.

In 2008, NSEL commenced the development of the Activities Tracking System (ATS) which will take over the scheduling and tracking of inspections, enforcement and follow up activity from the current system, EIMAS. This will allow inspectors and managers to have better control and targeting of inspection efforts, and creates an opportunity to eliminate the site-specific risk assessments. Inspection schedules will be based on the characteristics of different types of activities rather than individual facility characteristics. Site specific issues and risks will be managed using ATS's enhanced capabilities to track specific problems and associated follow-up tasks, thus negating the need for site specific risk assessments. Implementation is targeted for spring 2009 at which time the RBIA program will be discontinued.

### **The Measure:**

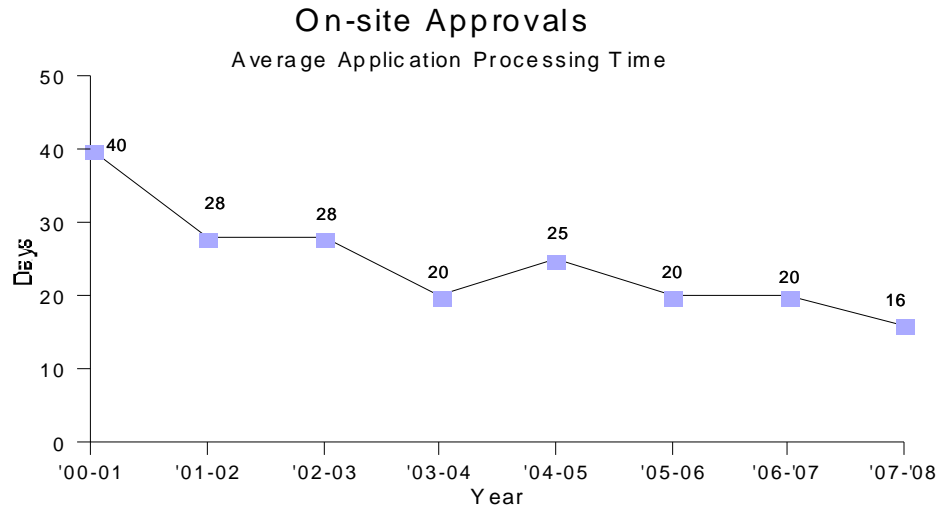
*Average administrative time (days) to process applications for the approval of the installation of on-site sewage disposal systems.*

### **What Does The Measure Tell Us?**

The department recognizes that while environmental protection is a priority, it must also provide timely service to its clients. When a proposed building project requires an on-site sewage disposal system, municipal units require that an approval for the installation of the system is issued from the department prior to granting a building permit. Reduced turnaround times in the processing of on-site sewage disposal system approvals benefit developers and home builders by minimizing delays in obtaining their building permit and in construction.

### **Where Are We Now?**

In 2007-08 the average administrative time to process applications for on-site sewage disposal systems was 16 days. This is a significant reduction from our 2000-01 base-year measure of 40 days, and well within our legislated time requirement of 60 days.



#### **Where Do We Want To Be?**

The target is to maintain average turn around time to 20 calendar days or less. The department will continue to achieve this through ongoing process re-design and improvement.

## Core Business Area 2: Public Safety & Occupational Health and Safety

**The Outcome:** A safe work environment

A safe work environment is a desired outcome with the department's core business area of public safety and occupational health & safety. The department works with employers and employees to promote compliance with the legislative framework that currently reflects workplace standards. Creating safe working environments minimized workplace hazards and risk. In turn, this reduces the likelihood of accidents resulting in workers' compensation claims.

**The Measure:**

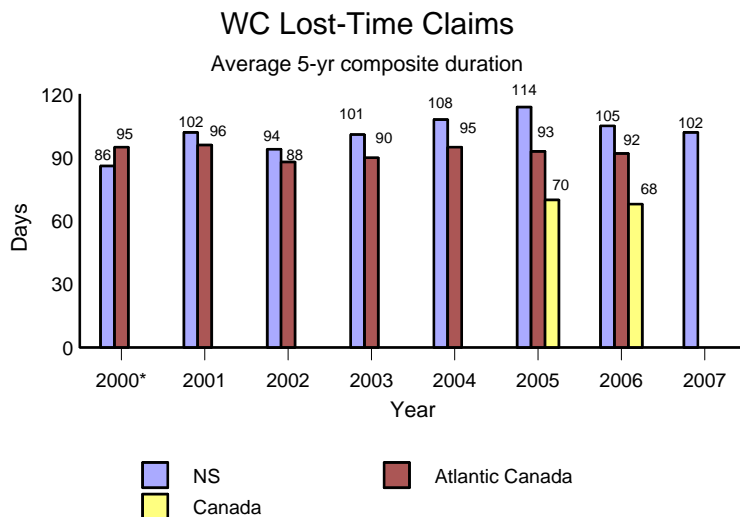
*Average five-year composite duration of Workers' Compensation lost-time claims will be maintained or decreased compared to the Atlantic Canada average in 2007-2008.*

**What does the measure tell us?**

This is calculated using the Average Composite Duration of Claim measure, as reported by the Association of Workers' Compensation Boards of Canada for all jurisdictions across Canada. Measuring the average duration of loss claims receiving benefits over a five year period helps to indicate the severity of injuries occurring in the workplace. Usually, the longer a worker receives benefits, the more severe the injury. Other factors may influence this measure, however, such as shifts in healthcare policies and practices.

**Where are we now?**

In 2006, the average number of compensable days in this category in Nova Scotia was 105 days; the Atlantic Canada average for the same period was 92 days and the Canadian average for jurisdictions reporting the same period was 68 days. In 2007, the average number of compensable days in this category in Nova Scotia was 102 days. There is a consistent downward trend in the performance data over the last number of years. Claim durations are longer in Nova Scotia, compared to the other Atlantic Provinces and when compared to the available data, is the second highest nationally.



**Where do we want to be?**

Together with the WCB and other Workplace Safety Insurance System partners, the department’s target is to have the average five year composite duration of lost-time claims in Nova Scotia below the Atlantic Canada average. The department will continue to work closely with the WCB to identify high accident firms and sectors, and frequent types of accidents. The department will use this information to target compliance promotion activities and inspections more effectively.

**The Measure:**

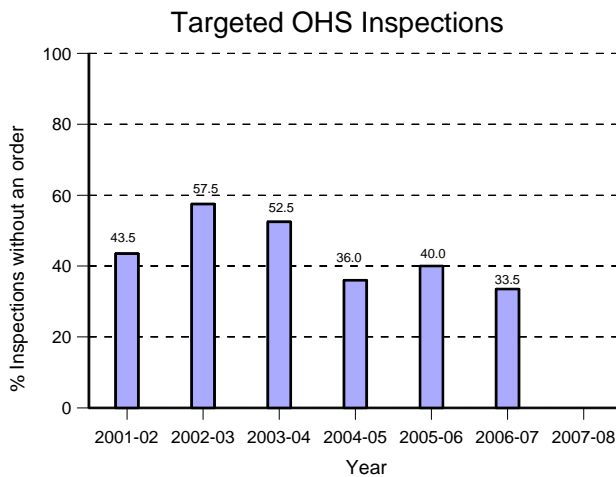
*Annual percentage of targeted inspections where an occupational health and safety order is not issued will be 40.0% or greater in 2007-2008.*

**What does the measure tell us?**

Workplace inspections provide an important tool to promote compliance with the legislative framework. A targeted inspection system has been established in which firms that have higher accident frequencies and costs are identified. Inspection of these firms is given priority over general inspections. If a workplace does not comply with OHS legislation, an officer can issue a compliance order. Tracking the total number of targeted inspections where an order is *not* issued provides an indication of the level of compliance with OHS legislation in these firms. From this measure the department can monitor trends in compliance levels over time.

**Where are we now?**

In 2007-08, the percentage of targeted inspections that did *not* result in an order being issued was not available at the reporting time. In the previous year 2006-07 the percentage had decreased to 33.5 per cent, down from the 40 per cent reported in 2005-06. This finding demonstrates that the basis of our targeting program, higher accident frequencies, are associated with firms that are not complying with current occupational health and safety laws. The finding also supports that the division’s targeting practices are bringing officers to workplaces which are most in need of regulator intervention.



**Where do we want to be?**

The department will initially increase the number of targeted inspections. While increasing the number, the Department will also continue to monitor inspections where no order is issued to determine if this percentage can be increased from the 2001-02 base year measure of 43.5 per cent. This will be achieved by ongoing compliance promotion and education of clients relative to the OHS requirements. Our efforts will be coordinated with those of our Workplace Safety Insurance System partners.

**The Measure:**

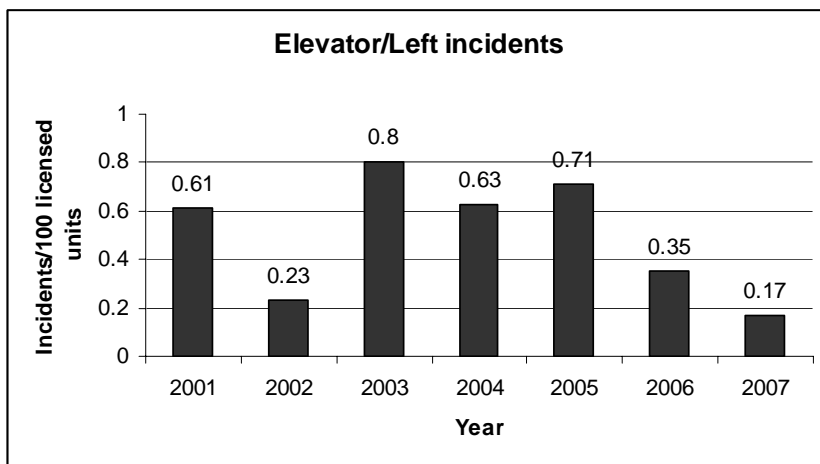
*Annual number of incidents involving injury from elevators and lifts per 100 units licensed in NS will be at or less than 0.56/100 in 2007-2008.*

**What does the measure tell us?**

Any incidents (involving injury) that occur relating to elevators and lifts are reported to the Chief Elevator Inspector. By tracking the number of incidents that occur each year on elevators and lifts, the department is able to measure the effectiveness of the safety system in place for these devices, monitor trends and tailor inspection and enforcement initiatives appropriately.

**Where are we now?**

In 2007-2008, there were 0.17 incidents per 100 licensed units. This means that incidents involving injury occurred in less than 1 percent of the licensed units. This represents a decrease from 2006-2007.



**Where do we want to be?**

The department's target is to keep the number of elevator and lift incidents at or below the base year number of 0.56/100 units. The department had its lowest level in 8 years in 2007-2008. The department will continue to achieve this target by ongoing consultation

with the industry, inspections and enforcement of the Elevator and Lift Act and regulations.

### **Core Business Area 3: Employment Standards, Labour Services, Workers' Advisors and Pensions**

#### **The Outcome: Efficient and effective client service**

Employments standards, workers' advisors, labour services and pensions represent a core business area for Nova Scotia Environment and Labour. A desired outcome in meeting this core responsibility is the delivery of efficient and effective service to clients. Three measures contribute to the assessment of this outcome, including two that measure staff assignment time and a measure on client satisfaction.

#### **The Measure:**

*Average time (days) for Labour Standard Code complaints to be assigned to an officer will be within 2 weeks in 2007-2008.*

#### **What does the measure tell us?**

This measure provides gives an indication that staff are responding promptly to complaints and preventing the accumulation of backlogs that had occurred in the past.

#### **Where are we now?**

After eliminating an extensive backlog of complaints that had existed for many years, the Labour Standards Division has exceeded the measure since 2005-2006 and has remained consistent at 4.5 days through to 2007-2008. In 2007-2008, the measure changed from weeks to days.

#### **Where do we want to be?**

The department has set a target of assigning complaints made under the *Labour Standards Code* to an officer within two weeks of receipt. This target has been exceeded since 2005-2006. In an effort to maintain this efficient service, the department will continue to streamline the complaint intake system, update technology and train staff.

#### **The Measure:**

*Average response time for Workers' Advisers Program service for injured workers seeking legal advice and representation will be within 4 weeks in 2007-2008.*

**What does the measure tell us?**

This measure tracks the average time that elapses from when an injured worker first requests service from the Workers' Advisers Program, until an Adviser meets with the worker, either in person or by telephone.

**Where are we now?**

Period of Measurement	Average wait times (in weeks)	Increase/Decrease
2003-04	2.1	
2004-05	1.9	- 0.2
2005-06	2.3	+ 0.4
2006-07	3.0	+ 0.7
2007-08	3.4	+ 0.4

The Program continues to monitor the waiting time for service on a monthly basis. Subject to delays requested by the worker or extraordinary circumstances, we are able to maintain a reasonable wait for service that is within the 4 week target.

In compiling the statistical information, the average wait times for the Province are collected to provide statistics for the Halifax Regional Municipality, the Cape Breton Regional Municipality, the Bridgewater/Yarmouth area, the Digby/Kentville/Amherst/Truro area and the New Glasgow/Antigonish/Port Hawkesbury area. This data is used in conjunction with the number of clients in each county to monitor the caseload of the Program by County to determine if the numbers warrant an office in another area of the Province. At the present time, the numbers do not warrant the opening of an additional office.

**Where do we want to be?**

The Program has been successful at keeping the wait time for injured workers seeking services from the Workers' Advisers Program within the target of 4 weeks. This has been achieved by maintaining an efficient and timely intake process, by cross-training support staff in the intake process and by holding bi-weekly intake meetings.

**The Measure:**

*Percentage of clients satisfied with Workers Advisers' Program service at the time of case closure will be at least 80% in 2007-2008.*

**What does the measure tell us?**

Information is compiled from returned client satisfaction surveys which are distributed to all Workers' Advisers Program clients upon closure of each case file. The survey allows the client to provide anonymous feedback with respect to his/her level of satisfaction with the quality of service provided by staff.

### Where are we now?

Period of Measurement	Satisfaction rating	Increase/Decrease
2003-04	93.4 %	
2004-05	94.0 %	+ 0.6 %
2005-06	94.0 %	-
2006-07	87.6 %	- 6.4 %
2007-08	95.1 %	+ 7.5 %

The satisfaction rating for the Program remains high. In 2007-08, we closed 1585 files. Client surveys were sent with every closed file and 277 surveys were returned. Although 43.5% of the clients returning surveys during 2007-08 did not have a positive outcome with respect to their appeal, 95.1 percent of our clients “strongly agreed” or “agreed” that the service provided by the Program staff satisfied their requirements.

The practice of mailing satisfaction surveys to clients with their closed files will continue so that future results will allow us to track satisfaction trends and address service issues.

Where do we want to be?

A client satisfaction rating of 80 percent has been established as a minimum target. The Program will continue to strive for excellence in client service through an efficient intake system, training for Advisers and implementation of best practices.

### The Outcome: Stable labour relations environment

A stable labour relations environment is a desired outcome within the department’s core business area of employment standards, workers advisers, labour services and pensions. One way to measure the stability of the labour relations environment is to track the percentage of work time lost due to strikes and lockouts in the province.

#### The Measure:

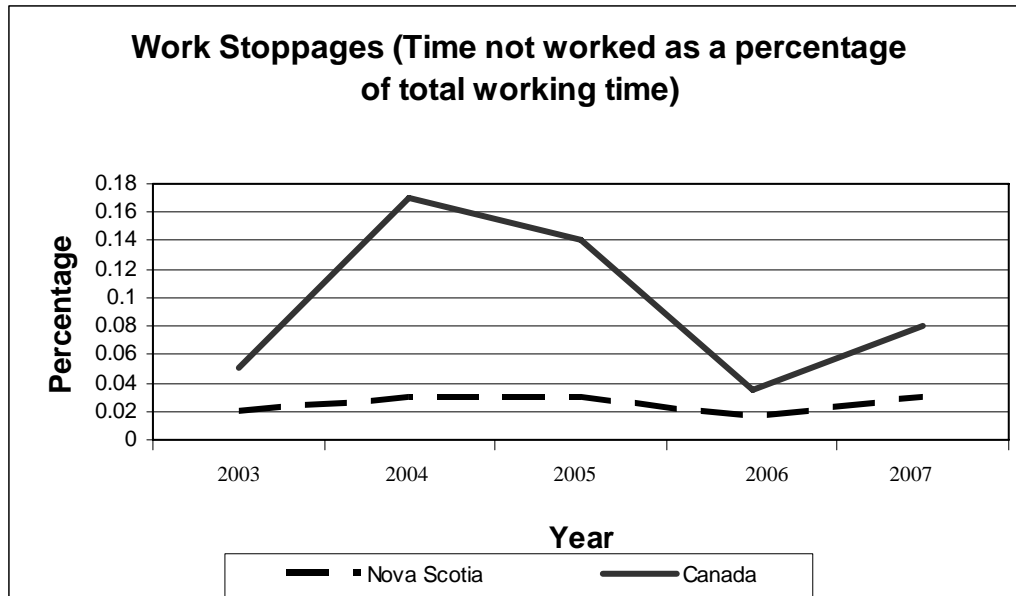
*Percentage of working time lost per year due to strikes and lockouts in NS will be lower than the national average in 2007-2008.*

#### What does the measure tell us?

This measure is one indicator of labour stability, an important factor for economic competitiveness. Comparison with national rates helps the department monitor trends, set targets and determine priorities.

#### Where are we now?

In recent years Nova Scotia has shown a high degree of labour stability. Time loss in the economy has been consistently at or below the national average (see graph below). The percentage of working time lost due to strikes and lockouts in Nova Scotia in 2007 was .03 as compared to the national average of .05.



### Where do we want to be?

Our ongoing target has been to remain at or below the national average for percentage of work time lost. This has been accomplished through effective use of the conciliation and mediation processes.

### The Outcome: Security of retirement income for members of private pension plans

A desired outcome within the department's core business area of employment standards, workers advisers, labour services and pensions is security of retirement income for members of private pension plans.

### The Measure:

*Percentage of registered defined benefit pension plan members covered by pension plans that are 100% funded on a solvency basis will be 65% or higher in 2007-2008; all others will have a strategy for full funding within 5 years, or are currently exempted from the requirement for full solvency funding.*

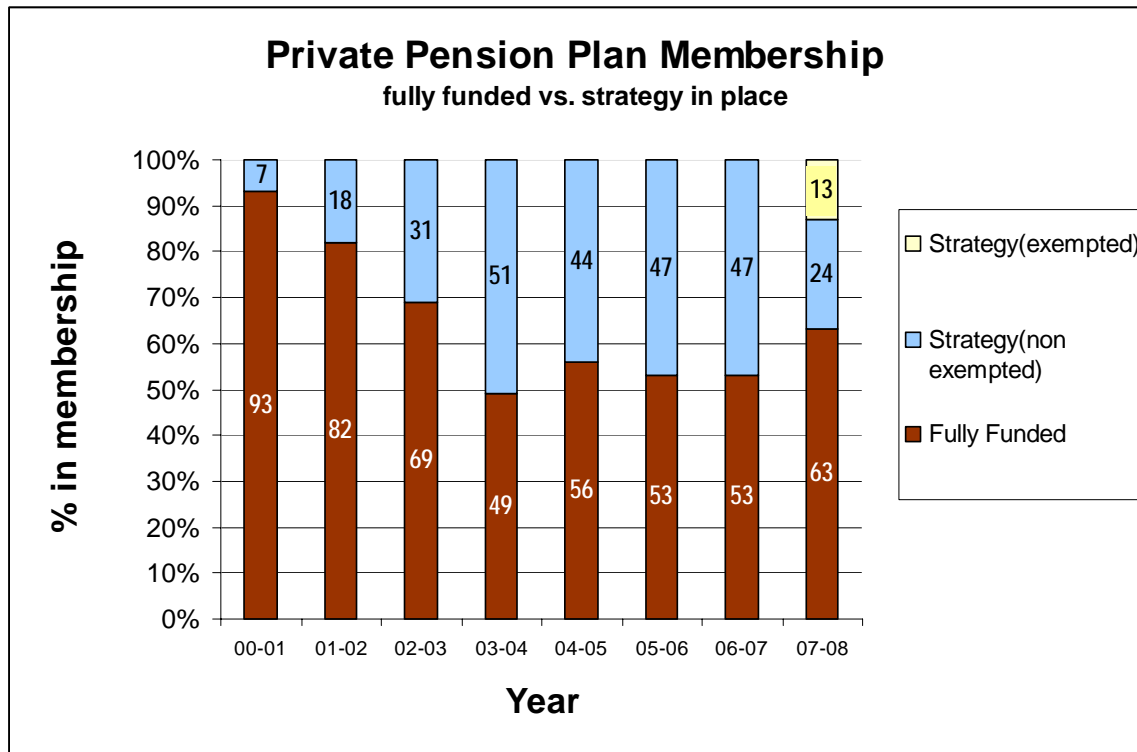
### What does the measure tell us?

Full solvency funding is a market based analysis of a plan's assets and liabilities to determine if the assets are sufficient to fund all the liabilities. The measure tracks the percentage of plan members covered by private pension plans registered under the *Pension Benefits Act* that are 100 per cent funded, compared with the percentage of members of plans that have a strategy in place to achieve full funding, or are currently exempted from the requirement to fund all solvency deficiencies over 5 years.

The level of funding for a plan is highly dependent on market fluctuations and is expected to vary from year to year. In addition, changes to the Pension Benefits

Regulations in 2004, 2005, 2006 and 2007 have modified pension plan funding requirements. Plans are no longer required to fund “grow-in” benefits payable on a plan wind up under a solvency valuation. Additionally, solvency funding exemptions have been provided to universities, municipalities and specified multi-employer pension plans (building trades’ plans) which may elect to take advantage of the funding relief provided. For these plans, full funding will be delayed as they are not making contributions to eliminate all solvency deficiencies within 5 years.

**Where are we now?**



As seen from the table, the funding of plans has improved by 10% from the 2006-2007 year. For those plans which have elected to take advantage of the solvency funding relief provided, there will be no improvement arising from contributions made toward the solvency deficiencies.

**Where do we want to be?**

For 2008-2009, we would hope to see continued improvement in the funded status of those plans that are not exempted from solvency deficiency funding, as contributions are made to eliminate solvency deficiencies.

We will monitor the funding of the plans to ensure all the required contributions for the elimination of solvency deficiencies are made.

## **Core Business Area 4: Alcohol, Gaming, Theatre and Amusements Regulation**

### **The Outcome: Consumer protection related to alcohol, gaming and amusement activity**

Consumer protection is a desired outcome with the department's core business areas of alcohol, gaming and amusements regulation. One of the department's strategies to protect consumer interests and public confidence in the alcohol and gaming services sector is to conduct site inspections and work with licensees to ensure they comply with all applicable acts and regulations.

#### **The Measure:**

*Percentage of licensees inspected per year that are in compliance with the acts and regulations will be 95% or greater in 2007-2008.*

#### **What does the measure tell us?**

Tracking the percentage of licenses inspected who are in compliance helps the department assess how well regulations are both understood and obeyed. Monitoring compliance allows the department to identify specific problems areas so that resources can be used effectively.

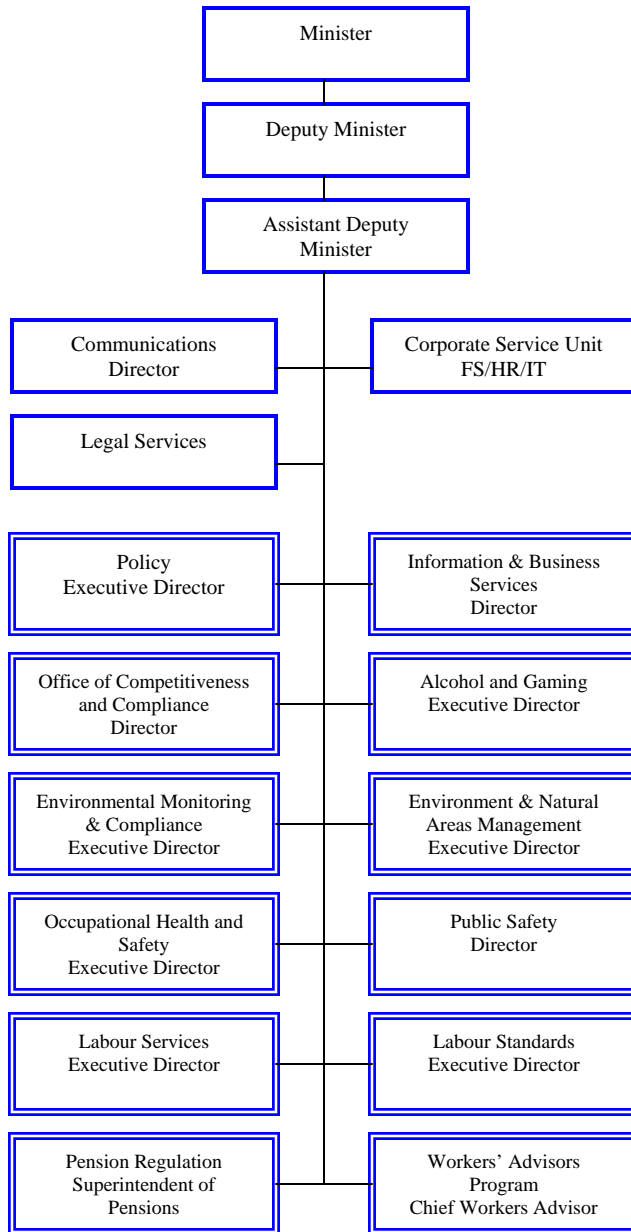
#### **Where are we now?**

In 2007-2008, 99.8 per cent of inspected licensees within sectors involved in alcohol, gaming and amusement activities were in compliance with corresponding Acts and regulations. The compliance rate remains above the target of 95% and has remained high since 2000.

#### **Where do we want to be?**

Our target is to maintain a high level of compliance. This target is achieved by monitoring problem areas and working with licensees to increase awareness of regulations and policies.

# Appendix A – Organizational Chart



## **Appendix B - Agencies, Boards, Commissions and Tribunals**

- Advisory Committee on the Protection of Special Places
- Arbitration Advisory Committee
- Board of Examiners for Certification of Blasters
- Construction Industry Panel
- Crane Operators Appeal Board
- Crane Operators Examination Committee
- Elevators and Lifts Appeal Board
- Environmental Assessment Board
- Environmental Trust Advisory Board
- Film Classifiers
- Fire Safety Advisory Council and Fire Safety Appeal Board
- Fire Services Advisory Committee
- Fuel Safety Board of Examination
- Labour Relations Board
- Labour Standards Tribunal
- Minimum Wage Review Committee
- Nova Scotia Building Advisory Committee
- Occupational Health and Safety Advisory Council
- Occupational Health and Safety Appeal Panel
- On-Site Services Advisory Board
- Power Engineers and Operators Appeal Committee
- Power Engineers and Operators Board
- Radiation Health Advisory Committee
- Resource Recovery Fund Board
- Round Table on the Environment and Sustainable Prosperity
- Workers' Compensation Board