



NOVASCOTIA  
PUBLIC PROSECUTION SERVICE

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**VACANCY PUBLICITY  
- CROWN ATTORNEY POSITIONS**

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## **VACANCY PUBLICITY POLICY: CROWN ATTORNEY POSITIONS**

### **POLICY:**

The Public Prosecution Service is committed to employment equity in filling all vacancies within the Service. All vacancy competitions will be fair and reasonable, free from influence, conducted in accordance with the principles of merit and equal opportunity and conform to government policy and applicable legislation. Employees and members of the public will be given reasonable access to vacancy publicity and be granted the opportunity to have their qualifications considered for vacancies for which they apply. Position vacancy notices prepared for competition publicity will provide a clear description of current position requirements and minimum qualification standards.

### **PROCEDURE FOR FILLING A VACANCY:**

#### **I. Internal Restricted Competition**

- (a) Based on operational requirements and subject to the approval of the Director of the Public Prosecution Service, the Service may initially restrict competition to permanent staff of the Public Prosecution Service. The decision whether to initially restrict competition to permanent staff of the PPS will be made on a case by case basis by the Director. A vacancy notice will be 'posted' within the Public Prosecution Service for two weeks (fourteen calendar days). Posting of the vacancy notice will be effected by the Human Resources Consultant forwarding the Vacancy Notice by e-mail to each Chief Crown Attorney, who in turn will distribute it to all permanent Senior Crown Counsel, Senior Crown Attorneys, and Crown Attorneys.
- (b) Interested candidates must forward application documentation to the office address designated on the posting not later than the closing date. Applications received after the closing date will not be considered. Previously submitted applications will not automatically be entered into a posted competition. The onus is on the candidate to respond to a posted vacancy. All candidate submissions to internal postings will be acknowledged by the Human Resources Division.
- (c) This policy applies to transfers by a Senior Crown Attorney, Senior Crown Counsel or Crown Attorney from one Municipality to another and/or between any office within a region or Head Office.
- (d) If only one candidate applies for the vacant opportunity, the Chief Crown

Attorney to whom the vacant position reports will assess whether the candidate is likely to meet the posted requirements for the position and the needs of that office and has demonstrated satisfactory job performance as determined by the PPS. The Chief Crown Attorney to whom the vacant position reports may choose to meet with the candidate to discuss any relevant operational concerns and position requirements.

The Chief Crown Attorney to whom the vacant position reports will submit his/her comments and recommendations to the Director of Public Prosecutions.

The supervising Chief Crown Attorney of the candidate applying for an internal transfer, or where applicable, the Deputy Director, will provide the Director with his/her assessment of the operational impact of approving the transfer request on the candidate's current office and region.

The Director will consider the comments and recommendations of the Chief Crown Attorney(s), [and, where applicable, the Deputy Director's], the employee's wishes and circumstances, and the operational requirements of the Service in deciding whether or not to approve the transfer. A transfer request approved by the Director of Public Prosecutions will be carried out in consultation with the Human Resources Division. Where a transfer is not approved, the vacancy will be filled by an external, open competition.

- (e) If two or more candidates apply for the position, in consultation with the Human Resources Division an eligibility list will be prepared which will include those candidates who meet the posted requirements for the position and who have demonstrated satisfactory job performance as determined by their managers within the Public Prosecution Service. The eligibility list will be provided to the Chief Crown Attorney to whom the vacant position reports. That Chief Crown Attorney will convene a selection panel to consider the applications. The relative merit of candidates will be assessed based on interview evaluations, candidate experience and the results of job-related assessments and performance information. Based on these collective considerations, the selection panel will rate the candidates.

The Chief Crown Attorney to whom the vacant position reports will submit the selection panel's report and his/her comments and recommendation based on his/her assessment of the operational needs of the office and region to the Director.

The supervising Chief Crown Attorney of the candidate recommended for the transfer (or where applicable, the Deputy Director) will provide the Director with his/her assessment of the operational impact of approving the transfer request

on the candidate's current office and region.

The Director of Public Prosecutions will consider the selection panel's recommendation, the comments and recommendations of the Chief Crown Attorneys [and Deputy Director's, if applicable] involved in the process, the employee's wishes and circumstances, and the operational requirements of the Service in deciding whether or not to approve the transfer. A transfer request approved by the Director of Public Prosecutions will be carried out in consultation with the Human Resources Division. Where a transfer is not approved, the vacancy will be filled by an external, open competition.

- (f) The Public Prosecution Service recognizes (1) that transfers provide a key opportunity to maintain and enhance employee performance levels and contribute to overall career development, and (2) that special or compassionate circumstances arise periodically wherein it is desirable to approve transferring individual staff members, upon request, to vacant positions, to accommodate changing personal situations, job requirements, health considerations, etc.
- (g) The desire of an individual to transfer to a vacant position must be balanced with the operational needs of the Service. To address the operational needs of the Service, other than in exceptional circumstances, applications for transfer will not be approved unless the candidate has served at least three years in his/her current position.
- (h) Where a lawyer changes residence as a result of being granted a transfer or is successful through a competitive process for appointment to a vacant position, the lawyer changing residence is not eligible for relocation expenses or allowances unless such expenses are specifically approved by the Director of Public Prosecutions.
- (i) The successful candidate is not entitled to a salary adjustment upon being granted a transfer pursuant to this policy.

## 2. External Open Competition

- (a) Vacant positions to be filled by external, open competition are normally publicized for three (3) consecutive weeks in the Department of Human Resources Employment Opportunities Bulletin, a weekly publication distributed to provincial government offices and Canada Employment & Immigration Centres province wide. This notice period will normally run concurrent to the restricted internal competition notice period.

- (b) In relation to external open competitions the Nova Scotia Department of Human Resources Affirmative Action Staff will be notified to identify and refer qualified Affirmative Action candidates to competitions posted in the Department of Human Resources Employment Opportunities Bulletin. The Affirmative Action Policy includes, but is not limited to, the following target groups:

Aboriginal Persons  
Blacks and other Racially Visible Persons  
Persons with Disabilities  
Women

The Public Prosecution Service is committed to equality and diversity in the workplace where differences are understood to be strengths not deficiencies; where the strength of diversity is seen as an advantage; and where the accommodation of human resource systems, activities and behaviours of individuals and groups are necessary to achieve these employment equity objectives.

- (c) In relation to external open competitions, depending upon the need, the use of employment agencies and/or advertising in professional journals and national, provincial or local newspapers may be considered in consultation with the Department of Human Resources.
- (d) In relation to external open competitions application documents and information must be received by the office designated on the posting not later than the closing date. Applications received after the closing date will not be considered. Previously submitted applications will not automatically be entered into a posted competition. The onus is on the applicant to respond to posted vacancies.
- (e) The Service will follow the government's fair hiring guidelines in determining who will be granted an interview and which candidate interviewed will be recommended for appointment.