Occupational Health and Safety Advisory Council

- Overview of Council
  - Mandate
  - Membership
  - Function
Mandate

• Section 24 of the 1996 Occupational Health and Safety Act directs the Minister to appoint an Advisory Council

• Persons appointed will have knowledge and experience relating to the protection and promotion of occupational health and safety
Council Membership

• Equal representation from employers and employees

• Members appointed for three year terms

• Employer representatives sought from employer groups and associations

• Employee representatives sought from organized labour groups
Council Membership

• May also submit an application via annual advertisement for government boards, commissions, councils

• Potential members vetted through committee

• Minister appoints members
Council Membership

• Ex-officio membership includes:
  – Director and Chair of Workers’ Compensation Board or their designate
  – Director of the Occupational Health and Safety Division

• Advisory Council recommends Co-chairs from employee and employer sides
Council Membership

• Current Council Areas of Representation (members and alternates)

  – Employee: CUPE; CEP, CAW, NS Federation of Labour; Construction Trades, NSGEU

  – Employer: Mineral Resources; Construction; Canadian Manufacturers and Exporters; Health Care; Transportation/trucking; Tourism
Functions of Council

• To advise the Minister on the:
  – administration of the Act and regulations
  – general status of Occupational Health and Safety in the province
  – any matters relating to Occupational Health and safety
Functions of Council

- Also to advise on the activities of the Workplace Safety and Insurance System
  - WSIS is the umbrella name for the 4 health and safety agencies working together
    - Environment and Labour Occupational Health and Safety
    - Workers’ Compensation Board
    - Workers’ Compensation Appeals Tribunal
    - Workers’ Advisers Program
Specific Council Activities

• Council members meet with:
  – Minister of Environment and Labour
  – Deputy Minister of Environment and Labour
  – Workers’ Compensation Board
Specific Council Activities

- Council members raise issues for consideration by the Minister:
  - Needlestick injury
  - Ergonomics
  - Protection from Reproductive Hazards
Specific Council Activities

• Council members review and provide comment on regulations including:
  – Occupational Diving Regulations
  – Fall Protection and Scaffolding Regulations
  – Occupational Safety General Regulations
Specific Council Activities

• Council members review and provide comment on regulations:
  – Regulatory Review Process
    • Revised or new regulations could have up to 6 steps
    • Number of steps dependent on complexity of regulation, potential effects on workplace, and level of interest shown by workplace parties
Regulatory Review Process

• 1 - Process Scoping

  – Labour and Management asked for comments on proposed regulation

  – Based on these comments the Department, in consultation with the AC Council, decide what steps to include and develop a workplan
Regulatory Review Process

• 2 - Working Group
  – Department and AC Council may determine one, or more, Working Groups are warranted
  – Working Groups composed of interested work parties
  – Working Groups review the regulation in detail
  – Working Groups make specific and comprehensive recommendations
Regulatory Review Process

• 3 - Internal Draft Regulation Developed

  – Department prepares a draft regulation based on the Working Group’s advice

  – The draft is reviewed by the Department and the AC Council
Regulatory Review Process

• 4 - External Draft Regulation Developed
  – A Public Draft is developed based on the Department and the AC Council review
  – The draft is distributed to Labour and Management stakeholders for further comment
Regulatory Review Process

- 5 - Final Consideration

- Based on the external review comments, recommendations the Department creates a final version

- The regulation is considered by Cabinet who may, accept, amend or decline the regulation
Regulatory Review Process

• 6 – Public Notification
  – With new or changed regulations the Department ensures workplaces are made aware of the changes and have access to copies of the regulation
  – Where needed the Department will provide a series of information presentations