

## LABOUR RELATIONS BOARDS - FORMAL APPOINTMENT CRITERIA

### **BOARD**

### **CRITERIA**

- |                  |  |
|------------------|--|
| British Columbia | <ul style="list-style-type: none"><li>• Appointment Guidelines contained in the <i>Administrative Tribunals Act</i> (see Appendix I):</li></ul>  |
| Alberta          | <ul style="list-style-type: none"><li>• no statutory criteria</li><li>• selection based on application and interview process, subject to cabinet approval</li></ul>  |
| Saskatchewan     | <ul style="list-style-type: none"><li>• job advertisement indicating <i>inter alia</i>:<ul style="list-style-type: none"><li>▶ law degree and extensive knowledge of labour and administrative law</li><li>▶ &gt; 5 years litigation experience in labour law; extensive experience with administrative tribunals</li><li>▶ extensive knowledge of labour legislation</li><li>▶ training and experience in mediation and conciliation</li><li>▶ ability to conduct quasi-judicial hearings</li><li>▶ ability to mediate</li><li>▶ eligible for registration with the Law Society of Saskatchewan</li></ul></li></ul> |
| Manitoba         |  |
| Ontario          | <ul style="list-style-type: none"><li>• none</li></ul>   |
| Québec           | <ul style="list-style-type: none"><li>• criteria specified in the <i>Code du Travail</i> (Labour Code) (see Appendix II):<ul style="list-style-type: none"><li>▶ knowledge of applicable legislation</li><li>▶ 10 years experience in matters related to the jurisdiction of the Commission</li></ul></li><li>• selection process governed by Regulation; criteria include assessment of:<ul style="list-style-type: none"><li>▶ experience related to the work of the Commission</li></ul></li></ul>  |

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New Brunswick	▶	ability to exercise judicial functions
Nova Scotia	•	none
Prince Edward Island	▶	none
Newfoundland and Labrador	▶	none (nominations sought from client groups, but appointment of these nominees is not mandatory)
Public Service Labour Relations Board (federal government)	▶	<i>Public Service Labour Relations Act</i> criterion: “knowledge of or experience in labour relations”
Public Service Staffing Tribunal (federal government)	▶	<i>Public Service Employment Act</i> criterion: “knowledge of or experience in employment matters in the public sector”
Canadian Artists & Producers Professional Relations Tribunal		

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### APPENDIX I

#### Excerpts from Appointment Guidelines, Administrative Tribunal Act (BRITISH COLUMBIA)

##### Governing Principles:

***Merit Based:*** Appointments are governed by the overriding principle of selection based on merit, an objective assessment of the fit between the skills and qualifications of the prospective candidate and the needs of the tribunal determined through a process that is transparent, consistent and proportional.

***Professional Contribution, Reputation and Esteem:*** Nominees for appointment to administrative tribunals will also be assessed, where appropriate, on the basis of contribution to their profession, reputation in their chosen field and respect garnered amongst professional colleagues, associates and adversaries.

##### Documentary Requirements:

##### ***Personal Attributes:***

All persons appointed to tribunals in British Columbia should possess the following basic competencies:

- skills in conducting hearings and knowledge of administrative law, including an understanding of alternative dispute resolution;
- analytical and decision making skills;
- communication skills, both oral and written;
- interpersonal skills; and,
- organizational and case management skills.

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### Appendix I (British Columbia) - *continued*

#### ***Selection Criteria and Required Competencies:***

##### **General Qualifications:**

Candidates for appointment as the chair of the tribunal are expected to have the following minimum or equivalent qualifications and experience [*n.b. same qualifications utilized for vice-chairs*] :

- requirements specified under the Act: \_\_\_\_\_
- degree or equivalent experience in \_\_\_\_\_
- \_\_\_\_\_ years experience as a \_\_\_\_\_, doing \_\_\_\_\_
- skills in conducting hearings and knowledge of administrative law, including an understanding of alternative dispute resolution
- analytical and decision making skills
- demonstrated superior written and oral communication skills
- excellent interpersonal skills
- demonstrated organizational and case management skills
- familiarity with \_\_\_\_\_ (issues tribunal addresses)
- general knowledge of \_\_\_\_\_ (geography of region, stakeholder views)
- basic computing and internet skills
- other qualifications pertinent to the performance of the duties of the position

##### **Preferred Attributes:**

Candidates with the following personal attributes will be preferred:

- demonstrated leadership in professional associations and activities related to the work of the tribunal;
- teaching or training experience in a professional or adult setting;
- publication in learned or professional journals;
- participation in significant national or international forums on matters related to the work of the tribunal.

