



November 30, 2010

Law Amendments Committee  
Province of Nova Scotia  
1740 Granville Street, Dennis Building, 3<sup>rd</sup> Fl.  
Committee Room #1  
Halifax, NS

To the Committee Members:

**Re: Bill 100 the *Labour Board Act***

The Canadian Manufacturers & Exporters, Nova Scotia Division, (**CME**) is pleased to offer this submission regarding the proposed **Bill 100, *The Labour Act***.

By way of background, CME represents the thousands of manufacturers and exporters who make up a vital and contributing sector of our economy. CME members provide highly paid jobs in virtually all corners of the province, generally in rural Nova Scotia. The following statistics are notable:

- Manufacturing matters to Nova Scotia – manufacturers sold \$8.9 billion worth of goods to customers in Canada and more than 130 countries in 2009. This reflects a reduction from 10.6 billion the year before.
- Manufacturers are leading Nova Scotia's economic recovery - as of August 2010, manufacturing sales grew by 12.3% over the past 12 months and we expect that final numbers for 2010 will show manufacturing sales growing at a faster pace than the rest of the economy;
- Exports matter to Nova Scotia – they brought the province \$4.3 billion in export sales revenue last year alone;
- Manufacturing and exporting are key drivers of Nova Scotia's innovation and environmental performance: manufacturers account for 56% of business investments in R&D in Canada, and Nova Scotia manufacturers have succeeded in reducing greenhouse gas emissions by more than 16% between 1990 and 2008.

CME congratulates the Government on its attempt to streamline and improve the administration of various boards and agencies. We have some concern that a bill which was promoted as a means of changing the structure of various labour relations tribunals, has taken on a much broader scope with ramifications that were unintended and negative.

CME is concerned that the bill will facilitate a major revision of a key piece of legislation (The Trade Union Act) without proper representation from stakeholders and without, potentially, adequate consultation.



The Bill's reference to a 'Management Review Committee' sets up the ability of a small group, yet to be defined, who could dramatically alter the Trade Union landscape of the province. CME is concerned that this key Committee may not include appropriate representation from non-unionized workplaces.

CME notes that many of the boards/tribunals merged into this one board are under a collective agreement (The Labour Relations Board under the *Teachers' Collective Bargaining Act* and the *Trade Union Act*; The Civil Service Employee Relations Board under the *Civil Service Collective Bargaining Act*; The Highway Workers' Employee Relations Board under the *Highway Workers Collective Bargaining Act*; The Construction Industry Panel under the *Trade Union Act*). However, two key areas: The Occupational Health and Safety Appeal Panel under the *Occupational Health and Safety Act* and the Occupational Health and Safety Administrative Penalties Regulations and the Labour Standards Tribunal under the *Labour Standards Code* **affect all employer/employee relations**. The fact that these areas cover all workplaces requires that there should be non-unionized (labour and management) representation on the Board and key committees.

The nature of the Nova Scotia workplace is a key point when one considers that in Nova Scotia, according to Statistics Canada 2009 figures, only 29.4 % of employees are unionized in this province. Canada-wide, the numbers are lower with only 16.1% of private sector employees unionized.

CME is very concerned that that the majority, in fact 70% of employed Nova Scotians; that is: 277,000 employees and their employers; may not have a voice in the future of their workplace.

CME recognizes that Occupational Health and Safety as well as Labour Standards rank as the most important vehicles for our workers. These measures immediately and operationally affect everything that goes on in the workplace. The employers and employees in non-unionized work places request a voice, a need for information flow as well as ongoing consultation. The proposed Bill does not guarantee this in its current form.

CME requests that the Bill be amended to demonstrate inclusion so that all workplaces are represented on the key Labour Management Review Committee.

CME requests that the government proceed with the creation of the new Board and defer the remaining recommendations.

Thank you for the opportunity to provide input on this proposed legislation.

Sincerely,

Ann E. Janega  
Vice-President, CME Nova Scotia

Cc Hon. Marilyn More, Minister, Department of Labour and Workforce Development  
Ms. Dorothy Rice, FCA, Chair, CME Nova Scotia  
Dr. Jay Myers, President, CME