



Notes for a Submission By

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Nova Scotia Government & General Employees Union

Law Amendments Committee:

Bill 1 - *An Act Respecting Government Organization and
Administration*

Good morning, members of the committee. I am Sandra Mullen, President of the Nova Scotia Government and General Employees Union. I have the honour to represent over 37,000 public and private sector workers from across Nova Scotia. I am not sure if coming here today will result in me being defined as a "Special Interest", however if representing the rights of Nova Scotian workers earns me that title in the eyes of government, I will gladly accept it.

I am here today to address Bill 1, "An Act Respecting Government Organization and Administration," and to voice NSGEU's concerns regarding its implications for worker's rights, government transparency, and the overall health of our democratic processes in Nova Scotia.

This bill introduces several amendments that, in our view, represent a significant erosion of the rights of workers in Nova Scotia and a troubling shift away from open and accountable governance.

Let me begin by elaborating on the issues pertaining to worker's rights. Clause 9 of the bill amends the Civil Service Act in a way that fundamentally alters the employment landscape for excluded members of the Civil Service. While the NSGEU does not represent excluded workers in the Civil Service the fact that Clause 9 amends the Civil Service Act to allow a deputy head to dismiss an employee "without cause" and goes so far as to take away rights protected under the Nova Scotia Labour Standards Code is putting this government on a slippery slope not seen since the days of the McNeil government.

This change is not merely a minor adjustment; it's a seismic shift. The removal of the requirement for just cause in dismissals weakens workers rights to an alarming degree. It injects a level of precarity into public sector employment that is both unwarranted and damaging. Employees could now face the threat of termination without any explanation or recourse, creating a climate of fear, uncertainty, and potential for arbitrary decision-making.

What's next, legislation to make the same apply to unionized public servants?

Furthermore, the amendment to the Auditor General Act, while I understand the Premier has committed to amending or removing this section, The simple attempt raises the specter of political interference and diminishes the independence of a crucial oversight body. If a Premier or government is unhappy with their AG in the future will they simply legislate an end to their mandate?

Beyond worker's rights, the amendments in Bill 1 raise concerns about transparency and accountability – the cornerstones of a healthy democracy. Clauses 2 and 3 of the bill grant the Attorney General sweeping powers to designate records and information as privileged, including solicitor-client privilege, litigation privilege, settlement privilege, or public interest immunity.

While there are legitimate reasons for protecting certain types of information, the breadth of this provision is troubling. It opens the door to the potential suppression of information that should be in the public domain. It could be used to shield the government from scrutiny, to avoid embarrassment, or to withhold information that is crucial for public debate and decision-making. The power to declare information as privileged should not be wielded with such broad discretion.

The bill also introduces changes to the Freedom of Information and Protection of Privacy Act and the Municipal Government Act that, on the surface, may seem technical but have significant implications for access to information. Clauses 16 and 29 allow public bodies and municipalities

to disregard requests for records if they deem that the applicant has not provided "sufficient particulars".

Furthermore, these clauses, along with Clause 30 and others, allow for the disregarding of requests deemed "frivolous or vexatious".

Furthermore, these clauses, along with Clause 30 and others, allow for the disregarding of requests deemed "frivolous or vexatious". While it is important to prevent abuse of the system, these provisions are worded so vaguely that they could be used to deny legitimate requests. The threshold for what constitutes "sufficient particulars" or a "frivolous" request is not clearly defined, leaving room for arbitrary interpretation and potential abuse. Much like the current term of "special interest" being used to label anyone who dares to ask questions about government actions.

In conclusion, I urge the committee members and Government to consider the long-term consequences of these amendments. It is crucial to strike a balance between efficient governance and the fundamental rights of workers and the public's right to know. I strongly recommend that the clauses that allow for dismissal without cause, grant overly broad powers regarding solicitor-client privilege, and unjustifiably restrict access to information be removed.

These amendments, if passed, risk creating a less fair, less transparent, and ultimately less democratic Nova Scotia.

Thank you for your time and careful consideration of these important issues.