

## **Terms of Reference Stakeholder Technical Committees**

### **Purpose**

The purpose of stakeholder technical committees is to support the Board of Directors' governance responsibility to recommend changes in the Acts and regulations it administers. The committee will use its expertise to evaluate legislation and regulations and advise WorkSafeNB regarding best practices and potential amendments.

In pursuit of this purpose, as set out in Policy 41-011 Governance – Engaging Stakeholder Technical Committees in Legislative and Regulatory Reform, the committee will:

- Review and evaluate the issues related to the legislation and regulation(s) under review as requested by WorkSafeNB; and
- Evaluate the issues and propose changes to the legislation and/or regulation(s), and recommend to the Board of Directors such changes as may be necessary to ensure applicability to the circumstances of New Brunswick workplaces, accompanied by an implementation plan.

### **Appointments**

The Board of Directors actively seeks technical committee participation from its stakeholders. Through correspondence to stakeholder groups identified to have expertise in the legislation and/or regulations under review, the Board Chairperson requests nominations for stakeholders to participate on the committee. Nominations are received by the WorkSafe Services Evaluation Committee for final approval by the Board, and the Board Chairperson sends notification of the nominee's acceptance to the stakeholder group, accompanied by a formal job description and expectations of the committee position. Appointments are for the duration of the committee's activities and conclude following the implementation of the proposed changes.

### **Composition**

Technical committees must include appropriate WorkSafeNB employees, who serve as the committee chairperson, recording secretary, technical advisor(s), and legal counsel; and an equal number of stakeholders from employers and workers, with the number of each depending on the breadth of the expertise needed to evaluate the legislation and/or regulation(s) under review.

### **Procedure**

1. Meetings will take place each month, or more often as the need arises. Meeting minutes will be kept and submitted to the committee chairperson through the recording secretary. The committee chairperson will distribute the minutes following the meeting.
2. Members are expected to attend all committee meetings. If a member is unavailable for a meeting, that member must submit written feedback on the items captured in the committee's minutes.
3. At meetings, committee members discuss the issues, using their subject matter knowledge and research to develop proposed changes. Where necessary, the committee may establish and oversee sub-committee(s) on specific technical issues.

4. Each member will communicate the committee's proposed recommendations to the stakeholder group they represent, and will adequately consult with constituents to represent their constituents' views on the proposed changes. Adequate consultation by stakeholder committee members is essential to the legislative/regulatory review process to ensure broad stakeholder understanding of the proposed changes. Feedback from stakeholder consultation should be documented and submitted to the committee. The feedback should include:
  - Names of stakeholders and/or stakeholder groups consulted on the changes (technical subject matter experts, industry associations, labour unions, etc.);
  - Where applicable, the date(s) and venue(s) where consultation occurred (at an association meeting, email exchanges, etc.);
  - The extent of stakeholder understanding of the proposed changes and of the impact to their operations including financial and ability to comply with proposed changes; and
  - Whether their constituents approve the proposed changes, or where required, provide to the committee a list of concerns of the proposed changes.
5. Where possible, the committee will reach consensus on the recommendations to be proposed to the WorkSafeNB Board of Directors. Where the majority of the committee agrees on certain items or where no consensus can be reached, WorkSafeNB staff will submit the various opinions of the committee as well as a recommendation on those items to the Board of Directors.
6. Committee recommendations will not compromise any worker's health and safety. Recommendations will also consider the practicalities of enforcement, the economic implications of implementing the changes, as well as the requirements to perform, where necessary, an analysis of the impact the changes may have on specific stakeholders and other sections of legislation.
7. Committee recommendations will be forwarded to the Board of Directors for consideration. Included with the recommendation, the committee will formally document the current and proposed section of the regulation, the rationale for the change, as well as the committee's intent in proposing the change. The committee's agreement to the recommendations will occur through a formal sign off process. The submission to the Board will also include an implementation plan for the recommendations to be made to WorkSafeNB's Board of Directors.