



BILL NO. 79

Government Bill

*2nd Session, 62nd General Assembly
Nova Scotia
64 Elizabeth II, 2015*

An Act to Amend Chapter 70 of the Revised Statutes, 1989, the Civil Service Act

CHAPTER 14
ACTS OF 2015

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 11, 2015**

The Honourable Labi Kousoulis
Minister of the Public Service Commission

*Halifax, Nova Scotia
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**An Act to Amend Chapter 70
of the Revised Statutes, 1989,
the Civil Service Act**

Be it enacted by the Governor and Assembly as follows:

1 Clause 2(c) of Chapter 70 of the Revised Statutes, 1989, the *Civil Service Act*, as amended by Chapter 4 of the Acts of 2001, is further amended by striking out “, the *Highway Workers Collective Bargaining Act* or Schedule A to the *Corrections Act*” in the first, second, third and fourth lines and substituting “or the *Highway Workers Collective Bargaining Act*”.

2 Section 5 of Chapter 70, as amended by Chapter 38 of the Acts of 1993 and Chapter 4 of the Acts of 2001, is further amended by striking out “his” in the second line and substituting “the”.

3 Section 6 of Chapter 70, as amended by Chapter 38 of the Acts of 1993 and Chapter 4 of the Acts of 2001, is further amended by

(a) striking out “personnel” in the second line of clause (b) and substituting “human resource”;

(b) striking out “Priorities and Planning Committee of the Executive Council” in the second line of clause (c) and substituting “Treasury and Policy Board”;

(c) striking out “manpower” in the third line of clause (c) and substituting “human resources”; and

(d) striking out “, the *Corrections Act*” in the third line of clause (h).

4 Subsection 10(2) of Chapter 70 is amended by

(a) striking out “his” in the third line of clause (a) and substituting “the”; and

(b) striking out “he” in the second line of clause (b) and substituting “the deputy head”.

5 Section 11 of Chapter 70 is repealed and the following Section substituted:

11 (1) Subject to subsection (2), the deputy head may delegate in writing any of the deputy head’s powers and duties under this Act to any employee in the deputy head’s department, including any of the duties and powers delegated to the deputy head by the Commission pursuant to Section 8.

(2) The deputy head may not delegate the deputy head’s authority to dismiss an employee from employment.

6 Section 12 of Chapter 70 is amended by striking out “his” in the second line and substituting “the deputy head’s”.

7 Section 14 of Chapter 70 is repealed and the following Section substituted:

14 (1) Appointments and promotions to fill vacancies in the Civil Service must

(a) be made on the basis of merit; and

(b) be based on a competition or another selection process designed to establish the merit of candidates.

(2) The factors to be considered in determining merit may include education, skills, knowledge, experience, years of employment in the public service, personal attributes and any other matter considered by the Commission to be necessary or desirable having regard to the nature of the duties to be performed.

8 Sections 19 and 20 of Chapter 70 are repealed and the following Section substituted:

19 Appointments to the Civil Service must be made in accordance with the *Human Rights Act*.

9 Sections 22 and 23 of Chapter 70 are repealed.

10 Section 24 of Chapter 70 is amended by striking out “his” in the second line and substituting “the person’s”.

11 Section 25 of Chapter 70 is amended by striking out “his” in the second last line and substituting “the employee’s”.

12 Section 26 of Chapter 70 is amended by striking out “his” in the second line and substituting “the”.

13 Section 27 of Chapter 70 is amended by striking out “his” in the second line and substituting “the”.

14 Section 28 of Chapter 70, as amended by Chapter 38 of the Acts of 1993 and Chapter 4 of the Acts of 2001, is further amended by striking out “his” in the fourth line and substituting “the”.

15 Section 31 of Chapter 70 is amended by striking out “him” in the last line and substituting “the head or deputy head”.

16 Subsection 40(1) of Chapter 70 is amended by striking out “a” in the second line and substituting “an unpaid”.

17 Subsection 44(1), as amended by Chapter 38 of the Acts of 1993 and Chapter 4 of the Acts of 2001, is further amended by striking out “himself” in the fourth and in the fifth lines and substituting in each case “the person”.

18 Clause 45(1)(i) is amended by striking out “incapacity” in the second line and substituting “disability”.

19 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
