



Activity Plan

2014-17

**Buildings
Accessibility
Appeal Tribunal**


Chair's Message

Dear Minister:

I am pleased to submit this Activity Plan for the activities of the Buildings Accessibility Appeal Tribunal (the "tribunal") for the fiscal years 2014-17. This plan is prepared in accordance with the *Transparency and Accountability Act* pursuant to which the tribunal has been categorized as a Category 3 government entity and which requires the tribunal to prepare a performance-based activity plan. In developing this plan, the tribunal has considered the strategic direction of the Minister of Service NL. The tribunal is accountable for the preparation of this plan and for the achievement of its objectives.

The tribunal's objective is to process all appeals in accordance with the requirements of the *Buildings Accessibility Act* and its associated regulations. We look forward to achieving this objective throughout the 2014-17 planning period.

Regards,



John Hearn
Chair

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Overview

The Buildings Accessibility Appeal Tribunal (the “tribunal”) is an independent, quasi-judicial body which has the function of hearing and adjudicating an appeal made under section 23 of the *Buildings Accessibility Act*. The tribunal, after hearing an appeal, may confirm, revoke or vary the action taken by the Director of Engineering and Inspection Services with respect to administration of the Act and Regulations. The tribunal is appointed by the Lieutenant-Governor in Council under the authority of section 20 of the Act. It is comprised of five members including a chairperson, a vice-chairperson and three persons, one of whom shall be a representative of persons with disabilities.

Mandate

The tribunal's mandate is to hear and adjudicate appeals of notices, decisions, directions or orders confirmed or varied by the Director of Engineering and Inspection Services with respect to buildings accessibility. Decisions of the tribunal are based on a review of written and oral submissions and documents and may be appealed to the courts. The tribunal convenes only when an appeal has been filed.

Values

In achieving its vision, the tribunal has adopted the values of Service NL and will communicate these values to its stakeholders through the following action statements:

Integrity: Each individual engages in ethical behaviour and exercises the proper use of authority and responsibility.

Collaboration: Each individual supports others through communication and consultation with co-workers, industry partners and the public.

Accountability: Each individual accepts responsibility for their actions and is responsive to meeting public needs and delivering on departmental commitments in a timely, efficient and satisfactory manner.

Respect: Each individual accepts differences, embraces diversity and exercises a caring attitude in their encounters with others.

Excellence: Each individual demonstrates excellence in providing service to the public.

Primary Clients

The tribunal's clients are contractors, builders, owners and designers of buildings that are subject to the requirements of the Act and believe they have been aggrieved by a decision of the director.

Vision

The tribunal has adopted Service NL's vision for this planning cycle, which is as follows:

People in Newfoundland and Labrador living and working in healthy, fair and safe environments with access to efficient and responsive programs and services.

The tribunal supports the department's vision by working to ensure the fair and equitable application of its mandate as outlined in the legislation (i.e. hearing and adjudicating appeals).

Mission

The tribunal has adopted Service NL's mission for this planning cycle, which is as follows:

By March 31, 2017, Service NL will have enhanced program and service delivery through improved standards and regulatory processes that promote living and working in a healthy, fair and safe environment.

The tribunal contributes to Service NL's mission by ensuring that the regulation of buildings accessibility is carried out in a fair and consistent manner, through the provision of an appeal mechanism in relation to notices, decisions, directions or orders confirmed or varied by the director under section 17 of the *Buildings Accessibility Act*.

For the full mission statement, including measures and indicators, please refer to Service NL's 2011-14 strategic plan available online at:

<http://www.servicenl.gov.nl.ca/publications>

Objective

The following objective represents the focus of the tribunal in each of the years of this plan and includes performance measurement information (i.e. measures and indicators) to assist the entity and the public in monitoring and evaluating success. The tribunal's principal function is adjudicative. The Chair and the members fulfill this function.

Objective: By March 31, 2015, the Buildings Accessibility Appeal Tribunal will have processed all appeals it has received in accordance with the requirements of the *Buildings Accessibility Act*.

Measure: All appeals processed.

Indicators:

- Hearing of appeal commenced not later than 30 days after receipt of written notice of appeal.
- Decision of appeal provided to appellant in writing within 45 days of hearing appeal.



Service NL