

THE NEWFOUNDLAND AND LABRADOR GAZETTE EXTRAORDINARY

Part II

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ST. JOHN'S, MONDAY, DECEMBER 19, 2016

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

**NLR 81/16
NLR 82/16**



NEWFOUNDLAND AND LABRADOR REGULATION 81/16

Public Sector Compensation Transparency Regulations
under the
Public Sector Compensation Transparency Act
(O.C. 2016-277)

(Filed December 19, 2016)

Under the authority of section 9 of the *Public Sector Compensation Transparency Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, December 16, 2016

Bernard M. Coffey, Q.C.
Clerk of the Executive Council

REGULATIONS

Analysis

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Short title

1. These regulations may be cited as the *Public Sector Compensation Transparency Regulations*.

Definition

2. In these regulations

- (a) "Act" means the *Public Sector Compensation Transparency Act*;
- (b) "base salary" means the amount of compensation paid in a year to an employee for the performance of employment duties but does not include other compensation paid to the employee;
- (c) "bonus" means an amount paid to an employee, in addition to his or her base salary, which is based on predetermined criteria;
- (d) "overtime pay" means an amount paid to an employee, in addition to his or her base salary, for the performance of employment duties in excess of his or her regularly scheduled work hours;
- (e) "retroactive salary" means the amount of compensation paid to an employee for adjustments to past salary;
- (f) "severance pay" means an amount paid on retirement, resignation or termination to an employee as an accrued benefit calculated as a number of weeks salary based upon the employee's length of employment but does not include pay in lieu of notice on dismissal or position elimination;
- (g) "shift premium" means an amount paid to an employee in addition to his or her base salary because his or her regular working hours are scheduled outside of normal operational hours or on weekends; and
- (h) "other compensation" means compensation included in total compensation other than base salary, overtime pay, bonuses, shift premiums, retroactive salary and severance pay.

Threshold

3. The threshold is \$100,000.

Designated public
body

4. An entity listed in the Schedule is designated as a public body for the purpose of the Act.

Disclosure of
specific amounts

5. In addition to the total compensation disclosed under sections 3 and 4 of the Act, the amounts for the following categories of compensation shall be specifically disclosed:

- (a) base salary;
- (b) overtime pay;
- (c) bonuses;
- (d) shift premium;
- (e) retroactive salary;
- (f) severance pay; and
- (g) other compensation.

Amounts rounded

6. The amounts referred to in section 5 shall be rounded to the nearest multiple of one hundred dollars.

Time limits

7. (1) The deputy minister of a department or chief executive officer of a public body shall provide written notice to all of the employees of the department or public body that the information in sections 3 and 4 of the Act will be disclosed 60 days from the date of the notice.

(2) An employee may file an application under subsection 7(1) of the Act within 14 days of his or her receipt of the written notice referred to in subsection (1).

(3) The deputy minister or chief executive officer shall provide his or her decision regarding the application within 14 days of receipt of the application.

(4) An employee who is dissatisfied with the decision of the deputy minister or chief executive officer may file an appeal under subsection 7(2) of the Act within 14 days of his or her receipt of the decision of the deputy minister or chief executive officer.

(5) The President of Treasury Board shall provide his or her decision regarding the appeal within 14 days of receipt of the appeal.

Disclosure re:
exemptions

8. The following information shall be included in disclosure under section 9 of the Act:

- (a) a statement that no information was exempted from disclosure under section 7 of the Act where no information was exempted from disclosure under section 7 of the Act;
- (b) a statement that information regarding one employee was exempted from disclosure under section 7 of the Act where information regarding one employee was exempted from disclosure under section 7 of the Act; or
- (c) a statement indicating the number of employees whose information was exempted from disclosure under section 7 of the Act and the aggregate total compensation exempted from disclosure.

Schedule

Board of Commissioners of Public Utilities

C.A. Pippy Park Commission

Central Regional Health Authority

College of the North Atlantic

Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador

Eastern Regional Health Authority

Electoral Districts Boundaries Commission

Government Purchasing Agency

Human Rights Commission

Independent Appointments Commission

Labour Relations Board

Labrador-Grenfell Regional Health Authority

Marble Mountain Development Corporation

Memorial University of Newfoundland

Mental Health Review Board

Multi-Materials Stewardship Board

Municipal Assessment Agency

Nalcor Energy and its subsidiaries

Newfoundland and Labrador Centre for Health Information

Newfoundland and Labrador English School District

Newfoundland and Labrador Film Development Corporation

Newfoundland and Labrador Housing Corporation

Newfoundland and Labrador Hydro

Newfoundland and Labrador Liquor Corporation

Newfoundland and Labrador Medical Care Plan

NL 911 Bureau Inc.

Provincial Advisory Council on the Status of Women

Provincial Information and Library Resources Board

Public Service Commission

Research & Development Corporation

Royal Newfoundland Constabulary

Student Loan Corporation of Newfoundland and Labrador

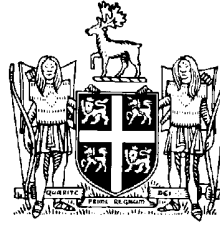
The Rooms Corporation

Western Regional Health Authority

Workplace Health, Safety and Compensation Review Division

Workplace NL

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NEWFOUNDLAND AND LABRADOR REGULATION 82/16

Workplace Health, Safety and Compensation Regulations (Amendment)
under the
Workplace Health, Safety and Compensation Act
(O.C. 2016-278)

(Filed December 19, 2016)

Under the authority of section 92.5 of the *Workplace Health, Safety and Compensation Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, December 15, 2016.

Bernard M. Coffey, Q.C.
Clerk of the Executive Council

REGULATIONS

Analysis

1. Ss.23.1 & 23.2 Added
 - 23.1 Service periods
 - 23.2 Documentation required

CNLR1025/96
as amended

1. The *Workplace Health, Safety and Compensation Regulations* are amended by adding immediately after section 23 the following:

Service periods

23.1 For the purposes of paragraph 92.2(2)(a) of the Act, the minimum cumulative periods of service for the listed diseases are as follows:

primary site brain cancer	10 years
primary site bladder cancer	15 years
primary site colorectal cancer	20 years
primary site esophageal cancer	25 years
primary leukemia	5 years
primary site lung cancer	15 years
primary site kidney cancer	20 years
primary non-Hodgkin lymphoma	20 years
primary site testicular cancer	20 years
primary site ureter cancer	15 years
primary site breast cancer	10 years

Documentation
required

23.2 An employer shall provide the following information to the commission in relation to a firefighter or volunteer firefighter who is diagnosed with a listed disease:

- (a) the number of fire scenes, other than forest fire scenes, that the firefighter or volunteer firefighter attended;
- (b) the firefighter or volunteer firefighter's years of service as a firefighter or volunteer firefighter;
- (c) other information required under the Act; and
- (d) any other information the commission considers necessary.

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Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	XNL Gazette Date & Page No.
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Workplace Health, Safety and Compensation Act			
Workplace Health, Safety and Compensation Regulations (Amdt.)	NLR 82/16	Amends CNLR 1025/96 Ss. 23.1 to 23.2 Added	Dec 19/16 p. 9