

INSTRUCTION SHEET

Subpoena

A subpoena is a written document that legally requires someone to go to a hearing or to produce records that they have in their possession or both. The Labour Board has the authority to issue a subpoena to help it fully investigate matters that are before it. A subpoena can be issued by a Chair or any Vice Chair who is responsible for a matter.

The template form on the Labour Board website cannot be modified.

- This form must be completed in its entirety before it is provided to the Board to be issued by the Chair or a Vice Chair.
- The Board is authorized to issue a subpoena by section 11 of the *Labour Board Act*.
- If you use a subpoena to compel a witness to come and testify at a hearing and/ or to bring other evidence to a hearing you will be required to provide the subpoena to the witness.
- If a person has received a subpoena to attend a hearing and does not attend, they may be held in contempt of the Labour Board, which is a crime.

Useful resources are available at <https://novascotia.ca/lae/labourboard/>, including:

- [The Nova Scotia Labour Board Act and Regulations](#)
- [Labour Board Rules of Procedure](#)
- [Past decisions of the Labour Board \(CanLII\)](#)

Privacy Statement:

Any personal information requested in this form is collected under the authority of the Nova Scotia *Trade Union Act* (“TUA”) and the Nova Scotia *Freedom of Information and Protection of Privacy Act* (“FOIPOP”). It is collected for the purpose of processing your Application to the Labour Board. The collection, use and disclosure of this information is managed under the TUA and FOIPOP. Any information provided to the Board may be shared with all parties affected by this Application, subject to the discretion and policies of the Board. The Board’s decision in this matter will be posted online to CanLII, a publicly accessible database.

Access Statement:

The Board aspires to provide services that are universally accessible. Any accessibility requests that you have can be raised following the procedure set out in the [Board’s Accessibility Statement](#). The Labour Board does not provide legal advice. You may want to contact the Legal Information Society of Nova Scotia for legal assistance.

NOVA SCOTIA LABOUR BOARD

SUBPOENA

LB- _____

-and-

-and-

TO: _____

Name of Party Representative Requesting Subpoena:

NAME: _____

ON BEHALF OF: _____

WITNESS SUBPOENA

The Labour Board requires your attendance at a hearing:

NO

YES

The Labour Board requires your attendance at a hearing on the matter described above to offer sworn testimony. The scheduling details of the hearing are:

DATE(S):	
TIME(S):	
LOCATION:	

PRODUCTION SUBPOENA

The Labour Board requires you to produce the following things:

NO

YES

In accordance with the Labour Board's Rules of Procedure regarding production, you are required to be present at a production hearing before the Board as follows:

DATE(S):	
TIME(S):	
LOCATION:	

You must bring the following document/other records with you, and these may be ordered produced after the Board hears arguments about their relevancy and necessity:

Issued at Halifax, Nova Scotia this _____ day of _____, 20____

CHAIR/VICE CHAIR

Failure to obey this subpoena, without adequate excuse, may be deemed a contempt of the Labour Board and could result in your arrest.