

INSTRUCTION SHEET

Appeal under the *Labour Standards Code*

This form can be used to appeal a decision of the Director of Labour Standards under the *Labour Standards Code*. By filing this appeal, the appellant/complainant claims that they were not satisfied with the Director's decision.

IMPORTANT TO NOTE:

- Do not modify this form.
- Appeals may be delivered by email, in-person, by registered mail or other similar mail services.
- If an application is filed on a Saturday, Sunday, or holiday, it will be deemed to be filed on the following business day, as set out in the *General Labour Standards Code Regulations*.
- The appeal must be filed within 10 business days after the Director's Order was served upon the parties.
- If an appeal is filed because the Director of Labour Standards has not issued a decision within one month, the appeal must be filed **within ten days of the expiry of that one-month period**, e.g. for a complaint filed with Labour Standards on March 15th, an appeal must be filed with the Labour Board on or before April 25th.

Late appeal information – s.21(6):

- If an appeal is filed after 10 days, a written explanation for its lateness must be provided.

About Security Payments:

- If you are appealing a Director's Order requiring payments to be disbursed, you **must** attach a certified cheque, money order or bank draft payable to the Labour Board for the full amount of the Order or \$2000, whichever is less, or security in the form of a bond in the full amount of the Order payable to the Labour Board. Security payments are required by Section 84(1) of the *Labour Standards Code*.
- The security payment **must** accompany your appeal, or it will not be processed by the Board.
- **Appeals not accompanied by the full amount of the required security payment may be dismissed by the Board without a hearing into the merits of the case and without further notice to you.**

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

- [Labour Standards Code and Regulations](#)
- [Labour Board Rules of Procedure](#)
- [Past decisions of the Labour Board \(CanLII\)](#)
- [Information Bulletin: Dispute Resolution Alternatives](#)

Applications can be submitted to:

Labour Board
1601 Lower Water Street, 3rd Floor
PO Box 202
Halifax NS B3J 2M4
Email: labourboard@novascotia.ca

Access

The Board aspires to provide services that are universally accessible. Once your application is submitted, the Board will contact you to provide information about the process. Any accessibility requests that you have can be discussed at that time including language translation and any accommodation that may be required. The Labour Board does not provide legal advice. You may want to contact the [Legal Information Society of Nova Scotia](#) for legal assistance.

Privacy Statement

Any personal information requested in this form is collected under the authority of the Nova Scotia *Labour Standards Code* ("Code") and the Nova Scotia *Freedom of Information and Protection of Privacy Act* ("FOIPOP"). It is collected for the purpose of processing your Appeal to the Labour Board. The collection, use and disclosure of this information is managed under the *Code* and *FOIPOP*. Any information provided to the Board may be shared with all parties affected by this Appeal, subject to the discretion and policies of the Board. The Board's decision in this matter will be published online on CanLII and Carswell, both of which are publicly accessible databases.

SECTION A – CONTACT INFORMATION

We need to know how to reach the individuals involved in this Appeal. Fill out as much of this section as possible. It is your responsibility to update the Board if there are any changes in your contact information.

APPELLANT/COMPLAINANT INFORMATION (Party filing this appeal)

Full Legal Name:		
Contact Person and Position:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

If applicable, provide the following information of the Appellant/Complainant's Counsel

Law Firm Name:		
Counsel Name:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

RESPONDENT INFORMATION (Party who this appeal is against)

Full Legal Name:		
Contact Person and Position:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

SECTION B – INFORMATION RELATING TO YOUR APPEAL

1) The Appellant/Complainant making this appeal is or was the:

- Employee Employer Recruiter

2) Which type of appeal is being filed:

- An Order of the Director of Labour Standards, **ordering monies.**
 An Order of the Director of Labour Standards, **where there is no order for monies.**
 An Order of the Director of Labour Standards, **dismissing my complaint.**
 A decision from the Labour Standards Division, **not to proceed with my complaint.**
 Since I made my initial complaint, **one month has elapsed and no decision has been made.**

3) Which of the following issues are included in your appeal? (select all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Vacation Pay | <input type="checkbox"/> Pregnancy/Parental Leave |
| <input type="checkbox"/> Protection of Pay | <input type="checkbox"/> Bereavement and Court Leave |
| <input type="checkbox"/> Holiday with Pay | <input type="checkbox"/> Compassionate Care Leave |
| <input type="checkbox"/> Termination of Employment | <input type="checkbox"/> Minimum Wage |
| <input type="checkbox"/> Recruitment Fees | <input type="checkbox"/> Other (explain below) |

Explain:

4) When did the alleged violation of the *Labour Standards Code* occur?

5) When was the complaint filed with the Labour Standards Division?

6) When did you receive the Director’s Order or decision? (if applicable)

7) Reasons for appealing (attach additional pages if necessary):

SECTION C - ATTACH RELEVANT DOCUMENTS TO YOUR APPEAL

Ensure that the following are attached to this Appeal (as applicable):

- Copy of Director's Decision.
- Copy of Director's Reasons for Decision.
- Security Payment in the correct amount and format as noted on page 1.
- If you are appealing because one month has elapsed with no decision, include a copy of your original complaint form filed with Labour Standards Division.

IMPORTANT: This Appeal form must be completed in full, with all applicable documents as outlined on the Instruction Sheet (page 1) of this form. Except where protected by statute or Board policy, all information and documents collected by filing this form with the Board will be shared with the other parties involved in this matter as part of the appeal process. Decisions of the Labour Board are published online with CanLII and Carswell and are public record.

I, _____ of _____, _____
(print name) (city/town) (province)

declare that the statements and information contained in, attached to, and submitted with this Appeal are true and accurate to the best of my knowledge and belief. I understand that this information is subject to verification and that any false or misleading representations may result in the dismissal of my Appeal

Appellant Signature

DATED this _____ day of _____, 20 _____.
(day) (month) (year)