



## **IDENTIFICATION**

<b>Department</b>	<b>Position Title</b>	
Finance	Adjudication Advisor	
<b>Position Number</b>	<b>Community</b>	<b>Division/Region</b>
15-13315	Yellowknife	Labour Relations

## **PURPOSE OF THE POSITION**

The Adjudication Advisor provides final level advice, guidance, assistance, and education to other Finance staff and to management across the Government of the Northwest Territories (GNWT) in labour relations, including employment contract interpretation, performance management, employee discipline, terminations of employment, and respecting effective and appropriate resolution of all GNWT employee arbitrations, human rights complaints, and employment related civil court actions.

## **SCOPE**

Located in Yellowknife and reporting to the Manager, Advice and Adjudication, the position pro-actively fosters and promotes sound, harmonious employer-employee relations throughout the Government, advancing a unified approach to resolution of employment disputes. The incumbent represents the employer in all employment related files arising from civil claims, human rights complaints, and arbitrations. The incumbent provides consistent and timely advice in areas such as employment contract administration, dispute management, employee discipline, and human rights in the workplace that is reflective of relevant law, government- wide policies, practices, and initiatives. The incumbent's advice is relied on by management as representing final level, expert assessments and recommendations. The incumbent makes recommendations in the development of government policy and legislation related to government employment.

The incumbent is required to research and maintain expertise in employment law, labour law, human rights law, and to obtain and assess legal advice where necessary to recommend courses of action, resolve issues, and to ensure the Employer's best interest are maintained. Work is performed in accordance with NWT Statutes and policies including Public Service Act, Human Rights Act, Safety Act, Worker's Compensation Act, Access to Information and



Protection of Privacy Act, Union of Northern Workers Act, and Northwest Territories Teachers' Association Act the Code of Conduct, and the Human Resource Manual.

## **RESPONSIBILITIES**

### **1. Develops and promotes a unified approach to the resolution of employee grievances and promotes harmonious labour relations between the Employer, Employee and Bargaining Unit.**

- Exercises independent judgment and initiative in determining and recommending courses of action including grievance processing, collective bargaining, and management of employer-employee-union relationships.
- Researches and maintains expertise around employment and labour law.
- Provides advice, education, and recommendations to departmental managers, including senior managers respecting all employee grievances and responses.
- Reviews and makes recommendations to the Deputy Minister on excluded employee grievances referred to the Minister for final resolution.
- Assesses employment disputes referred to arbitration, or to the Minister, by reviewing all documentation, discussing the grievance with departmental managers and line supervisors, reviewing the applicable employment contract, GNWT past practice, legislation, and case law, reviewing findings with legal counsel if necessary, and communicating with the Union/Association in determining the most appropriate resolution.
- Analyzes employment disputes to determine trends and, in conjunction with Finance staff, works with departments to develop long- term solutions to issues.
- Provides options and recommendations to the Director, Manager, and to Human Resources' senior management regarding the Government's position with respect to policy grievances and with respect to grievances referred to arbitration.
- Prepares and presents cases at expedited arbitrations by reviewing the file, drafting agreed statement of facts, reviewing relevant law and developing and articulating the Employer's position and supporting argument.
- Works with legal counsel to prepare and present precedent setting cases at formal arbitration by reviewing the file, interviewing witnesses, confirming government practice, researching case law and providing legal counsel with direction on the Employer's position.
- Co-ordinates the arbitration process by representing the GNWT at Union/Employer case management meetings, determining the most appropriate resolution mechanism (formal arbitration, expedited arbitration, settlement, or granting of grievance), the priority of each case, scheduling hearings, and corresponding with arbitrators.
- Meets frequently and regularly with Union representatives to resolve disputes



expediently, and to discuss, identify and implement efficient and satisfactory dispute resolution mechanisms, outside of the formal arbitration process.

**2. Provides advice, education, and recommendations to departmental managers and supervisors at all levels including senior management across the GNWT respecting all aspects of the employer - employee relationship.**

- Provides advice and recommendations on interpretation of statutes, collective agreements and other employment contracts, and labour/employee relations policies and practices.
- Provides advice and recommendations on interpretation of certain employment contracts outside the public service, namely physicians.
- Provides expert advice on the application and interpretation of the Public Service Act and Regulations.
- Reviews appeals of suspensions and appeals of demotions under the Public Service Act and makes recommendations to the Deputy Minister of Human Resources.
- Provides advice on the application of the GNWT Code of Conduct.
- Provides advice with respect to culpable misconduct and progressive discipline.
- Provides advice with respect to management of non-culpable performance issues.
- Provides advice, recommendations, and direct support to managers across the GNWT, in all matters that may give rise to suspension or termination.
- Provides direct advice and recommendations to Deputy Heads on all terminations, including dismissals for cause, abandonment, rejection on probation, medical termination, termination for innocent absenteeism, and termination agreements.
- Reviews requests for termination agreements to and where appropriate recommends a mandate to the Deputy Minister of Human Resources. Provides direct assistance to Deputy Heads in the negotiation of termination agreements in keeping with jurisprudence.
- Develops and delivers various training modules on all aspects of labour relations to finance practitioners and to GNWT managers.
- Provides guidance and mentorship to new Labour Relations staff; and to Management and Recruitment staff generally, and through exchanges and short-term onsite assignments.
- Provides consultation services and advice to the Finance Staff Investigator on investigation processes, and on all investigation outcomes.
- Provides advice, recommendations, and consultation services to management at all levels, Finance Practitioners on duty to accommodate matters. Assists directly in employee-union-physician communications.
- Writes briefing notes for the Minister and for other departmental Deputy Ministers and senior management regarding labour relations issues.



**3. Provides advice and guidance to Senior Management on all civil files acted on in the courts and tribunals relating to employee relations, including all Human Rights Complaints that have been filed against the Government of the Northwest Territories under the Human Rights Act of the Northwest Territories.**

- Works with legal counsel and Departmental Deputy Heads to gather all relevant information, interview witnesses, and to assess the GNWT's position and appropriate response to complaints and claims.
- Provides direction to legal counsel on submissions including those to the Human Rights Commission, responses to Investigators, participation in mediation, and preparation for Tribunal Hearings.
- Analyzes civil suits and human rights complaints determine trends and, in conjunction with Finance staff, works with departments to develop long-term solutions to issues.
- Researches and maintains expertise in the area of human rights law relevant to employment.

**4. Undertakes the development and supports the implementation of appropriate labour relations and compensation policies.**

- Writes briefing notes, reports, information items, decision papers and procedural guidelines to explain, recommend and/or implement actions, pertaining to changes in employment contracts compensation policies, and statutes.
- Participates in the development, review, and research for collective bargaining, providing key information on evolving trends in the immediate labour relations environment.
- Sits on committees reviewing developing or implementing Government policies, which affect the public service and/or the labour relations climate of the Government.
- Represents the Deputy Minister at joint Employer-Union committees.
- For the purposes of collective bargaining, provides advice and assistance to departmental managers in the development of Essential and Emergency Service proposals, and Job Action Contingency plans.
- For the purpose of collective bargaining, assist with essential and emergency services, impacting directly on all GNWT programs and services in the event of a strike.
- For the purpose of collective bargaining, and in consultation with the Manager, the Director Labour Relations, and with departmental senior management, assists in the development of frameworks and guidelines for departmental Job Action Contingency Plans.
- For the purpose of collective bargaining, and in consultation with the Manager and the Director Labour Relations, supports the development and implementation



of departmental Job Action Contingency Plans, impacting directly on all GNWT programs and services in the event of a strike.

- For the purpose of collective bargaining, and in consultation with the Manager, the Director Labour Relations, and with departmental senior management, develops and supports the implementation and execution of the GNWT's Job Action Contingency Plan, impacting directly on all GNWT programs and services in the event of a strike.

**5. Works with Finance Managers, Directors and Policy Officers, and department representatives in the development of Labour Relations and employee relations' policies.**

- Reviews and makes recommendations on all revisions to the Human Resource Manual.
- Reviews and makes recommendations on revisions to the Code of Conduct.
- Reviews and recommends changes to the Public Service Act and Regulations

**WORKING CONDITIONS**

**Physical Demands**

No unusual physical demands.

**Environmental Conditions**

No unusual environmental conditions.

**Sensory Demands**

Close attention to detail is required when researching various sources of technical and legal information across varied labour relations projects, when preparing witnesses, and when attending formal legal proceedings. The intensity of this can be high when dealing with multiple parties that have their own vested interests. This will require the Officer to be at a heightened state of awareness to ensure nothing relevant is missed and that the integrity of the process is maintained.

**Mental Demands**

Labour Relations work is usually completed under severe time constraints. Without swift attention to problem areas, there can be a rapid deterioration of employee/employer relations or escalation of a situation, causing strain in the workplace. Unpleasant direct personal contacts or concern about unpleasant situations are probable during investigations, negotiations, and arbitration hearings.

Some travel to communities is required.



### **KNOWLEDGE, SKILLS, AND ABILITIES**

- Client service orientated.
- Ability to communicate effectively, both orally and in writing, with senior managers, technical staff, employees, Union representatives, and other stakeholders.
- Ability to juggle and prioritize tasks and excellent problem-solving skills, work to deadlines, and demands, make responsible decisions, and determine when to seek advice.
- Organizational and time management skills.
- Proven negotiation skills to resolve conflicts or negotiate agreements in a manner that best serves the Employer's interests.
- Knowledge and understanding of labour relations, labour standards, labour law, employment law, and their integration and effect on other human resource functions.
- Ability to understand, recognize and/or anticipate concerns or problems that will ultimately affect individuals in a workplace.
- Understanding of unionized environment, with the ability to understand, recognize and/or anticipate concerns or problems that will ultimately affect an employer's ability to attract.
- Ability to commit to actively upholding and consistently practicing personal diversity, inclusion, and cultural awareness, as well as safety and sensitivity approaches in the workplace.

### **Typically, the above qualifications would be attained by:**

A relevant bachelor's degree such as business administration, industrial relations, or commerce, coupled with 3 years in a relevant field, including at least 1 year as a labour relations officer or a human resource generalist.

Equivalent combinations of education and experience will be considered.

### **ADDITIONAL REQUIREMENTS**

#### **Position Security (check one)**

- ☐ No criminal records check required
- ☒ Position of Trust – criminal records check required
- ☐ Highly sensitive position – requires verification of identity and a criminal records check

**French language** (check one if applicable)

☐ French required (must identify required level below)

Level required for this Designated Position is:

ORAL EXPRESSION AND COMPREHENSION

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

READING COMPREHENSION:

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

WRITING SKILLS:

Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐

☐ French preferred

**Indigenous language:** Select language

☐ Required

☐ Preferred