



IDENTIFICATION

Department	Position Title	
Education, Culture and Employment	Manager, Employment Standards	
Position Number	Community	Division/Region
71-483	Yellowknife	Labour Development and Standards (HQ)

PURPOSE OF THE POSITION

The Manager, Employment Standards is responsible for the administration and management of the employment standards unit to ensure that employees and employers are protected by and aware of, the requirements of *Employment Standards Act* and Regulations.

SCOPE

The Manager, Employment Standards (Manager) is located in Yellowknife and reports to the Director of Labour Development and Standards.

The incumbent is responsible for writing decisions, issuing orders and wage recovery under the *Employment Standards Act*. The Manager is also responsible for overall planning, administration and evaluation of Employment Standards legislation, policy and programs in the NWT.

The work has a direct impact on employers and employees in the Northwest Territories. Decisions of the Employment Standards unit must be based on quasi-legal arguments and ascertained facts. The Manager must ensure that there is consistency in the approach, advice and interpretation of all individuals working in the unit when dealing with questions and complaints. The Manager must balance the workload of staff to allow for both supporting actions through the complaint process and preventative work and information that would reduce future non-compliance with the Act.

The position is appointed as the Employment Standards Officer under the *Employment Standards Act*. Decisions made by the Manager may have significant impact and may be subject to review by an adjudicator or court. The Manager is responsible for a budget of

\$761,000 and has four direct reports: three Inspectors, and one Finance, Collection and Information Officer. The office deals with over 4,500 inquiries and 180 formal complaints annually, and the Manager issues about 150 wage orders per year.

RESPONSIBILITIES

1. Plans and manages the development and implementation of the Employment Standards program by administering and enforcing provision of the *Employment Standards Act*.

- Through research, investigation and interpretation of the Act, makes decisions on whether or not dismissals from employment are lawful.
- Orders reinstatement, compensation or both where such dismissal is unlawful.
- Interprets the Act and applies pregnancy leave provisions to determine whether an employee shall commence pregnancy leave early.
- Grants or rejects, in accordance with the Act, applications from employers.
- Recommends to the Minister whether an employment agency license should be granted and issues licenses based on approval by the Minister.
- Ensure license holders adhere to provisions of the Act and regulations and takes immediate steps to contact those in noncompliance.
- Maintains trust fund accounts.
- Confers with other jurisdictions on reciprocal enforcement actions and legislation.
- Validates proof of claim documents for trustee to bankruptcy and confers with trustee on issues that arise on bankruptcy.
- Makes recommendations for prosecutions to be taken.
- Participates in case law research with legal counsel, provides evidence and acts as a witness.
- Acts as a liaison with legal counsel to resolve issues that may have a direct impact on various groups as a result of an interpretation of the Act.
- Assists in resolving complaints between employers and employees.
- Validates or rejects claims.
- Issues orders against companies or directors as a result of an investigation
- Requires negligent, non-compliant employers to post bonds.
- Issues Orders for compensation of wages resulting from unlawful deductions which are enforceable judgments of the Courts.

2. Provides expert advice and recommends strategies to ECE senior management, other GNWT departments, boards and partners to ensure that appropriate action is taken to support employment standards in the NWT.

- Represents the Department on federal/provincial/territorial and mixed stakeholder committees and working groups
- Conducts research on local, national and international practices to support the development of employment standards in the NWT, and reviews inter-jurisdictional research and prepares positions and responses on employment standards issues.
- Consults with stakeholder groups on key issues facing the NWT, as well as on potential changes to employment standards legislation, policies and practices

- Provides strategic direction and advice to ECE senior management on legislative and operational matters relating to employment standards.
 - Prepares briefing notes, position papers, submissions, speeches, special reports, media releases and statements as required.
- 3. Oversees and supervises the Employment Standards Inspectors to ensure compliance with policies and procedures.**
- Provides leadership, motivation and guidance to staff in a team environment.
 - Oversees the effectiveness of the Employment Standards Office in maintaining fairness, equality, and standardized application of the legislation across the NWT.
 - Reports on the effectiveness of the legislation and suggests changes to improve the legislation, regulations and operating procedures.
 - Provides interpretations to staff on employment standards issues.
 - Maintains the division policy manual.
 - Supervises activities of the Inspectors and the handling of investigations.
 - Supervises routine inspections of private company records, reviews results and ensures follow-up is completed in a timely manner.
 - Attends and participates in conferences and seminars to advise the public on the *Employment Standards Act and Regulations*.
 - Promotes the *Employment Standards Act and Regulations* by visiting NWT communities to ensure awareness of employees' and employers' rights and responsibilities.
 - Responsible for program compliance
- 4. Manages, evaluates and reports on activities and results of the Employment Standards Office.**
- Develops annual business plan and main estimate figures and justifications
 - Administers the budget, monitors expenditures and completes variances.
 - Supports staff in development and achieving goals in self-managed work plans.
 - Initiates ongoing performance planning with staff.
 - Ensures the collection of statistics on the number and nature of inquiries by recording information from emails, correspondence, site visits and telephone conversations.
 - Prepares draft Management Board submissions, reports, decision papers, briefing notes and ministerial correspondence.
 - Sets goals, monitors progress and reports on results for Employment Standards activities as they relate to ECE and GNWT strategic plans and priorities.
 - Implements changes to policies and procedures in order to improve efficiencies.
- 5. Participates in identifying, engaging and supporting National and Territorial partnerships.**
- Chairs or participates in committees dealing with employment standards
 - On behalf of the GNWT, maintains and facilitates NWT, National and Pan-Territorial subject matter partnerships.
 - Participates in research projects identified by the Canadian Association of Administrators of Labour Legislation.

- Acts as a liaison to exchange information with other jurisdictions to assist in updating and amending NWT employment legislation.
- Reviews court decisions and literature published by professional associations and other jurisdictions and attends inter-jurisdictional meetings to keep current.
- Responds to International Labour Organization requests regarding International Conventions on Employment Standards issues.
- Liaises with the federal government, GNWT departments, Band, Hamlet or Municipal offices to provide and receive information to ensure the consistency of services and enhance community relationships.

WORKING CONDITIONS

Physical Demands

No unusual demands

Environmental Conditions

No unusual conditions

Sensory Demands

No unusual demands

Mental Demands

The incumbent may be required to travel up to 5 days every other month. The environment is stressful as there are multiple demands and deadlines as well as frequent interruptions. As the legislated authority, the incumbent must make decisions based on quasi-legal arguments and ascertained facts, and in doing so, must issue orders with the courts in favour of either an employer or employee, which can lead to confrontational situations. On a daily basis, the incumbent may be required to work with challenging and often hostile individuals and employers who have been denied compensation claims or been ordered to make payments. All of the above factors can lead to considerable mental and emotional stress.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of employment and labour legislation, industrial relations and human resources policy in the NWT and federally, and familiarity with legislation in other jurisdictions.
- Knowledge of community life in the north and cross-cultural issues.
- Advanced knowledge of the NWT *Access to Information and Protection of Privacy Act* and ability to interpret and apply it.
- Knowledge of program planning, development and evaluation.
- Knowledge and understanding of financial management and reporting.
- Knowledge of NWT environment; community life in the north and cross-cultural issues.
- Able to research and interpret labour case law and various payroll systems to provide a sound foundation when presenting decisions.

- Experience in preparing and maintaining general ledgers and conducting account audits.
- Able to provide leadership related to employment standards.
- Proven interpersonal skills.
- Demonstrated ability for writing position papers, decision papers, Management Board submissions evaluation documents and presentations
- Skilled at negotiating and communicating in cross-cultural environments.
- Developed skills in managing multiple projects and multi-tasking.
- Able to communicate complex information clearly, succinctly and logically.
- Able to manage budgets, contracts, projects and annual work plans.
- Able lead, promote teamwork, motivate and manage staff and contractors.
- Able to work in a complex and computerized work environment.
- Able to deal well with stress.
- Able to meet tight deadlines.
- Able to research, analyze, synthesize and organize complex information.

Typically, the above qualifications would be attained by:

- A Bachelor's degree in Business Administration with a focus on Industrial Relations, Human Resource Management or other relevant discipline;
- Three (3) years' experience in Industrial Relations or Employment Standards; and
- Two years' experience in a direct supervisory role.

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