



GNWT Position on Other Mediation Issues

The Government of the Northwest Territories (GNWT) is committed to reaching a collective agreement that meets the common objectives of recognizing our valued public servants and the fiscal sustainability of the GNWT.

The GNWT and the UNW met with mediator, Vince Ready, on October 25-26. A list of outstanding issues was provided to the mediator in advance of the mediation in October.

The UNW has communicated that they are concerned about three main issues: (1) expanded use of relief employees; (2) adding job security language to the Collective Agreement; and (3) fair wages.

Throughout the collective bargaining process, the GNWT has been transparent in publically posting its proposals to assist employees and the public in being informed of the GNWT's position on the issues being discussed. During the October 2018 mediation session, the GNWT presented the UNW with a framework in an effort to advance to a final agreement, where the GNWT set out its position on all outstanding issues.

Previous communication addressed the issue of pay increases, while this document provides an update on the GNWT's position on relief employees and job security.

Relief Employees

Relief employees are described in the Collective Agreement in Appendix A1. In 2017-18, relief employees made up 1.9% of the GNWT's payroll and there has been a 13.4% decline in the use of relief employees over the last three fiscal years.

In the initial proposal in January, 2016 the GNWT had proposed to expand relief employees beyond facilities where services operate on a daily basis throughout the entire year. This could have eliminated the need to hire casuals scheduled to work on an as and when basis.

The UNW has continued to object to the expansion of the use of relief employees and has provided additional clarity on the UNW position regarding casuals scheduled to work on an as and when basis. As a result the GNWT has committed to withdrawing its proposal to expand the use of relief employees to all departments and amended its two remaining proposals that would assist in reducing the number of relief employees.

GNWT Position at Mediation

- The GNWT would withdraw its proposal to expand the use of relief to all departments.
- Allow for deemed termination of employment if the relief employee does not accept work over a 12 month period.
- Allow for the hiring of term relief employees to replace indeterminate relief employees on extended leave, rather than hiring another indeterminate relief worker.

Job Security

Term employees and layoff provisions are the two main aspects of job security that have been raised at the bargaining table.

Currently there are 212 term employees represented by the UNW. Terms employees of more than six months are entitled to the same benefits as indeterminate employees.

Participants in the GNWT Graduate Intern Program account for 35 of these term employees. This program provides valuable experience to Northern youth to transition into employment with the GNWT. It is expected that the number of interns will increase to 70 in 2019-20 as the GNWT continues to invest in northern youth.

In addition to interns, term employees are often used in circumstances where short term funding is provided for specific initiatives or in cases where an employee is needed to fill-in for an employee on extended leave like education, deferred leave, and maternity and parental leave.

Currently, a term employee can be hired for up to 48 months of continuous employment and can be further extended upon consultation with the UNW. Throughout the bargaining process, the UNW has expressed concern that lengthy term employment demonstrates a need for an indeterminate position.

GNWT Position at Mediation

- Proposal to convert term employees to indeterminate employment status after 24 months of continuous employment in the same position.
 - Exceptions: where the position is externally funded for a defined period of time; and
 - The GNWT has no expectation that the external funding will be renewed after the defined period.
- A series of term employees will not be employed in lieu of establishing a full-time position.

The second area of concern has been related to layoff provisions. During the 18th Legislative Assembly, the GNWT eliminated 142 unionized positions as part of the expenditure reduction initiative. A total of 72 unionized employees were affected by these reductions and through application of the GNWT's *Staff Retention and the Affected Employees and Staffing Priority Policies*, 16 were laid off. The employer's policies and practices have proven an effective tool to redeploy staff.

The UNW has indicated that they want voluntary separation, attrition, and seniority reflected in the lay-off provisions within the Collective Agreement, and incorporate language from the *GNWT Staff Retention Policy* into the Collective Agreement.

GNWT Position at Mediation

- The GNWT to enhance the already extensive layoff provisions of the Collective Agreement by adding a Letter of Understanding to allow for:
 - Voluntary Separation and bridging provisions where employee is within six (6) months of the being eligible to seek a waiver for unreduced pension benefits.
 - If there remains a need to eliminate a specific position, the Affirmative Action Policy will apply and notices of lay-off will be given in the following order: casual employees; term employees; relief employees; and indeterminate employees.

Other Mediation Issues

There are a number of other outstanding issues that have been raised at bargaining and that the GNWT addressed in the framework provided at Mediation in October. These included issues associated with:

- changes to the Northern Allowance;
- processes around performance reviews;
- changes to provision of the ultimate removal benefit;
- Health Care Professional Development Initiative (PDI);
- practices that support and promote mental health in the workplace;
- return of service related to relocation and education leave;
- contracting out;
- contribution to the UNW Social Justice Fund; and
- various housekeeping matters.

In addition the GNWT proposed language related to:

- implementing changes to provide GNWT employees access to extended parental leave provided by changes to the *Employment Insurance Act*;
- adding special leave for employees experiencing domestic violence; and
- changing requirements in the Collective Agreement for commencing Medical Travel from the employee's community of residence in order to reduce inconvenience.

The GNWT continues to believe that all issues can be resolved through negotiation. Mediation is scheduled for February 8-9, 2019 with Mr. Vince Ready. Mr. Ready is one of the most experienced and highly respected mediators in the country whose opinion and guidance should be welcomed by both the GNWT and UNW.