



## INTRODUCTION

The Public Service Alliance of Canada (PSAC) has long had a relationship with Nunavummiut. In 1969, employees of the Government of the Northwest Territories came to be represented by the Northwest Territories Public Service Association (later renamed Union of Northern Workers), which later joined the PSAC as a component union. With the creation of Nunavut, another PSAC component was created, and UNW members employed by the Government of Nunavut, hamlets, housing associations and other employers became members of the Nunavut Employees Union (NEU).

Since the creation of Nunavut in 1999, the PSAC has also come to represent workers in 15 housing associations, 20 municipalities and one corporation, in addition to the large number of workers who work for the Government of Nunavut and Qulliq Energy Corporation. Combined with the members that work for the federal government, the PSAC has the largest union membership in Nunavut, representing about 3,500 workers.

The PSAC has a real connection with Nunavummiut, as many of them are our members who live and work all across the territory. They, their families, their employers and their communities are all part of that connection. Accordingly, the PSAC welcomes the opportunity to make this submission.

The PSAC has a number of important issues and concerns that it wishes to raise with the GN. The past ten years have been busy ones in Nunavut, and there have been many lessons learned during this formative period in Nunavut's history. This brief is focused on building stronger communities, creating opportunities for Nunavut and mechanisms to work constructively together towards a common vision for Nunavut's future.

### **What is working .... *So the GN can recognize and build on it.***

PSAC and NEU commend the GN on its commitment to the eight guiding principles grounded in traditional Inuit beliefs, values and practices. The four goals the GN set, along with clear objectives within each goal, certainly speak to the GN's practice of Tunnganarniq (fostering good spirit by being open, welcoming and inclusive). The objectives within the four major goals are concrete targets that can be easily measured and evaluated by the GN with input from key stakeholders.

This current evaluation process, using an independent consultant, is further testament to the GN's commitment and sincerity in its pursuit of Nunavut development for the benefit of all Nunavummiut.

We feel that this can be further enhanced with the establishment of a consulting mechanism for more regular consultations with stakeholders, including PSAC and NEU. We will elaborate on this mechanism later in this brief.

## **What needs improvement ... *So the GN can seek ways to improve it.***

### **Pinasuaqtavut**

#### **Simplicity and Unity and Continuing Learning:**

##### **Removing systemic barriers to employment of Inuit within the GN**

Article 23 of the Nunavut Land Claims Agreement (NLVA) sets out an objective for the Government of Nunavut to increase Inuit participation in government employment to a level which reflects their representation in the population of Nunavut, and to develop employment and training programs in order to achieve such representation.

Currently, the Government of Nunavut has employment equity initiatives in place such as the Priority Hiring Policy and the Summer Student Employment Equity Program. Over the past ten years, representation of Inuit has increased within the Government, however much of the increase has been in administrative support jobs. Very little progress has been made with respect to professional and management positions and a number of barriers continue to exist for Inuit employment in these areas.

Emphasis must be placed on education, training and mentorship programs in order to increase access to better employment opportunities. Language is also a barrier, as there are four languages spoken in the territory; therefore access to language training and education is key to opening up more job opportunities.

Other ways in which the government can address this issue is to ensure better opportunities to full-time permanent jobs for casual employees. Currently, there is widespread use of casual employment by the Government. Yet, many of these temporary short term jobs become longer-term. Inuit are more highly represented in casual work than in permanent positions. In order to address this and provide meaningful employment to Inuit peoples, the government should provide direct appointment from casual positions to indeterminate jobs if the incumbent has been in the position for a lengthy period of time (e.g. one year).

Another issue that must be addressed is the rate of turnover for Inuit within the government. Stress, burnout, and the negative impact on an employee's family and work-life balance, have caused many Inuit to leave government employment.

A review of separations should be done, and exit interviews should be conducted in order to address any systemic problems.

Addressing the above issues would not only advance the objectives of the NLCA and employment equity, but would also address issues of poverty and income inequality, which in turn would ensure that people are more likely to stay in Nunavut and economic benefits would flow back into the communities.

## **Self Reliance**

### **Economic development**

The distribution problems among Nunavummiut of benefits from government programs and services that support economic and social development have been raised in various reports to and by the Nunavut Economic Forum in recent years. PSAC and NEU agree with many of these reports, particularly on the major contributing factors and the need to address these, including the infrastructure gap (particularly lack of housing), the slow progress in developing human capital (including education and training) and the need to promote and enable the broad participation of Nunavummiut and the local communities. PSAC and NEU believe that these are fundamental issues that need to be addressed to ensure a broader and even distribution of benefits from economic and social development programs.

Another issue that should be given attention is accountability at the local or community level in the delivery and distribution of economic and social benefits. There are instances where these benefits tend to be highly concentrated among a few individuals or groups within communities. Safeguards and evaluation mechanisms may need to be established to ensure that the impacts of economic development are spread in a manner that benefits the larger community and that communities are able to maximize the benefits collectively. Again, a properly trained public-service workforce would be necessary to ensure that these public monitoring programs and systems of accountability are run effectively.

Weaknesses in addressing this issue can create barriers to empowerment that is necessary to ensuring and increasing the broader participation of Nunavummiut in all aspects of developing the Nunavut economy. Establishing public monitoring and accountability systems in the delivery of economic and social programs and their benefits is also consistent with the guiding principles of Inuuqatigiitslarniq (respecting others, relationships and caring for people) and Tunnganarniq (fostering good spirit by being open, welcoming and inclusive).

## **Greater Capacity to address Human Rights issues**

Currently, Nunavut is one of only three jurisdictions in Canada to have a direct-access tribunal model rather than a human rights commission. The PSAC's concern lies with the accessibility of such a human rights system, and the ability of this system to provide justice for people whose human rights have been violated.

Under the current model, there is no function, as there is within most other jurisdictions in Canada, to the investigation and mediation of human rights complaints. The tribunal system is overly complex and legalistic and requires knowledge of how to work one's way through the system. Many of the most marginalized and isolated people, and therefore the most likely to be vulnerable to human rights abuses, do not have knowledge of the system and how to access it, nor do they have the means to afford legal representation. Any human rights system in place must be reflective of Inuit culture and values, and must be accessible to Inuit peoples.

We believe that human rights commissions play a crucial role at the intake stage to ensure that complaints are related to human rights. In addition, commissions can address complex and systemic complaints and deal with prevention. Therefore, changes should be made to the Nunavut Human Rights Act to create a more accessible, responsive, and effective system for dealing with human rights including establishing a human rights commission that has the power to investigate and mediate complaints.

Along with legislation, we believe that education is necessary to bring awareness of human rights and responsibilities. Human rights education must be available to the general public and to employers. Information about the human rights system, what rights people have, and how to file a complaint should be available and accessible in all four languages spoken in Nunavut.

## **Transfer of services from government to municipalities and decentralization of Government of Nunavut**

PSAC and NEU recognize the necessity for greater involvement of municipal governments and communities in increasing the participation of Nunavummiut in economic development. We support one of the Nunavut Economic Development Strategy's guiding principles which aims to place control of economic development in the hands of community members.

We believe that transfer of services from GN to municipalities, if implemented properly, can ensure the increased participation of broader community members. Decentralization of the GN can also ensure that jobs and government resources are spread evenly across the territory.

However, in order to effectively meet some of the objectives of the economic development strategy through transfer of government services and decentralization, the GN must ensure that resourcing of public services are adequate, fair and consistent.

Municipalities and GN services in communities must have the financial resources, staff and facilities necessary to properly deliver economic and social programs to the broader communities.

Public service workers must be representative of the communities they serve and must have fair wages and good working conditions in order to effectively deliver programs.

As well, resources needed for continuous delivery of services must be secured through proper funding. The GN must support the sharing of Nunavut's public resource revenues with municipal governments that fairly reflect their roles and responsibilities.

Given that the public sector remains the most significant contributor to Nunavut's economic development and growth, it is essential that quality public services are protected and supported in the territory.

## **What is not working ... *and should stop.***

### **Privatization**

There is no convincing evidence to support the view that the private sector can deliver goods and services cheaper and more efficiently than the public sector. In fact, there is plenty of evidence to support just the opposite, that the public sector is better and more efficient at delivering goods and services, with the added benefit that it can provide these more equitably among the public. There is also plenty of evidence that services that are privatized tend to drive up costs and diminish accessibility to these services.

It is vital, therefore, that the delivery of social services, such as education, health care and front-line services that are essential to human capital development, are kept in the public sector to ensure accountability, accessibility and equitable delivery. The profit motive of private enterprise and the free market is inconsistent with the guiding principles of Pinasuaqtavut and increased privatization compromises the simplicity and unity objective of "building an effective, functional public service responsive to the people its serves."

Furthermore, privatization lays workers open to exploitation. A concrete example of this was our union's recent negotiations with Pimaksirvik Corporation, where we found that the Inuit workers of the corporation were receiving a fraction of the

revenues compared with those at the Department of Health & Social Services. The lion's share of these revenues was going to the corporation's management and to workers outside the bargaining unit. This practice is contrary to the principles of Inuuqatigiitsiarniq (respecting others, relationships and caring for people) and Pijitsirniq (serving and providing for family and/or community).

### **Use of casual employees in the public service**

The extensive use of casual employees in the public service increases job insecurity, means lower or no work benefits and compromises self reliance. The GN must show a stronger commitment to its employees by providing secure and meaningful employment with attendant benefits and fair wages to its workers. This would help avoid problems of retention and promote self reliance.

### **Some elements of the Public Service Act need to be revised**

A number of changes should be made to the *Nunavut Public Service Act* in order to bring it into line with standards in other Canadian jurisdictions as well as to reflect the Inuit value system (Qaujimagatuqangit). The Nunavut Employees Union has made submissions to the Government of Nunavut detailing our proposed changes. These include the following:

- the establishment of a Labour Relations Board
- the elimination of the prohibition against discussing housing in bargaining
- a more clear definition of "essential services" consistent with that set out in the Canada Labour Code

PSAC and NEU have a number of detailed recommendations regarding improvements to the *Public Service Act* and would welcome a review process which includes meaningful consultation with unions.

## **Qanukkanniq (What's next)?**

### **On-going consultative mechanism**

PSAC and NEU strongly recommend that the GN establish a mechanism for regular and on-going consultations.

The GN should ensure the participation of PSAC, NEU and other labour stakeholders, such as the Federation of Nunavut Teachers and the Northern Territories Federation of Labour, in the on-going process of determining what needs improvement and to assist with the GN's objective of improving public services for the communities. The people whom these labour organizations represent do the work and provide the services to Nunavummiut. They therefore

have a great capacity to identify problems and propose solutions to the significant challenges faced by the GN.

Establishing a mechanism for regular and on-going consultations with labour stakeholders is consistent with the Inuit principles of Aajiiqatigiinni (decision making through discussion and consensus), Piliriqatigiinni/Ikajuqtigiinni (working together for a common cause) and Qanuqtuurniq (being innovative and resourceful).

The key issues that the GN should consult labour organizations, particularly PSAC and NEU, on are the following:

Economic and social development, especially pertaining to programs and services delivered by the public sector to ensure that these are properly resourced.

Greater Inuit employment opportunities NEU represents the majority of workers in the Government of Nunavut. PSAC is the largest union in the North, and represents Inuit, First Nations, and Metis workers across Canada, working for Band Councils, in other areas of First Nations employment including education and health care, and in other public sector employment across Canada. PSAC also has a National Aboriginal Peoples' Circle and Network of Aboriginal activists across Canada, and has expertise and experience dealing with employment equity issues. Therefore, PSAC and NEU are uniquely situated to address issues relating specifically to employment experiences and barriers faced by Inuit and other Aboriginal Peoples in Canada as well as ways to address these barriers.

### Legislation

#### Public Service Act

It is important that any changes to the Public Service Act involve a meaningful consultation with the Unions. PSAC is the largest union in Nunavut. We also represent public service workers across Canada in various jurisdictions and have extensive experience dealing with different legislative labour relations regimes.

#### Human Rights Act

The Government of Nunavut should begin a consultation process on reforms to the Nunavut Human Rights Act to ensure an accessible, effective, and responsive human rights system. These kinds of issues should be discussed with key stakeholders who have gone through the process and can provide feedback about their experiences, including unions such as PSAC, which has extensive experience in dealing with human rights systems in many Canadian jurisdictions.

Furthermore, it is especially important that labour stakeholders are consulted when legislation and bargaining practices are reviewed, particularly the following:

- Labour Standards Act
- Safety Act
- Workers' Compensation Act
- prospect of introducing coalition bargaining for hamlets and housing associations

In summary, the PSAC and the NEU are grateful to have had this opportunity to contribute to the evaluation of the first ten years of Nunavut's governance. We look forward to constructively working together to build on Nunavut's achievements and building consensus around how to address Nunavut's labour, economic and social development challenges.