

REGULATION
TO AMEND THE *EMPLOYEES DIVISION REGULATIONS (2007)*

The Nunatsiavut Treasurer, acting under authority of an Order of the Nunatsiavut Executive Council issued the 11th day of February 2011, is pleased to enact the following regulations pursuant to section 37 of the *Civil Service Act*:

Section 3(2) of the Employees Division Regulations (2007) Amended

1 Section 3(2) of the Employees Division Regulations (2007) is deleted and replaced as follows:

(2) In these regulations:

“Employee” means an employee in the employees division of the Nunatsiavut Civil Service as defined and established under section 11 of the *Civil Service Act*;

“Employees Policy Manual” means Annex 1 to the *Employees Division Regulations (2007)*;

“Temporary and Casual Employee Policy Manual” means Annex 2 to the *Employees Division Regulations (2007)*;

Section 1.A.1(a) of Employees Policy Manual Amended

2 Section 1.A(1)(a) of the Employees Policy Manual is deleted and replaced as follows:

(a) Apply to all permanent full-time employees and to all permanent part-time employees but do not apply to the management division of the Nunatsiavut Civil Service unless stated otherwise;

Section 1.B.2 of Employees Policy Manual Amended

3 Section 1.B(2) of the Employees Policy Manual is deleted and replaced as follows:

For the purposes of this Manual:

- 1) “Acting” means when an employee substitutes in a higher-level position.
- 2) “common-law partner” means a person who has been cohabiting with an individual in a spousal relationship for at least one year, or who had been so cohabiting with the individual for at least one year immediately before the individual’s death.

- 3) “Dependent” means an employee’s spouse, common-law partner, and children of the employee, employee’s spouse or employee’s common-law partner who reside with the employee at March 31st for a least 40% of their time and in the case of any such child who is a university student, the student must reside with the employee when they are not at university.
- 5) “Deputy Minister” means a senior civil servant appointed by the Executive Council who serves under a Minister as the deputy head or senior manager of a department.
- 6) “Director” means a senior manager within a department who reports to the Deputy Minister.
- 7) “Director of Human Resources” means the individual member of the Nunatsiavut Civil Service who is responsible to the Treasurer for personnel management.
- 8) “Employees Division” means the division of the Nunatsiavut Civil Service comprised of all permanent full-time and permanent part-time positions of employment with the Nunatsiavut Government and agencies, including positions that are probationary or provisional, but excludes any positions of employment in the management division and the casual jobs division.
- 9) “Employee” and “employee” refers only to an Employee in the Employees Division who is a permanent full-time employee or a permanent part-time employee.
- 10) “Employer” means the Nunatsiavut Government.
- 11) “Executive Council” and “NEC” mean the Nunatsiavut Executive Council.
- 12) “immediate family” means:
 - (a) the employee’s spouse or common-law partner;
 - (b) the employee’s father and mother and the spouse or common-law partner of the father or mother;
 - (c) the employee’s children and the children of the employee’s spouse or common-law partner;
 - (d) the employee’s grandchildren;
 - (e) the employee’s brothers and sisters;

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- (f) the employee's grandfather and grandmother;
 - (g) the father and mother of the employee's spouse or common-law partner and the spouse or common-law partner of the father or mother of the employee's spouse or common-law partner; and
 - (h) any relative of the employee who resides permanently with the employee or with whom the employee permanently resides.
- 13) "LIA" means the former Labrador Inuit Association and its Affiliates.
 - 14) "Manager" means a position that exercises management functions and is responsible for, directs and oversees a work unit.
 - 15) "Manual" means this Employees Policy Manual.
 - 16) "Minister" means a member of the Executive Council.
 - 17) "Merit Principle" means the principle that merit governs the appointment of a person to, and advancement within, the Nunatsiavut Civil Service on the basis of qualifications, relative ability, knowledge and skills.
 - 18) "NCS" means the Nunatsiavut Civil Service.
 - 19) "permanent full-time employee" means a permanent Employee in the Employees Division who regularly works at least seventy (70) hours bi-weekly.
 - 20) "permanent part-time employee" means a permanent Employee in the Employees Division who regularly works at least thirty-five (35) hours bi-weekly.
 - 21) "Supervisor" means a position that exercises supervisory functions and is responsible for and directs the work of one or more employees, and includes Professional Supervisors and more senior levels of management as applicable.
 - 22) "Treasurer" means the Nunatsiavut Treasurer appointed by the President of Nunatsiavut pursuant to section 5.1.1(c) of the Constitution.

Section 1.D(1) of Employees Policy Manual Amended

- 3 Section 1.D(1) of the Employees Policy Manual is deleted and replaced as follows:**

- 1) This Manual can be amended at any time by the NEC upon thirty (30) days notice to the employees, or earlier if required in the circumstances.

Section 4.D(6) of Employees Policy Manual Amended

- 4 **Section 4.D.6 of the Employees Policy Manual is deleted and replaced as follows:**

- 6) Any balance of accrued overtime leave or additional hours leave not taken at the end of a fiscal year, shall be paid to the employee at the end of the fiscal year at the rate of one and one half times the employee's regular wage rate.

Section 6.F(1) Employees Policy Manual Amended

- 5 **Section 6.F(1) of the Employees Policy Manual is deleted and replaced as follows:**

- 1) All new employees shall be subject to a probationary period of nine hundred and ten (910) hours of actual work, which must be completed successfully.

Section 6.G(5) of Employees Policy Manual Amended

- 6 **Section 6.G(5) of the Employees Policy Manual is deleted and replaced as follows:**

- 5) The employee will be placed in the salary level of the new position at their current salary, and will be entitled to a step progression on their regular anniversary date.

Section 9.B(1) of Employees Policy Manual Amended

- 7 **Section 9.B(1) of the Employees Policy Manual is deleted and replaced as follows:**

- 1) Severance pay will be issued to employees in the event of termination without cause, resignation or retirement of an employee who has completed five (5) full years of continuous permanent service at the rate of one week's regular salary for each year of completed service with the Nunatsiavut Government.

Section 12(2) of Employees Policy Manual Amended

- 8 **Section 12(2) of the Employees Policy Manual is deleted and replaced as follows:**



- 2) All employees shall complete and sign a bi-weekly timesheet that the Supervisor must approve in writing, which is then submitted to the Finance Department for processing.

Section 14(1) of Employees Policy Manual Amended

9 Section 14(1) of the Employees Policy Manual is deleted and replaced as follows:

- (1) When an employee is appointed by the Nunatsiavut Government to substitute in any higher rated position for five (5) consecutive working days or more for relief purposes, additional pay will come into effect. Additional pay will be paid at Step 1 of the substitute level position or the amount indicated in the acting scales, whichever is higher.

Section 15 of Employees Policy Manual Amended

10 Section 15 of the Employees Policy Manual is amended by adding a new subsection (4) as follows:

- 4) Requests to transfer positions from one community to another must be submitted to the Supervisor in writing.
 - a) The supervisor, in consultation with the Director of Human Resources, will forward a recommendation to the NEC for decision.
 - b) Requests to transfer positions outside of Nunatsiavut will not be considered.

Section 16(8) of Employees Policy Manual Amended

11 Section 16(8) of the Employees Policy Manual is deleted and replaced as follows:

- 8) All salary increases and decreases are subject to the written authorization of the Controller.

Section 18.A(2) of Employees Policy Manual Amended

12 Section 18.A(2) of the Employees Policy Manual is deleted and replaced as follows:

- 2) The following group insurance benefits are provided and cost shared between the Nunatsiavut Government and each participating employee:
 - a) Life and Accidental Death and Dismemberment

- b) Long Term Disability
- c) Dependent Life
- d) Medical and Dental for employees and dependents, as applicable.

Section 19.A of Employees Policy Manual Amended

- 13 Section 19.A of the Employees Policy Manual is amended by deleting subsections 19.A(4) and 19.A(5) and all subsequent subsections are renumbered accordingly.**

Section 19.D of Employees Policy Manual Amended

- 14 Section 19.D of the Employees Policy Manual is deleted and replaced as follows:**

D. Bereavement Leave

- 1) In the event of the death of a member of an employee's immediate family, the employee is entitled to three days of paid bereavement leave on any of the normal working days that immediately follow the day of the death.
- 2) Employees, pending approval of their supervisor/manager, are excused to attend funerals in the community, but offices will remain open.

Section 19.G(1) of Employees Policy Manual Amended

- 15 Section 19.G(1) of the Employees Policy Manual is deleted and replaced as follows:**

- 1) On the approval of the immediate Supervisor, paid sick leave may be used for family responsibility purposes as follows:
 - a) Accompany a family member to a medical or dental appointment;
 - b) Attend to needs relating to the birth of the employee's child; or
 - c) Care for a sick family member (i.e. father, mother, child) who may be living inside or outside the household.

Section 20.C(4) of Employees Policy Manual Amended

- 16 Section 20.C(4) of the Employees Policy Manual is deleted and replaced as follows:**



- 4) If the employee is successful in seeking election, then that employee must resign and give notice for his/her position in the NCS. If the employee is defeated then s/he must promptly resume their duties within the NCS.

Section 20 of Employees Policy Manual Amended

- 17 **Section 20 of the Employees Policy Manual is amended by deleting subsection 20.E in its entirety.**

Section 21 of Employees Policy Manual Amended

- 18 **Section 21 of the Employees Policy Manual is amended by deleting subsections (2), (3) and (4) in their entirety and subsection (5) is renumbered as subsection (2).**

Section 26 of Employees Policy Manual Amended

- 19 **Section 26 of the Employees Policy Manual is amended by deleting subsection F in its entirety.**

Section 1 of Appendix 1 of Employees Policy Manual Amended

- 20 **Section 1 of Appendix 1 of the Employees Policy Manual is amended by deleting the heading "Saputjivik" and the terms "Counselors", "Attendants" and "Ground Transportation Drivers".**

Section 10 of Appendix 1 of Employees Policy Manual Amended

- 21 **Section 10 of Appendix 1 of the Employees Policy Manual is deleted and replaced as follows:**

10. Annual Leave

Permanent fulltime shift workers at the Voisey's Bay site receive 8% vacation pay in lieu of any annual leave benefits. These employees are still entitled to five Hunting, Fishing and Gathering days, to a maximum of 60 hours annually.

Section 11 of Appendix 1 of Employees Policy Manual Amended

- 22 **Section 11 of Appendix 1 of the Employees Policy Manual is deleted and replaced as follows:**

11. Additional Hours and/or Overtime

Permanent fulltime shift workers at Voisey’s Bay site will be paid based on salaried amount. There is no compensation for additional or overtime hours, except during environmental emergencies. Overtime and additional hours have to be approved by the Treasurer and President and reported at the next regular Nunatsiavut Executive Council meeting.

For the purpose of leave entitlements, a workday is based on a 12-hour day.

Section B of Appendix 3 of Employees Policy Manual Amended

23 Subsections B(1) and B(2) of Appendix 3 of the Employees Policy Manual are deleted and replaced as follows:

- 1) Travel Allowance is intended to assist all Employees with some of the costs of travel.
- 2) The Employer will pay the applicable amount in Table “C” Travel Allowance to all employees. Employees must be employed as of March 31st to be eligible and be working, i.e. not on unpaid leave.

Subsection B(5) of Appendix 3 of Employees Policy Manual Amended

24 Subsections B(5) is amended by deleting the following sentence:

Dependents are defined as a spouse, common-law spouse, children that are residing with the employee at March 31st for a least 40% of their time. In the case of university students, students must reside with their parents when they are not at university.

Table “C” of Appendix 3 of Employees Policy Manual Amended

24 Table “C” of Appendix 3 of the Employees Policy Manual is deleted and replaced as follows:

TABLE “C”
Travel Allowance

Effective April 1, 2005 – March 31, 2006 – Annual taxable benefit		
All communities outside of Nunatsiavut	Employee: \$350.00 p.a.	Spouse and Dependent: \$350.00 p.a. each
Nunatsiavut	Employee: \$550.00 p.a.	Spouse and Dependent: \$550.00 p.a. each