

ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

QUESTION 157-19(2): DOMESTIC VIOLENCE LEAVE

March 5, 2020

MR. O'REILLY: Merci, monsieur le President. I want to ask some questions of the Minister of Finance, who also has responsibility for human resources. Most Canadian jurisdictions ensure that employees are provided with domestic violence leave, effective January 1, 2020. Our Employment Standards Act provides up to five days of paid family violence leave, another five days of unpaid leave, and maybe even 15 weeks of unpaid leave with proper notice. I supported these changes, but our main collective agreement with UNW only provides for three days of paid domestic violence leave. Is the Minister aware of this difference in domestic violence leave for GNWT employees and other employees, and what action, if any, is she prepared to take to deal with these less generous provisions for our employees? Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Frame Lake. Minister of Finance.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. The collective agreement does have a difference in it as compared to what is in the employment standards provisions, but it actually does also say that more than three days of leave can be approved by the employer and that the approval cannot be unreasonably denied. Certainly, we could take the step of at least reminding all of the GNWT that, indeed, one would not want to deny leave in circumstances when there is a case of domestic violence leave. If they have been given the three days and are requesting further, I would expect that, in many, many cases, it would be unreasonable to deny it. While it's worded differently, it's not quite as strict as that, and I certainly wouldn't want anyone to be discouraged, if they need leave, from going and speaking to their responsible supervisor to provide that information. As far as then changing the collective agreement, there will always be further bargaining and further negotiations that take place at new rounds of bargaining. If this is an issue that is seen by the employees, then we will see it at that point and deal with it in due course. Thank you, Mr. Speaker.

MR. O'REILLY: I want to thank the Minister for that. I think she made a commitment that she would actually send out a reminder. Is the Minister prepared to send out a reminder to GNWT supervisors that this provision in the collective agreement is perhaps more permissive than seems to be interpreted?

HON. CAROLINE WAWZONEK: I wouldn't want the Minister of Justice to get angry with me if I'm now interpreting the collective agreement. That was not my intention, but certainly, simply to just point out again that more than three days of leave with pay will

be approved by the employer, and that approval cannot be unreasonably denied. If it's a simple reminder of what the collective agreement says, and if that's not being applied, firstly, I would ask Members to bring that to my attention if it's not being applied, and there is no harm in reminding our own staff and our own supervisors what is in the agreement, so I am happy to certainly do that.

MR. O'REILLY: I want to thank the Minister for that. I think that was a yes, again, that she will send out a reminder to GNWT supervisors about that. That's great. I am wondering if the Minister could commit to using the domestic leave provisions in the Employment Standards Act as a baseline when it comes to renegotiating the collective agreements. I am sure UNW would support more generous provisions. As I understand it, that's what they had pushed for at the bargaining table but couldn't achieve it. Again, will the Minister use the Employment Standards Act as the baseline moving forward in the negotiations of new collective agreements?

HON. CAROLINE WAWZONEK: Coming up with a bargaining mandate is a more complicated matter than one I am going to begin to commit to here on the floor, but I am confident that all of my Cabinet colleagues are hearing this exchange. Sometimes that's exactly the benefit of being in this House, so that we can all hear those exchanges and hear the issues that are raised.

MR. SPEAKER: Thank you, Minister. Oral questions. Member for Frame Lake.

MR. O'REILLY: Merci, monsieur le President. I want to thank the Minister for that. Look, this is an issue of fairness. Are we going to treat our employees the same way that all other employees in the Northwest Territories are treated? I think that's a very simple question, here. I am looking for a commitment from the Minister that she is going to work with our unions to make sure that the domestic violence leave provisions are the same for all employees in the Northwest Territories. Is that a commitment she is prepared to make? Masi, Mr. Speaker.

HON. CAROLINE WAWZONEK: I don't disagree that this is an issue of great importance, and I, of course, want to ensure that all of the employees of the GNWT are treated not only fairly, but in the best possible way. I am simply not going to make a commitment about a bargaining mandate. I am not going to make a commitment on the floor, other than to say, as I have before, that I do make a commitment to improving and continuing the relationship that we have with our unions. It's an important and critical relationship and, if this is an issue that comes up in the course of those conversations, I would look forward to having that conversation directly with them at that time. Thank you, Mr. Speaker.