

**AN ACT TO AMEND THE INUIT LAW RESPECTING THE NUNATSIAVUT  
GOVERNMENT CIVIL SERVICE AND EMPLOYMENT WITH THE  
NUNATSIAVUT GOVERNMENT, IL-2005-7**

*Be it enacted by the President of Nunatsiavut and the Nunatsiavut Assembly as follows:*

1. Paragraph 2(1)(p) of the *Civil Service Act, IL-2005-7* is amended by inserting the word “section” immediately before the number “5.2.2”.

2. Paragraph 2(1)(q) of the *Civil Service Act, IL-2005-7* is amended by inserting the word “a” immediately before the word “competition”.

3. Paragraph 2(1)(t) of the *Civil Service Act, IL-2005-7* is deleted and paragraphs 2(1)(u) and 2(1)(v) are renumbered as 2(1)(t) and 2(1)(u) respectively.

4. Subsection 2(2) of the *Civil Service Act, IL-2005-7* is deleted and replaced with the following:

(2) A word or phrase that is used in this Act but which is not defined in this Act has the meaning ascribed to it in the Constitution or the *Nunatsiavut Government Organization (Transitional) Act*.

5. Subsection 7(3) of the *Civil Service Act, IL-2005-7*, is amended by deleting the “and” at the end of paragraph (o), replacing the period after paragraph (p) with a semicolon, inserting the word “and” at the end of paragraph (p), and adding immediately after paragraph 7(3)(p) the following:

(q) such other functions as are assigned to the Director under or pursuant to this or another Act.

6. Subsection 10(3) of the *Civil Service Act, IL-2005-7* is deleted and replaced with the following:

(3) Members of the Nunatsiavut Civil Service who are employed in the management division shall have such remuneration and benefits as the Executive Council may determine.

7. Subsection 12(5) of the *Civil Service Act, IL-2005-7* is deleted and replaced with the following:

(5) Where an employee in the casual jobs division has received a satisfactory performance evaluation with respect to a seasonal job, if that job is available in a subsequent season or is subsequently made permanent, the former employee in the casual jobs division shall be offered the job before it is advertised.

**8. The *Civil Service Act*, IL-2005-7 is amended by adding immediately after subsection 12(5) the following:**

- (6) A Deputy Minister may delegate a power under subsection (2) or (3) to a director within the Deputy Minister's Department if the delegation is made in writing.

**9. Section 17 of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

17

- (1) If a vacancy or new position in the management division becomes available the Executive Council must hold a competition to fill the position.
- (2) For purposes of subsection (1) the President-in-Council may delegate some or all functions, including the power to make an appointment, to a committee composed of Ministers and the Director provided the committee is chaired by a Minister.
- (3) An applicant for a position referred to in subsection (1) who is an Employee of the Nunatsiavut Government and who is qualified to fill the position shall be given preferential consideration.
- (4) Notice of a competition under subsection (1) must be:
  - (a) given at least two weeks in advance of the closing date of the competition;
  - (b) posted on notice boards in all Nunatsiavut Government offices in areas accessible to employees, and
  - (c) posted or advertised in such other manner as the Director or a hiring committee appointed under subsection (3) considers will provide reasonable access by the public to the notice.

**10. Section 18 of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

18

- (1) If a vacancy or new position in the employees division becomes available the Director or a hiring committee appointed under subsection 11(3) must hold a competition to fill the position.
- (2) An applicant for a position referred to in subsection (1) who is an Employee of the Nunatsiavut Government and who is qualified to fill the position shall be given preferential consideration.

- (3) The Director or a hiring committee appointed under subsection 11(3) must give notice of a competition in the employees division at least two weeks in advance of the closing date of the competition.
- (4) Notices pursuant to subsection (3) must be:
  - (a) posted on notice boards in all Nunatsiavut Government offices in areas accessible to employees, and
  - (b) posted or advertised in such other manner as the Director or a hiring committee appointed under subsection 11(3) considers will provide reasonable access by the public to the notice.
- (5) The Director or a hiring committee appointed under subsection 11(3) shall:
  - (a) review the applications of all candidates;
  - (b) examine those candidates who possess the required qualifications;
  - (c) rate the candidates in order of merit having regard to subsection (2); and
  - (d) fulfill the functions required under subsection 11(3).
- (6) Before nominating a candidate for a position, the Director or a hiring committee appointed under subsection 11(3) must satisfy itself that the person is fit to perform the duties and to undertake the responsibilities of the position.

**11. Section 22 of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

**22**

- (1) Every person appointed to a position in the management division or the employees division shall, on appointment, take the oath or affirmation as set out in Schedule A.
- (2) A person engaged to work in the casual jobs division may be required by the Deputy Minister or a director to take and subscribe the oath or affirmation as set out in Schedule A.

**12. The *Civil Service Act*, IL-2005-7 is amended by adding immediately after subsection 24(5) the following:**

- (6) Notwithstanding subsection (4) the Treasurer may, in writing and with the consent of the Executive Council, authorize the Director and designated supervisors within a Department or Agency to exercise the powers set out in subsection (4).

**13. Section 26 of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

**26**

- (1) An Employee in the management division may resign by giving the Minister and the Director at least 45 clear days notice in writing of his or her intention to resign, and stating therein the effective date of the resignation.
- (2) The Treasurer may, with the consent of the Executive Council, enact regulations to establish periods of notice that must be given by employees in the employees division or the casual jobs division who intend to resign, and the official to whom such notice must be given.
- (3) An Employee who is absent without leave for five consecutive working days shall be deemed to have resigned from the Nunatsiavut Civil Service effective the first day of absence but where an Employee of the employees division satisfies the Director that the absence arose from a cause beyond his or her control, the person shall be reinstated.

**14. Section 28 of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

**28**

- (1) A Minister may lay off an Employee in the management division and, subject to subsection (2), a Deputy Minister may lay off an Employee in the employees division.
- (2) If a decrease in the workforce within the employees division is necessary the Treasurer may direct that the hours of work for all Employees in the employees division shall be reduced to 32 hours per week before anyone is laid off.
- (3) The Treasurer may, with the consent of the Executive Council, enact regulations to establish periods of notice that must be given in the event that an Employee's employment is terminated without cause.

**15. The *Civil Service Act*, IL-2005-7 is amended by adding immediately after subsection 29(2) the following:**

- (3) A Deputy Minister may delegate in writing the authority to authorize overtime to a director or manager in the Deputy Minister's department but the exercise of any such delegated authority must comply with subsection (2).

**16. Subsection 30(8) of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

- (8) A leave of absence granted under subsection (7) shall have effect in accordance with the regulations but shall not in any event extend beyond the day on which the successful candidate is declared elected and if the Employee is declared

elected he or she shall be absolutely deemed to have resigned from the Nunatsiavut Government at that time.

**17. Paragraph 34(1)(d) of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

(d) subject to subsection (2), to enjoy similar group insurance benefits and similar pension plan benefits as he or she enjoyed as an employee of Labrador Inuit Association.

**18. Paragraph 37(j) of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

(j) the administration of pay plans, hours of work including overtime and the authorization and use of overtime in the event of an emergency or crisis, safety, attendance, and programs for providing incentive awards;

**189 Section 38 of the *Civil Service Act*, IL-2005-7 is deleted and replaced with the following:**

**38**

This Act and the Regulations may be consolidated and provided to Employees in the form of an employee policy manual for ease of reference but the official policies and procedures of the Nunatsiavut Government shall be as set out in the Constitution, this Act and the Regulations.