

Standing Committee on
Government Operations



Report on the Review to Date of Bill 26: *An Act to Amend the Public Service Act*

20th Northwest Territories Legislative Assembly

Chair: Mr. Julian Morse

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**STANDING COMMITTEE ON
GOVERNMENT OPERATIONS**

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*An Act to Amend the Public Service Act***

TABLE OF CONTENTS

INTRODUCTION 1

COMMITTEE CONSIDERED PUBLIC INPUT 2

COMMITTEE INTENDS TO HOLD GOVERNMENT ACCOUNTABLE FOR PHASE II
AMENDMENTS TO THE PUBLIC SERVICE ACT..... 2

CONCLUSION 3

ENDNOTES 4

APPENDICES

STANDING COMMITTEE ON GOVERNMENT OPERATIONS
REPORT ON REVIEW TO DATE OF BILL 26:
AN ACT TO AMEND THE PUBLIC SERVICE ACT

INTRODUCTION

Bill 26: *An Act to Amend the Public Service Act*¹ (Bill 26) received second reading on May 26, 2025, and was referred to the Standing Committee on Government Operations (Committee) for review. Bill 26 is a Private Member's Bill brought forward by the MLA for Yellowknife North. Bill 26 would make amendments to the *Public Service Act* to provide a process to authorize and deauthorize a separate bargaining unit for unionized nurses, pursuant to a vote. This would apply to all public sector nurses registered with the College and Association of Nurses of the Northwest Territories and Nunavut (CANNN).

The main points of Bill 26 include the following:

- Changing the definition of “employees’ association” to include an association or other body that has been authorized to bargain collectively on behalf of nurses of the public service.
- Adding a definition of “nurse” to the Act which includes nurses employed by the Hay River Health and Social Services Authority, which only takes effect once section 20 of *An Act to Amend the Hospital Insurance and Health and Social Services Administration Act* comes into force.
- Adding that an application may be made to the Supreme Court for an order that authorizes an applicant to bargain collectively on behalf of nurses, which may be granted provided the Court is satisfied that all nurses had the opportunity to vote and that a majority of nurses who voted were in favour.
- Adding, through a similar process, that an application can be made after six months for an order to decertify the nurses’ bargaining agent.
- Specifying that any term or condition of employment that applies to nurses as members of the Union of Northern Workers (UNW) continues until a new agreement is entered into by a new employees’ association on their behalf.
- The Act would come into force on November 7, 2025.²

This report outlines Committee’s engagement with the public, stakeholders and the Government of the Northwest Territories (Government) on Bill 26. Both the sponsor of Bill 26 and the Government provided substantial background information to support Committee’s review, which is included in the appendices to this report.

COMMITTEE CONSIDERED PUBLIC INPUT

Committee sought feedback on Bill 26 with a call for public submissions on the Legislative Assembly website and through social media, in addition to targeted engagement with key stakeholders. Committee received 28 written submissions on Bill 26, which can be found in Appendix C. Committee correspondence related to its review can be found in Appendix D.

Committee held public briefings with CANN, ³ the UNW, ⁴ Public Service Alliance of Canada (PSAC) North, ⁵ and the Northern Territories Federation of Labour. ⁶ Committee also received public briefings from the sponsor of the Bill ⁷ accompanied by nurses in support of the bill, and the Minister of Finance. ⁸ Presentations on Bill 26 can be found in Appendix B.

On September 23, 2025, a public meeting was held in Yellowknife – Sòmbak'è for the public to present views on Bill 26. ⁹ 17 residents attended, and five (5) oral submissions were made to Committee.

Committee extends its gratitude to those who contributed their views during the review of Bill 26.

COMMITTEE INTENDS TO HOLD GOVERNMENT ACCOUNTABLE FOR PHASE II AMENDMENTS TO THE *PUBLIC SERVICE ACT*

While Committee largely supports the goal of nurses having the ability to choose their own bargaining agent in recognition of their professional workplace needs and in support of healthcare sustainability in the Northwest Territories (NWT), Committee believes that the most appropriate way to address certification and decertification of any bargaining agent is through comprehensive Government modernization of section 41 of the *Public Service Act* (also known as Phase II amendments).

Phase II amendments would allow for the creation of a labour relations board or similar mechanism to certify new bargaining agents. This approach would address the operational concerns that some nurses are seeking and would ensure freedom of association consistent with the *Canadian Charter of Rights and Freedoms*. Committee believes this work is crucial given the concerns raised by nurses and residents through the review of Bill 26 and the fact that the NWT is one of the last jurisdictions in Canada without a labour relations board, putting our residents at a disadvantage.

During a public briefing to Committee on Bill 26, the Minister committed to introducing a draft bill for Phase II amendments to the *Public Service Act* in the fall of 2026.¹⁰ Committee is pleased to acknowledge, as evidenced through the study of Bill 26, that both the Government and union stakeholders are committed to collaborative work on addressing these amendments.

Bill 26 is contentious and is not a perfect bill, but Committee members see value in pausing its review process for the time being and to resume its review at a later date should the Government not deliver on its promise of a Legislative Proposal for Phase II amendments to the *Public Service Act* by spring 2026 and introduction of a bill in fall 2026. To that end, Committee urges the Government to make accelerated progress on the *Public Service Act* Phase II amendments to ensure freedom of association consistent with the *Canadian Charter of Rights and Freedoms*.

Recommendation 1: The Standing Committee on Government Operations recommends that the Government of the Northwest Territories complete the engagement and work necessary to bring forward a legislative proposal no later than the May 2026 session and introduce a bill to support Phase II amendments to the *Public Service Act* no later than the October 2026 session, in line with the timelines previously communicated.

Recommendation 2: The Standing Committee on Government Operations requests that the Government of the Northwest Territories provide a response to Committee's recommendations within 120 days.

CONCLUSION

Committee has not held a clause-by-clause review of Bill 26. Committee has paused its review of the bill, and may resume its review at a later date in order to hold government accountable for progress on a bill to address Phase II changes to the *Public Service Act*.

ENDNOTES

¹ Bill 26 is available at: https://www.ntlegislativeassembly.ca/sites/default/files/bills-and-legislation/2025-05/Bill%2026%20-%20public%20version%20%281%29_0.pdf.

² The Proposal for Private Member's Bill 26 is available at:
<https://www.ntlegislativeassembly.ca/sites/default/files/tables-documents/2025-05/TD%20328-20%281%29%20Revised%20LP%20-%20Private%20Members%20Bill%20-%20An%20Act%20to%20Amend%20the%20Public%20Service%20Act.pdf> .

³ Video of the August 28, 2025, public review of Bill 26 is available at:
<https://www.youtube.com/watch?v=c2JSenqeGVY&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=8>

⁴ Video of the August 29, 2025, public review of Bill 26 is available at:
<https://www.youtube.com/watch?v=EL30PU2099E&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=9>

⁵ Video of the September 10, 2025, public review of Bill 26 is available at:
https://www.youtube.com/watch?v=szZLzE_grQ8&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=6

⁶ Video of the September 19, 2025, public review of Bill 26 is available at:
<https://www.youtube.com/watch?v=UF1UpLxIod8&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=2>

⁷ Video of the June 19, 2025, public review of Bill 26 is available at:
<https://www.youtube.com/watch?v=1hTcQrVW4L8&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=12>

⁸ Video of the July 15, 2025, public review of Bill 26 is available at:
<https://www.youtube.com/watch?v=wsFuRT0lyrs&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=10>

⁹ Video of the September 23, 2025 public meeting on Bill 26 is available at:
<https://www.youtube.com/watch?v=-lYni09X9Lc>

¹⁰ Video of the July 15, 2025, public review of Bill 26 is available at:
<https://www.youtube.com/watch?v=wsFuRT0lyrs&list=PLZiv8ITEMg4fTNmF1zA96bckdduh2UTlc&index=10>

Appendix A:

Dissenting Opinion

DISSENTING OPINION OF ROBERT HAWKINS, MLA YELLOWKNIFE CENTRE

INTRODUCTION

The Standing Committee on Government Operations (Committee) was tasked with reviewing Bill 26: *An Act to Amend the Public Service Act*.

As a Member of the Committee, it is important to note that while I agree with some of the concerns highlighted in Committee's Report on the review to date of Bill 26, there are several important reasons for preparing a dissenting opinion.

Committee Process Concerns:

I do not agree with Committee's decision to pause its review process for the time being and to resume its review at a later date should the Government of the Northwest Territories (Government) not deliver on its promise of a Legislative Proposal for Phase II amendments to the *Public Service Act* by spring 2026 and introduction of a bill in fall 2026.

The first opportunity (October 16, 2025) arose after the 120-day study period had passed and Committee did not report Bill 26 back per the rules, practices and traditions of the Legislative Assembly. At the time of the draft of this Report, this issue was outstanding and unclear.

At the end of the 120-day study period of a bill by Standing or Special Committee, all Committees are faced with three options:

- 1) Proceed to Clause-by-Clause review, and be reported as ready or not for further consideration by the Assembly;
- 2) Return to the House and request more time to study the Bill; or
- 3) Report back to the House, and report that the Bill was found wanting and allow the House to consider its final direction.

Committee refused to formalize direction on Bill 26, which causes me concern. There is no transparent explanation, similar to what is seen at the Clause-by-Clause stage, as to why Committee is formally breaching the Rules of the Legislative Assembly on this Bill. I believe this needs to be clearly explained – including the reasons.

The current direction that Committee has taken constitutes a break from its rules and is proceeding without addressing the formal requirement to report progress on a Bill.

Committee, in my opinion, has not taken a formal position to avoid a judgement on Bill 26 and avoid a division (voting) by Committee including the subsequent follow up in the

House. The refusal to proceed to Clause-by-Clause review by openly ignoring the Assembly's practice, despite objections from some Committee members, is concerning.

By the time the public engagement period had closed, which totaled approximately 50 days, Committee had zero public submissions on the record for Bill 26. All written feedback from the public came after the sponsor of the bill requested more time, and after some campaigners in support of Bill 26 had informed some Members that they realized that no submissions had been sent in by that deadline.

Concerns about Bill 26 – not ready

It is my dissenting opinion is that Bill 26 should be reported as not ready and not in good form. My opinion is based on the following concerns:

Direction of intent

Support for the nursing and healthcare industry continues to be unwavering.

Bill 26 has been presented as solving the nursing challenges, but from the start, it appeared to be centered around being a tool to deal with internal labour politics. Bill 26 may mean well, but it does not address the issues raised by nurses, such as nurse-to-patient ratios, management concerns, shift premiums, etc.

Support for all healthcare workers

As a Member of the Legislative Assembly, I have always stated that I would support a healthcare worker bill that did not exclude other nurses or other health workers. My position has always been "no healthcare worker left behind".

Teasing one group out of a larger collective group has the potential to create upending effects and potential setbacks that may cause serious damage to all groups, which will be lasting. Therefore, more time must be dedicated to consideration of the implications. This Bill has been sold as a rosy picture in which the details will work themselves out, however that has not proven to be the case.

There are a number of inherent risks if Bill 26 moves forward which, as highlighted during the Committee review process, may prove to be a setback if not thought through – from voter rights, to long-term setbacks in a new collective bargaining, etc.

Many of the concerns raised at the beginning of the Bill 26 review process focused on internal matters. In other words, the Legislative Assembly is being brought in to address union versus union issues.

This Bill was never designed to address the healthcare concerns raised by nurses, which is the basis of why this group wants to break out from the Union of Northern Workers (UNW). The collective of nurses has stated over a lengthy period that their issues are with management, shift premiums, workloads, and more.

I know that nurses are very articulate on their issues. The sponsor of the Bill is trying to give the impression that nurses are being ignored.

Structural failure in the current process may not be there as claimed

Bill 26 is meant to be a catch-all. My focus continues to be on the healthcare industry. “No healthcare worker left behind” matters to me. There are many complementary skills, talents and roles that work together with nurses. Why not put forward a healthcare providers bargaining unit rather than a nurses unit specifically? Teasing one group out from larger healthcare group might not be the best solution.

I am concerned that the bill is causing a divide in the nursing community. If the bill moves forward, I am concerned that there may be ancillary services who will be asking for the same thing.

The justification for this breakaway has been that nurses have not been heard. The UNW and sponsor says no one is listening. However, nurses have been very articulate in their position, wishes and needs. There is no evidence to show that Bill 26 will fix the concerns such as ratios, vacancies, shift premiums, and agency nurses. How will this guarantee that these issues will be addressed? The purpose of the Bill claims to “empower nurses”, but there is no evidence that it will do that.

I have concerns with the validity of the survey done by the College and Association of Nurses of the Northwest Territories and Nunavut (CANNN), albeit well intended.

I understand the sponsor of Bill 26 refused to meet with the UNW. I would rather see the unions sort their own house out before they come to legislators.

I am concerned that it is not the appropriate vehicle at this point in time. If Bill 26 passes, Government may be immediately responsible for extra costs and extensive obligations. We need to appreciate the long game rather than the short game (Bill 26). I worry about the costs that we keep creating, including if we are putting more money into boots on the ground or into administrative or legislative process. Government has limited resources

and decision such as these become significant choices that we have to address in order to meet the challenge.

Meanwhile, the issue of a new Labour Relations board is a hanging concern left unanswered. The Government has committed to finding a way through this after the upcoming *Public Service Act* amendments have been considered. The union and government have some form of discussion to resolve these matters and have committed to working together.

Further concerns

I worry that if we pull one brick out, the rest of the system may tumble. For that reason, we need to know what is being agreed to before I agree to it. We need to appreciate the risks and the ripple effects.

The guarantee of a collective agreement freeze may exist in Bill 26, but it does not mean it will be the foundation of the next collective agreement. The potential for a lesser agreement exists. Section 6 of the Bill appears to be a natural assumption that everything will be the same – “don’t worry, it will be fine” – but it cannot be the same unless the employer concedes that it will be. It does not present a guarantee of what the future will look like. The content of that first collective agreement for nurses is wide open. Further, the provision’s actual effect is open to a final ruling on its interpretation.

There are too many unknowns at this moment.

CONCLUSION

For the reasons noted above, I do not believe that pausing Committee’s review of the Bill is the most appropriate or effective approach. Bill 26 is flawed; therefore, my dissenting opinion is that Committee should respond accordingly and report it as not ready.

Appendix B:

Presentations

Offering GNWT Nurses
the Freedom to Choose
a Separate Bargaining
Unit

Shauna Morgan, MLA
for Yellowknife North

BILL 26 – AN ACT TO AMEND THE PUBLIC SERVICE ACT



Purpose of the Bill: To empower NWT nurses – so more will want to come work in NWT communities, more will want to stay, and nurses can bargain directly for safer healthcare workplaces and better patient care.

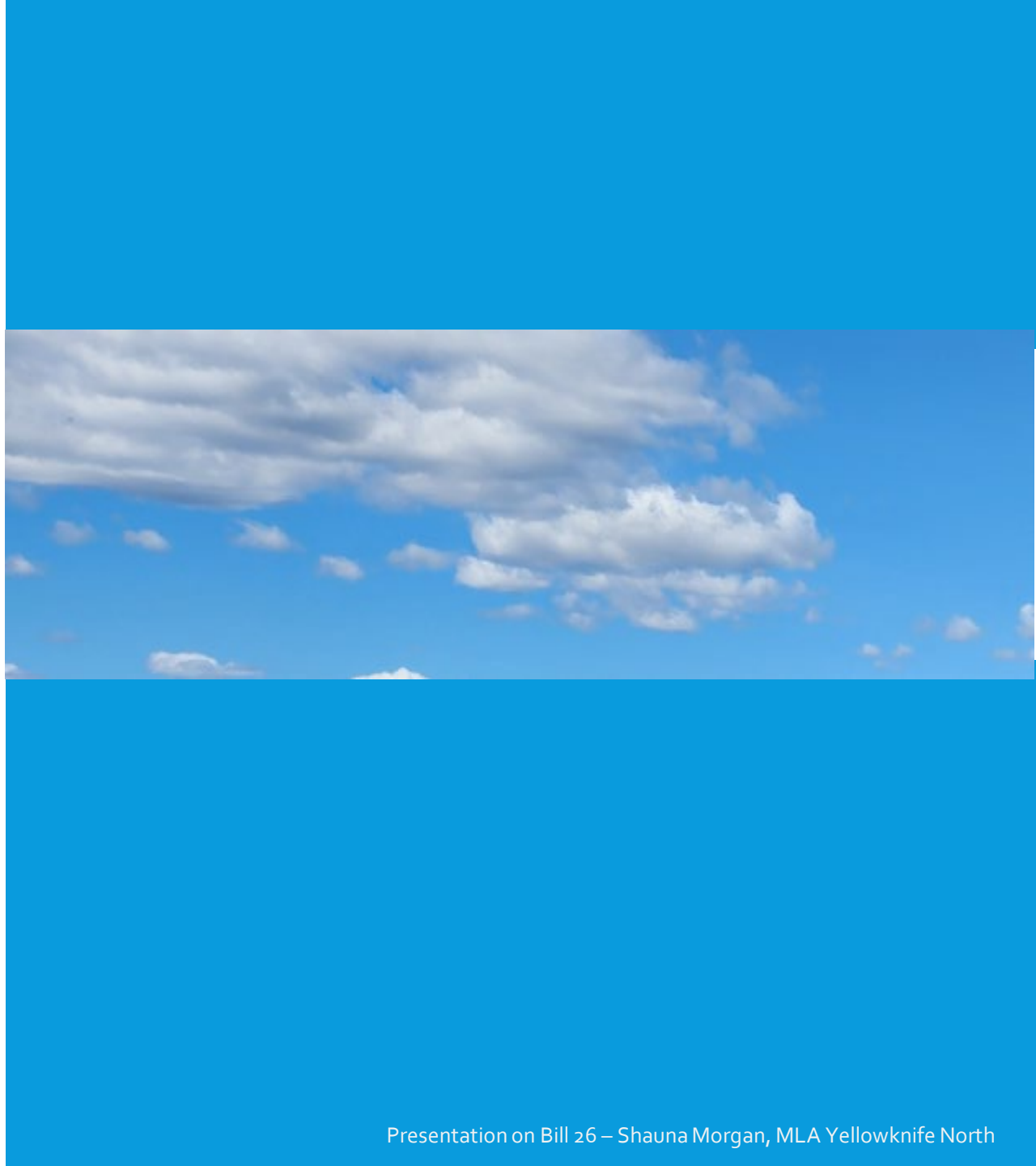



CURRENT SITUATION:

- The Public Service Act (section 41) interferes with workers' Charter rights.
- The Act creates a monopoly for the UNW and does not allow nurses to have a voice of their own at the bargaining table.
- This problem has long been recognized, and nurses and others have actively fought for change since 1988 when the Act was established.
- Work to "modernize" the Public Service Act has been underway since at least 2017; section 41 was intentionally left out of that work because the government and/or UNW did not want to change it.
- Within the last month, public pressure has led the GNWT and UNW to finally agree to begin looking at section 41 together, with no indication there is a common understanding of the problem.

PROPOSED SOLUTION IN BILL 26:

- Offers nurses the option of holding a vote amongst themselves on whether they want to bargain separately, and who they want their bargaining agent to be.
- Vote could be by paper or secure electronic ballot.
- Nurses would apply to the NWT Supreme Court for authorization; the Court would have to make sure that all GNWT nurses had a fair opportunity to vote, and that the majority voted in favour.





IN BILL 26, STATUS QUO IS THE DEFAULT!

Nothing would happen automatically if the bill passes.

Nurses could choose never to even hold a vote. Nurses could hold a vote and fail to get majority approval. The Court could reject the application if it felt the vote was not fair or credible. In all of those cases – status quo prevails.

Even if nurses did vote for a separate bargaining unit, and the Court authorized it, the existing collective agreement would continue to apply to nurses for as long as it took to negotiate a new agreement (“bridging”).

Occupational Grouping	Total Vacancy Rate		
	Dec 23	Mar 24	Jun 24
Licensed Practical Nurse	27.1%	24.3%	22.8%
Nurse Practitioners	40.0%	36.0%	36.0%
Registered Nurse	26.8%	29.7%	27.7%

Costs for agency nurses:

Fiscal Year**	NTHSSA Total	TCSA Total	HRHSSA Total	TOTAL HSS
2021-2022	\$515,737	N/A	\$15,831	\$531,568
2022-2023	\$5,330,579	N/A	N/A	\$5,330,579
2023-2024 *	\$4,227,014*	\$195,890	\$18,331	\$4,441,235

**actuals not yet finalized*

*** HSS did not start using agency nurses until 2021-22*

In Feb 2025 we approved an additional \$2.42 Million for 2024/25 (Supplementary Estimates No.2) for “costs associated with agency and contract staffing”.

A BAD DEAL FOR NURSES COSTS ALL OF US!

The costs continue to pile up, as our continuity of care goes down...



BENEFITS FOR ALL NWT COMMUNITIES, INCLUDING SMALL COMMUNITIES

- *Why focus on nurses only?* If we want to prioritize improving access to primary healthcare in small communities, Community Health Nurses (CHNs) need to be prioritized.
- We can improve recruitment and retention of Community Health Nurses through better pay, safer working conditions, improved professional development opportunities and better supports.
 - Many of these could be addressed at the bargaining table.



EXAMPLES OF CURRENT CHALLENGES AT STANTON AND BARRIERS TO ADDRESSING THEM


Nurses are not satisfied that workplace grievances and safety issues are likely to be worked out smoothly by simply continuing to meet with management.

-GNWT is unlikely to give nurses the pay they deserve and what is required to be competitive with other jurisdictions, if it means the entire public service must get the same pay raise.

-UNW must balance the needs of all public servants and limit the attention and resources devoted to nurses at the bargaining table.

-Nurse-specific needs cannot practically or sustainably be shoehorned into appendices and one-off MOUs and labour market supplements—especially when more nuance is required to distinguish between needs amongst different kinds of nurses (e.g. Community Health Nurses).

WHY CAN'T NURSES GET WHAT THEY NEED WITHIN THE CURRENT SYSTEM OF BARGAINING UNDER UNW?



Nurses are NOT all considered “essential workers” by default. In the event of a strike/job action, non-urgent health services could be suspended.

Bargaining power comes from many other things besides the threat of a strike – e.g. the threat of nurses leaving, the difficulty and cost of replacing them, etc.

Compare with the status quo – how much bargaining power do NWT nurses currently have? When has the GNWT gone on strike to fight for nurses’ needs?

WOULD NURSES LOSE ALL THEIR BARGAINING POWER?

WOULD NURSES EVEN HAVE THE OPTION OF GOING ON STRIKE?

IDEA OF AN INCLUSIVE HEALTHCARE BARGAINING UNIT

- Nurses are working on developing this idea of bargaining together with certain allied health workers. Bill 26 is the first step.
- It can only be achieved through comprehensive changes to section 41 that give all workers freedom to organize themselves in ways that make sense to them, according to job types that align.
- Many NTHSSA employees have jobs that are nothing like nurses (e.g. office workers, cleaning staff) – a simple carve-out of NTHSSA will not work.

NO. There is no conflict between Bill 26 and the comprehensive “phase 2” changes being promised now by the government and the UNW.

Bill 26 is an interim measure given that GNWT-initiated legislation often takes a decade to be enacted. **Retention of nurses is an urgent priority.**

The May 24, 2025 joint press release between GNWT/UNW committed only to “continuing our conversations”, not to achieve an outcome that respects Charter rights.

DOES THIS BILL INTERFERE WITH THE
GOVERNMENT MAKING MORE COMPREHENSIVE
CHANGES TO THE PUBLIC SERVICE ACT?

-It allows nurses to organize themselves free of interference from either the GNWT or UNW executive.

-It opens up options rather than prescribing outcomes.

-The ultimate decision-maker would not be legislators or the GNWT but **the Court**, which is completely impartial and independent; its basic role is to uphold rights and freedoms, which is what the nurses are seeking.

-In contrast, negotiations over the establishment of a Labour Relations Board, while necessary, are to be led by the two groups with vested political and monetary interests—the GNWT and the UNW executive.

BILL 26 PRESENTS THE MOST IMPARTIAL SOLUTION FREE OF POLITICAL INTERFERENCE

Shauna_Morgan@ntassembly.ca

MAHSI CHO!
THANK YOU!

QUESTIONS?



Presentation to Standing Committee on Government Operations: ***Private Members Bill***

July 15, 2025



Overview

1. The Public Service Act and changes coming this Assembly
2. The compensation and benefits for Health Care Workers within the GNWT
3. Next steps



Background

- A comprehensive overall review of the *Public Service Act* has been underway for the last few years.
- This project represents a modernization of the *Public Service Act* and touches on many aspects of the public service including safe disclosure, arbitration, recruitment, staffing appeals, job evaluation and other important issues.
- A Legislative Proposal has been approved, and the Department Finance is actively working with the Legislative Division on a draft Bill to be introduced during the October 2025 sitting.
- In keeping with a commitment made to the Standing Committee on Accountability and Oversight, the Department of Finance will begin development of a second Legislative Proposal for amending section 41 and other sections of the *Public Service Act* to address bargaining unit certification issues.



Engagement with Unions on Public Service Act

- Extensive engagement with Union of Northern Workers (UNW) and the Northwest Territories Teachers' Association (NWTTA) on extensive revisions to the *Public Service Act*.
- Both the current leadership of the UNW and their previous leadership team have put forward perspectives and recommendations covering areas proposed to be included in the Bill.
- In keeping with a commitment made to committee, the Department of Finance will begin development of a separate Legislative Proposal for amendments to the *Public Service Act* to include provisions for certification and decertification of bargaining agents and explore options to establish a labour board.



Current *Public Service Act*

- Section 41 of the *Public Service Act* provides direction on collective agreements and specifically states at subsection (1.5) that “The Union of Northern Workers is the employee’s association for the bargaining units established by paragraph (1.4) (a) employees, other than employees of the Northwest Territories Power Corporation and (b) employees of the Power Corporation.
- Section 41, subsection (6) of the *Public Service Act* states that “A collective agreement made between the Minister and an employees’ association is binding on the Government of the Northwest Territories, the employee’s association and the members of the bargaining unit to which the collective agreement applies.”



Understanding Certification

- Labour relations legislation could be within the existing PSA or another separate piece of legislation (as is normally done) but it will need to address the main elements of certification legislation including:
 - Establishment of a Labour Relations Board
 - Application for Certification processes
 - Board Review process of proposed certification
 - Process for certification of the decision and implementation
 - Effect of Certification and implementation of the decision
 - Processes for revocation or change in certification



Legislated Bargaining Units and Employees Associations

What we need to do

- Developing a solution must involve engagement with existing stakeholders and provide opportunity for input from potentially affected groups
- This work includes choosing an approach that is well-suited for the circumstances present in the Northwest Territories and requires substantial legal analysis, planning, and engagement

What our neighbours are doing

Yukon

- The Yukon Public Service Labour Relations Board (the Federal Public Service Labour Relations and Employment Board is cross appointed to the Yukon Board)
- *Yukon Public Service Labour Relations Act* includes certification provisions

Nunavut

- Like the NT *Public Service Act*, bargaining units and employee associations are set out in the *Act*.



How We Support Health Care Workers



A dedicated Health Recruitment Unit with focus on the recruitment of health care professionals including nurses.



Salaries for nurses are on par or better than any other Canadian jurisdiction including our Nunavut and Alberta neighbours.



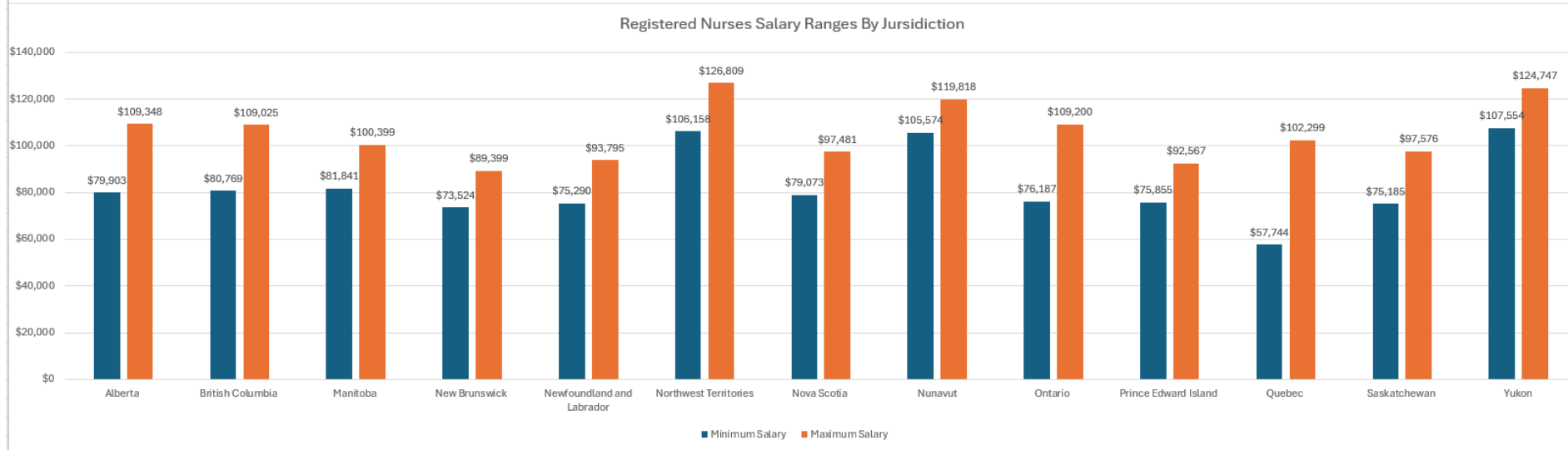
In addition to salaries, the Government of the Northwest Territories provides its employees with a benefits program unlike most in the country along with the best public service pension plan.

Health Workplace Improvements

- Anecdotally, we have heard a number of issues raised by health care workers, and from nurses in particular. These include:
 - scheduling;
 - employee engagement;
 - stress and burnout;
 - workload/too much overtime;
 - inadequate staffing levels;
 - cost of living;
 - remoteness of some communities;
- It is important to note that this is not unique to the NT, there are a number of jurisdictions hearing similar issues. While there continues to be a national shortage of nurses, we have been working to increase supports for our employees through a variety of means.
- This includes: increasing positions in support and care roles, increased funding and professional development opportunities (TASP, PDI, bursaries, transfer assignments, etc.), labour market supplements as a financial incentive to recruitment and retention, high wages, generous leave packages, and allowing movement from full time to part time or relief
- A health workplace improvement task force between the GNWT, UNW and PSAC has been established to address several aspects of workplace quality that can be improved through collaboration outside and beyond the collective agreement.
- A dedicated health recruitment team supporting the recruitment of hard to fill health care professional positions

Nurses' Salary Comparison

Jurisdiction	Minimum Salary	Maximum Salary
Alberta	\$79,903	\$109,348
British Columbia	\$80,769	\$109,025
Manitoba	\$81,841	\$100,399
New Brunswick	\$73,524	\$89,399
Newfoundland and Labrador	\$75,290	\$93,795
Northwest Territories	\$106,158	\$126,809
Nova Scotia	\$79,073	\$97,481
Nunavut	\$105,574	\$119,818
Ontario	\$76,187	\$109,200
Prince Edward Island	\$75,855	\$92,567
Quebec	\$57,744	\$102,299
Saskatchewan	\$75,185	\$97,576
Yukon	\$107,554	\$124,747



Latest round of bargaining

During the latest round of bargaining, it was agreed that health and social services employees will receive:

- Nearly double the previous labour market supplements
(from \$5,000, \$6,000 and \$7,000 to \$10,000, \$11,000 & \$12,000)
- An expanded list of eligible positions.
- Laundry allowance increased to \$50 per month.
- Registered Nurses (RN) special clinical preparation allowance increased from \$40 to \$100 per month and Nurse Practitioner's (NP) and Licensed Practical Nurses (LPN) also now qualify for this allowance.
- CHA/CHN course allowances increased from \$25 to \$50 per month and NPs and LPNs also now qualify for this allowance.



Latest round of bargaining cont.

- University Preparation (1 year course) increased from \$100 per month and NPs and LPNs also now qualify for this allowance.
- University Preparation (Baccalaureate or higher) increases allowance to \$150 per month and NPs and LPNs also now qualify.
- One, Two and Three Nurse station allowances have increased from \$9,000 to \$12,000; from \$6,000 to \$9,000; and from \$4,500 to \$6,000 per year.
- A new mentorship and preceptorship allowance has been added – 12% increase to salary for up to 3 months.



Private Members Bill (PMB)

- Private Member's Bill tries to fix how nurses are represented in the public service—but it does so in a way that's too narrow.
- It focuses only on nurses and doesn't look at how the whole system of worker representation should work.
- That kind of one-step-at-a-time approach can cause confusion and unfairness for other workers.
- The bill also doesn't include the basic tools needed to make the change work properly, like a board to manage union changes, clear rules about who's included, or a plan for how to move people into the new system.
- Without the right setup, this bill could end up causing more problems than it solves.



PMB cont.

- Passing this Bill will not lead to the establishment of a new collective agreement for the affected nurses in 2026.
- Collective bargaining is a complex and lengthy process that involves detailed negotiations between the union and the employer to reach a mutually acceptable agreement on various employment terms and conditions.
- Average length of time to establish a brand-new collective agreement is 1 to 2 years.

Timeline for a brand New Agreement



Please note that this is based on the Federal Public Service, which has a Labour Board and Legislation to address this.

Issues with PMB

- The PMB unilaterally imposes a model on nurses without meaningful consultation or consent from the UNW or potentially affected workers.
- The constitutional issue at the heart of the (PMB) relates to Section 2(d) of the Canadian Charter of Rights and Freedoms, which guarantees freedom of association.
 - The minimum constitutional elements of the right to collective bargaining include:
 - Meaningful Process
 - Good Faith Engagement
 - Right to Organize
 - Right to Strike
- The PMB proposes to carve out a separate bargaining unit for nurses, which raises risks in relation to these constitutional rights:
 - Lack of Choice for Others
 - No Labour Relations Board
 - Right to Strike
 - Top-Down Restructuring

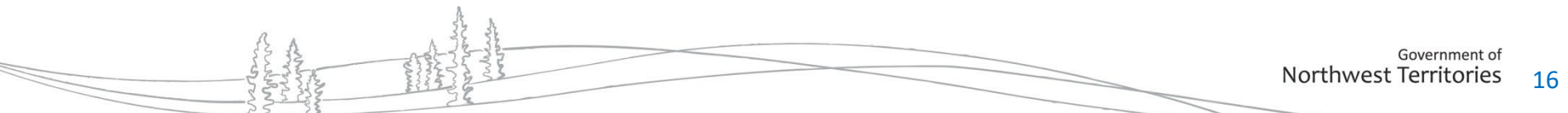


Issues with PMB cont.

- Furthermore, it creates conditions that could facilitate union raiding, where one labor union attempts to recruit members from another union, typically within the same workplace or industry. It often involves one union trying to displace another as the official bargaining agent for a group of workers.

Key Aspects of Union Raiding:

- Raiding usually occurs when workers are dissatisfied with their current union's representation, or when a rival union sees an opportunity to expand its influence.
- The raiding union may campaign to convince workers to switch allegiance, often by promising better representation, stronger bargaining power, or more aggressive advocacy.



Next Steps:



Work on a separate LP with respect to the Legislated Bargaining Units and Employees Associations is underway



Seek to table and pass a Bill this Assembly



What considerations go into a legislative development

- Beginning this process isn't simply choosing an approach and making it happen; there are questions to be answered about the scope of work are undertaking:
 - Whether the labour board would be empowered to also hear labour disputes?
 - Would it be a labour board of the Northwest Territories, or would we be looking to our sister territories to share the resource load in this undertaking?
 - Or do we follow the lead of the Yukon and turn these responsibilities over to a federal labour board?
- We need to be practical about what approach will allow the GNWT to best meet needs of residents while being fiscally responsible.
- Moving forward involves more than simply scanning what other jurisdictions are doing and then copy/pasting that into this legislation.
- The first steps in this process will be a coordinated legal assessment identifying options and considerations as relate to labour relations and negotiations timelines and processes.
- As this is undertaken and the project is framed out, engagement with stakeholders will begin to ensure that the project meets our needs and the needs of stakeholders.
- These efforts together will form the basis of the legislative initiative addressing charter compliance.

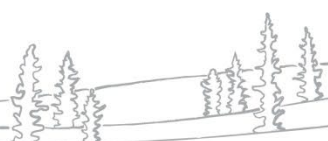
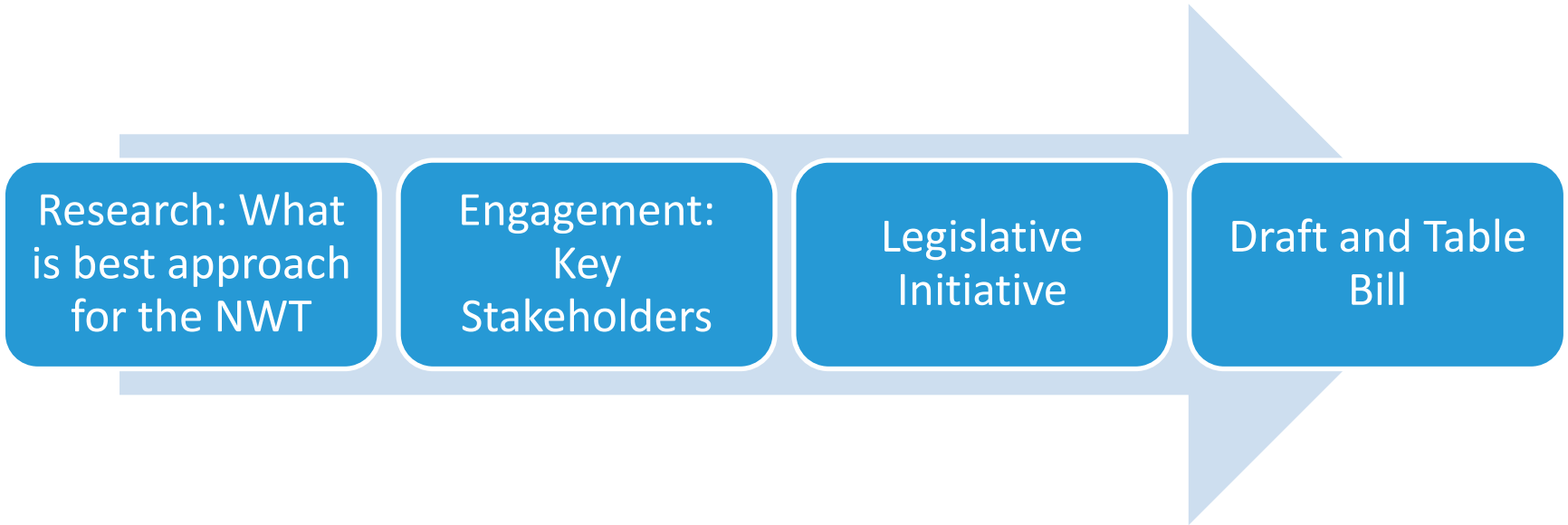


Notice to Bargain

- PSA ss. 41.04, (the statutory freeze provision), prevents the GNWT from changing terms and conditions of employment without the UNW's consent while bargaining is ongoing, however, it does not prevent the GNWT from continuing work on the PSA, including the drafting of a new bill.
- A commitment to Committee has been made respecting additional changes to the PSA to incorporate a certification and decertification process.
- The project timeline has been communicated to the UNW and they have agreed to engagement with the UNW and others will begin this fall.



Moving Forward: Legislated Bargaining Units and Employees Associations



PSA Amendment Timelines

Timeline	PSA Amendments	2nd LP on Union Certification
May 2025	Drafting instructions/Drafting of Bill	Research on LP
October 2025	Introduction of Bill – first and second reading	Consultation with UNW and others
February 2026 – May 2026	Committee Review of Bill	Drafting LP, Cabinet review/approval of LP, Share LP with Committee
May 2026	Third Reading of Bill and Commissioner assent	Drafting instructions/drafting of Bill
October 2026		Introduction of Bill – first and second reading
October 2026 – February 2027		Committee review
February 2027		Third reading of Bill and Commissioner assent



Questions





COLLEGE AND ASSOCIATION OF NURSES
Northwest Territories and Nunavut

An Act to Amend the *Public Service Act*

Feedback Presentation

CANNN – the College and Association of Nurses of the Northwest Territories and Nunavut has been in existence since 1975 when we were established as both the regulatory body and association for Registered Nurses practicing in the Northwest Territories.

Since that time the organization has grown to represent both the Northwest Territories and Nunavut, and in 2023 expanded to regulate all designations of nursing: Registered Nurses, Nurse Practitioners, Registered Psychiatric Nurses and Licensed Practical Nurses

Dual Mandate Organization



Protect the Public



Advocate for Nurses





Future State

Division of Mandates

CANNN is currently working to formally separate the regulatory and association functions of the organization, with the intent of establishing an independent nursing association.

Rationale:

Separation would reduce potential conflicts of interest between regulation and advocacy.

An independent association could pursue activities such as advocacy and, if desired, apply for bargaining power.

Context:

While CANNN fulfills a regulatory mandate focused on public protection, this role limits the organization's ability to act as an advocacy body for nurses. A distinct association would allow clearer alignment of responsibilities and reduce overlap.

Examples of potential conflicts of interest:

Discipline vs. professional support

Regulator vs. advocate roles

Inconsistencies in public trust perception

Restriction on pursuing bargaining power

What have you heard so far? This bill will improve recruitment, retention and the current state of health care at Stanton. That it is supported by nurses in smaller places. That they need to go to their employers. That it is an option, not a silver bullet.

We agree, we support this statement, and we believe there is evidence to back this up.



This is a long studied issue, in 2007 the job satisfaction of nurses who were members of a nurse led collective bargaining unit were studied due to the evidence that nursing shortages were leading to decreased quality of care, reduced satisfaction and increased turnover of nursing positions. The results indicated that members of a nurse led collective bargaining unit had higher wages, with mixed impact on job satisfaction. It was indicated that nurse led collective bargaining units, when focused on retention and satisfaction outcomes would have a ripple effect of improved nurse retention and recruitment, job satisfaction, and ultimately patient care (Pittman, 2007).

In 2010 a Nursing Labor-Management Partnership was trialed. This is a union and/or association working in partnership with hospital management to work together and improve the environment—resulting in improved outcomes as noted in the previous slide (Porter et al., 2010).

You have heard from nurses that they have tried this avenue, and have not succeeded. This is, undoubtedly, the best avenue for success as it reduces burnout, allows for more collaborative and effective problem-solving and results in better patient care outcomes.

It is not possible without employer engagement.

This continues to be studied – it's shown that nursing unions drastically improve job satisfactions. In 2023 the *Journal of Nursing Regulation* found that having nurse led unions resulted in lower turnover (10.9% vs. 13.2% for non-nurse union), and members felt they had greater advocacy and awareness of issues that were impacting their profession on the front line.

Nurses are vocalizing that the current collective bargaining unit is not able to provide this.

- In the Proposal for an act to amend the public service act, it states that across Canada, independent nursing associations successfully advocate for their members while still collaborating with and strengthening broader labour movements, showing how tailored representation can enhance, rather than undermine, worker solidarity.
- This is why we are working towards the establishment of an independent association that can have the voice necessary to advocate, and possibly bargain for nurses in the Northwest Territories.



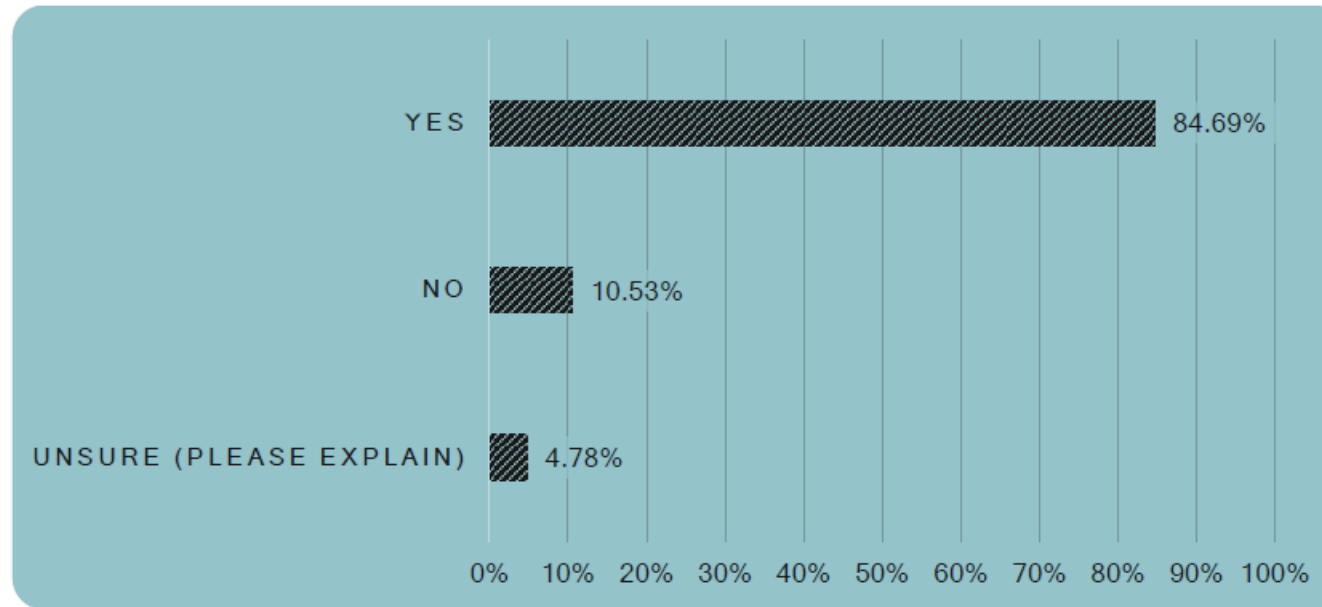
Nursing Collective Agreement & Association Function Survey

Northwest Territories

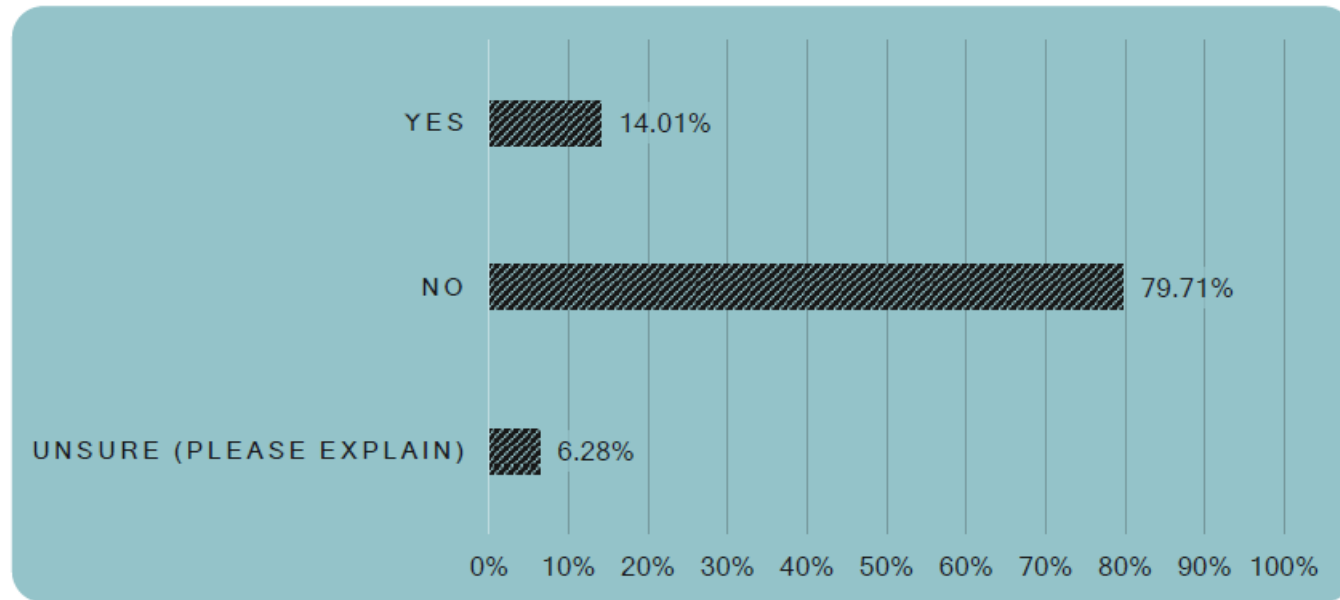


Q2 and Q3: Collective Agreements & Bargaining Structures

Do you think nurses in the Northwest Territories (NWT) and Nunavut (NU) should have their own collective agreement?



Do you feel the current bargaining structure reflects the professional needs and responsibilities of nurses?



What did nurses say?



“The existing bargaining structure partially reflects the professional needs and responsibilities of nurses but more strongly reflects the ideology of trade unions and the protectionism of management.”



“no regard for shift workers”



“What are the specific professional needs and responsibilities of nurses? WHO and how has this been determined and articulated.”



What’s happening elsewhere for nurses?



November 2024

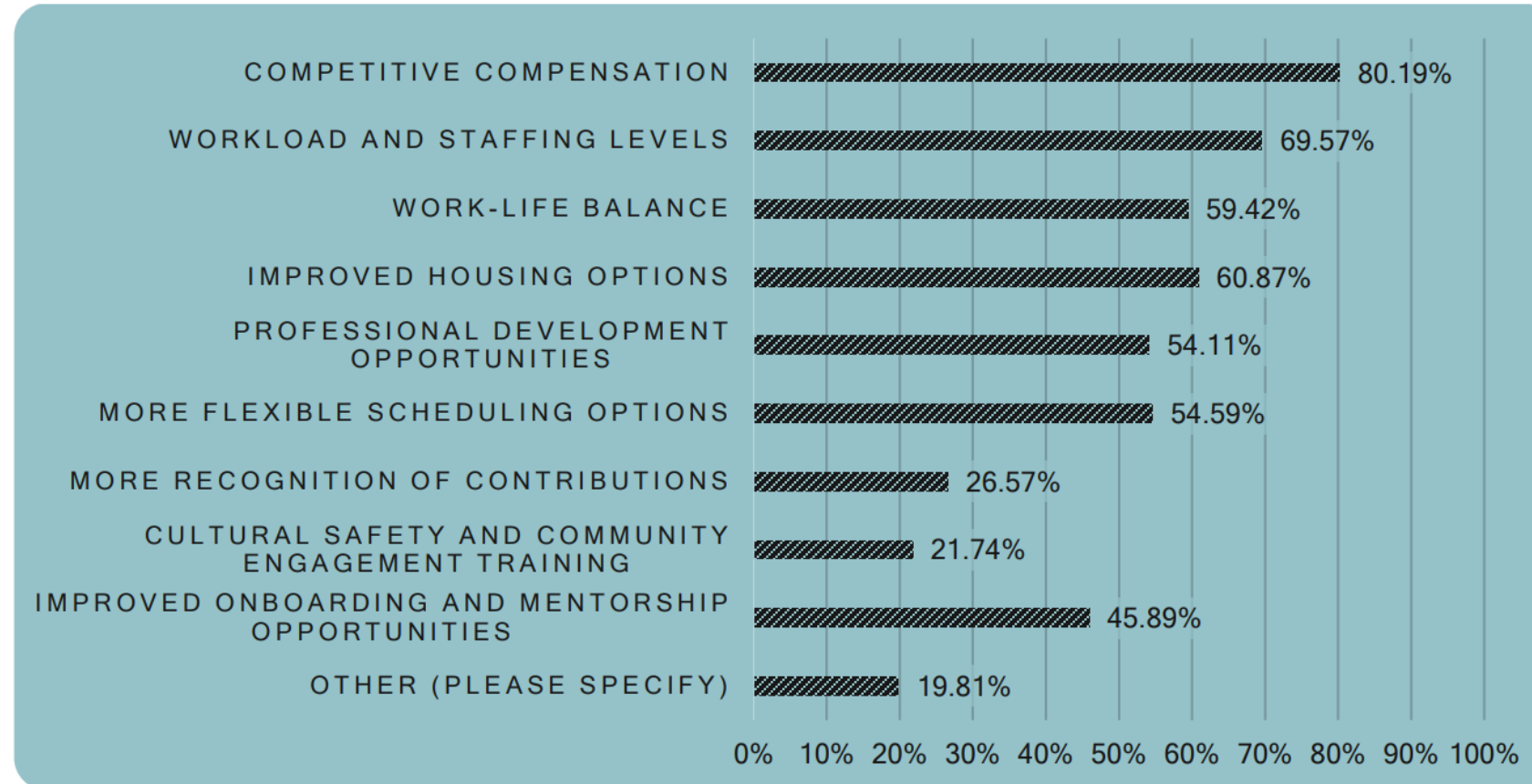
CONTENTS

Salary: Registered Nurse	4
Salary: Licensed Practical Nurse	6
Salary: Assistant Health Nurse/Supervisor	8
Salary: Head Nurse	8
Salary: Clinical Nurse Specialist	8
Salary: Nurse Practitioner	7
Salary: Graduate Nurse	7
Maternity and Paid Holidays	8
Overtime Rates	8
Time Off/Leave	10
Vacation	11
Position Premiums	13
Academic Allowances	13
Sick Leave	14
Health Plan Benefits	16
Pension Benefits	16
Upcoming Changes	16

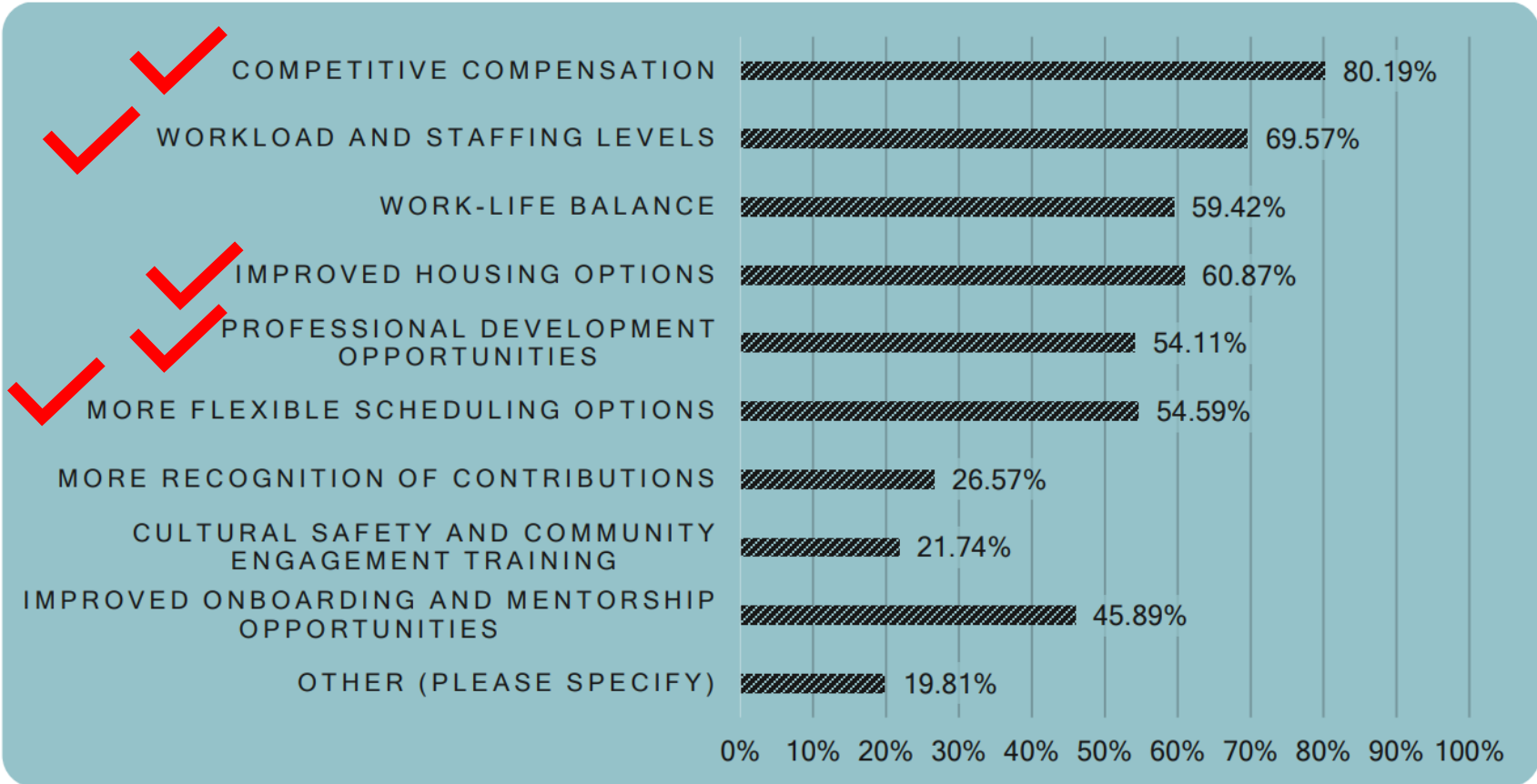
NURSE CONTRACTS IN CANADA

Canadian Federation of Nurses Unions

In your opinion, what specific changes or initiatives do you think would entice nurses to work in the Northwest Territories and Nunavut?



In your opinion, what specific changes or initiatives do you think would entice nurses to work in the Northwest Territories and Nunavut?



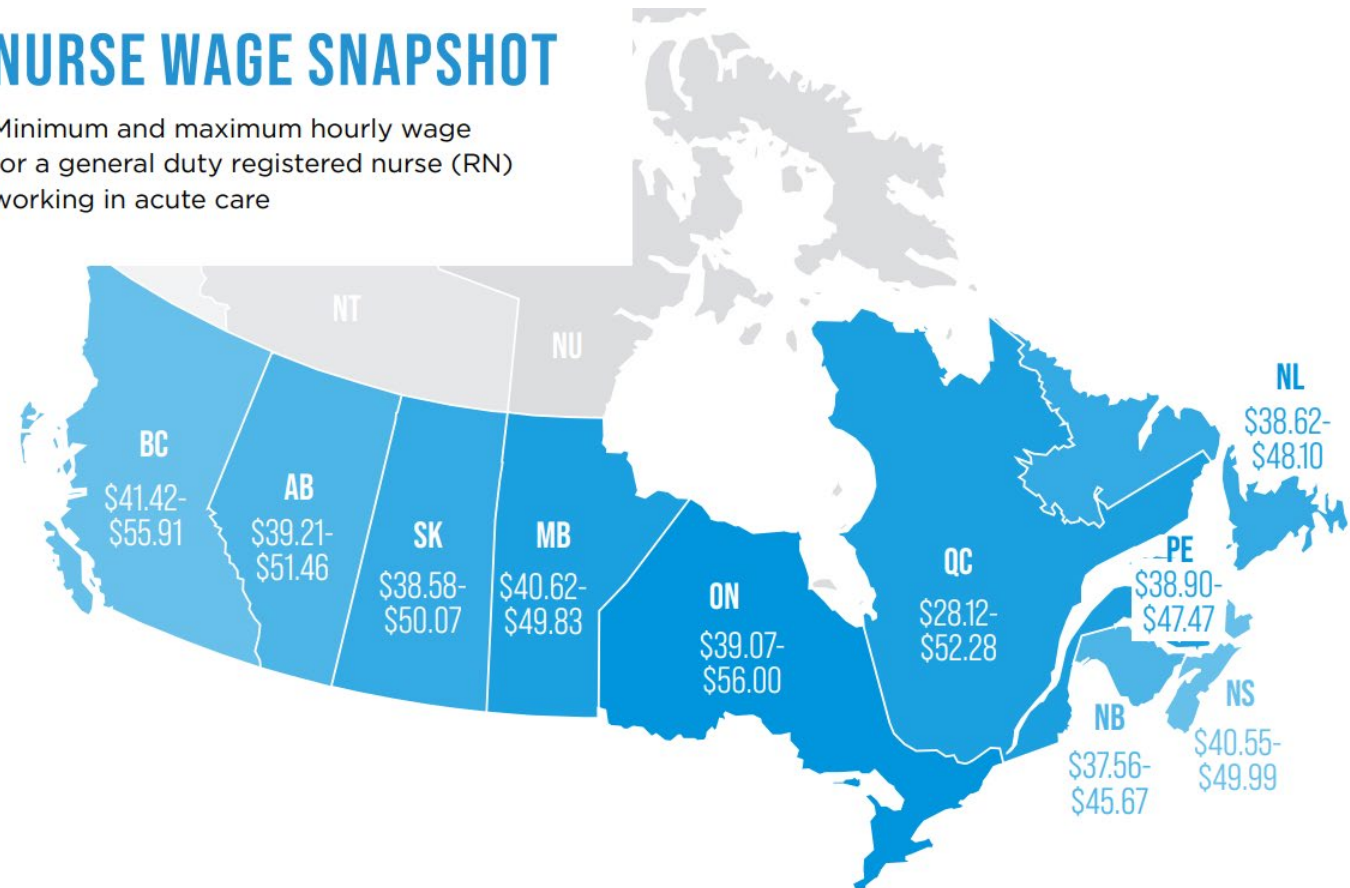


RNs in NT Pay Level 16 \$54.44-65.03

In the minister's presentation on July 15th, it was stated that nurses in the Northwest Territories have a higher wage than anywhere else in Canada.

NURSE WAGE SNAPSHOT

Minimum and maximum hourly wage
for a general duty registered nurse (RN)
working in acute care



Cost of Living Score



The cost of living score is calculated based on accumulating the cost of food, transportation, health services, rent, utilities, taxes, and miscellaneous.

↑ 39%

Higher than national average

Northwest Territories

ERI Economic Research Institute



Scenario

If an Alberta nurse making **\$39/hour** moved to NWT, their equivalent wage would need to **increase by 39%** to maintain the same standard of living.

Adjusted Alberta wage = $39 \times (1 + 0.39) = 39 \times 1.39 = \54.21

- NWT wage: **\$54/hour**
- Required equivalent wage: **\$54.21/hour**

So **even at \$54/hour**, the NWT nurse is effectively making **less** than an Alberta nurse when adjusted for cost of living:

$54 - 54.21 = -\$0.21$ $54 - 54.21 = -\$0.21$

= SHORTFALL

Our wages – while higher, are no longer an incentive to move to the NWT.

What next?

Regardless of whether the bill passes, or does not, the establishment of a Nursing Association could provide a mechanism to strengthen nurses' representation and support advocacy for profession-specific improvements.

Whether through modernization of the Public Service Act or the passing of Bill 26, the underlying issue identified is that many nurses report not feeling adequately represented. Moving forward, it will be important to ensure that nurses are included, their perspectives are heard, and they have opportunities to contribute to decisions shaping the future of the profession.

Health care is complex, and there is no single solution that applies to all contexts. Progress will require tailored responses to address specific needs. Providing nurses with the ability to engage in collective bargaining would create opportunities for representation comparable to other jurisdictions with nurse-specific unions.



THANK YOU.



COLLEGE AND ASSOCIATION OF NURSES

Northwest Territories and Nunavut

CANNN.CA



Presentation to Standing Committee on Government Operations

Private Member's Bill 26 An act to amend the Public Service Act

Union of Northern Workers
Solidarity for over 50 years!

Introduction

- The Union of Northern Workers – “Union 101”
- What we’ve heard from members
- Concerns with Bill 26



Who we are

The UNW is the largest union in the Northwest Territories (7,000+ members)

The UNW is **membership driven**.

This means that it is our **members** who:

- support fellow members in job appeals, grievances and workplace issues
- sit on bargaining teams and negotiate collective agreements
- sit on joint employee-union committees such as health and safety
- are elected to represent their fellow members at the political level



How the UNW works with PSAC

The UNW is a **component** of the Public Service Alliance of Canada (PSAC) and is part of the PSAC North region.

This means that every UNW member is also a member of the PSAC.

The PSAC is led by a National Board of Directors that includes 7 Regional Executive Vice Presidents and 15 Component Presidents.

UNW members are represented at a national level through BOTH the PSAC North REVP and the UNW President.



PSAC and UNW Leadership



Sharon De Sousa
PSAC National President

Elected by PSAC members at
National Convention



Josée-Anne Spirito
**PSAC Regional Executive Vice
President – North Region**

Elected by PSAC members at
PSAC North Convention

UNW member who is an LPN



Gayla Thunstrom
Component President - UNW

Elected by UNW members at
UNW Convention

UNW member who is
an LPN



Representative Leadership at UNW

UNW Triennial Convention is the supreme governing body of the union.

The UNW Full Executive is the governing body between Conventions.

Each Region (represented by an RVP) is made up of smaller units called Locals.

Each Local is represented by Local Officers elected from and by members of that Local.

All UNW Executives are elected from and by the membership.



Representative Leadership at UNW

The UNW Full Executive:

President: Gayla Thunstrom, NTHSSA – Local 11

1st Vice President: Chris Taff, GNWT Finance – Local 1

2nd Vice President: *currently vacant*

RVP Beaufort Delta/Sahtu: Maria Amestoy, NTHSSA – Local 3

RVP Deh Cho: Dawn Bell, Housing NWT – Local 13

RVP Fort Smith: Lauraine Armstrong, Aurora College – Local 12

RVP Hay River: Jeff Groenewegan, GNWT Infrastructure – Local 6

RVP Kimberlite: Johnny McKinney, Ekati – Local 3050

RVP North Great Slave: Andrew Gregory, NTHSSA – Local 11

RVP Somba K'e: Randy Thompson, GNWT Finance – Local 1

Equity Vice President: Valerie Salmon-Laylor, NTHSSA – Local 3



Where we are

UNW members are divided into 27 **Locals**.

Members have direct access to the Union's decision-making process through their Local.

Members are assigned to a Local according to the bargaining unit to which they belong, or the Department and/or Community where they work.

UNW Locals are distributed across the seven UNW Regions.

UNW Equity members also elect an RVP to the Full Executive.

Beaufort Delta-Sahtu
Locals 3, 19, 29, and 39

Deh Cho
Locals 13 and 31

Fort Smith
Locals 2 and 12

Hay River
Locals 6, 21, and 22

Kimberlite
Local 3050

North Great Slave
Locals 9, 10, 11, 25, 345, and 38

Somba K'e
Locals 1, 16, 28, 30, 32, 33, 40, and 41



Union Members = the Union

All UNW members in good standing have the right to:

- Representation in the workplace (grievances, etc.)
- Benefits & rights in a collective agreement
- Union education
- Become a shop steward to represent union colleagues in the workplace
- Run for UNW leadership at all levels
- Vote for UNW leadership
- Provide input on By-Laws and Regulations
- Provide input for their collective agreement
- Run for positions on their unit's bargaining team
- Vote on whether or not to accept a negotiated collective agreement
- Vote on strike authorization
- Give input and opinions on UNW direction and operation



Types of Unions in Canada

- closed shop
- union shop
- **agency shop (or Rand Formula)**
 - Employer hires non-unionized workers, even though a union is present
 - Employees can **choose** whether or not to join the union.
 - Employees who do not join the union still pay union dues because they benefit from union representation in things such as grievances and the rights/benefits of the negotiated collective agreement.

Collective Bargaining - GNWT

Each Local with GNWT **bargaining unit members** elects delegates to attend a bargaining conference.

The union bargaining team is elected from and by the delegates at the bargaining conference.

Bargaining proposals are debated and prioritized by the delegates at the bargaining conference.



Bargaining unit vs Bargaining Agent

Not interchangeable.

The **Union** is the **bargaining agent** for the group of employees under one employer.

The group of employees are the **bargaining unit** that is represented by the union.

- Canadian Industrial Relations Board definition



Bargaining unit vs Bargaining Agent

“bargaining unit” means a unit of employees established by subsection 41(1.4) for the purpose of collective bargaining

“employees association” refers to the UNW and NWTTA

- *Public Service Act*



UNW Member Engagement on Bill 26

Healthcare Member Survey (March and April 2025)

** All participants were confirmed active UNW members in good standing in the healthcare field*

Membership Meetings (including dedicated healthcare member meetings) over the last four months.

Additionally, UNW leadership and staff have been recording individual member feedback as it is received.



What We've Heard

Most common concerns in healthcare:

- Issues with senior managers and the workplace management culture in healthcare;
- Lack of supports, including training, retention efforts, and education;
- Concerns over health and safety relating to burnout, understaffing, patient ratios, and lack of resources.



What We've Heard

None of these issues are addressed by Bill 26.

These are **employer** issues, and the Bill does not change who the employer is.



What are UNW Members saying?

Most UNW members (healthcare or otherwise) do not have a good understanding of:

- What Bill 26 is trying to accomplish
- What Bill 26 actually says
- The full impact of Bill 26 on nurses and UNW membership



What are UNW Members saying?

The political lobbying for a new bargaining unit for nurses is increasing division amongst healthcare members.

It is pitting member against member and profession against profession.

Nurses in administrative positions in the GNWT will be isolated from their other colleagues.



What are UNW Members saying?

Hay River Health & Social Services

This unit is an example of how a smaller, healthcare-specific bargaining unit in the NWT is actually at a disadvantage compared to GNWT counterparts.

This bill creates confusion over their voice and vote should they be finally brought into the GNWT bargaining unit.

An already small bargaining unit of workers. Removing the nurses makes it even smaller – feels like “union busting”



CANN Survey

The survey is fundamentally flawed and the data cannot be relied upon for accurate information.

It was highly accessible to the public.

It required no authentication to take survey, anyone could do it, not just nurses.

Individuals could do the survey as many times as they wanted. The UNW is aware of members submitting the survey multiple times.



CANNN Survey

The association acknowledges the limitations of the survey:

“Due to current software limitations and reliance on registrant self-reporting, it is not possible to determine with certainty the exact number of registrants actively practicing in the Northwest Territories.” (top of pg. 4)

“It is important to note that the survey was publicly accessible, and a significant portion of CANNN registrants have addresses located outside the Northwest Territories. As a result, the confidence level and margin of error associated with the data are uncertain, introducing the potential for bias or inaccuracy in the findings.” (bottom of pg 4)



CANNN Survey

The questions were leading, without context, and sometimes confusing.

For example, question 4 says:

“Dual Mandate - CANNN is both the licensing body and the professional association. These functions have been separated in other parts of Canada to better fulfill their unique mandates. Would you support the creation of a dedicated association focused solely on nursing advocacy, advancement, and bargaining?”



Correcting Misconceptions

“The UNW has not been representing nurses or healthcare effectively.”

The UNW has long been a public advocate for healthcare members and has published many articles, columns, letters to legislators, reports, and more over several decades.

The UNW has won a number of high-profile grievances for healthcare workers who have come forward with violations of the CA.

The UNW’s bargaining team achieved many improvements and benefits for healthcare workers in the last round of negotiations, adding to Appendix A10 of the collective agreement which specifically sets out terms and conditions for healthcare workers.



Correcting Misconceptions

The Bill Proposal says:

A separate collective agreement would allow for the inclusion of certain healthcare standards and safety precautions in collective agreements that protect both the public and healthcare professionals, such as safe staff-to-patient ratios and limitations on consecutive shifts.

FACTS:

These things are already possible within the current GNWT CA under the exclusive Appendix (A10).

The employer has stated to the UNW unequivocally that they will never implement staff-to-patient ratios because it would be impossible to uphold. This is the same employer that the nurses would be up against in negotiating a brand new CA.



Correcting Misconceptions

The Bill Proposal says:

A separate collective agreement would also increase the likelihood of targeted benefits and allowances for nurses (that do not need apply to the entire unionized GNWT workforce), which would support better employee retention and higher morale among nurses generally.

FACTS :

Again, there are many targeted benefits and allowances for nurses that do not apply to the entire GNWT that were negotiated and are contained in Appendix A10.

In fact, new nurse benefits were achieved in the most recent rounds of negotiations, as well as increases to existing benefits and allowances.



Correcting Misconceptions

The Bill Proposal says:

A separate collective agreement could open the door to an “interest-based negotiation” model of collective bargaining, which is currently advocated by the NWT Medical Association as a way to keep patients at the heart of the process, drive costs lower, achieve better outcomes, and heal relationships between healthcare workers and the Health Authorities

FACTS :

Interest based negotiations are highly favoured by employers and not unions, as it takes away power from the union members.

Regardless, the bill does not address this type of negotiations in any way (nor should it – that is union interference).



Correcting Misconceptions

The Bill Proposal says:

While the GNWT has signaled its intention to begin investigating and consulting on the idea of establishing a Labour Relations Board in the NWT, this is expected to take several years.

FACTS :

This investigation and consultation is very important for many reasons.

The NWT is a very different jurisdiction from the provinces (including the very small population), and a Labour Relations Board may or may not be feasible.

The Yukon's model for example, we have heard is not working well for them.



Correcting Misconceptions

The Bill Proposal says:

Legislative changes to the Public Service Act become politically challenging and are traditionally avoided during active negotiations. Moving forward now with a private member's bill focused on specifically addressing nurses' concerns is a way to prevent unnecessary complications and ensure a smooth transition without disrupting labour negotiations.

FACTS:

The UNW's internal processes to collect bargaining input from GNWT members is well underway.

This Bill is already undermining that process.



Correcting Misconceptions

The Bill Proposal says:

Nurses have expressed a strong desire to merge into one territory-wide nursing-specific collective agreement—not only to increase solidarity and level the playing field amongst nurses, but to allow for greater mobility among nurses who wish to take locum placements to fill gaps in other NWT communities.

FACT:

A level playing field and greater mobility is already possible, and has been happening for years.



Correcting Misconceptions

The Bill Proposal says:

The Premier and Cabinet have committed to complete the amalgamation of the HRHSSA and the NTHSSA during the life of this Assembly.

FACTS:

This bill could disrupt and interfere with the work that has already been done.

At best, it is confusing for HRHSSA members, who have fought for years to be included in the GNWT Public Service, not broken up into separate groups.



Correcting Misconceptions

The Bill Proposal says:

The Bill would be intended to serve as an interim measure; it is understood that section 41 of the Act and its prescriptions regarding bargaining agents would be superseded once the government passes legislation to establish a Labour Relations Board or similar mechanism to certify and decertify bargaining units.

FACTS :

Language matters.

It does not say it is interim anywhere in the bill.



Correcting Misconceptions

The Bill Proposal says:

Given the urgent need to address the growing concerns of nurses and prevent further erosion of our healthcare system, the only feasible path forward in the short-term is to amend the Public Service Act by creating an avenue specifically for nurses to be able to choose whether they wish to establish a separate collective agreement under a different bargaining agent.

FACTS:

This is not the only feasible path forward – it is a proposed band aid crossed with a magic pill that has not been researched fully, implications considered or addressed, nor broad consultation sought.



Correcting Misconceptions

The current *Public Service Act* is not unconstitutional.

No legislation is identical, but there are other jurisdictions in Canada with similar legislation.

This argument should not be relied upon to justify amending the Act through this Bill.



Leaving Nurses Vulnerable

Bill 26 makes mention of the current CA as a bridging agreement, but not who would enforce it.

The employer is under no obligation to start negotiations with the current CA as the baseline.

Arbitrated wins may no longer apply to nurses with a new CA.



Interrupting Union Business

Before Bill 26 came up, the UNW Executive was examining the UNW structure for ways to re-structure Locals with healthcare workers.

This work now has to be put to the side until there is more legislative certainty.



A Better Time and Place

During last negotiations, the biggest issues left on the table in the end were healthcare related.

The very same issues are being discussed by MLAs now, in a context that will not fix the problems.

Political support from MLAs during negotiations or leading into negotiations is more effective.



Conclusion

There are too many uncertainties and omissions in this bill.

The process is being treated in a very cavalier way.

This bill will tie nurses up in an unclear and uncertain legal process, potentially for years.

This bill deliberately bypassed and disregarded the practice of consultation and engagement with the subjects of the bill.

When you break down the issues we've heard from members, this bill won't fix them.



Conclusion

There is a huge lack of consensus amongst union membership, and clear lines of division by position and location.

The bill is causing rifts among members – your GNWT employees – which is hurting morale.

Forcing workers into a situation that divides and alienates them does not build a strong union – it weakens it.



Conclusion

We are asking the Committee and MLAs to vote against this Bill.

We have already publicly committed to discussing section 41 of the Public Service Act with the GNWT.

The UNW wants to continue building our relationship with the GNWT by working together in “phase two”.

We want to work with the GNWT to ensure any legislation affecting our members protects their best interests and is directed by the members, not legislators.



PUBLIC

LABOUR VIEWS 2022-2025

[Labour Views: Is the GNWT trying to privatize healthcare?](#) (Aug 14 2024)

[Labour Views: Now is the time for Canadians to stand together against healthcare privatization](#) (June 5, 2024)

[Labour Views: Is our Healthcare System about to collapse?](#) (Jan 17 2024)

[Labour Views: 2023 Territorial Election](#) (Nov 08 2023)

[Labour Views: To Fix Healthcare, Invest in the Workers](#) (Jul 05 2023)

[Labour Views: All Talk, No Action](#) (Jan 28 2022)

NEWS/COMMS

[UNW Responses to FAQ on Private Member's Bill Proposal](#) (Mar 21 2025)

[Letter to MLAs Re: The Use of Agency Nurses in NWT Healthcare](#) (May 27 2024)

[Media Release: Labour Market Supplement](#) (Oct 05 2022)

[Media Release: Ongoing Staffing Crisis at Stanton](#) (Sep 02 2022)

[Media Release: Ongoing Healthcare Staffing Issues](#) (Jul 19 2022)

[Media Release: UNW Response to Labour Market Supplement for RNs and MLTs](#) (Mar 02 2022)

[Media Release: Issues Concerning NWT Healthcare Workers](#) (Feb 13 2022)

[Online Panel Discussion: Hanging by a Thread](#) (Feb 04 2022)

[Media Release: Chronic Healthcare Staff Shortages](#) (Nov 25 2021)

HEALTHCARE ARBITRATIONS

[23-P-03045 GNWT - Nurse Practitioners Resp. Pay - December 2024](#)

[23-P-03007 GNWT - Agency Nurses Consent Award Re: 2004 MOU - April 2024](#)

[22-P-03007 GNWT - Agency Nurses - Follow Up - February 2023](#)

[23-E-03012 GNWT - Labour Market Supplement \(LMS\) - February 2023](#)

[HRHSSA - Policy Grievance Education Allowance - August 2022](#)

[HRHSSA - S. MacKay Preliminary Objection - May 2022](#)

[17-P-02096 GNWT - NTHSSA Employer Policy-Directives - July 2021.pdf](#)

[13-P-01601 HRHSSA - Distribution of Overtime Policy Grievance - February 2016.pdf](#)

DIRECTLY WITH GNWT

This list does not include all of the quarterly Senior Joint Consultation meetings between the GNWT & UNW, where healthcare and social services have been discussed for many years.

It also does not include all of the improvements to Appendix A10 (Healthcare Workers) that were negotiated by the UNW in almost every collective agreement over the last 20 years.

The majority of improvements to benefits in the collective agreement in the last round of negotiations were for healthcare workers.

Presentation to *NWT Standing Committee on Government Operations:* Concerns Regarding Bill 26

Josée-Anne Spirito

Regional Executive Vice-President, North
Public Service Alliance of Canada

Josée-Anne Spirito

Regional Executive Vice-President, North
Public Service Alliance of Canada

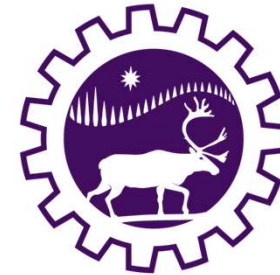


- Elected May 2023
- Member of PSAC's Alliance Executive Committee (AEC) and National Board of Directors (NBoD)
- UNW Local 33 Member - NTHSSA worker in Yellowknife
- Actively practicing Licensed Practical Nurse (LPN)



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada

- Democratic: Members are the Union
- 240,000 members in every province and territory
- 15 Component Unions
- 7 Regions
- 400 Staff in 8 Branches
- 23 Regional Offices



PSAC · North
Public Service Alliance of Canada

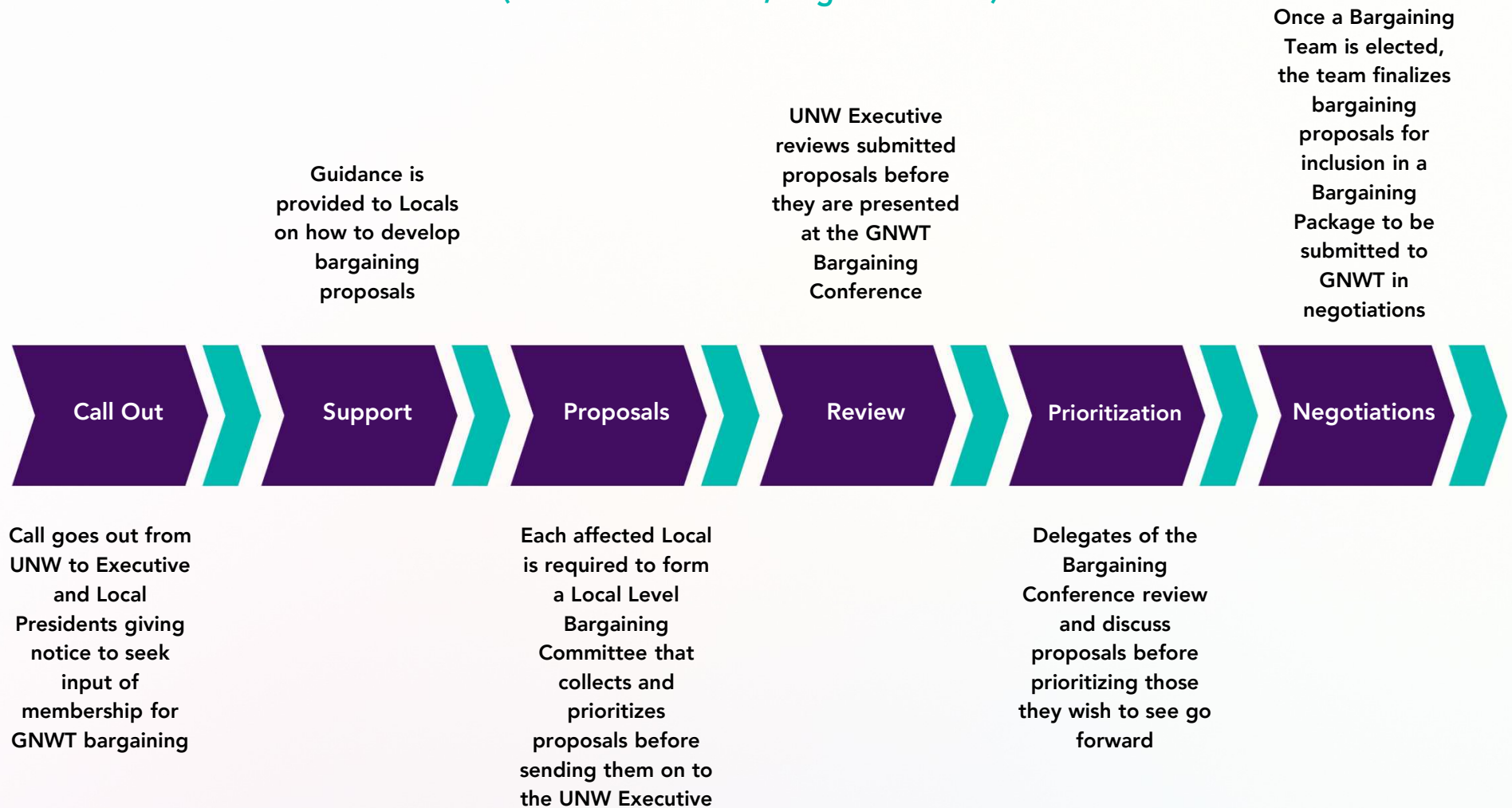
- “Boots on the Ground” Regional Offices in Whitehorse, Yellowknife, and Iqaluit
- Northern staff supporting Northern members
- The Union of the North: 20,000 members in the Yukon, Northwest Territories, and Nunavut

PSAC/UNW - GNWT Bargaining Relationship

- Governed by legislation (*NWT Public Service Act*)
 - Defines who an employee is
 - Establishes categories of employees, as well as which unions represent which workers
 - Establishes certain basic rights and conditions of employment
 - In collective bargaining, defines which positions are unionized and which are excluded
 - Governs aspects of the formal bargaining relationship between unions and GNWT
 - (e.g. how disputes are dealt with, essential service agreements, rights around strikes)

How PSAC/UNW Members' Input Drives Bargaining

(PSAC Constitution, Regulation 15B)



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When We Fight Together, We Win Together

- An MOU on Joint Working Group reviewed issues related to health and safety for employee rest periods between regularly scheduled shifts
- A review of work alone standards
- A new statutory holiday bank with carry-over provisions
- Improvements to allowances for clothing and laundry
- Improvements to compensatory leave and leave bank for Midwives
- Numerous additional health and social service positions being made eligible for Labour Market Supplements (LMS)
- And LMS in communities now ranging from \$10,000 to \$12,000



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The Truth About Starting from Scratch

Existing CBA

241 Pages Long

Steady, incremental
progress

50+ Years in the Making

Improved over several rounds
of negotiations



Bill 26

Fight to maintain hard-won gains

Nothing guaranteed,
everything on the table

Subject to new negotiations

At the mercy of the Employer



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Certification Processes: Complex for a Reason

If you were going to make changes to the structural, load-bearing beams of a hospital, you would likely want an expert in architecture or construction to make sure nurses and their patients are protected.



Bill 26 proposes to rip key load-bearing beams from the NWT's labour relations framework with little regard for the employers, unions, workers, and members of the public that it should protect.



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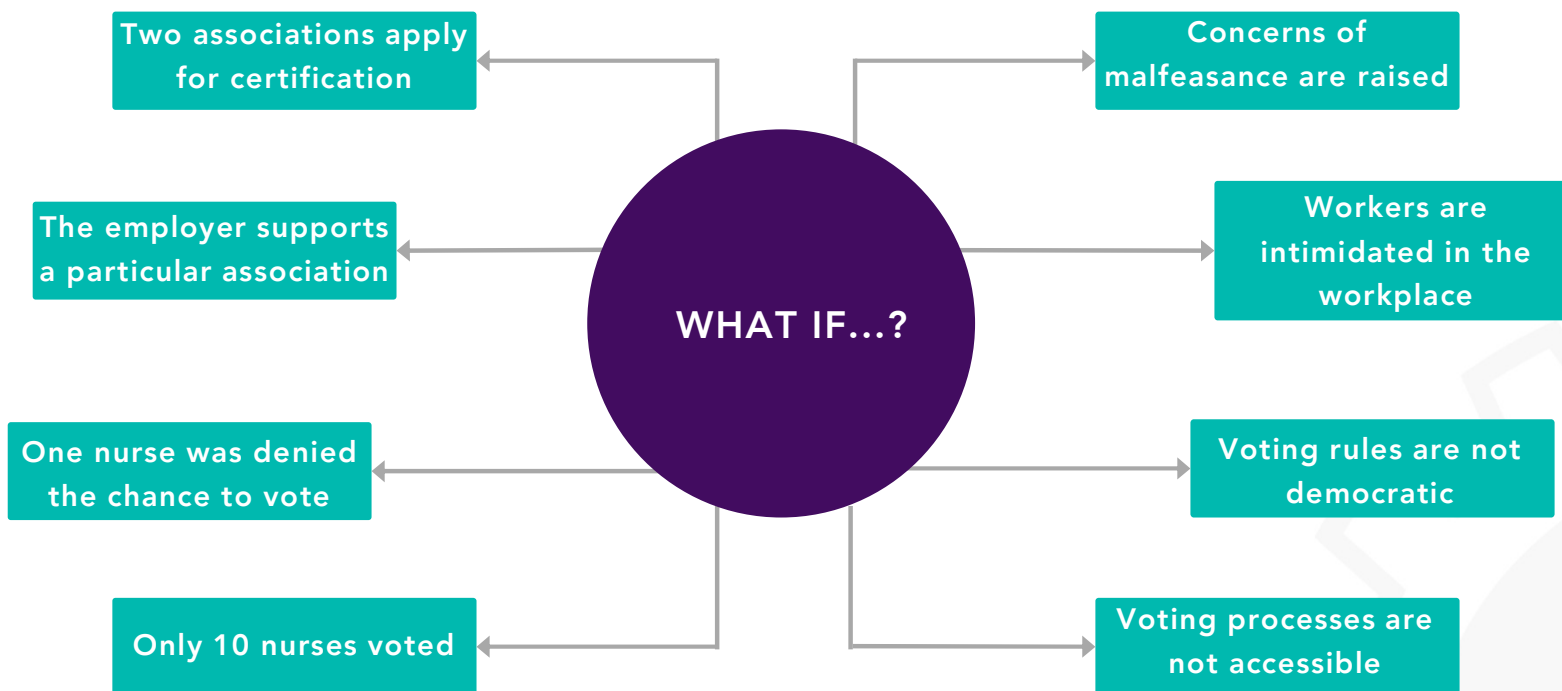
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Cross-Jurisdictional Certification Landscape

The **bare-bones** certification process outlined in Bill 26 stands in **stark contrast to labour codes across Canada**, which establish substantive and lengthy frameworks, based on decades of experience and precedents, setting out how unions can be certified to represent – or cease to represent – employees in collective bargaining.

Bill 26 isn't written to do things right: **as it's written, it will make things worse.**

Neutral, impartial, expert analysis from arbitrator **Vince Ready** loudly sounds the alarm about Bill 26.



Consider: Snap Vote

Would it be acceptable if an association held an electronic vote that was open for 10 minutes, so long as all nurses theoretically had a chance to vote in it?



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Consider: Revolving Door of Representation, Raids, and Decertification

A relentless fight between associations vying to represent nurses would undoubtedly have a negative impact not only on nurses themselves, but also on the public who rely upon nurses for health care.

Questions?

Josée-Anne Spirito

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MEMBER BRIEFING - PSAC North Presentation to *NWT Standing Committee on Government Operations: Concerns Regarding Bill 26*

How Members' Input Drives Bargaining

- PSAC's Constitution, a document established democratically by union members, contains specific regulations (15B) that govern collective bargaining for members employed by the GNWT.
 - o At the beginning of each round of collective bargaining between UNW members and the GNWT, a call goes out from the UNW to Executive and Local Presidents giving notice to seek bargaining input from members, and guidance is provided to Locals on how to develop effective and impactful proposals.
 - o Each affected Local is required to form a Local Level Bargaining Committee that collects and prioritizes proposals before sending them on to the UNW Executive, which reviews submitted proposals before they are presented to a larger group of members through the GNWT Bargaining Conference.
 - o Delegates to the Bargaining Conference - elected at the Local level by fellow members - review and discuss proposals before prioritizing those they wish to see brought to the bargaining table.
 - o Delegates then elect a Bargaining Team, who will finalize bargaining proposals for inclusion in a Bargaining Package to be submitted to GNWT in negotiations.
 - In addition to the six Local members elected at the Bargaining Conference, and alternates, the Bargaining Team is supported by the UNW President and PSAC technical support staff; typically a negotiator and a research officer.

- Bargaining Team Members represent the membership during every phase of negotiations, making decisions about which proposals to pursue.
 - The structure of Bargaining Teams ensures that all geographic regions in the NWT, all occupational groups, and equity-groups like Indigenous members, are given a meaningful voice in the process.
- At the most recent GNWT Bargaining Conference held in August in Yellowknife, two nurses from Local 11, Stanton Hospital workers, were elected to their Bargaining Team.

Bringing Issues to the Table For Health Care Workers

- GNWT Bargaining Teams have made numerous proposals in previous rounds that benefit all members such as improvements to various leaves, annual compensation increases, improved hours of work, and more. Some of the proposals that have addressed issues raised by GNWT health care workers over the last 20 years include:
 - o Compensation for employees that must work a scheduled shift after being called back or reporting for work while on stand-by;
 - o Improvements to overtime compensation and carry-over of offsetting time;
 - o Conversion of term employees to indeterminate after 2 years;
 - o Limiting contracting out of work;
 - o Language on harassment, abuse of authority, and workplace violence;
 - o Including the Professional Development Initiative for health care workers into the collective agreement;
 - o Improved compensation and protections for casual employees;
 - o And, centering reconciliation and culturally-appropriate care as guiding principles of our health care system.

- Often, proposals such as Indigenous cultural leave, must be brought to the bargaining table over and over, as the Employer rarely says yes to all the proposals we initially bring forward.
- We have been able to achieve significant gains for health care workers that cover issues from health and safety to better compensation, including:
 - A review of issues related to health and safety for employee rest periods between shifts;
 - A review of work alone standards;
 - Carry-over provisions for the statutory holiday bank;
 - Improvements to allowances for clothing and laundry;
 - Improvements to offsetting leave and leave bank for Midwives;
 - Numerous additional health and social service positions being made eligible for Labour Market Supplements;
 - And, Labour Market Supplements in communities now ranging from \$10,000 to \$12,000.
- In a mature collective agreement that has been steadily built over decades of bargaining, this is how progress is normally made – that is, gradual improvements over time, agreed to over several rounds of negotiations.

The Truth About Starting From Scratch

- Proponents of Bill 26 have told this committee that workers “start from scratch” at the beginning of each round of bargaining, but nothing could be further from the truth. If nurses were to become represented by another bargaining agent, they would have to fight to retain their existing provisions, along with any improvements, in any new agreement, with no guarantee that they would be successful on either account. In negotiating their first agreement, they would risk losing the terms and conditions of employment that have been bargained for over the years.
- Without an existing collective agreement, everything becomes subject to new negotiations with the GNWT, and any measures not legally required would not

be guaranteed to be part of any new agreement.

Everything would be on the table, and as a primarily essential workforce with no access to arbitration, nurses would have very little bargaining strength to leverage in maintaining their long and hard-fought gains.

Certification Processes are Complex for a Reason

- Certification processes operate in a complex, adversarial, legal environment, with legislation, regulations, and policies designed to protect all stakeholders involved; the employer, the union, and most importantly, workers and the public. Certification is also just one aspect of the legal framework governing labour regimes, related to and mutually dependent with other aspects. Any changes to labour law must be carefully balanced to maintain protections for employers, unions, and workers.
- The labour relations framework for employees of the GNWT is already being reviewed, within the purview of modernizing the Public Service Act. This review is being done carefully, in a balanced way that doesn't put the various stakeholders at risk.
- Bill 26 lacks the requisite detail, safeguards, and precision required when overhauling such a significant element of labour law. Instead of recognizing the reality that certification processes are complex for a reason, this Bill would introduce a level of disruption and uncertainty that simply would not serve the interests of nurses, or any impacted workers.
- The bare-bones certification process outlined in Bill 26 stands in stark contrast to labour codes across Canada, which establish substantive and lengthy frameworks, based on decades of experience and precedents, setting out how unions can be certified to represent – or cease to represent – employees in collective bargaining.
- Labour Boards across Canada have specific rules around voting, developed based on years of experience administering contentious certification votes. In

contrast, Bill 26 lacks provisions for third-party monitoring of certification votes that we would typically see in other jurisdictions, with neutral decision-makers ensuring everyone is heard. Absent these common provisions, Bill 26 would be an outlier in leaving this to the applicant alone. This means that an association seeking to represent workers is put in the dangerous role of making key determinations about the fairness and integrity of their own process. Any decertification processes, with a union ceasing to represent workers would suffer from the same pitfalls.

- Bill 26 invites “self-dealing,” contravening the legal principle that no one should be the judge in their own cause. There will be manipulated votes in a system that allows them or creates opportunities for them.
- Bill 26 proposes introducing a certification process into an Act that doesn’t presently have one, something that – if done – needs to be done the right way to protect all involved.
- PSAC has asked a neutral expert – Arbitrator Vince Ready – to provide an analysis of the draft legislation. His findings loudly sound the alarm about the Bill’s potential harms.

Scenarios

- There are countless very realistic scenarios that illustrate how employers, unions, workers, and the public would be vulnerable if Bill 26 were implemented:
 - o According to the Bill, to authorize a bargaining agent for nurses, the Court must be satisfied that there was a vote conducted “in which all nurses in the public service had an opportunity to vote.”
 - If just one nurse was determined to have been denied the opportunity to vote, should the Court deny the application? The

language in Bill 26 seems to suggest this.

- Quorum: If only 10 nurses participated in such a vote, should this be considered an expression of the workforce's true wishes for representation? Under Bill 26's provisions, this would be sufficient.
- How will an applicant - or a judge - know where to draw the line on deciding whether a nurse is "in the public service" and thus eligible to vote?
 - Can a nurse with management responsibilities vote? What about a nurse on long-term disability, or someone who hasn't worked in the Northwest Territories in years? A nurse with no intention of working in the North again?
- This Bill provides no guidelines or standards that would ensure people with legitimate interest in the outcome are making the important decision of who should be the bargaining agent for nurses.
- For nurses whose wishes should be reflected by a vote, how should they prove their eligibility to participate to the applicant?
 - If, as Bill 26 allows, the union seeking to be certified will make these decisions with no oversight, can we assume the highest standards would be followed?
 - Should we be comfortable with unreliable, fundamentally undemocratic outcomes?
 - Who decides when, where, and via which format the vote would take place? Who determines how long voting is open for? And who is responsible for counting the votes? Who would scrutineer this process?



- With no secret ballot provisions – the norm in other jurisdictions – would electioneering, peer pressure, and intimidation in workplaces be permissible?
 - If the employer supported a particular association trying to organize in a workplace, should nurses expect threats and consequences if they express their genuine wishes?
 - If there are allegations of mischief or inappropriateness in these areas, or at any point in the voting process, how should they be raised? And to whom?
 - The way the Bill is drafted, all of this will be up to the association hoping to represent the nurses.
- Even if concerns are brought to the attention of the Court, what should the Court do?
- What happens if two associations apply, and both can satisfy the majority vote requirement? How should the Court decide with no guidance in legislation or regulation?
 - Would it be acceptable if an association held an electronic vote that was open for 10 minutes, so long as all nurses theoretically had a chance to vote in it?
 - In a world where Bill 26 was implemented, such a vote would satisfy the requirements to certify a bargaining agent and impact the future of nursing in the Northwest Territories.
- The Bill does not contemplate any mechanism to resolve these questions, but, we know that at least some of these questions will come up in any vote that occurs, because we see these issues very commonly, across the country.

Revolving Door of Representation, Raids, and Decertification

- The language in Bill 26 allows for a nurses' association to be displaced six months after the association is first granted the right to bargain on behalf of nurses. This means that six months after voting in favour of a bargaining agent, workplace organizing to certify a different, competitor bargaining agent - or decertify the existing one - could begin anew. Given the opportunity for employer involvement in union busting and decertification campaigns, nurses would be at ongoing risk of losing union representation entirely. Whether through decertification or union raiding, a continuous fight between associations vying to represent nurses would undoubtedly have a negative impact not only on nurses themselves, but also on the public who rely upon nurses for health care.
- Proponents of the Bill have stated repeatedly that the existing collective agreement would remain in place for nurses even after a new bargaining agent has been authorized. They have also said that UNW would be legally obligated to continue enforcing the agreement and servicing members, even after a new bargaining agent has been authorized. Both of these statements are, quite simply, not true.
 - o It is clear from the text of the Bill - specifically in its amendment of section 41.04 to add a new subsection 3 - that the current collective agreement would not transition over to a new bargaining unit. Instead, the terms and conditions of employment applicable to nurses are frozen in place during the period in which their new bargaining agent negotiates a first agreement. This is not the same as continuing a collective agreement.
 - o In our reading of the Bill, if a new bargaining agent were authorized by the Court, they would be the *exclusive* bargaining agent. That means UNW would not be required to continue to act as bargaining agent, and likely not even permitted to do so.

Executive Summary

Report to the Public Service Alliance of Canada (“PSAC”)

Re: Review of Bill 26

Prepared by: Vince Ready on September 9, 2025

Purpose

Bill 26 is a private member’s bill proposing amendments to Section 41 of the Northwest Territories (NWT) *Public Service Act* to permit nurses to form a separate bargaining unit. This summary reviews the Bill’s implications, comparative models, and policy options.

Key Issues

- Bill 26 reflects nurses’ concerns about burnout, staffing pressures, and representation.
- The NWT’s labour relations framework differs from other jurisdictions: Section 41 prescribes bargaining agents, and the territory lacks a Labour Relations Board.
- Section 41 is already under government review; Bill 26 risks duplicating or disrupting that process.

Stakeholder Perspectives

- Proponents of Bill 26 support enhanced representation and equity for nurses, with interim oversight by the Supreme Court.
- Government of the NWT (GNWT) prefers comprehensive modernization to ensure constitutional compliance and fiscal sustainability.
- Union of Northern Workers (UNW)/PSAC recognizes nurses’ concerns but favours reforms that preserve bargaining strength and protections.

Context

- Other Jurisdictions: Saskatchewan, Alberta, and British Columbia nurses achieved gains through separate representation, though fragmentation created risks and costs.
- Compensation: NWT nurses generally receive higher total compensation than peers elsewhere, largely due to Northern Living Allowances, though retention and workload pressures remain.

Analysis

Bill 26 does not include safeguards common in Canadian labour law, such as:

- Defined open periods for representation challenges
- Minimum support thresholds to trigger votes
- Neutral, third-party oversight of certification
- Secret ballot requirements with participation thresholds
- Clear reversion rules and continuity protections

The absence of these provisions increases the risk of instability, legal disputes, and fiscal uncertainty.

Policy Considerations

- Charter Compliance: Reforms must uphold freedom of association under Section 2(d).
- Equity and Stability: A nurse-specific unit could prompt similar demands from other groups and lead to fragmentation.
- Alternatives: Strengthening nurses' voice within UNW/PSAC (via bargaining tables, councils, or guaranteed representation) may achieve many goals without destabilizing the system.

Recommendations

1. Postpone Passage of Bill 26 until it can be integrated into a comprehensive modernization of the *Public Service Act*.
2. Introduce Safeguards standard in Canadian labour law, including open periods, support thresholds, neutral oversight, secret ballots, and reversion protocols.
3. Legislate Transitional Protections to safeguard employment rights, ensure fiscal modeling, and mandate review after three years.
4. Enhance Nurses' Representation within UNW/PSAC through interim measures such as dedicated bargaining tables, councils, and guaranteed representation.

Conclusion

Reform is warranted, but Bill 26 in its current form lacks essential safeguards and risks unintended consequences. A government-led modernization of the *Public Service Act*, combined with strengthened nurse representation within existing structures, offers a more stable, equitable, and constitutionally sound path forward.

REPORT TO THE PUBLIC SERVICE ALLIANCE OF CANADA
("PSAC")

RE: BILL 26 – *AN ACT TO AMEND THE PUBLIC SERVICE ACT*

Prepared by: Vince Ready, Mediator and Arbitrator

September 9, 2025

My Background

I have been an active figure in Canadian labour relations for nearly six decades. Beginning my career in 1965 as a union negotiator and an area supervisor with the United Steelworkers of America, I later served as both a federal and provincial mediator before establishing a private mediation and arbitration practice in British Columbia in 1982.

Since that time, I have mediated and arbitrated more than 7,000 disputes across Canada, spanning the forestry, mining, construction, transportation, health care, education, and public sectors. I chaired and co-chaired numerous industrial inquiry and conciliation commissions and have been appointed by governments at both the federal and provincial levels to lead reviews and inquiries into matters of significant public importance, including major disputes in health care, education, transportation, and resource industries.

I also have worked extensively with nursing bargaining units in British Columbia, Saskatchewan, Ontario and Prince Edward Island.

I chaired the sub-committee for the Province of British Columbia to recommend changes to the British Columbia Labour Relations Code (see “Recommendations for Labour Law Reform” September 1992, John Baigent, Vince Ready, Tom Roper).

In recognition of my contributions to labour relations in Canada, I was inducted into the National Academy of Arbitrators (USA) in 2011 and am the proud recipient of the Bora Laskin Award and the W.P. Kelly Award for excellence in labour arbitration and dispute resolution. A summary of my professional background is provided in Appendix A for the Committee’s reference.

Disclaimer

This opinion is based on my professional experience in labour relations and my knowledge of labour legislation across multiple Canadian jurisdictions. It is intended to inform policy discussion and assist the Committee’s consideration of Bill 26. It should not be construed as legal advice, as I do not hold the qualifications to provide a legal opinion.

Purpose of the Report

On June 26, 2025, the Public Service Alliance of Canada (PSAC) asked me to review and provide an opinion regarding Bill 26 – *An Act to Amend the Public Service Act* – introduced in the Northwest Territories Legislature. While this review was prepared at the request of PSAC, it may also be of assistance to the Legislature and the broader labour relations community in evaluating the bill's provisions and their potential implications.

Bill 26, a private member's bill currently before Committee following second reading, proposes to amend Section 41 of the *Public Service Act* to permit nurses to establish a separate bargaining unit. This review examines the proposed amendments, highlights potential gaps or risks, and offers recommendations for consideration.

The following sections provide further analysis of these matters and recommendations for the Committee's consideration.

Issues and Framework

The central question raised by Bill 26 is how changes in representation for nurses could occur under the proposed amendments to Section 41 of the *Public Service Act*, and whether the framework provides sufficient clarity and safeguards to support fairness, stability, and fiscal accountability.

Matters for consideration include:

1. Open Periods – The bill does not specify when applications to change the nurses' bargaining agent may be made, creating the possibility of frequent challenges.
2. Support Thresholds – The bill does not identify a minimum level of employee support required before a representation vote may be held.
3. Oversight – The bill does not indicate whether representation votes would be overseen by a neutral, independent third party.
4. Quorum – The bill does not establish a minimum participation level for representation votes.
5. Voting Method – The bill does not address whether representation votes would be conducted by secret ballot.
6. Reversion and Continuity – The bill does not clarify whether, if a court grants de-authorization, nurses would return to membership in the general bargaining unit represented by the Union of Northern Workers (UNW). This raises related questions concerning:

- the status of any nurses' collective agreement in force at the time of de-authorization,
- how the GNWT would cost the general unit's agreement without certainty regarding membership, and
- the treatment of nurse-specific provisions not contained in the general unit's agreement.

Framed more broadly, these matters invite consideration of the following policy questions:

- What safeguards should govern when and how bargaining agents can be changed?
- What thresholds of employee support are appropriate to trigger representation votes?
- How should representation votes be administered to ensure fairness and transparency?
- What provisions are necessary to manage transitions, preserve continuity of agreements, and ensure GNWT can effectively cost collective agreements under either a single or dual bargaining structure?

Northwest Territories Context

Unlike most jurisdictions, the NWT *Public Service Act* prescribes bargaining agents directly. Section 41 defines bargaining units, and nearly all unionized public employees, including nurses, are represented by the Union of Northern Workers (UNW). A modernization review of the *Act* is underway, with consultations that may create a Labour Relations Board. Nurses remain within the existing framework until changes are enacted.

Perspectives on Bill 26

Bill 26 Proponents

Supporters of Bill 26, including members of the nursing community and certain legislators, argue it provides nurses with a dedicated bargaining structure, helping address dissatisfaction, inequities, and recruitment and retention challenges. The proposed model allows the Supreme Court to oversee representation until a Labour Relations Board is established. Proponents frame it as a practical response to pressing workforce concerns. Critics, however, note that the bill does not set out safeguards common in Canadian labour law, such as support thresholds, clear certification procedures, or neutral oversight of votes.

Nurses' Concerns

Nurses across the Northwest Territories report high levels of burnout, understaffing, and declining morale, with growing reliance on agency staff driving up health system costs. Many view a territory-wide, nursing-specific

collective agreement as a way to strengthen equity, solidarity, and mobility across regions. Currently, they are represented by the Union of Northern Workers (UNW) and its parent organization, the Public Service Alliance of Canada (PSAC) under two separate agreements: one with the GNWT represented by the Minister Responsible for the *Public Service Act* and another with the Hay River Health and Social Services Authority (HRHSSA). The Premier and Cabinet have committed to completing the integration of the two systems within the current Assembly's term, a step that would bring Hay River nurses into the territorial framework and establish a more unified basis for representation.

Government of the Northwest Territories (GNWT)

The Minister of Finance & the Public Service has emphasized that reform is both necessary and already underway through a government-led review of Section 41 of the *Public Service Act*. The GNWT argues that a comprehensive, legislated modernization process – incorporating constitutional analysis, fiscal planning, and full consultation – is a more suitable path than piecemeal changes. From this perspective, court-based oversight of representation questions is seen as an unstable mechanism compared to a labour board or statutory framework.

Union of Northern Workers (UNW)/Public Service Alliance of Canada (PSAC)

The UNW and its parent organization, PSAC, recognize the concerns that have prompted Bill 26 but have expressed reservations about its approach. They caution that creating a separate bargaining unit for nurses could affect existing protections, fragment bargaining strength, and complicate strike-related considerations. UNW/PSAC favour a broader reform process that balances nurses' representation with the protections and solidarity of the larger bargaining unit.

Issue Statement

The Government of the Northwest Territories (GNWT) is consulting with union representatives and the broader community on potential reforms to Section 41 of the *Public Service Act*. Bill 26, now before Committee, proposes nurse-specific changes intended to address concerns within the profession. However, some stakeholders argue that a broader legislative approach may be necessary to ensure fairness, stability, and compliance with Charter protections, particularly freedom of association. The central question is whether reform should be limited to nurses or designed as part of a more inclusive framework addressing representation and bargaining rights across the public service.

Historical Considerations: Bargaining Units for Nurses in Canada

Across Canada, nurses have formed independent unions to advance working conditions, compensation, and professional recognition, using different strategies with varying outcomes.

Saskatchewan: The Saskatchewan Union of Nurses (SUN), established in 1975, led an illegal ten-day strike in 1999 involving 8,000 nurses. Despite the risk of penalties, SUN redirected fines to hospital foundations and secured a 13.7% wage increase, funding for 200 new positions, and broad public support.

Alberta: The United Nurses of Alberta (UNA), formed in 1977, engaged in several strikes, most notably a 19-day illegal strike in 1988 involving 14,000 nurses. Although fined \$426,750, UNA prevented wage rollbacks and preserved key provisions. In 2025, UNA again considered strike action before reaching a new agreement providing a 20% wage increase by 2028, stronger job security, and mentorship supports.

British Columbia: The BC Nurses' Union (BCNU) has relied more on advocacy and public mobilization than strikes. Recent rallies, including a major 2025 demonstration, contributed to outcomes such as annual wage increases up to 6.75%, \$750 million for nurse-patient ratios, \$60 million for mental health supports, and stronger workplace safety measures.

These examples highlight different approaches: direct labour action in Saskatchewan and Alberta, and sustained advocacy in British Columbia – all leading to significant gains for nurses and shaping broader policy discussions.

Implications

The experiences of these provinces inform current discussions in the NWT, where compensation already compares favourably – often exceeding Alberta, BC, and Saskatchewan – when Northern Living Allowances and targeted bonuses are included. This suggests that the existing framework has been effective in securing competitive outcomes. While broader challenges of recruitment and retention remain, evidence indicates that parity or advantage can be achieved within current structures, without requiring a separate bargaining unit.

Compensation Comparisons

NWT nurses often receive higher total compensation than counterparts in other provinces, especially with Northern Living Allowances. This suggests the current framework has been effective, though workplace challenges persist –

particularly around staffing shortages, workload pressures, and retention issues that are common across Canada's health care systems.

Analysis of Proposed Changes to Section 41 of the *Public Service Act*

The proposed amendments to Section 41 are framed as expanding employee choice, but they highlight the absence of infrastructure to support such choices in practice. While greater flexibility may be the intent, the lack of safeguards raises concerns about stability, consistency, fiscal predictability, and legal risk.

By comparison, provinces such as Saskatchewan, Alberta, and British Columbia have labour relations boards that administer clear rules for certification, representation votes, dispute resolution, and unfair labour practice complaints. These boards provide independent oversight, secret ballot processes, minimum support thresholds, and transparent procedures for certification and decertification.

Key safeguards missing from Bill 26 include:

- Clear eligibility criteria and reversion provisions.
- Oversight mechanisms to ensure fairness and consistency across departments.
- Transparent certification, decertification, and representation processes.
- Minimum support thresholds and defined open periods for challenges.
- Neutral third-party oversight and secret ballots.
- Dispute resolution and appeals mechanisms.
- Protections against liability for both workers and employers.
- Guidelines for performance evaluation under new arrangements.
- Access to independent legal advice.
- Requirement for fiscal impact analysis before implementing dual bargaining streams.

Fiscal and Structural Risks

Without transitional rules and fiscal modeling, the GNWT cannot reliably project the cost of administering two bargaining units (general and nurse-specific). Overlapping collective agreements could create liability, duplicate provisions, or increase expenditures without clarity on budgetary impacts. This uncertainty is particularly acute if nurses revert to the general unit after a de-authorization, as costing models for the broader unit would be undermined.

A more comprehensive framework – similar to the structures used in other jurisdictions – would help ensure that flexibility is implemented in a sustainable, equitable, and fiscally sound manner.

Legal and Policy Considerations

- Section 2(d) of the Charter protects freedom of association. Legislative measures that restructure union governance must avoid infringing on this right. Mechanisms that expand, rather than restrict, choice will strengthen constitutional compliance.
- Creating a nurse-specific pathway could prompt other professions to seek similar treatment, producing a two-tier bargaining system.
- Multiple bargaining units may complicate negotiations, increase administrative burden, and reduce efficiency and increase the risk of fragmented labour relations.
- Without a mandatory costing requirement, GNWT risks exposure to financial obligations it cannot accurately project.
- Consider options such as a dedicated nurses' bargaining table, a nurses' council within UNW, or guaranteed nurse representation on bargaining teams may balance nurses' interests with system-wide stability.

Recommendations

1. Postpone Passage of Bill 26

Defer adoption until reforms can be integrated into a broader modernization of the *Public Service Act*, ensuring coherence and fiscal oversight.

2. Introduce Standard Safeguards

Incorporate:

- Clear thresholds and open periods.
- Neutral oversight and secret ballots.
- Reversion rules for continuity of agreements.
- Mandatory fiscal impact analysis prior to authorizing dual bargaining structures.

3. Legislate Transitional and Review Mechanisms

- Protect continuity of employment, benefits, and grievance rights.
- Require GNWT to cost agreements under both single and dual-stream bargaining models.
- Include a mandatory review clause tied to fiscal and administrative reporting after three years.

4. Strengthen Nurses' Voice Within UNW/PSAC (Interim Measure)
- Establish a dedicated bargaining table, nurses' council, and guaranteed representation.
 - Complement these measures with workplace reforms such as safe staffing standards, retention supports, and joint labour-management committees.

Conclusion

Reform of Section 41 is both necessary and timely. However, Bill 26, in its current form, lacks the procedural safeguards required to ensure fairness, stability, and constitutional compliance. A broader modernization of the *Public Service Act* would more effectively enhance nurses' representation while preserving the integrity of labour relations and protecting the public interest.

The issue before the Committee is not merely procedural – it strikes at the core of our labour relations framework and the constitutional principles that support it. As the Committee considers this matter, it is essential to proceed with deliberation, clarity, and a commitment to evidence-based reform.

While Bill 26 responds to legitimate concerns regarding nurses' representation, its implementation risks unintended consequences, including destabilization of the Northwest Territories' labour relations system. Jurisdictions such as Saskatchewan, Alberta, and British Columbia offer cautionary examples: although separate unions eventually achieved gains, these transitions were often marked by significant unrest and disruption.

At present, nurses in the NWT benefit from strong compensation outcomes within the existing framework. Any reform should build on these strengths, not compromise them.

I thank the Committee for its thoughtful consideration and continued dedication to principled governance in the Northwest Territories.

Respectfully submitted,



Vince Ready

Appendix A: Professional Background

Vince Ready – Arbitrator & Mediator

Overview

Since 1982, Vince Ready has maintained a private arbitration and mediation practice. He is active in every province and territory of Canada and is named as an Arbitrator/Mediator in over 600 collective agreements. Over his career, he has arbitrated or mediated more than 7,000 labour and commercial disputes across multiple sectors, including health care, forestry, transportation, education, and public service.

Selected Experience

- Mediated and arbitrated disputes across diverse sectors, including forestry, heavy construction, grain handling, airlines, railways, pulp and paper, mining, food processing, hotels, firefighting, police, health care, and education.
- Appointed Industrial Inquiry Commissioner for the Province of British Columbia in multiple high-profile disputes, including:
 - Province-wide health care bargaining dispute (1996, 86,000 workers)
 - BC Ferry Corporation dispute
 - Ambulance Service disputes
 - K-12 education sector
- Appointed Commissioner of Inquiry for Prince Edward Island on health reform.
- Appointed to the Construction Industry Review Panel (BC).
- Appointed Co-Chair, Section 3 Labour Relations Code Review Panel (BC).
- Special Mediator in transit disputes, including BC Rapid Transit (Skytrain) and Coast Mountain Bus Co. (Translink).
- Conciliation Commissioner under the Canada Labour Code (Grain industry, Vancouver).
- Internal union arbitrator/mediator for Hospital Employees' Union and Steelworkers/UFCW.

Policy & Reform Work

- Chaired the BC Labour Relations Code Sub-Committee, issuing *Recommendations for Labour Law Reform* (1992).
- Facilitated new workplace relationships in mining, forestry, food processing, and health care sectors.

Academic & Professional Recognition

- Guest lecturer on mediation, arbitration, and dispute resolution at conferences and educational institutions.
- Inducted into the National Academy of Arbitrators (2011).
- Recipient of the Bora Laskin Award and the W.P. Kelly Award for contributions to labour relations.

Memberships & Affiliations

- Arbitrators Association of British Columbia
- National Academy of Arbitrators
- Register of Arbitrators under the British Columbia *Labour Relations Code*

Briefing from Sara-Jayne Dempster, President, Northern Territories Federation of Labour
September 19, 2025

Good Afternoon, my name is Sara-Jayne Dempster and I am the President of the Northern Territories Federation of Labour (NTFL). Today I will be discussing the Northern Territories Federation of Labour's position on Private Member's Bill 26, which proposes changes to the Public Service Act which would permit nurses to leave the Union of Northern Workers. Thank you for the opportunity to speak today.

To provide context regarding the NTFL, we were founded in 1980 with the goal of uniting and representing workers across the Northwest Territories. In 1999, we expanded to include Nunavut. Our Federation has always prioritized defending workers' rights, supporting safe and fair working conditions, and promoting the strength of organized labour. Over the years, the NTFL has played a crucial role in advocating for workers amidst changing political and economic landscapes. It's important to clarify that the Federation remains neutral in the political activities of its affiliates and is committed to serving in the best interests of all workers broadly.

At the core of our Federations' principles is respect for the independence of our affiliates. Each union has the right to determine its membership and negotiate on behalf of its members free from outside interference. We believe that collective bargaining is vital to the process of securing fair wages, safe working conditions, and adequate benefits. Simply put, political interference threatens the integrity and effectiveness of the process.

Bill 26 seeks to amend the Public Service Act to allow nurses to leave their union, the Union of Northern Workers, for another bargaining agent of their choice. The government presents this bill as a measure to increase individual choice for workers. However, it raises serious concerns about the implications for union solidarity, collective bargaining, and worker protections.

Our primary concern with Bill 26 is that it undermines the fundamental rights of workers to organize and bargain collectively. Allowing one specific group of workers to leave their union at will weakens the bargaining power of all workers. This will lead to a fragmentation of union strength, ultimately reducing the protections that collectively workers have fought long and hard to establish. This bill is a threat to the stability and fairness of labour relations in our territories.

Union solidarity is fundamental to protecting workers' rights, securing fair wages, and maintaining strong collective bargaining power. When unions stand united, they have the power to advocate effectively and promote the interests of their members against employers, governments, and divisive tactics meant to weaken their influence.

Bill 26 poses a serious threat to this unity. It risks fragmenting the workforce and diminishing the collective voice that is essential for fair negotiation. This legislation will set a dangerous precedent; it will undermine union strength and destabilize long-standing protections for workers.

Adding to this concern is the proposed dual role of the College and Association of Nurses of the Northwest Territories and Nunavut (CANNN). CANNN has publicly stated they will seek to become the bargaining agent to represent nurses. This is highly inappropriate given their primary role as the regulatory body responsible for licensing and disciplinary actions. As the regulator, CANNN's authority is to be the oversight and adherence to professional standards and discipline.

If CANNN were to assume bargaining responsibilities, as proposed, it would create a clear conflict of interest. Their dual roles—regulator and representative—would undermine the fairness and impartiality required by both disciplines. It increases the risk of political influence and inappropriate intervention. This will lead to the erosion of trust in both the regulatory and representation processes. The primary duty of a regulator is to ensure professional accountability, not to advocate for wages or working conditions. That responsibility belongs to the union.

This move by CANNN is likely to increase the risk of union raiding attempts from other organizations. Raiding weakens union unity, divides workers, and diminishes their collective bargaining power. Instead of focusing on the work that truly matters for their members, unions end up battling each other, draining resources and creating division amongst workers who are better served when standing united. Internal conflict weakens collective bargaining power, makes it easier for employers to exploit divisions and undermines solidarity. During times of legislative uncertainty, such fragmentation is especially dangerous—it threatens to undermine the hard-won protections that have been fought for over decades.

To preserve the strength and integrity of our unions, it is vital that we resist attempts to weaken solidarity. Autonomy, independence, and trust in unions must be protected! Our collective power depends on a unified, cohesive labor movement, not on divisions fostered by conflicting interests or ill-advised attempts at organizational control.

Given these concerns, we strongly advocate for the creation of an adequately funded, independent Labour Board. Such a board would oversee the administration of union membership rights, resolve disputes, and ensure that collective bargaining continues on fair and impartial terms. An independent Labour Board would serve as a safeguard for

workers' rights, ensuring that neither employers nor the government unduly influence labor relations.

While we recognize the importance of government as a regulator, it should not be involved in the day-to-day decisions regarding union membership. Instead, government's role is to facilitate fair, neutral, and balanced labor relations. Any attempt to influence or interfere in union processes or membership decisions undermines the autonomy of workers and their unions. Independence and neutrality are vital for maintaining a fair collective bargaining environment.

The NTFL opposes Bill 26 because it undermines workers' rights to organize and bargain collectively, threatens union solidarity, and opens the door for political interference in union activities. We believe that the independence of unions and the establishment of a neutral Labour Board are essential to maintain fair and effective labor relations in the territories.

We strongly urge this committee to respect the independence of unions and all workers' rights.

Thank you.

Appendix C:

Public Submissions

Subject: Concerns Regarding Proposal

Dear Honorable Shauna Morgan,

We appreciate the effort and intention behind your proposal; however, after careful review, we have identified significant gaps and uncertainties that prevent us from supporting it in its current form.


Those of us who have signed this letter from LPCC/YPCC are committed to protecting the rights, benefits, and security of our members, and we cannot endorse changes that lack clear protections or measurable advantages.

Without concrete assurances, we are not in a position to vote “yes” at this time.

- It can take years to develop a collective agreement and even longer to negotiate it. In the interim, we would be left without such an agreement, leaving our benefits and wages vulnerable to changes at the sole discretion of the GNWT.
- Our accumulated seniority, earned vacation, sick leave, and special leave would not be recognized until negotiations are finalized—potentially years in the future.
- It remains unclear whether nurses currently working in supervisory or management roles would be recognized or included under the proposed structure.
- We seek a guarantee that the benefits we currently experience under the existing collective agreement will be carried over in full, and that these will be protected and/or bargained as part of any new agreement.
- We are concerned about the impact on staff who are approaching retirement and were being grandfathered under the current agreement. It is unclear how this initiative might affect their entitlements and earned benefits.
- We also ask for a clear guarantee that this initiative will result in an impactful and measurable improvement for our members, rather than a change with uncertain or negligible benefit.

We respectfully request more detailed information and concrete assurances on these matters before we can consider supporting the proposal.

Sincerely,


Johnabel Malague
Licensed Practical Nurse
Yellowknife Primary Care Centre

Subject: Concerns Regarding Proposal

Dear Honorable Shauna Morgan,

We appreciate the effort and intention behind your proposal; however, after careful review, we have identified significant gaps and uncertainties that prevent us from supporting it in its current form.

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- We also ask for a clear guarantee that this initiative will result in an impactful and measurable improvement for our members, rather than a change with uncertain or negligible benefit.

We respectfully request more detailed information and concrete assurances on these matters before we can consider supporting the proposal.

Sincerely,

Erin Currie BSN NP Primary Care NP
Erin Currie BSN NP
15 Aug 2025
3/3

PROPOSAL FOR PRIVATE MEMBERS BILL

NAME	SIGNATURE	DATE
SHERMAN CAVANAUGH Marie Buchanan NP	Sherman Cavanaugh Buchanan NP	15 AUG 2025 Aug 15/25
Mary Gladys Pambid	S Gladys Pambid	Aug. 15/25
Ronald Valdivia	gmalv	Aug. 15/25
Dr. Matheson	Dr. Matheson	Aug 15/25
P. Toyie Jeethan	Toyie Jeethan	Aug 15/25
Merisse Jansen	MJ	Aug 15/25
Shaylynn Champion	Shaylynn Champion	Aug 15/25
Kimberly Minoza	Kminoza	Aug 15/25
Edward Salavonig	esj	Aug 15/25
Margaret-Ann Bowden	Margaret-Ann Bowden	Aug 15/2025
Sheena Tohm	Tohm/RN	15 Aug 2025
Emily Heengyi	Emily Heengyi	Aug 15/25

From: [Jacques-B Roberge](#)
To: [Angus Wilson](#)
Subject: Fw: Projet de loi 26 (Loi modifiant la Loi sur la fonction publique) - commentaires pour le public en général
Date: August 28, 2025 14:13:30

[Yahoo Mail: Search, Organize, Conquer](#)

----- Forwarded Message -----

From: "Jacques-B Roberge" <jbroberge@yahoo.ca>
To: "committees@ntassembly.ca" <committees@ntassembly.ca>
Cc: "Caitlin Cleveland MLA" <caitlin_cleveland@ntassembly.ca>
Sent: Fri, Aug 22, 2025 at 4:48 p.m.
Subject: Projet de loi 26 (Loi modifiant la Loi sur la fonction publique) -
commentaires pour le public en général

Bonjour,

À titre de membre du public (qui n'est pas un employé du secteur de la santé), j'aimerais pouvoir faire des commentaires et être entendu par le comité. Je suis de Yellowknife et serais en mesure de me rendre en personne pour livrer mes commentaires.

J'ai noté un message Facebook datant de juin 2025 qui semble cibler les employés syndiqués du secteur de la santé. Je n'ai pas vu d'invitation au public en général au sein des médias franco-ténois. Prévoyez-vous une séance du Comité pour le public en général? Si oui, il serait très apprécié d'en faire part au public en employant les médias ténois, y inclus les médias franco-ténois.

J'attends de vos nouvelles quant aux dates prévues pour soumettre mes commentaires et possiblement d'être entendu.

Salutations cordiales,

Jacques Roberge
41 Gold City, Yellowknife, TNO
cc: La députée pour Kam Lake et Honorable Ministre Caitlin Cleveland

From: [Christian Norwick](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#)
Subject: Bill 26 Hearings Are Biased and Stacked — Please Balance, Extend, and Travel (constituent and former UNW Local 11 President)
Date: August 29, 2025 17:31:37

Chair Morse,

As you know, I'm a frontline nurse, former UNW Local 11 President at Stanton, and your constituent. I've been asked at work today by multiple nurses to email committee and share their compiled input, as many are afraid about UNW blowback.

We've watched the committee's sessions. We're disappointed both in the UNW's presentation and in a process that, as it stands, isn't fair to healthcare workers, the sponsor of this Bill, or the public.

This Bill is about freedom of association, having a choice, and basic member democracy. Given the gravity and controversy of the topic, and the hurdles to even get it to this stage, it deserves better than one-sided hearings.

Concerns:

- Stacked process — Known opponents to the Bill are given multiple appearances (the Minister of Finance, UNW, PSAC, NTFL), while the public, the communities, and other key NWT stakeholders that could lend expertise and insight on bargaining power or concerns have got none (like the Power Corp, HRSSA nurses, NWTTA, and NWTMA). How are these omissions in hearings justified?
- UNW's claims about knowing what is best for nurses and healthcare workers went untested. UNW said it "represents nurses," yet practicing nurses had no seat on the last bargaining team. Local 11 and others were shut out of the UNW bargaining conference and effectively from Convention by Executive decisions, due to UNW's long standing practice of procedural authoritarianism. This historical context matters if the government is going to legislate mandatory membership in a single union.
- Committee members are recorded grilling the Bill's sponsor, calling her integrity and work into question, yet these same members offered almost no questions and no interrogation of the UNW. It appears the Committee on Government Operations is biased in its hearings so far and failing the public in its duty to impartially and thoroughly consider this legislation.

A key intangible that nurses stand to gain:

Right now, nurses only have influence in the UNW when the Executive allows it—they control credentials to convention, access to the bargaining conference, which resolutions reach the floor, and who sits on bargaining teams. Those gatekeeping rules have kept nurses out and turned our patient-care issues into bargaining chips for other sectors. This isn't about pay; it's about voice. We're asking for a process where nurse participation is guaranteed by rule (not discretion), representation matches our numbers, and health-care issues can't be buried inside a one-size-fits-all unit. Currently

our interests are suppressed and sold out to benefit the larger public service that the UNW must appease to ensure its existence.

What the committee should ask for given UNW claims:

- How many practicing nurses (from Stanton or Inuvik or the communities) sat on each recent bargaining team? How many nurses were delegates at the last two UNW Conventions?
- According to UNW bylaws, what is the maximum number of total delegates, nominated by locals, that could attend a UNW Convention? How many total delegates (sent by individual locals) were at the last Convention? Does this delegate representation really support the Executives' claims of fair representation and being "member driven"? Less than 40 delegates were allowed to attend the Convention, a fraction of total membership and less than half of total possible delegates given the bylaws.
- Require verifiable proof or direct a public retraction and apology to the nurses and members the UNW has maligned by publicly calling nurses' professional integrity into question by insinuating CANN's survey was intentionally manipulated. Are they suggesting 282 respondents are fake? This criticism proves the point that nurses are not heard by this union. Even when more than 200 respond, their views are painted as meaningless and questionable.

What I'm asking for now:

- Please extend the hearings until the public can be reasonably satisfied thorough consultation is complete
- Please invite the NWTTA, NWTMA, and others to present to committee
- Please travel to Inuvik, Hay River, Fort Simpson, or Behchokò
- Please encourage confidential submissions to protect workers from reprisals
- Please extend the committees email deadline, and advertise it, as the public cannot be expected to finalize input prior to key stakeholders even presenting to committee

Thank you for your efforts in leading this committee, Mr. Morse. I know you're doing your best to ensure fairness. I appreciate your attention to this matter and your consideration of these concerns.

Respectfully,

Christian Norwick, RN
Former President, UNW Local 11 (Stanton Territorial Hospital)
Frame Lake Constituent
254 Fairchild Crescent, Yellowknife, NT

250-271-2421

--

Christian Norwick, R.N. BScN

From: [Local 11](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#); [Denny Rodgers](#); [Jane Weyallon Armstrong](#); [Richard Edjericon](#)
Subject: Request for Balance and Extension of Public Input on Bill 26
Date: August 30, 2025 14:16:25

Dear Chair Morse and all members of the Standing Committee on Government Operations:

I am writing as President of Local 11, the elected representative of over 550 healthcare members at Stanton Territorial Hospital.

I am very concerned that practising healthcare workers (across professions) have not been given a real chance to independently speak on Bill 26, and that your hearings are too Yellowknife-centric.

So far, the Committee has biased input toward union leadership bodies. That means the voices of front-line healthcare workers—the people who actually live with the consequences of bargaining decisions and working conditions—are missing. Especially those in small communities.

Your arbitrary August 15 deadline for input passed with most of the public not even knowing it existed. That isn't fair, and it leaves the Committee with an incomplete and unbalanced record, and it prevents the public from commenting on most of the committees hearings (as they are after August 15).

This bill is about a simple principle: whether workers can decide for themselves who represents them. It would be a serious mistake to move ahead without hearing directly from a representative group of those affected, even if it may take time.

I urge you to extend the consultation period this Fall and actively reach out to nurses and workers in every region. Where feasible, in-person or virtual hearings outside Yellowknife would greatly broaden and balance the committees hearings. Without that, this review risks being seen as closed off and biased, which I fear will cause confidence in the process, the government, and the current bargaining structures to erode further.

Respectfully,

Tamara Holliday
President, Local 11
Union of Northern Workers

From: [Chris Boettger](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#); [Caroline Wawzonek MLA](#)
Subject: Please Hear from Workers and Regions on Bill 26
Date: August 30, 2025 16:15:52

Dear Committee Members,

I am a registered nurse working in Yellowknife for 15 of the past 17 years and did my training here as well.

I support Bill 26 in principle because workers should have the right to decide who represents us at the bargaining table, even if that means choosing to keep the status quo.

Right now, the Committee is hearing mostly from union leadership bodies, not from practising nurses or workers ourselves. Most of us didn't even know there was a deadline to provide input.

Please extend your consultation period and make sure workers from across the NWT are given a real chance to speak directly to you. This bill affects us every day in our workplaces and our voices should be central to your review.

Thank you for considering my perspective.

Sincerely,

Christopher Boettger
Registered Nurse, Intensive Care

Christopher Boettger
cboettger@gmail.com
(867)765-8851

Sent from my iPhone

From: [Sally Patterson](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#)
Subject: Bill 26
Date: August 30, 2025 19:14:30

Dear Committee Members,

I am a registered nurse working in Yellowknife for the past 6 years.

I support Bill 26 in principle because workers should have the right to decide who represents us at the bargaining table, even if that means choosing to keep the status quo.

Right now, the Committee is hearing mostly from union leadership bodies, not from practising nurses or workers ourselves. Most of us didn't even know there was a deadline to provide input.

Please extend your consultation period and make sure workers from across the NWT are given a real chance to speak directly to you. This bill affects us every day in our workplaces and our voices should be central to your review.

Thank you for considering my perspective.

Sincerely,
Sally Patterson
Registered Nurse, Yellowknife

From: [Kayla Gould](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#); [Shauna Morgan](#)
Subject: Please Hear from Workers and Regions on Bill 26
Date: September 4, 2025 11:28:52

Dear Committee Members,

While Bill 26 is focused on nurses, I am a public service employee in Yellowknife who works regular weekday hours. I want to share my perspective as a worker who may not be the bill's main focus but is still impacted by its outcomes.

I support Bill 26 in principle. Workers should have the right to decide who represents us at the bargaining table, even if that means choosing to keep the status quo.

At present, the Committee appears to be hearing primarily from union leadership bodies rather than from front-line workers, including nurses and other members under the same agreement. Many of us were not aware that there was a deadline for input, and there has been little to no engagement from our union with its membership about this bill. Given that, I'm unsure how union leaders can claim to know what workers want without speaking to or surveying members directly.

Please extend the consultation period and ensure all members under this agreement, not just nurses, are given a real opportunity to speak with you directly. This bill will affect us every day in our workplaces, and our voices should be central to your review.

Thank you for considering my perspective.

Sincerely,

Kayla Gould

Airport Safety & Security Administrator

Yellowknife Airport.

Yellowknife, Northwest Territories
September 4, 2025

To: Standing Committee on Government Operations, committees@ntassembly.ca
From: Northwest Territories Medical Association (NWTMA), nwtmda@gmail.com

Re: Bill 26 – Nurses’ Right to Choose Their Bargaining Representative

Dear Members of the Committee,

On behalf of the Northwest Territories Medical Association (NWTMA), we are writing in support of Bill 26, which would provide nurses in the Northwest Territories with the right to choose their own bargaining representative.

As physicians working side by side with nurses every day, we recognize the critical role they play in maintaining the stability, resilience, and quality of our healthcare system. The NWT is currently facing significant challenges in healthcare workforce retention, morale, and recruitment. Ensuring that nurses feel represented and heard in their workplace rights is essential to supporting not only their wellbeing, but also the sustainability of the healthcare system as a whole.

We support the principle that nurses should have the opportunity to vote on their bargaining agent and to secure a collective agreement tailored to their specific needs. This is a matter of fairness and rights, not simply one of administrative convenience or established relationships between the GNWT and its current bargaining partners.

We are also concerned about the lack of proactive consultation with practising healthcare workers during the Committee’s review process. To our knowledge, few if any frontline nurses were invited to contribute feedback, and many remain unaware that the Committee was seeking submissions. We respectfully request that the Committee extend its timelines for input and take additional steps to actively seek perspectives from nurses and other healthcare professionals who will be directly affected by this legislation.

By passing Bill 26, the Legislative Assembly has an opportunity to strengthen the voice of nurses, improve morale across the healthcare workforce, and contribute to a more stable, equitable, and effective healthcare system in the Northwest Territories.

Thank you for considering our input.

Sincerely,

William Gagnon,
Executive Director, NWTMA,
BEng., MSc., PMP
gagnon.will@gmail.com
nwtmda@gmail.com
+1 514 996 6284

Dr Courtney Howard,
President, NWTMA
MD, Master of Public Policy (MPP), CCFP-EM
Emergency Physician, Yellowknife. NT, Canada
Clinical Associate Professor, Cumming School
of Medicine, University of Calgary.
Community Research Fellow, Planetary Health,
Dahdaleh Institute for Global Health Research,
York University.



From: [Kara Friesen](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#); [Shauna Morgan](#)
Subject: Please Hear from Workers and Regions on Bill 26
Date: September 5, 2025 12:38:02

Dear Committee Members,

I am an RN at Stanton Hospital for the past 5 years.

I support Bill 26 in principle because workers should have the right to decide who represents us at the bargaining table, even if that means choosing to keep the status quo.

Right now, the Committee is hearing mostly from union leadership bodies, not from practising nurses or workers ourselves. Most of us didn't even know there was a deadline to provide input.

Please extend your consultation period and make sure workers from across the NWT are given a real chance to speak directly to you. This bill affects us every day in our workplaces and our voices should be central to your review.

Thank you for considering my perspective.

Sincerely,
Kara Friesen

From: [Tad Duquette](#)
To: [DST LEG Committees](#)
Subject: Bill 26 committee
Date: September 11, 2025 18:53:21

Hello committee,

My name is Tad Duquette and I was asked by Julian Morse about how bargaining would differ between sole representation with our own collective agreement versus our current structure. I am apart of Local 11 as the treasurer but this is my own weighted view.

I've spoken with Sheila Laity, a senior nurse with extensive knowledge of our history in bargaining. Unfortunately, that history includes being prevented from bargaining, locked out of negotiations, and even having members removed from union representation. Our local has had to fight to establish itself and continues to face significant hurdles as we seek to be represented at the bargaining table, where we remain in the minority.

As Gayla highlighted in her presentation, the union has extensive structures and processes. To even be considered for bargaining, our local must attend monthly JOHSC and JCC meetings with senior management, conduct annual safety inspections, complete biweekly PPRIFs, manage grievances and direct them appropriately, and hold at least two general meetings for all staff along with six executive meetings annually. All of this is necessary to remain in good standing, elect delegates to the bargaining conference, and ultimately compete for a seat at the table. It is a significant undertaking, often resembling a part-time job for those of us volunteering. It is a contentious history we have with the union at local 11, as there is evidence the UNW executive applies the unions bylaws and regulations selectively, and is much less strict and onerous with locals it perceives favorably.

Because we are a small minority of potentially 550 within 7,000 represented workers, our priorities often get overlooked. Safe staffing ratios, for example, are not currently included in the collective agreement despite being essential to patient safety and preventing burnout. Emergency department staffing in particular is stretched beyond safe limits. Shift differentials have also not been updated since 2021, remaining at \$2.25 per hour for evenings and nights, while Alberta now offers \$5 for nights and \$10 for weekends. In some communities, Community Health Nurses acting as nurses-in-charge (NIC) are paid more than permanent NICs, despite the latter carrying greater responsibilities such as payroll approval, supply ordering, and frontline staffing.

Other concerns continue to be sidelined. The inconsistent staffing of a Patient Care Coordinator role in the hospital which has left frontline staff to perform critical managerial duties after hours without compensation. Nurses using government vehicles in communities receive no reimbursement for charging them at home, unlike counterparts in Yellowknife where the government has had to pay tow costs when vehicles were not maintained. Danger pay is not available for those who remain during evacuations, even when conditions have been shown to cause serious health impacts. Finally, nurses' professional development

funding is not protected in the same way as for other government employees, despite being vital for retention during the current staffing crisis.

These gaps have real consequences for patient care, staff retention, and workplace safety. They also illustrate why nurses' concerns often go unheard under the current structure, given our minority status within the union. There are similar issues between healthcare workers and those represented by the collective agreement but weighting seems to go toward the other government workers such as for education. Nurses have been told that we disproportionately strengthen the current bargaining position. Concessions on healthcare specific demands and pay for the last two bargaining rounds help secure a good deal for the broader bargaining unit, while helping the employer avoid having to address healthcare. If we leave, we are told we are abandoning our fellow government employees and will become like Hay River where they cannot strike. Yellowknife is much more diverse in services offered and unlike Hay River, where we possess several clinics and public health. Not all services are essential. In the current structure we jeopardize the progression of our profession if we remain joint and told we are selfish if we depart.

I appreciate your willingness to listen and engage on these issues. Please don't hesitate to reach out with further questions or if you'd like additional background.

Best regards,
Tad

From: [Barbara McKay](#)
To: [DST LEG Committees](#)
Subject: Nurses representation
Date: September 17, 2025 08:54:23

Hello;

I want to share that as a nurse in the NWT for the past 16yrs I have always found it strange that we are not represented as our own group for unionized work. I come from Ontario and nurses have a separate union. I think that in the NWT that nurses may not need a separate organization from the UNW but we do need our own CA that addresses the issues that impact us most. Teachers in the NWT have had this for years. I appreciate it will be work and take time but if we are still under PSAC then we could follow the current GNWT/HRHSSA CAs until the new one comes out, ensuring protection and coverage.

I know nothing is guaranteed or simple but we must continue to advocate for our nurses as we continue to struggle daily with ensuring the provision of care to our communities. If we continue to lose nurses and not recruit nurses it will only get worse. Nurses advocating for nurses is a step in the right direction for changes that need to be made to protect our healthcare.

Barbara McKay, RN, BScN, ENC, CHN

Sent from my iPhone

From: [Shantel Tymchatyn](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#)
Subject: Bill 26
Date: September 17, 2025 13:07:11

Dear Committee Members,

My name is Shantel, and I am a Licensed Practical Nurse who has been working in Yellowknife for the past six years.

I am writing to express my support for Bill 26 in principle. I believe that workers should have the right to choose who represents us at the bargaining table—whether that results in change or a decision to maintain the current structure. The important part is that the choice belongs to the workers themselves.

However, I am concerned about the current consultation process. It seems that most of the voices being heard are those of union leadership, rather than frontline workers like myself. Many of us were not even aware that there was an opportunity to provide feedback, let alone a deadline to do so. This raises serious concerns about whether the consultation has been accessible and inclusive of the very people who are most impacted by this legislation.

Bill 26 will have real and lasting effects on our working conditions, representation, and workplace dynamics. Nurses, support staff, and other frontline workers should not be an afterthought in this conversation—we should be at the center of it. I strongly urge the Committee to extend the consultation period and take proactive steps to engage workers from all regions of the Northwest Territories, especially those outside of union leadership roles.

Please ensure that this process is not only fair, but also genuinely reflective of the people it affects the most.

Thank you for taking the time to consider my perspective.

Sincerely,

Shantel (LPN, Yellowknife)

S xo

From: [Krista Cooper](#)
To: [DST LEG Committees](#)
Subject: Nurses Bargaining Bill
Date: September 17, 2025 15:10:23

Hi,

I worked in the Health Authority for 10 years in NWT. I feel that the Nurses do need there own dedicated nursing bargaining unit and collective agreement it will strengthens the professional voice of nurses, improves working conditions, enhances patient care, ensures equitable compensation, and provides legal protections. It creates a framework where nurses can collectively advocate for both their own well-being and the quality of care they deliver.

It ensures nurses' specific needs, concerns, and professional priorities are directly represented. Negotiations are focused on issues unique to nursing, rather than being diluted in a larger multi-professional union and provides nurses a stronger voice in matters like staffing ratios, professional development, and patient care standards. Having their own collective agreement reinforces nursing as a **distinct profession with unique skills, responsibilities, and standards.**

Right now they are threw in the mix with everyone else in the GNWT and NWT is the only place that nurses do not have there own bargining unit, collective agreement that should say something right there time to get with the times and provide the NWT nurses with what they need and want and deserve.

I really hope the nurses get what they want and deserve.

Thanks
Krista

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From: [Chris schott](#)
To: [DST LEG Committees](#); mailbox@cabinradio.ca
Subject: Public Services Act - Nurses Bargaining Unit - Private Members Bills - In Favour
Date: September 17, 2025 22:10:27

I would like to write to the committee on the Nurses bargaining unit private members bill. I believe this will be good for Nurses, residents of the NWT and non-union members of the Union of Northern Workers as well.

Many will probably speak to the benefits to Nurses, however the benefits of this bill to non-nurse members of the UNW should not be overlooked.

Nurses, accountants, security staff etc. have VERY different needs from a collective agreement; and these needs are not being met by a UNW that thinks it knows best the priorities on the NWT.

The current collective agreement was negotiated 1.5 years after the previous expired. The UNW President was quoted in cabin radio as stating that the reason for the extended negotiations was over the use of contract nurses; the very contract nurses that keep the territories hospitals running when UNW nurses do not. Members at the local level never asked for this or the delay to our contract over this phantom issue.

The UNW calls on locals to submit bargaining proposals; it is how the UNW is SUPPOSED to prioritize issues at the bargaining table. I wonder how many of the dozens of locals in this UNW bargaining group submitted proposals that prioritized ridding the territory of Contract Nurses. I suspect this figure approximates ZERO.

The NWT should allow Nurses to form a bargaining unit under the public service act. Its good for Nurses, its good for residents and its good for other UNW members; who is against it? Just a union which shouldn't be...if it listened to its members.

Chris Schott - Former Regional Vice President Somba Ke Region - Union of Northern Workers

From: [Kayla Gould](#)
To: [DST LEG Committees](#)
Cc: [Julian Morse](#); [Shauna Morgan](#)
Subject: Public Comments on Bill 26: An Act to Amend the Public Service Act
Date: September 18, 2025 19:09:55

Dear Members of the Committee,

I am writing in response to your invitation for public comments on Bill 26: An Act to Amend the Public Service Act.

I realize there are differing views on this proposed amendment, but I would like to share my reasoning in support of this change. My perspective is not rooted in nursing or health care, but rather in my experience as a newer member of the UNW, with a background in other unions and a strong belief in the value of labour representation.

When I learned that GNWT and NTPC employees are bound by legislation to have UNW as their sole union, I was surprised. While UNW has accomplished important work and will continue to play a vital role, I believe legislation should not prevent members from seeking alternative representation if they feel their needs are not being met. Each member contributes dues, and with that should come the right to choose who represents them.

From the union's perspective, maintaining exclusive representation may be seen as beneficial. But from the workers' perspective, this monopoly removes accountability and choice. If a union fails to adequately represent its members, those members should not be powerless to change their representation. The ability to choose would encourage unions to continually earn the trust and support of their members through effective and fair representation rather than relying on legislation to bind them.

I also want to acknowledge the request from nurses. The GNWT workforce is diverse, and recent negotiations have highlighted how heavily discussions center on health care issues. While I respect and support the critical role of nurses, I have often felt sidelined in negotiations because of this focus. Nurses deserve to have their unique needs addressed, and allowing them their own bargaining structure would provide that opportunity. The reality is that our current model trying to represent all GNWT employees under one umbrella is no longer effective.

I understand concerns that dividing workers into smaller groups could reduce bargaining power. However, strength in numbers is not the only path forward. With evolving workplaces,

bargaining strategies must also evolve. Fairness, accountability, and responsiveness to member needs are essential, and these can be achieved through approaches that respect diversity without sacrificing solidarity.

Ultimately, this amendment is not about weakening unions. It is about giving workers the right to fair representation and the ability to make choices about who speaks on their behalf. Consultation on this issue should be with the membership itself not solely the union leadership because it is the members who fund union operations and who live with the consequences of representation.

The time for change is not in the distant future. The time is now.

Thank you for considering my perspective and for your continued service. I respectfully urge the Committee to give full weight to the voices of workers who seek fairness, accountability, and choice in their representation.

Kayla Gould

Airport Safety & Security Administrator

Yellowknife Airport.

From: cboettger@gmail.com
To: [DST LEG Committees](#)
Subject: Comments RE: Bill 26: An Act to Amend the Public Service Act
Date: September 22, 2025 20:51:58

To Whom it May Concern,

My name is Christopher Boettger, and I am writing to you to express my support of Bill 26: An Act to Amend the Public Service Act. I am a registered nurse at Stanton Hospital and received my nursing education at Aurora College. I have lived in Yellowknife for more than 30 years and have made my life here. I did briefly leave the north and worked in a large hospital for 2 years before being drawn back here. I have seen what working under a nursing specific union was like and am cognizant of the benefits and drawbacks of same. I can say in no uncertain terms that it is not possible to address the unique needs of nurses in a whole of government union.

I understand the strength in numbers argument the UNW puts forth, but one cannot adequately meet the needs of healthcare workers in a contract built around a Monday to Friday workforce. As a specialized, 24/7 occupation, there are many needs that cannot be addressed with respect to ratios, schedules, safety, compensation, and benefits. I also feel that health care workers feel a sense of alienation within the current system. Regarding recruitment, I hear a lot about being comparable to southern employers in terms of compensation and benefits, but comparable is not good enough. In order to draw people to the north, you need to far outstrip the competition, because despite the beauty and relative peace in the north, hardly anybody is going to uproot their lives to live in a cold, dark, isolated region if the compensation is more or less the same, particularly when considering the high cost of living (especially the outrageous cost of electricity) and the cost in time and money to travel. I also believe that this Act should only be the beginning because I believe all of allied health should be moved under the umbrella of a healthcare union.

This Act does provide a great first step in addressing the needs of health care workers, to potentially solve some of the issues that currently affect us. Allowing nurses to determine how they are represented does not mean that they will be tossed to the wolves. Nurses across the country are represented ably by nursing or healthcare specific unions and they have seen gains across the board that cannot be realized here under the current structure. I'm old enough to remember Ralph Klein gutting the nurses in Alberta in the 90's, and also know what being legislated back to work is like, but I still feel that we will be best served when we are able to determine how and by whom we are represented.

Thank you for your time and consideration.

Regards,

Chris Boettger, BSc, BScN, RN
Yellowknife Resident

cboettger@gmail.com

From: [Steph Hamilton](#)
To: [DST LEG Committees](#)
Subject: Concerns from a GNWT Nurse re Bill 26
Date: September 23, 2025 03:47:57

Good day,

I do hope this is addressed to the right person, if not can you forward it to whomever might be able to read or know about my concerns, I am not representing anyone, I am merely voicing my concerns and hope they will be seen as genuine concerns from an LPN living and working in the Delta for over 5 years.

I was made aware of Bill 26 some time ago, and I must admit, as an LPN working in the GNWT Beaufort Delta Region, I initially had more questions than answers and not necessarily sure even who to make my concerns known to.

I've always believed that if something will genuinely advance and improve our working conditions as nurses, I'd want to support it. That said, I do have a few concerns that I hope are not too late to raise - especially since I won't be able to attend the open forum in Yellowknife on September 23rd

LPN representation/ respect

My first concern is around the longstanding disparity between LPNs and RNs. Too often, Practical Nurses are treated as 'junior nurses,' and sadly, that attitude is sometimes reinforced even within our own profession. I personally know of LPNs who have been told by RNs that we're "not much different from PSWs" or have been made to feel like we are "trying to be more than we are."

If a new bargaining unit is formed, I truly hope LPNs will stand on equal footing when it comes to representation - with an equal voice and vote. Any new policies, salary structures, or working conditions must reflect fairness across all nursing roles, not favour just one group. It's important to remember that not every LPN aspires to become an RN - and that decision should be respected. Many LPNs also already hold degrees in other fields, and their contributions should not be diminished because they've chosen to remain in this role.

So my question is: Will this proposed bargaining unit ensure equal representation at the negotiation table for all types of nurses-not just RNs?

Current UNW representation

That said, my concern is that moving to a nurses - only union might unintentionally deepen the divide between RNs and LPNs, rather than fostering unity.

I am a nurse, and I recognize there are very real issues in our system -such as agency nurses being paid disproportionately more than regular staff on an ad-hoc, and sometimes ongoing, basis. I question whether a smaller bargaining unit will have the necessary strength or leverage to tackle longstanding issues like this.

Which brings me to my next point:

Bargaining power larger UNW vs Smaller Nurse Only Union

We've always been told there's strength in numbers, and I believe that's true. My concern is whether a smaller bargaining unit of nurses regardless of how dedicated or capable, will have the same bargaining power that UNW currently has simply due to its size.

Also, as essential workers, I have wondered how effective a smaller unit could be when negotiating under pressure. Take, for example, the recent Air Canada situation: when the government can quickly order people back to work, what power would a nurses only union have in situations where the GNWT may push for compliance with offers we don't agree with? Could we end up undermining our bargaining rights unintentionally?

In Summary my concerns are:

1. Equal representation for LPNs, including a subcommittee or visible seats at the negotiation table.
2. Clear expectations and guarantees around pay progression, education support, training funds, and professional development for LPNs.
3. Confidence in the bargaining power of the new unit, especially in comparison to UNW.
4. Avoiding any further division between nursing roles RNs and LPNs must move forward together, not apart.

Thank you for taking the time to consider these thoughts. (I hope I sent it to the right group). I truly believe that if we're creating something new, it should be better and not just different. I want to see a future where all nurses - LPNs included - are valued, respected, and have full and equal representation.

Sincerely,
Stephnie (LPN)

Stephnie Hamilton

From: [Andrea Korpel](#)
To: [Shauna Morgan](#); [DST LEG Committees](#)
Subject: Re: Support on Nurse Representation and the Public Service Act
Date: September 23, 2025 08:42:41

Dear Members of the Committee,

I am unable to attend the committee meeting this afternoon due to my current workload but thought I'd send along my thoughts for consideration.

I am writing in response to your invitation for public comments on Bill 26: An Act to Amend the Public Service Act.

I realize there are differing views on this proposed amendment, but I would like to share my reasoning in support of this change. I am not rooted in nursing or health care, but rather in my experience via being involved in other jurisdictions, and with a background in other unions and a strong belief in the value of labour representation.

When I learned that GNWT and NTPC employees are bound by legislation to have UNW as their sole union, I was surprised. While UNW has accomplished important work and will continue to play a vital role, I believe legislation should not prevent members from seeking alternative representation if they feel their needs are not being met. Each member contributes dues, and with that should come the right to choose who represents them.

From the union's perspective, maintaining exclusive representation may be seen as beneficial. But from the workers' perspective, this monopoly removes accountability and choice. If a union fails to adequately represent its members, those members should not be powerless to change their representation. The ability to choose would encourage unions to continually earn the trust and support of their members through effective and fair representation rather than relying on legislation to bind them.

I also want to acknowledge the request from nurses. The GNWT workforce is diverse, and recent negotiations have highlighted how heavily discussions center on health care issues. While I respect and support the critical role of nurses, I have often felt sidelined in negotiations because of this focus. Nurses deserve to have their unique needs addressed, and allowing them their own bargaining structure would provide that opportunity. The reality is that our current model trying to represent all GNWT employees under one umbrella is no longer effective.

I feel the last round of bargaining was heavily dealing with health care issues that to me penalized other GNWT workers who may have been happy with what was being presented but because health care was not getting what they wanted was holding up the process. Yes I want to support the nurses as do most people I know and talk to but financially a lot of us can't afford to go on strike. I know many that would potentially lose their houses or even vehicles and then the stress on top of that, it was a very hard/rough time for many myself included. I've been on strike (twice) in another jurisdiction but had the luxury of still living at home and was only out for two weeks and then a month. The thought of potentially being out for months think of the damage that can do to someone financially.

I understand concerns that dividing workers into smaller groups could reduce bargaining power. However, strength in numbers is not the only path forward. With evolving workplaces, bargaining

strategies must also evolve. Fairness, accountability, and responsiveness to member needs are essential, and these can be achieved through approaches that respect diversity without sacrificing solidarity.

Ultimately, this amendment is not about weakening unions. It is about giving workers the right to fair representation and the ability to make choices about who speaks on their behalf. Consultation on this issue should be with the membership itself not solely the union leadership because it is the members who fund union operations and who live with the consequences of representation.

The time for change is not in the distant future. The time is now.

Thank you for considering my perspective and for your continued service. I respectfully urge the Committee to give full weight to the voices of workers who seek fairness, accountability, and choice in their representation.

Andrea Korpel, ecm^s bpm^s

Senior IM Analyst

Dept of Finance

I acknowledge that I reside in Chief Drygeese Territory

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From: Shauna Morgan <Shauna_Morgan@ntassembly.ca>

Sent: September 22, 2025 4:16 PM

To: Andrea Korpel <andreakorpel@hotmail.com>

Subject: RE: Support on Nurse Representation and the Public Service Act

Hi Andrea,

I just wanted to express my belated appreciation for you taking the time to write to your MLA to express support for my private member's bill. Thanks to support from many such as yourself, the bill made it far enough to be currently examined by Committee.

Unfortunately, the Committee's examination so far has been heavily slanted towards feedback from a small group of union leadership which has been hostile towards this idea for a long time, because it would lessen their guaranteed hold on power.

In case you're not aware, Committee has finally agreed to hold a **public hearing at the Leg tomorrow (Tues) at 3 pm**, in which any members of the public can speak, even if you just want to say a few words. I wonder if you would be available and would consider coming in person, either just to be there in solidarity or to speak to the Committee. The idea is not that committee members would be doing a Q&A or grilling each person who stands up to speak, it's just an opportunity for more people to be heard.

Thanks again for your advocacy on this important issue!

Shauna

Mársi | Kinanaskomitin | Thank you | Merci | Hai' | Quana | Qujannamiik | Quyanainni | Máhsi | Máhsi | Mahsi`

Shauna Morgan

MLA Yellowknife North | Député de Yellowknife Nord
(She/Her/Elle)

Northwest Territories Legislative Assembly | L'Assemblée Législative des Territoires du Nord-Ouest

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From: Andrea Korpel <andreakorpel@hotmail.com>
Sent: Tuesday, April 22, 2025 10:32 AM
To: Kate Reid <Kate_Reid@ntassembly.ca>
Cc: Shauna Morgan <Shauna_Morgan@ntassembly.ca>
Subject: Support on Nurse Representation and the Public Service Act

Dear Ms. Reid,

My name is Andrea Korpel, and I live in the Great Slave Riding. Being a resident since 2012.

While I support the nurses and what they need from a union contract, I think the UNW is using other locals as the bargaining chip to threaten the employer by using us to strike, while most nurses are deemed essential staff and can't strike. I believe (from talking with other coworkers) during the last round of bargaining put a lot of undo stress on members (myself included) with the talk of striking (and if they'd be able to afford a strike) all because items for the nurses were holding up the contract being accepted by both parties. The majority of the GNWT staff are not shift workers, they have very different needs than those of us who work 9-5 hours.

I'm asking you to support Shauna Morgan's Private Member's Bill—or even stronger reforms to the Public Service Act—to allow nurses to collectively bargain through their own dedicated agreement, just as physicians and teachers already do. As a constituent and concerned citizen, I can tell you firsthand: the current system doesn't work for nurses or patients, and it's undermining the quality care we all deserve.

What's being proposed is not radical. It's already the norm across Canada. It's about giving nurses the same voice and tools that other regulated professionals in the North already use—tools that we need now more than ever to fix the system and support a permanent northern workforce and economy.

I believe you can play a key role in helping nurses be heard—truly heard—at a critical moment for northern healthcare. I hope to hear back from you.

Thank you for considering this.

Warm regards,

Andrea Korpel, ecm^S bpm^S

I acknowledge that I reside in Chief Drygeese Territory

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From: [Hanna Lowing](#)
To: [DST LEG Committees](#)
Subject: Public hearing for Bill 26
Date: September 23, 2025 10:43:07

Hello my name is Hanna Lowing and I am a registered nurse in the ER at Stanton Territorial Hospital. I am reaching out in support of Bill 26 in hopes of nurses in the NWT being able to bargain independently. I am unfortunately out of town and will be unable to attend today's hearing but want my strong support of MLA Morgan and the initiative to give bargaining power to nurses to be know.

As a nurse for more than 7 years I have come to realize what a unique profession it is and how important it is to be united and advocate for one another. As our bargaining unit currently stands I don't believe being mixed in with all other GNWT employees is in the best interest of nurses. By not prioritizing nurses and their needs we run the risk of losing staff in an already difficult to recruit work force.

The North faces many unique health care challenges and nurses are a key component to the delivery of our services. I ask that you hear the voices of those doing the work on the frontline and enable myself and my colleagues to bargain independently.

Thank you

Hanna

From: [Barb Lennie](#)
To: [DST LEG Committees](#)
Subject: Re: Nurses desire to leave the UNW
Date: September 24, 2025 11:07:49

I am Barb Lennie and have worked as a nurse in several capacities for the NT in the Beaufort Delta Region for 46 years minus 4 short maternity leaves. I am presently the NIC of Public Health/Tsiigehtchic out of Inuvik. I remember fighting along with the nurses I worked with at the time in 1988 to keep the union we were with (PIPS) as we felt as professionals we were well represented and even proud of our union which represented professionals across the country. Our issues were shared with other professional groups that were in the same union and we had strong representation at the local level including myself as a shop steward. WE felt that the UNW would not represent our group well as the public service in the NT was too broad and we felt that our needs were very different than most clerical and trades people. That feeling has not changed for me and I feel that the UNW is poorly supported by most nurses and our needs are not addressed in any meaningful way. How could they be? The UNW represents such a variety of employees. I also feel that it was totally unfair for the GNWT in 1988 to force us into a union that we made loud and clear we did not want to join and all these years later my feeling for the UNW and it's representation for nurses has not changed at all. Please take the request for nurses to at least have a vote on the possibility of choosing our own union representation and so autonomy as the UNW is certainly not helping in the recruitment or retention of nurses for the NT for all the reasons stated in Bill 26. Thank you for listening to the nurses who are the backbone of our healthcare system.

Barb Lennie

NIC, Inuvik Public Health/ IEC, Santé publique d'Inuvik

NTHSSA Beaufort-Delta Region | Administration des services de santé et services sociaux des Territoires du Nord-Ouest Région Beaufort-Delta

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From: [Lynn Boettger](#)
To: [DST LEG Committees](#)
Cc: [Shauna Morgan](#)
Subject: Bill 26, An Act to Amend the Public Service Act - Public Comment
Date: September 24, 2025 20:20:22

Hello -

I am writing to express my support for Bill 26 which would make amendments to the *Public Service Act* to allow for a process to authorize and deauthorize a separate bargaining unit for unionized nurses within the public service, pursuant to a vote.

Although I am not directly involved in healthcare, many of my immediate family members are. Therefore, I am quite familiar with the challenges that nursing staff are facing. The state of healthcare now and in the future are very concerning to me and we must work quickly to begin fixing things.

Bill 26 is one way to move forward with repairing things. I believe the current system does not work for nursing staff or patients, and it's undermining retention, morale, and the quality care the ill deserve. Healthcare is a unique specialty field. Nurses need to be able to collectively bargain through their own dedicated agreement, just as physicians and teachers already do. This may also be one tiny step forward to attracting more nurses to the area or encouraging those who are trying to make the North their home to stay.

Bill 26 is not radical. It's already the norm across Canada. It's about giving nurses the same voice and tools that other regulated professionals in the North already use—tools that we need now more than ever to fix temporary work, scheduling, burnout, unsafe and uneven workloads, and a total lack of professional development. Our nurses deserve better and it can begin with Bill 26.

Sincerely,
Lynn Boettger

Thank you, Mr. Chair and Members of the Committee, for the opportunity to speak.

My name is Tina Drew. I've been a nurse for 43 years and counting. I've worked in nine different countries, one province, and two territories. I'm proud to be a nurse, and I'm honoured to care for and earn the trust of the people of the Northwest Territories. I also have been, a shop steward with the UNW since 2005 and have held positions as secretary, vice-president, president -2020-2023, treasurer and currently vice-president of safety at Local 11 Stanton. I have been on the Joint Occupational, Health and Safety Committee since 2016 and am the current co-chair of the committee. Last year, I was awarded a certificate of achievement for the 2024 Patient Safety Champion.

I love my job. I love working at Stanton. But I don't see Stanton or even the GNWT as my employer—I believe it's the people of the Northwest Territories who are. That's why I speak today: because I want our public health care system in the North to not only survive but succeed.

I grew up in Ireland, where private health care dominates. Because of that, I perhaps value and respect our public system even more than most. I've lived and worked through the horrors of the alternative.

Let's be clear: **Bill 26 is not about higher pay or special treatment.**

It's about **voice, fairness, and democracy.**

Some have framed this as a new idea, **it's not**. In 2020, I met with Rylund Johnson to discuss legislation like this, after COVID showed me just how limited our union was in advocating for nurses' rights. In 2021, I met with then-Health Minister Julie Green, Finance Minister Caroline Wazonek, and Gayla Thustrom president of the UNW, (to discuss the closure of the Obstetrics unit. I told them then: the number one need for nurses is a **separate bargaining unit** to bring forward nursing-specific concerns.

Let me give you a concrete example:

In August 2022, the Operating Room at Stanton was shut down for everything but emergencies. Why? Only four OR-trained nurses were working at Stanton. I met with Gayla, Anne-Marie Thistle, (Director of Service UNW) and Chris Parsons (Local 11 service officer) to raise safety concerns—especially after I learned one nurse had just worked **22 hours straight**.

I suggested a practical change to the collective agreement: allowing nurses to have their rest day *before* going on call, so they'd be rested for those 2 a.m. surgeries rather than after as what is currently within the agreement. In order, for on call nurses to be paid, nurses must report to work for their daily regular shift, 7:30am-3:30pm, they are then on call until

7:30am the following day. On this day, all 4 nurses reported for work for their shift at 7:30am, at 3:30 2 went home, the other two started call, they were call for 3 cases, a fractured femur and hip, an emergency c-section and a motor vehicle accident. The cases finished at 05:30am. Both the Anesthetist and the Orthopedic Surgeon were able to swap out, but the nurses couldn't as the other 2 nurses were going to be on call and working for the next 24 hours. The union said they couldn't pursue that change—it would affect **all GNWT employees**. Their hands were tied. I will quote Anne-Marie Thistle, this will affect the jail so we cannot ask for this.

And yet, I don't believe a single member of the public would want their loved one to undergo surgery with a nurse who's already worked 20 hours. A solution was brought forward by me to the manager Tracy Matesic, that the on-call nurses start their shift at 3:30pm instead of 7:30am except if the previous on call nurses needed their day of rest. Nurses were re-allocated from Inuvik to work at Stanton.

Nurses are the **backbone** of the health care system. We work 24/7. We adapt to every crisis, every unit, every emergency. Yet we're a small fraction of a one-size-fits-all union—and that means our needs are often overlooked.

During the last round of bargaining, the number one proposal from Stanton Local 11 was an increase to the **after-hours incentive**. Right now, nurses working a 12.5-hour night shift earn just **\$36 extra**. Meanwhile, childcare for that shift costs **\$150 per child**. The proposal was dropped—because it mainly affected nurses, that is the 24/7 bedside nurses in favour of asking for a greater increase in the hourly wage that would benefit the whole union rather than one small section.

So, what happens? Experienced nurses leave. And that puts enormous pressure on young grads. Today, more nurses leave the profession in the NWT within five years of graduation than retire from it. Canadian Association of Nurses is already calling the government about the upcoming shortage of nurses due to the baby boomers retiring. In 2016, there was a wait list of nurses wanting to go work in Obstetrics, you had to have 5 years nursing experience to get a job there, (now it accepts new graduates with no experience) in December 2021 it closed due to lack of staff.

You cannot teach experience in school. It is earned at the bedside. The reality is the erosion of our work conditions, and dissatisfaction of our profession.

Other jurisdictions—**Saskatchewan, Alberta, and British Columbia**—show us what happens when nurses have their own voice. They win safer staffing levels, stronger patient protections, and more resilient public health care. These are not cautionary tales of

fragmentation. They're **success stories**. So why should nurses in the NWT be the only ones denied that right?

I've worked in Sudan, South Sudan, Ethiopia, Rwanda, Uganda, Somalia, Ireland, England B.C., and the Yukon—and this is the **only** place where I've not been in a union where nurses have a meaningful voice in their working conditions **or in patient advocacy**.

So I ask you: whose interests are really being protected by keeping nurses powerless—the publics, or someone else's?

Everyone here claims to support public health care. But if nurses remain unheard in a structure that ignores our concerns, doesn't that just push more people toward privatization?

I worked in England when Margaret Thatcher said “the only way to privatize health care was to **first destroy** the public system” as no-one would pay for private health care if the public health care system was good, —and one of her key strategies was silencing nurses. Why would anyone claiming to defend public health care oppose giving nurses the **power to fix it from within**—unless silencing us is the point?

And this bill isn't just about Stanton or Local 11. I've heard from nurses in **smaller communities** who feel equally voiceless. I can't speak for them—you need to hear from them directly. Travel. Hold public hearings in the communities. Listen to the nurses serving as **ER, ICU, home care, labour & delivery, and bedside nurses—all in one role**. These nurses serve some of the most vulnerable people in the NWT. Their voices must be heard.

Your mandate is to **hear from the public fully** before reporting—not to rush to politically convenient conclusions without doing so.

No, Bill 26 is not perfect. But it is **better than the status quo**. It's the only current proposal that gives nurses the ability to act—**not in a government review years from now, but now, when the system is already at its breaking point**. Case in point, Julie Green, Caroline Wazonek and Gayla Thunstrom promised in 2021 to do that review. I am tired of promises but would like to see meaningful change.

Please—respect nurses' rights.

Respect democracy.

Protect public health care.

Support Bill 26.

Thank you for your time and for allowing me to speak.

From: [Tina Drew](#)
To: [Angus Wilson](#); [Julian Morse](#)
Subject: FW: Government Operations Committee review of Bill 26 - request for copy of minutes
Date: September 29, 2025 17:08:03
Attachments: [speech for Bill 26.docx](#)

Hi Angus,

Sorry I sent the last email accidentally, I have expanded on my speech due to the questions that were raised, to try and give an explanation. I had also shortened my speech as I knew about the time limit. Not sure why there is a time limit if this is for the public to get their say as for people like me with ADHD, Dyspraxia and Dyslexia speaking in public is difficult and so the time limit seems to be not in keeping with inclusion for all. Most people who put their names forward to speak, want the public to hear their voice as well as the committee.

I am also including my note taking from the meeting I had in early December 2021. It was on a Saturday but I did not put the date on my notes.

In attendance on the phone were Caroline Wazonek, Tara Hunter, Julie Green, Elizabeth King, GNWT Gayla Thurmstrom, Anne Marie Thistle UNW, and Tina Drew Local 11 president.

The meeting was called as OBS unit had just been closed down due to lack of staff. I was asked to present the 4 major concerns of staff. I did not do this, as I explained that there were too many and to not give all the concerns would be a mis representation of the members of Local 11. They agreed to hear them all. Please note many of them were covid related so I have created a subsection on the Covid related topics.

The number one concern of the Local was **the inability of the UNW to represent the needs of Health Care Professionals, and the request was to look at creating a separate Bargain division for health care professionals within the UNW.**

E.g.s given were that local members had to use increased vacation time due to isolation after leaving the Territory for medical appointments, due to the current public health orders. In 2020 and in early 2021, any member of Local 11 who had to leave Territory had to use vacation leave for their isolation period on return for 2 weeks. Even though locum, agency nurses and physicians were coming to Stanton and being allowed to work straight away. This caused many staff a deficit in their leave banks. They were not allowed to work from home; they were not allowed to use Covid Leave or Covid special leave. Covid Leave was only if you had covid, and Covid Special Leave was time off take

because a family member had covid. One nurse whose husband died during this period was in a deficit to the tune of 30,000 dollars as she had to accompany him for numerous trips to Cross Cancer and was unable to work at the bedside for 2 weeks after each trip. The union stated they could not argue against this as it was a public health order but would not argue about the fact that agency nurses, locum nurses, doctors could just fly in on a Sunday and start work Monday morning. Some even flew in Monday morning, got a covid swab at the hospital, wore a mask, and went to work even before results of the Covid swab were received. A real double standard.

Only Stanton was denied full leave during 2020, they were only allowed to request 2 weeks total between June and December 31st and 2 weeks between January 1 and March 31st, 2021, even though many had vacation leave, lieu time, and mandatory leave to take. Senior staff were entitled to 8 weeks off per year. OR staff could have 8 weeks of vacation and mandatory leave and also 8 weeks of lieu time due. People did not always request mandatory leave, as vacation was approved prior to mandatory leave approval so people were afraid to request mandatory leave, as they wanted time off. Mandatory leave cannot be carried over, so people lost a whole week of time. Union stated that it was a public emergency, and their hands were tied so this could not be grieved. Nurses in Quebec and NWT were the only jurisdictions in Canada that this happened to. Quebec has had a mass exodus of nurses, and hospitals are having to hire nurses who left the health care system back as agency nurses as they quit due to lack of vacation.

Number 2

Greening out of days, 6 days prior to leave days been taken and 6 days after those leave days were taken. This has caused floors such as Obstetrics, and Emergency where staff are unable to get their vacation in the year which it was earned. This is a direct violation of the collective agreement. See section 18:02 a. If there is no possible way for staff to take their vacation due to a SOP that is a Stanton only procedure this is a true violation of the collective agreement. 2 grievances were filed by me, on this matter and I was told that it was ongoing. Chris Parsons Local 11 service officer stated a group grievance was filed on behalf of Local 11. No answer was received on the status of this grievance. How does this affect work, in 2016 obstetrics was fully staffed, there was a waitlist of staff who wanted to work there, you needed 5 years post-graduation experience in order to work there. We had a staff member from Inuvik who worked in the Float Pool with several years obstetrics experience who could not get a job there. The greening out policy was implemented in this year; on obstetrics in 2021 the unit closed due to no staffing. Obstetrics is not the only unit in danger of closing **OR needs 16 different locums to keep it open for business** Call rotation has increased, which is

causing more staff to leave. ICU and Emergency relying on Red Cross nurses, agency and locums Please note in December of 2021, Georgina issued a mandate to all floors to implement the Greening out days, so told them that I was fearful that in the future, staffing crises will be exasperated as staff want to be able to take vacation. I have sent Kim Riles two emails on this issue, if you want further clarification about this issue. Keith and Georgina, Director of Operations and Chief Operating Officer had stated in meetings with the union that it was cheaper to pay out nurses for vacation, than to bring up locum nurses to replace staff so that they could get vacation. When this was reported to the union, they stated Management has the right to manage even if it is bad management and to grieve the issue. This is why the group grievance was entered.

(2025 note, still no response on the greening out day group grievance. OR closed 8 months after I told the Minister that it was not just the Obstetric unit that had a crisis staffing situation but it was the OR, ICU, Emergency and Obstetrics. In 2021, I had a second job, on Saturdays at a quilt store, I was told of this meeting at around 1pm, that we were having a meeting at 4pm that day, I was unable to get staffing figures for locum, agency nurses etc who working in the ER or ICU due to the shortage of time. The OR had already been in contact with me about the fact that their rotations of call were increasing due to the shortage of staff, and they had given me the number of locums coming weekly to cover OR and had concerns as when a locum cancelled, they had to make up the shortfall so their vacation time were cancelled, their call increased etc etc. I had heard from staff in ICU and ER about their issues with the reliance on locums/agency nurses etc, but no-one had given me any numbers so had no data to share from their department.)

Number 3

Exit Suvery for April 2020 results, asked for results in august 2020 and March 2021. Asked if exit survey was done on the mass staff exodus that occurred between September 2020 and June 2021 when the Department of Health expanded to respond to Covid. As all these members remained union paying members their numbers were not reflected in job losses, but Stanton lost many staff during this period. The local union never gets the survey just a final breakdown of results. How can we advocate for better workplace environment when we don't know the reasons for staff leaving. Georgina stated people were angry due to Covid, and named senior members of staff and managers for the reason they left, so this is why the union could not have the information. Stanton has had several surveys, when we ask the Union to advocate for us to get the result, they ask us to do another survey. Our local does not have the resources to do this.

Number 4

Recruitment always mentioned but what about retention. Happy staff will invite people from other areas of the country to come work in the North. Unhappy staff will also let people know that they are unhappy with where they are working.

Covid Issues raised

Hazard Pay for Staff

Vaccination Mandate, - what will happen to people who refuse to have the vaccination, what plan has GNWT for staff who are injured by the vaccination.

Leave return – isolation leave to be given back to staff rather than staff having to use vacation time. It wasn't a vacation it was a public health order. Only for staff who had to leave the territory, those who choose to leave i.e. for vacation then it would be right for their isolation time to be taken from vacation leave as they were aware of this order prior to leaving the territory.

Pie in the sky issues raised.

Severance Pay for health care workers, teachers get it why can't healthcare workers.

Pension Opportunities for relief staff available in other areas of country why not the NWT

Moving allowance for staff who have worked in Territory greater than 10 years especially those who are willing to work in small communities.

Housing for staff in small communities. – pointed out that all the travel in and out of locums, would definitely pay for housing for a permanent nurse to live in community and their family.

Review of the Hay Plan, not a good tool for staff who work in health care settings.

At that meeting, it was stated that these issues would be followed up on. None of these issues have been responded to.

One further note, while working as president for Local 11, and it continues to today, I have brought forward issues from nurses in other communities, Fort Providence, Norman Wells, Fort McPherson, Fort Liard, Hay River, Fort Good Hope, Fort Simpson, as it is difficult for them to find out who is their representative when they may only work once or they come to community just for six weeks on and six weeks off. The reason I state this is that you will hear this is only from nurses in YK. Nurses in the communities do not know how to access our union, while in communities the job is overwhelming and so cannot spend time looking to see how they need to contact with their issues. The nurses in Fort Liard, Hay River, Norman Wells Fort Providence have told me that they

have reached out to their MLAs to let them know that they also want a separate union or bargaining division within the UNW.

I am well known as a union advocate and work in a job that contacts nursing health centres regularly. When I hear issues from nurses I do forward to a service officer asking for the UNW downtown to let their union representatives know their issues. I know this communication gap still exists as this summer I dealt with a number of issues from the communities. Some are simple like nurses (on a permanent 6 weeks in and 6 weeks out), wanting to know if they can do extra hours of work without being paid overtime, rather than see their communities have no nurse or one nurse for a week, answer is always no they are entitled to overtime if their contract is extended for the 7th week. To complicated matters on what constitutes travel day, which airport people can fly from, i.e. Montreal vs Halifax if you are closer to Halifax but your address is Quebec.

Travel to the airport is not paid for, so a 2 hour drive vs an 6 hour drive is important for people to know and car parking fees at the airport are not paid for.

Staffing issues, eg. 2 nurses who do not work well together and need a representative from the union at their meeting, and on call hours, how much rest is one allowed, or do you have to report for emergency if you have worked 16 hours already and are just completely fatigued. (Nurse was threatened with violation of code of conduct, union did not advocate for them as it was a management issue and nurse could grieve), nurse gave her notice and will not return to NWT. These are just the last two I dealt with this last month.

I am at the end of my career and am really saddened by the fact that our health care system is under such a large threat. Politicians do not realize the burnout, the stress that nurses and all health care professionals are under. Today I am working two people's job, this is no longer unusual, the week of September 15, I was doing 3 people's jobs. If I stay late to ensure my patient's needs are met, or to chart as I have not had time during the day, you are denied overtime and even regular time as it is not an emergency so all the time nurses are in conflict with wanting to give patients the care that they would like their loved ones to receive and decrease time with their families, or feeling guilty because they cannot give the care they want to give so that their family's needs are met. It is a constant state of being morally injured by your work.

Our union is aware of our distress and has been for years. The even gave us buttons that stated "worried but working" in 2019 so no matter what anyone tells you from the Union, these issues have been raised several times in the past. Only a union that can realize the unique working conditions of nurses, and how different they are from office workers

Thank you for listening to this issue. Thank you for your service to the people of NWT. Please do not rush this decision. I am aware that you are supposed to have a report for cabinet for October 16th. The people of the NWT deserve to have their concerns of the health workers in their regions heard, not just those people who live in the Yellowknife region. You need to go to the nurses in the communities as they are too busy saving the lives of the residents of the NWT to come to you.

Mársi, Kinanāskomitin, Mahsi', Quana, ^ad^lḏ^aḏ^l, Quyanainni, Mahsi', Máhsı, Mahsı

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From: Tina Drew

Sent: Monday, September 29, 2025 11:40 AM

To: Angus Wilson <Angus_Wilson@ntassembly.ca>

Subject: RE: Government Operations Committee review of Bill 26 - request for copy of minutes

Thanks, Merci,

Mársı , Kinanāskomitin , Mahsi' , Quana , ᑭᑦᑲᑦᑲᑦᑲᑦ , Quyanainni , Mahsi' , Máhsi , Mahsi

Tina Drew

Infirmière clinique

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From: Angus Wilson <Angus_Wilson@ntassembly.ca>

Sent: Wednesday, September 24, 2025 12:22 PM

To: Tina Drew <Tina_Drew@gov.nt.ca>

Subject: Government Operations Committee review of Bill 26 - request for copy of minutes

Hello,

Thank you for attending yesterday's committee meeting and for sharing your comments on Bill 26. If you'd like to share your full speaking notes, we'd be pleased to enter them into the committee's records. In addition, in response to a request from MLA Richard Edjericon, could you please share your minutes of the phone conversation you had with Julie Green, Caroline Wawzonek, and Gayla Thunstrom in 2021 concerning the closure of the obstetric unit?

All the best,

Mársı | kinanāskomitin | Thank you | Merci | Haiı́ | Quana | Qujannamiik | Quyanainni | Mahsi | Máhsı | Masi

Angus Wilson

Pronouns | Pronoms : he/him/his | il/lui

Committee Clerk | Greffier de comité

Office of the Clerk | Bureau du greffier

Northwest Territories Legislative Assembly | Assemblée législative des Territoires du Nord-Ouest

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From: [Manuel Salazar](#)
To: [DST LEG Committees](#)
Cc: [Shauna Morgan](#)
Subject: Nurse feedback needed on bill on nurse-specific collective agreement
Date: September 30, 2025 11:21:02

To whom it may concern:

Following an invitation to offer my opinion regarding a recent email sent to nursing staff at Inuvik Regional Hospital by Lindsay Wood
Clinical Coordinator, Acute Care/Emergency Dept
Northwest Territories Health

Please find the following information:

Manuel Salazar

- Registered Nurse, BSc., ACCN, Emergency Nursing.
- Inuvik, Inuvik Regional Hospital, emergency department.
- Occasional locum assignments since 2022, currently Job Share position in Inuvik.
- Initial nursing education and training in Montreal, QC, university level education (Universite de Montreal, McEwan University, (Edmonton), Mount Royal university, (Calgary). I have worked in ED positions in the areas of Montreal, Calgary, Edmonton, Halifax, and Victoria. I have also completed assignments in rural emergency departments in northern Alberta, British Columbia and Nunavut. Lastly, I have also worked in similar settings in Saudi Arabia and the United Arab Emirates.
- Had contemplated a position as a community health nurse in the NWT. Did not get the training, support and stimulating work environment that was expected in such position. Similar negative experiences were witnessed with other nursing colleagues.
- Bill 26: Yes, the principle of Bill 26 would contribute to recognize that the nursing profession has specific roles in prevention, teaching, healing and support at the individual and community level. Nursing is not a commodity but rather plays an essential and autonomous role with a collaborative approach within the healthcare team. Nurses should have the right to vote on who they want their bargaining agent to be, and they should have a collective agreement that is specific to nurses' needs and reflects the essential role nursing plays in remote communities and isolated towns and cities. Competitive incentives have to reflect the impact of our professional training and skills versus the options and opportunities available across Canada and how we have choices that will diminish leaving our own families and communities if there are no financial and professional benefits to justify working in the NWT.
- This is a matter of nurses' constitutional rights – it should not be a matter of convenience for whenever the GNWT gets around to it, and it should not require the UNW's blessing or permission.
- Decision makers should respect nurses' right to represent ourselves and to speak for ourselves, and should put more effort into seeking out direct input from NWT nurses, from across the territory
- **It would absolutely be beneficial for the Committee to travel to Inuvik to hear from nursing colleagues directly on this topic and the general situation and working conditions of nurses at said site.**

From: [Benjamin Israël](#)
To: [DST LEG Committees](#)
Subject: Comments on Bill 26: An Act to Amend the Public Service Act
Date: October 1, 2025 08:19:18

Dear Members of the Committee,

I am writing in response to your invitation for public comments on Bill 26: An Act to Amend the Public Service Act.

I first would like to acknowledge that I have been involved in the UNW for the last few years, and am part of the Executive team of my local for the past two years. This involvement helped me forge a position on the needs of various groups of workers in the NWT, including nurses. Today, I strongly feel that Bill 26 addresses some important issues that have been ignored for too long – and offers an immediate and tangible path forward to equip nurses with their own bargaining structure.

Nurses are a key pillar of our healthcare system as recently emphasized by the recent COVID crisis. However, nurse retention and morale have been [at historic lows](#) over the last several years in the NWT. As shift workers, and due the unique nature of their profession, nurses face specific challenges and have needs that are radically different from the 8:30-5 office worker – like me. I strongly feel that all NWT residents would benefit from nurses having their own bargaining unit as improving nurses' working conditions would lead to a stronger NWT healthcare system.

Other GNWT employees would also have a lot to gain. Nurses are usually well represented in UNW bargaining committee and nurses' needs are prioritized during negotiations. While this is happening for good, legitimate reasons, this focus is directly affecting the ability for other GNWT employees to have their own challenges considered – simply because these are usually less urgent to address.

To those worried that dividing workers into smaller groups could reduce bargaining power, [a recent Cabin Radio article](#) noted that "other jurisdictions in Canada that have nurses' unions have been successful and won safer staffing levels, patient protections and more resilient public healthcare in bargaining." In fact, all other jurisdictions in Canada (except for Nunavut) have separate bargaining units for nurses.

Last but not least, and coming from a different angle, I was very surprised to learn that GNWT (and NTPC) employees are bound by legislation to have the UNW as their union. Each member of the union contributes dues, and with that should come the right to choose who represents them – and possibly seek alternative representation if they feel their needs are not met. This imposed choice does not create the accountability members need from their union. The inability for GNWT workers, including nurses, to decide who represent them is at the core of the issue – and needs to be resolved.

As patient, all residents of the NWT have a vested interest in having a stronger healthcare system. Nurses deserve a separate collective agreement that could offer them the working conditions they need. Other GNWT employees would gain full attention during bargainings, while possibly making a step towards having a choice on the union that represents them. Bill 26 has a lot of benefits to deliver for many groups of Northerners.

Members of the Committee, I urge you to not let this bill go to waste.

Sincerely,
Ben Israel

**Submissions of Jacques Roberge,
member of the public and unionized worker**

Introduction

My name is Jacques Roberge.

I am a NWT resident since 2009.

I currently hold a position as Senior Legislative Adviser at the Department of Infrastructure, a unionized position within the GNWT.

My experience in a labor relations and union context is as follows:

- 1997 As plant manager in the private sector (manufacturing), I was part of the Employer team in negotiating a first contract in a union context;
- 2007 As a worker, I was part of a team (worker side) to unionize Teaching and Lab Assistants at the University of Sherbrooke. The accreditation certificate was obtained from the Minister of Labor; My name is the second one on the list of petitioners for an accreditation certificate for a bargaining unit to be created. I am a founding member of the *Syndicat des auxiliaires de recherche et d'enseignement de l'Université de Sherbrooke* (SAREUS), a union of teaching and lab assistants at the University of Sherbrooke. This union is part of PSAC;
- 2009-2013 I was shop steward for NWT/Nunavut in the Association of Justice Counsel, a union of lawyers working for the federal government. I was aware of negotiations of the AJC's second contract.
- I was Local 10 president from 2022 to December 13, 2024, when I was removed as president of local 10. In March 2025,

my membership of PSAC / UNW was changed to 'not in good standing'. (I am working hard to get my union membership status back into good standing, placing my trust in the internal resolution mechanism within the union.)

Caveats

I speak for myself.

I am not a nurse. I am regular 8:30 to 5 Monday to Friday office worker.

I am a member of the bargaining unit held by the UNW. Again, my union membership is not currently in good standing.

I am here on my own behalf. I do not speak for the GNWT or Department of Infrastructure. I do not speak for the UNW, nor for the PSAC, nor for the nurses.

As you have heard union representatives tell you, the union is a democratic organization, and based on that, I expect members of the bargaining unit to be able to provide their comments and views on bill 26, free of pressures and free of retaliation. If I were proven wrong on this point, I, they, or we, would pursue our rights, vigorously.

The same goes for GNWT. We are a democratic society where reasonable use of the right to free speech and association will be respected.

That said, I say to my self, and other members of the GNWT bargaining unit that Committee is not the place or time to air differences with a supervisor at work, or to air differences with the

union. Both GNWT and the union have internal processes for those issues to be resolved.

Thanks

I wish to offer my thanks to Committee and all Presenters for their submissions and to the MLA's insightful questions.

The purposes of my appearance are to:

- Speak to outcomes, to Choice;
- Answer Committee's questions;
- Provide rebuttals to some submissions made so far;
- Speak to next steps committee may take.

Introduction

I am here today to answer Committee's question to the public and to speak to *Choice* and to the *Capacity to Adapt*.

Who here does not make choices?

-where to live?

-what job?

-have a family?

-where to send the kids for school?

etc.

Who would like the State to legislate and tell them where to live, where to work, whether to have a family or where to send their kids for school? Probably not too many of us.

The same goes for a group of workers who wish to form their bargaining unit, such as the nurses.

Bill 26 speaks to choice. With the ability to choose comes the ability to adapt. Darwin taught us those who survive long term are those with the capacity to adapt.

As adults, we make choices, sometimes hard choices that come with responsibilities and consequences. We remain adults and can make adult decisions.

As legislators, you are entrusted to make those decisions every day.

The ability to make choices, to decide, allows us to adapt to changes, evolutions and circumstances we do not control.

The ability to make choices is essential to making changes when needed. The ability to change allows us in turn to adapt. The capacity to adapt is needed not just to survive, but also to thrive.

Before diving into the question of Committee, I would just like to speak to the interests of each type of participant that have so far made submissions to committee.

I am going through this to help Committee assess the interests each participant, weigh the evidence received by each participant and make the best decision on bill 26 :

participant	Status Quo	If Bill 26 adopted
(+) = positive effect or gain; (-) = adverse effect or loss		
Nurses	(-)Stay lumped into a bigger bargaining unit, less flexibility (-)No choice, (+)predictability	(+)Choice, with responsibilities and outcomes that follow (-+)Ability to change outcomes (+ and -)

	(+)relative safety in numbers (+)strength in numbers	(+)Specific Contract (-)Risks, uncertainty
Union	(+)Stability (+)Predictability (+)Keep accreditation indefinitely 500 nurses, 1M\$/yr in dues (+)"Protects" 5500 other GNWT members, 11M\$/yr in dues (-)Limited incentive to adapt (-)Sense of entitlement	(-)risk of losing GNWT accreditation in part (short term) or in whole (long term) (-) risk losing members (-) risk losing dues (-) loss of influence (+)strong incentive to adapt
Nurses who are <u>also</u> current elected union officials	Same as nurses above plus: (+)maintains their status as elected union official	Same as nurses above plus, if nurses were to form their bargaining unit: (-)loss of eligibility to run for union office in current union (+)opportunity to run for union office in a new union
Employer (GNWT)	(+)Stability (+)Predictability (+)1 Union/Contract	(-)Uncertainty (-)More than one union

	(-)Less flexibility to respond to job mkt (-)Legal risks (Charter challenge)	(-)Multiple contracts (+)better responsiveness to job market with contracts that are more specific
Other GNWT workers	(+)Stability (+)Predictability (-)no choice (-)limited leverage within union as a lumped-in group	(+)precedent for ability to choose (+)leverage with union (+)Union has to earn members' choice to stay (-)uncertainty if they choose to leave
Myself as member of the public and a unionized worker	All the same as other GNWT unionized workers (+)-particular history with union I shared above	All the same as other GNWT unionized workers (+)-particular history with union I shared above

Question of Standing Committee

Whether or not they agree with the intent of the bill to provide a mechanism for the creation of a separate bargaining agent to represent public sector nurses in the Northwest Territories?

Yes, I agree with the intent of bill 26 – that public service nurses should have a mechanism for the creation of a separate bargaining agent to represent them.

I agree with Bill 26 with the following 2 limits:

- 1- Bill 26 is only an interim measure and does not replace the need for an independent entity, arms length from unions and from employers, that may grant certificates to a bargaining agent and recognize them as the bargaining agent for a given group.
- 2- Bill 26 should be limited to nurses and be treated as a one shot.

I will immediately provide a general rebuttal to those that say the bill would not achieve the intended results.

Though bill 26 is not perfect and does not create an independent decision maker to grant accreditations to bargaining agents in general, it achieves the intended results in part in that it would provide a venue for nurses to express their support or their opposition to forming their own bargaining unit.

Whether it would lead to an accreditation recognized by all, whether it would lead to a first contract, whether it would lower attrition, whether it would improve hiring of nurses will remain open questions until the nurses are allowed to make a choice. If they chose to pursue their own bargaining unit, it will be through experience that these questions will be answered.

My point is that bill 26 if adopted would do **something** as opposed to **nothing**.

I say that because despite all the alleged shortcomings of bill 26, as of today (October 1, 2025), those who oppose it have *nothing* concrete to show as an alternative, save concepts of a possible labour board or promises of a Legislative Proposal by the Government to so amend the *Public Service Act* to create one.

I will now turn to Rebuttals, specific to submissions made by others.

Rebuttal on the question of Constitutionality

Committee received the comment from an elected union official that the current *Public Service Act*, namely s. 41(1.4) is "not unconstitutional".

My first rebuttal to that is that it is not for us to determine constitutionality, it is for the Courts.

In doing a bit of research, limited research, I found 3 important decisions from the SCC since 2007:

1. *Health Services and Support – Facilities Subsector Bargaining Assn. v British Columbia* [2007] 2 SCR 391
 - This is a landmark case concerning freedom of association under section 2(d) of the Canadian Charter of Rights and Freedoms. In that case, a majority of the Supreme Court of Canada held that the Charter protects a meaningful process of collective bargaining.
2. *Mounted Police Association of Ontario v. Canada (Attorney General)*, [2015] 1 SCR 3
 - This case held that freedom of association guarantee under Section 2(d) of the Canadian Charter of Rights and

Freedoms protects the right of RCMP members to form a collective bargaining process, effectively allowing them to unionize and negotiate their terms of employment.

3. *Saskatchewan Federation of Labour v Saskatchewan* [2015] 1 SCR 245 is a labour law case on the right to strike. The justice writing for the majority spoke as follows of the two first cases:

53 In *Health Services*, this Court recognized that the Charter values of "[h]uman dignity, equality, liberty, respect for the autonomy of the person and the enhancement of democracy" supported protecting the right to a meaningful process of collective bargaining within the scope of s. 2(d) (para. 81). And, most recently, drawing on these same values, in *Mounted Police* it confirmed that protection for a meaningful process of collective bargaining requires that employees have the ability to pursue their goals and that, at its core, s. 2(d) aims to protect the individual from "state-enforced isolation in the pursuit of his or her ends" The guarantee functions to protect individuals against more powerful entities. By banding together in the pursuit of common goals, individuals are able to prevent more powerful entities from thwarting their legitimate goals and desires. In this way, the guarantee of freedom of association empowers vulnerable groups and helps them work to right imbalances in society. It protects marginalized groups and makes possible a more equal society. [para. 58]

I now ask if you noticed the years of those cases? Did you notice 2007, 2015 and 2015. Why is this relevant to us?

Because this is 2025.

You were told over the last few years that work was underway to update the *Public Service Act* (PSA).

It is only after bill 26 became the talk of the house that work done in the past few years on the PSA was called "phase 1", and a new phase was announced, "phase 2" that would address section 41 of the PSA which sets the bargaining unit for GNWT employees. This tells us section 41 was not a priority *prior* to the private member bill 26 being introduced. There was a deliberate choice on the part of successive Governments not to amend s.41(1.4) of the PSA.

Rebuttal on the use of the word or verb 'Raid'

Committee was told by an elected union official that in jurisdictions where workers are allowed to choose their bargaining units, some unions have 'anti-raiding' agreements.

I wish to express my concern with this language and particularly the use of the verb 'raid'

The Oxford Dictionary defines 'raid' as follows:

Raid /rād/ verb

gerund or present participle: raiding, conduct a raid on.

"officers raided thirty homes yesterday"

Similar (*inter alia*): attack, make a raid on, descend on, swoop on, make inroads on, assail, steal from, maraud, strip, ransack, depredate, rob, break into, quickly and illicitly take something from (a place).

"she crept down the stairs to raid the pantry"

I submit to committee that allowing workers to opt, or revisiting periodically, whether their current union is the best placed to represent them, is the workers exercising their freedom of association rights.

I agree that such a process must be orderly, similar to the process for the election of members of parliament or of a legislative assembly. There is a time, there is a place and there should be an orderly process for a change to take place. That is democracy in action.

When a constituency elects a new MLA or new MP, the successful candidate did not steal or raid anything. The constituency made a choice and the newly elected MLA or MP is simply the successful candidate, fair and square.

I was concerned when I heard more than one elected union official use terms like 'anti-raiding agreements' in their presentations to committee and explaining that such agreements exist within the labour movement supposedly to avoid a union from 'stealing' another union's position as bargaining agent for a given bargaining unit. This created in my view an impression that some elected union officials live and act inward, in a culture of entitlement, distant from the membership.

The use of 'anti-raiding' language by elected union officials presenting to committee left me with the impression that they believe that, once a union is certified as a bargaining agent, it should hold the certification forever, never to be challenged by their membership willing to consider being represented by another union. MLAs or MPs are generally not elected for life. The same goes for certifications of bargaining agents, they should not be in perpetuity.

Bargaining agents should have the incentive to earn and keep the trust and choice of their membership.

Rebuttal on the submission that Bill 26 would diminish Solidarity

I submit that solidarity involves an element of volition, of choice to congregate as a group. Right now, given it is not possible currently under s. 41 of the PSA for a group of GNWT unionized workers to form their bargaining unit, we cannot *per se* speak of solidarity or a loss of solidarity in terms of associating in bargaining unit. There is no element of choice here.

Rebuttal on the comment by the UNW President that the organization works from the members up

The president of the UNW has presented the positions of the union on bill 26, and in doing so has referred to both the Vince Ready Report and to consultations with members. I would invite committee members to search for themselves and attempt to find on a public source, any meeting minutes or other evidence corroborating that the positions advanced by the UNW president on bill 26, and that the retainer, questions and mandate for Vince Ready, the approval of the Vince Ready Report conclusions were presented to, discussed with and approved by a broad and representative cross-section of the union membership.

Rebuttal that the vote proposed in Bill 26 would spell chaos

A bargaining unit changing bargaining agents is not rocket science.

This has been done, is done and will continue to be done across the country. Just like constituencies revisit their relationship with their elected member of parliament or legislature, bargaining unit members should from time to time, in an orderly process, have as a group, the option to revisit their relationship with their bargaining agent.

Here in the case of bill 26, it would be handled by a court. This is not optimal but if the Courts are able to manage complex judicial recounts of contested elections, they can handle the vote contemplated under bill 26. Courts are capable of handling a vote by 500 people on whether they wish to form their own bargaining unit, though this is usually left to a labour board where one exists.

Again, this is not rocket science!

Rebuttal on the second presentation by the president of UNW that the Union does not object to a labour board "made in NWT".

The Charter applies the same from Coast, to Coast, to Coast. Labour boards across Canada provide similar guarantees of procedural fairness and impartiality. Nothing less is expected in NWT. We are not the children of a lesser god.

It is clear a private members bill cannot create a labour board given such a board requires a money bill which is only available upon initiative from the Government. That said, the PMB is still relevant as it could be used to establish the right for nurses to form their bargaining unit and create a precedent for other workers that would

like to do the same. Creating a labour board would not change this right, it would only change the way the right to associate is exercised by placing the role of certifying a bargaining unit in the hands of an administrative tribunal (labour board) as opposed to the Supreme Court of NWT as contemplated under bill 26.

Submission on the power of choice

I believe in the selection by members of their representation rather than an imposition by legislation.

The power of attraction of the union should lead to their selection, rather than an imposition by legislation

The union has great courses, great tools & resources. When used properly, this can grow the union members and improve their work conditions and outcomes.

As a regular GNWT unionized worker (8:30-5) I feel I have a good bargaining agreement that works for me. Given a choice, I would most likely choose to keep the same union I have. This is the power of attraction that should be emphasized and that will help members choose their union rather than being imposed one. But for now, there is no choice, there is no vote, the bargaining unit remains an imposition by legislation.

The power of selection leads to action, to participation by members of a union, acting in their union. It is called empowerment; the feeling one can make a difference.

Yes, with choice comes division, debate and differences of opinion. Choice also comes with responsibility and the consequences of making choice.

But above all, choice comes with the power to drive one's destiny and build a group's destiny. There is great dignity in the power of choice. Choice leads to one's feeling that they can make a difference.

On the contrary, the imposition of something, like a union, any Union, or any other form of imposition leads to a feeling of resignation, erosion of participation, attrition in participation. It is often referred to as apathy.

It has been my experience that when members (of a bargaining unit) get the right information, that when they get the complete information, that when they are given the freedom and accorded the dignity of making a selection, the bargaining unit members get to the right decision.

Constructive Criticism to Committee on its Hearing Process

First, there was in my view insufficient information and messaging to invite the public to participate and make submissions on bill 26. One Facebook Post in June 2025, later updated in the second week of September, and committee's webpage on the legislative assembly website are not enough to inform and invite the public to participate and make their views known on such an issue. I realize that committee has a framework and a schedule to follow in conducting its work, but publishing a call for public input, only one and at the end of June, later updated in September, is not conducive to generating broad public participation.

It took a fairly intense set of email exchanges between members of the public and committee to finally get a new date opened on

September 23, 2025 for the public to participate in the hearing process on bill 26.

Once the public got to the hearing, and only then, it was announced when committee opened that each member of the public would have only 5 minutes to make their presentations. To committee's credit, all members of the public who were present at the public hearing of September 23 and who wished to make a presentation were offered an equal amount of time, being the 5 minutes each plus a short addition grace time for certain presenters. In the end, all who were able to be present and wished to deliver a presentation were able to do so.

I also note that the invitation for September 23, 2025 was made public at the end of business on or about September 18, 2025. This left very little time to prospective participants to adjust their schedule to be able to attend in-person the committee's hearing on bill 26 set for September 23, 2025 if they wished to deliver a presentation.

Lastly, it was quite a shock when the president of UNW, who had already been given over 45 minutes to make her presentation to committee on August 29, 2025, was provided a second opportunity to deliver a presentation at the September 23, 2025 hearing, once all members of the public had done their own presentations. To her credit, the president of UNW kept her second presentation under 5 minutes and only used it to emphasize that the UNW does not object to a labour board "made in NWT", without explaining what she meant by that.

I attended every committee hearing on bill 26, up to and including the September 23, 2025 hearing. I was allowed 5 minutes plus a grace time of 90 seconds (additional) to conclude my presentation.

Of all witnesses that appeared, the president of UNW was the only witness that I saw who was allowed to present twice. Further, when she spoke at the hearing of September 23, 2025, a hearing that was mostly targeting members of the public, she spoke in her capacity as president of the UNW and stakeholder as opposed to a member of the public. Finally, she got the very last word in as a witness before committee. This created questionable optics on the hearing process.

At that time, I observed a stunned silence in the committee room. Though this may not have been intended or expected by committee, I felt some level of dismay amongst the audience in attendance, mainly from those that had attended previous hearings and were familiar with the hearing process. This left me with a feeling of unfairness. Again, though clearly not intended by committee, I believe this fueled a perception of bias on its part given the differential treatment committee afforded a specific stakeholder.

Future and Next steps

A path forward with bill 26: Allowing ourselves to think and act out of the box.

I suggest that Committee:

1. Hold a secure survey of its own for nurses, asking the very same question it asked the public, but directly to nurses, as to whether they support or not a mechanism that would give them the ability to create their own bargaining unit. If committee were to hold a secure survey, I make the following predictions: 1- That committee would get good participation

(30 to 50% of eligible respondents would participate), 2- Results would largely confirm the results obtained in the CANN survey.

- If committee disagrees with my suggestion to hold a survey, I challenge committee to prove me wrong. I say *Hold a secure survey of your own!*; Committee has the research staff and a budget. Please use them to the fullest.
 - If committee decides to have a secure survey conducted, again I believe you would confirm a substantial majority of nurses are in support of creating a mechanism to form their own bargaining unit. If Committee were to prove me wrong in my predictions, and it turned out there was insufficient support by nurses, this would give MLAs plenty of reason and cover to vote against bill 26.
2. Leverage this private member's bill, support it as an interim measure to show support for the nurses.
- Bill 26 can be amended to include a coming into force provision and transitory measures that would give time for the Government to advance the promised and not yet visible phase 2 of their PSA amendment where s 41 would be addressed in a more comprehensive way.
 - If this Government's promise were not to materialize or proved unsatisfactory, you would still have a lever to pull with bill 26.
3. If bill 26 were not to receive the required support and Government fails to act on its own to fix s. 41 of the *Public Service Act*, committee may consider advocating or recommending that the Government do a Reference to the Supreme Court of Canada on the constitutionality / charter

compliance of current s. 41 of the PSA. A Reference would pre-empt possible litigation on the constitutionality of PSA s. 41.

Conclusion

No matter the outcome of Bill 26, it has already accomplished something very, very, important.

Bill 26 has brought into light this "little thing" imposing the bargaining unit for GNWT workers, tucked away in s. 41(1.4) of the PSA, an Act which hardly anyone reads (but for union and Government lawyers).

The questions raised by bill 26 on s. 41(1.4) of the PSA have both crept up on and disturbed the Political Establishment. Bill 26 has moved through the house like an elephant causing clinging, cracking and popping sounds as it moves through the china shop.

Not only has bill 26 brought people to ask questions, not only has it fueled passionate debate, mostly, it has raised the level of awareness both of nurses and of the constituency in general. The bill has raised questions on and challenged the status quo, being the established order of things between the union and the employer, an order that has prevailed for the better part of half a century.

And with a raised level of awareness on the part of nurses and of the constituency in general, change becomes possible!

Unionized GNWT workers represent about 20% of eligible NWT voters (2019). And those unionized workers have families and friends who are also eligible voters. The Union does not vote. Its members who are voters, vote.

All to say, in crude terms, the genie is out of the bottle. It is never going back in the bottle.

Let the members of a bargaining unit inform themselves, let them ask questions, debate and reach out for yet more information, for when union members get the correct information, when they get the complete information, when given a chance to vote or to make a decision, as a collective, the union members get it right!

The nurses care for us all. Let's care for them by giving them a chance to care for their own destiny. Let them inform themselves, let them think things over, debate amongst themselves and decide their own destiny by having the ability to form their bargaining unit.

Nurses are (as other bargaining unit members) adults that can make adult decisions.

In the end, as all other members of a bargaining unit do, nurses want a union that works for them.

Support Bill 26!

Jacques-B. Roberge October 1, 2025

Jacques Roberge, a unionized worker and member of the public

From: [Brigitte Moran](#)
To: [DST LEG Committees](#)
Subject: Support for Bill 26 – Nurse Representation in Collective Bargaining
Date: October 6, 2025 16:09:12

Hello NT Assembly,

I am writing in support of MLA Shauna Morgan’s Bill 26, which would allow nurses in the NWT to vote on a potential new bargaining agent. This would open the possibility for a nursing-specific or healthcare-specific collective agreement.

I have been a Registered Nurse, now working as a Community Health Nurse in Yellowknife since 2020, having worked exclusively in community settings (Home Care and now Primary Care).

I strongly believe nurses should have the right to negotiate through the collective bargaining unit of our choosing—particularly since being “lumped in” with other GNWT workers under the UNW has often been a disservice to us. This continues to be an issue, as the UNW has not been able to effectively negotiate pay increases that reflect the demand for nurses or the compensation seen in other jurisdictions (notably Alberta). This shortfall further compounds the challenges we face in recruiting and retaining nurses in the NWT.

Unlike many GNWT employees, nurses frequently work shift work—including nights and weekends—fill positions that are difficult to recruit and retain, and regularly face the threat of verbal or physical violence in the course of their work. This disparity was especially clear during the pandemic, when nurses were called to work longer hours under more dangerous conditions, while the majority of GNWT employees were able to work safely from home.

Prior to working in the NWT, I was a nurse in British Columbia, where nurses are represented by a dedicated and robust union that negotiates directly with the provincial government to reflect the unique nature and demands of nursing work.

Allowing nurses in the NWT to vote on a potential new collective bargaining agent would give us the opportunity to have our unique needs heard and to negotiate an agreement that truly supports the GNWT’s efforts to recruit and retain this essential workforce. The UNW should not have the authority to restrict this right on behalf of nurses.

This is not solely a Stanton Hospital issue—all nurses across the NWT, including and perhaps especially those working in remote communities, deserve a voice in this process. I urge you to seek direct input from nurses themselves.

Thank you for your time and consideration,

Brigitte Moran, RN, BSN
Yellowknife, NT

From: [Leah Bishop](#)
To: [Denny Rodgers](#)
Cc: [DST LEG Committees](#)
Subject: Bill 26
Date: October 17, 2025 01:49:24

Hello Denny,

I am writing as a registered nurse working at Inuvik Regional Hospital. I reside in the Inuvik Boot Lake electoral region. I have been an RN working in a variety of areas and communities of the Beaufort-Delta Region for 16 years. I am not now, nor have I ever been, content with our union coverage. The same is true for the majority of my colleagues. However, while I know that change needs to happen, and I support the efforts to work towards that change, I do not know if Bill 26 is that change. I am reviewing a powerpoint now provided by Shauna Morgan in regard to the issue as she put forth in Bill 26. **This is not just a Stanton issue.** Nurses of the Beaufort-Delta also feel poorly represented and supported by the UNW and the GNWT/NTHSSA. As well, management has limited ability to recruit and retain effectively and creatively within the constructs of the current collective agreement. Our needs in the Beaufort-Delta vary drastically from those of the nurses in Stanton. For example, a complete reduction/limitation to agency nurses at our hospital (without a robust, comprehensive and proven plan for recruitment and retention of OB nurses) would have disastrous effects on the well-being of our three Indeterminate OB nurses, not to mention the OB program itself.

I recognize that this email may be coming in late, but I do know that it would be beneficial for the Committee to travel to Inuvik both to hear from nurses of our region, as well as for you to explain in more detail the bill on the table. If nothing else, I would love an opportunity to meet with you when you are in Inuvik to discuss this issue further, whether a decision has already been made by your committee or not.

Thank you,
Leah Bishop, RN

Appendix D:

Committee Correspondence

July 21, 2025

HONOURABLE CAROLINE WAWZONEK
MINISTER OF FINANCE

Follow-up to Briefing on Bill 26: An Act to Amend the Public Service Act

The Standing Committee on Government Operations (Committee) thanks the Minister and officials for appearing before it on July 15, 2025 to provide the Department of Finance's perspective on Bill 26, An Act to Amend the Public Service Act, and to discuss the Government of the Northwest Territories (GNWT)'s ongoing efforts to review and modernize the *Public Service Act* ("the Act").

Questions posed during the public briefing sought to determine whether the Minister's position on the bill was communicated with Cabinet. Committee requests clarity on this point.

Committee also seeks to better understand what impacts, if any, the adoption of Bill 26 and its entry into force in November 2025 would have on government's "Phase II" amendments to the *Public Service Act* which will address section 41 of the Act.

- Would the adoption of Bill 26 interrupt, supplant, or require a restart of the GNWT's Phase II work?

In her appearance before Committee on June 19, 2025, the Member for Yellowknife North, sponsor of the bill, framed Bill 26 as an interim measure that could be superseded by subsequent legislation and was not intended to conflict with the ongoing Phase II process.

- Can the Minister comment on what impacts the adoption of Bill 26 could have on negotiations with the UNW set to begin in the winter of 2025-26?
- Would the GNWT be prevented from proposing legislative amendments to address section 41 of the Act should nurses initiate a new bargaining process by that point?

.../2

Thank you for your time and consideration. Committee looks forward to receiving responses to these questions as it continues to review Bill 26. Committee may wish to invite the Minister to return at a future meeting to provide more information, answer additional questions from Members, and respond to points raised at other public briefings and meetings held in the course of Committee's review. In this eventuality, Committee staff with contact the Minister's office to arrange for an appearance at a mutually convenient time.

A handwritten signature in black ink, appearing to read 'Julian Morse', with a stylized, flowing script.

Julian Morse, Chair
Standing Committee on
Government Operations

- c. Members of the Legislative Assembly
Committee Members, Standing Committee on Government Operations
Chief of Staff
Secretary to Cabinet/Deputy Minister, Executive and Indigenous Affairs
Deputy Minister, Finance
Clerk, Standing Committee on Government Operations
Advisor, Standing Committee on Government Operations

September 3, 2025

JULIAN MORSE
CHAIRPERSON
STANDING COMMITTEE ON GOVERNMENT OPERATIONS

Response to points made during Public Hearings to date on Bill 26

I first want to extend my appreciation to the Standing Committee on Government Operations for the time and diligent effort that Committee is putting into the review of *Bill 26: An Act to Amend the Public Service Act*. This is an important issue with much at stake for many NWT residents, extending far beyond the interests of nurses.

Following the public hearing with the Minister on July 15, 2025, the Standing Committee sent follow-up questions to the Minister, that were not labeled confidential. In response, on August 11, 2025 the Minister issued responses that were labeled confidential, with no rationale as to why the government's arguments should be hidden from the public, amidst an otherwise public examination of the bill's merits. **I ask the Committee to decline the Minister's request to keep the August 11th letter from the Minister confidential**, as it creates an unfair situation where the public and key stakeholders are unable to respond to, challenge or verify these specific arguments the Committee is expected to weigh in its deliberations.

I would like to take this opportunity to respond to key arguments and discussion points made during Committee's public hearings with the Minister of Finance (July 15), CANN (August 28), and Union of Northern Workers (August 29).

1. Rights issue

There seems to be confusion as to whether this is fundamentally an issue of rights, or an issue of establishing a positive or easier relationship between the GNWT and UNW. The GNWT's PowerPoint presentation made it clear that it considers this to be an issue of ensuring *Charter* compliance. However, a GNWT representative responded to a Committee member's question by saying that "a Private Member's Bill cannot be a proper way of addressing this issue because it's about the relationship between the government and the union."

I would argue that it's not about the relationship, or that it shouldn't be, if we are doing our due diligence as legislators.

The Minister stated: “as long as we’re respectfully engaged, we can continue to move forward throughout the bargaining process” on the section 41 legislative amendments.

Certainly the government should always strive to engage respectfully. The question is whether “respect” implies that the UNW’s consent is required to make progress on these crucial changes. Ongoing consent from the UNW executive should not be required for the government to ensure *Charter* compliance.

The Minister also openly acknowledged that section 41 amendments were intentionally “sliced off” from the rest of the work overhauling the Public Service Act (now called “phase 1”) because it was politically contentious. I appreciate the Minister’s candidness. I also think it is clear this should not be considered an acceptable rationale for delaying or avoiding necessary changes to make the *Public Service Act* compliant with the *Charter*.

The UNW took a contrasting position in its presentation to Committee: *“The current Public Service Act is not unconstitutional. No legislation is identical, but there are other jurisdictions in Canada with similar legislation. This argument should not be relied upon to justify amending the Act through this Bill...It is not difficult to find examples of Canadian case law where legislating public service unions has been upheld by the courts.”*

As Committee is aware, the only other jurisdiction in Canada with similar legislation is Nunavut, which inherited its *Public Service Act* from the NWT. Neither the NWT’s or Nunavut’s legislation has been challenged in court to determine for sure whether it is “constitutional” or charter compliant. It is unclear which Canadian case law the UNW could possibly be referring to, in support of its argument. If the UNW wishes to point to a 2023 decision by the Alberta Labour Relations Board—which rejected an application by a group of LPNs to leave the public service union and join the Alberta nurses’ union – this example instead highlights the usefulness of having a Labour Relations Board in the first place to help decide such matters. That example certainly does not support a case for maintaining our *Public Service Act* as it is now, with no Labour Relations Board or comparable mechanism for certification or decertification of bargaining agents.

It is not a promising sign for the hope of improving relations between the GNWT and UNW, or the urgent work on section 41 they have pledged to undertake collaboratively, if the GNWT and the UNW maintain such contrasting views on what *Charter* compliance actually means for section 41 of the *Public Service Act*.

2. “New risks” to rights

The GNWT argues that Bill 26 creates new “risks in relation to these constitutional rights.” Those “new risks” are listed below, with my responses under each:

- Lack of Choice for Others.

Bill 26 does not prevent anyone from enjoying rights that our laws currently give them. In other words, it does not take away anyone’s rights. Further, it does not force workers to do anything—it provides an additional option (compared to the choices they already have) for

nurses to establish a separate bargaining unit, but if they do not feel this option meets their needs, they can choose to maintain the status quo.

Bill 26 provides greater freedom of association than the *Public Service Act* currently does. To make the *Public Service Act* fully *Charter* compliant, the GNWT must make more comprehensive changes than a Private Member's Bill can make, but *Bill 26 does not prevent the government from making those changes*. Even a legal challenge to Bill 26 would not prevent the GNWT from making further changes to the *Act* while the court is considering the challenge. Indeed, making further changes to the *Act* would be one way of resolving any challenge.

— No Labour Relations Board

Bill 26 does lay out a formal process to certify and decertify bargaining units. The GNWT has not been able to show why having the NWT Supreme Court oversee the process in lieu of a Labour Relations Board, would trample upon anyone's rights.

During the hearings, contradictory statements were made by government officials and the UNW about whether a Labour Relations Board is or is not necessarily the solution. On the one hand, a GNWT representative stated that "we need a Labour Relations Board to determine whether a certification is constitutionally valid and actually represents the will of the members of any bargaining unit", and according to slide 6, the establishment of a Labour Relations Board is one of the main elements that legislative change will need to address. The same GNWT representative said later in the presentation that a Labour Relations Board "may or may not be the solution". The UNW echoed this skepticism and emphasized that the NWT is different from the provinces and that a Yukon Labour Relations Board has apparently "not worked well" (with no explanation or examples to substantiate this).

If the point is to establish a mechanism for certification and decertification with or without a Labour Relations Board, then Bill 26 fulfills this function. The Bill proposes a legally supervised certification (and decertification) process to ensure it follows due process and can reasonably be seen to represent the will of bargaining unit members.

— Right to Strike

I covered this issue extensively in my June 19th presentation to Committee. Nurses are not all essential workers; the group as a whole would not lose the right to strike or take other labour action. Nurse-specific bargaining units in the provinces are not deemed unconstitutional.

- Top-Down Restructuring – The GNWT argued: *"If the bill imposes a new structure without a democratic process among nurses themselves, it could be challenged as undermining the right to self-organize."* Also: *"The PMB unilaterally imposes a model on nurses without meaningful consultation or consent from the UNW or potentially affected workers."*

This objection by the GNWT is particularly puzzling. Bill 26 does not impose a new structure; it provides a mechanism *that does not currently exist* for nurses to organize themselves and hold a completely democratic process (a vote) to determine whether or not they want a separate bargaining unit.

In contrast, it is not clear how either the GNWT or the UNW proposes to transparently ensure that their changes (or lack thereof) to the *Public Service Act* represent the democratic will of the majority of public service workers, let alone nurses.

The GNWT objected to the fact that the process of introducing Bill 26 has not involved “meaningful consultation or consent” from the UNW executive. While the word “consultation” often makes us think of the rights guaranteed under section 35 of the Constitution to Indigenous peoples, the UNW does not possess the same legal or constitutional right to be consulted. **The UNW executive body does not have a constitutional right to decide unilaterally how a minority subset of workers should be allowed to organize themselves or whether NWT nurses should be allowed to seek their own separate collective agreement.**

The UNW argued in slide 32 of its presentation: “This bill is a bypass for processes already in place, and sets a dangerous precedent for future government interference in union organizing and operations.” To be clear, **there are no processes currently in place** for a group of NWT public service employees to apply to form a separate bargaining unit. It is also important to understand **it is legally incorrect to argue that there is no difference between the GNWT as employer and the Legislature itself, or that the Legislature passing amendments to labour-related legislation constitutes “government interference in union organizing and operations.”** There are no legal grounds for the UNW to accuse the GNWT of acting unfairly as an employer, based on decisions made by a majority of MLAs in the NWT Legislature. Nor can the UNW grieve or seek other redress for changes to legislation.

3. Union raiding / union busting

The Government argued that the Bill “creates conditions that facilitate union raiding” while the UNW alleged that the Bill could constitute “union busting” and it could violate the Canadian Labour Congress’ “no raiding” policy.

Currently, NWT legislation guarantees the UNW a monopoly over the representation of public servants (aside from teachers). Would the GNWT, or the Canadian Labour Congress, define any situation that opens up some choice of bargaining agent for NWT public servants (freedom of association), as “conditions that facilitate union raiding”? In other words, is anything other than the current legislated monopoly a “condition that facilitates union raiding”? The GNWT has stated its intention to change section 41 of the *Act* to ensure *Charter* compliance and establish freedom of association; how does the GNWT plan to balance employees’ *Charter* rights, with this apparent fear of “union raiding” (which is not illegal)?

4. Vague threats of legal challenges or “consequences”

In its presentation, the UNW stated that Bill 26 “would not withstand the first court challenge” and noted that “potential legal consequences of the Bill have been brushed aside and minimized.”

Vague threats of legal challenges could dissuade legislators from following through on politically contentious legislation, out of fear the government could get tied up in lengthy and expensive court processes. However, it is much easier to make a threat of a legal challenge than to actually launch one.

It is worth considering on what basis the UNW or another party would plausibly make a legal challenge to Bill 26 on *Charter* grounds. Any challenge to Bill 26 is likely to expose the constitutional issues with the underlying current *Public Service Act* as well. If—despite taking the public position that the existing Act is not unconstitutional—the UNW were to launch an expensive court challenge on the basis that Bill 26 does not go far enough to allow all workers, such as allied health workers, to organize themselves to form a bargaining unit together with nurses if they wish, then striking down Bill 26 and keeping the Act as is does not help them realize that right. The Court’s remedy would likely prompt a broader overhaul of section 41, which is a process the Minister has said is already underway. A Court decision would simply reinforce the need and urgency to complete the Phase 2 changes to the *Public Service Act*.

A legal challenge would not prevent the government from continuing to work on Phase 2 changes, even if a court process was underway.

5. Arguments about whether NWT nurses need or want a separate collective agreement

There has been extensive discussion during each of the hearings, amongst Committee members, GNWT officials, and UNW officials, as to whether NWT nurses really need a separate collective agreement, and speculation as to what NWT nurses really want.

First and foremost – the entire point of Bill 26 is to allow NWT nurses to decide for themselves through a democratic process whether they want a separate collective agreement – not to have this decided for them by the government or the UNW executive.

There was extensive discussion during the hearings on whether NWT nurses should be satisfied with existing efforts by NTHSSA management, whether existing appendices in the collective agreement are enough, whether labour market supplements are enough, whether the UNW’s advocacy efforts have been enough. **Fundamentally, it should not be up to Committee members to decide whether or not nurses should be satisfied with what they’ve got, when they are being denied the right to choose their own bargaining agent.**

The only non-anecdotal evidence presented to Committee on “what nurses want” was a survey conducted in June 2025 by the College and Association of Nurses for the NWT and Nunavut amongst its members, which received 210 responses from NWT-based nurses, amongst whom an overwhelming 85% said they want a nurse-specific collective agreement. CANNN separated out its data between those nurses practising in the NWT (vs. those practising only in Nunavut), and those with NWT-based addresses.

The UNW dismissed these results by saying: “The survey is fundamentally flawed and the data cannot be relied upon for accurate information.” They claimed, with no evidence, that nurses had come to them (the UNW executive) and confessed they had filled out the CANNN survey multiple times, which begs the question why nurses voting for separation from the UNW would have come to UNW leadership to report such dishonesty, and whether these nurses might have more likely voted twice *against* the idea of a separate collective agreement.

The UNW explained that 550 of its members would fall under Bill 26, but it is unclear how many of these 550 nurses even live in the NWT. Locum and relief nurses, even those who do not live in the NWT, and even those who only work in the NWT one time ever, are required to pay union dues to the UNW. The NWT nursing workforce is being hollowed out by increasing numbers of casual and temporary workers (as the UNW well knows, since it has advocated to stop these trends), particularly in smaller NWT communities.

And yet, the UNW made this sweeping generalization in its presentation (slide 38): *“Yes, there are some nurses who want a separate bargaining agent or separate collective agreement. These are primarily in Yellowknife at Stanton. Members in the smaller communities have said they don’t want the Yellowknife nurses making decisions for all of them.”* The UNW emphasized its strong concern about creating divisions amongst nurses, yet here is an unsubstantiated observation and implicit accusation that serves to create and inflame divisions between nurses based in Yellowknife, vs. other communities. No one has argued that Yellowknife-based nurses should make decisions on behalf of or to the detriment of nurses based in other NWT communities. Nurses are aware that they need to lift their entire group up and effectively boost retention and morale in all NWT communities. **There is no reason to believe that nurses based in small communities would have less of a voice under a nursing-only bargaining unit than they currently do under the UNW.**

The UNW says it is confident Bill 26 is bad for its members, because it conducted a recent survey of its healthcare worker members – without saying how many responded to the survey or how many were actually nurses – yet the survey **never even mentioned or asked any questions about Bill 26 or a nurse-specific collective agreement.** The UNW collected a list of healthcare workplace grievances and concluded—instead of letting workers think for themselves—that a separate collective agreement would be an ineffective way to solve them.

The UNW may have tried hard and done its best for nurses, but it has a much greater number of non-healthcare members to worry about, and—as they said in their presentation

– they had to leave the biggest healthcare issues on the table during the last round of bargaining. Nurses may wish to instead be represented by a bargaining agent that can give its full attention to the latest best practices in nursing-specific collective agreements, such as a provision in the B.C. agreement specifying staff-to-patient ratios.

If the UNW doesn't trust the CANN survey and is convinced they've been representing healthcare workers effectively, they should feel confident in asking their members that question directly. The idea of affording nurses the right to vote on their bargaining agent should not be a threat.

6. Conflicts with the GNWT-led process (Phase 2 changes to *Act*)

Neither the GNWT nor the UNW has provided a clear explanation of why Bill 26 should interfere with the GNWT-led process of Phase 2 comprehensive changes to section 41 of the *Public Service Act*.

The government presented a timeline for how Phase 2 changes are expected to be passed before the end of this Assembly, which requires very quick work indeed—the preparation of a legislative proposal within the next few months.

What is concerning is the lack of clarity about whether the purpose of the GNWT-UNW project to collaboratively develop Phase 2 changes to the *Act*, is primarily to (according to the UNW presentation) “continue building our relationship” and to avoid “undermining” it, or whether it is specifically designed to ensure *Charter* compliance, which the UNW asserts is not even a concern. What the UNW has committed to do is “discuss” section 41. There does not appear to be a joint commitment to actually achieve results—amendments to section 41 that will ensure *Charter* compliance, by the end of this Assembly.

I am particularly concerned by a statement made by one of the Committee members during the public hearing with the Minister: “If this Bill dies, then who cares about the rest.” For the public to have confidence in the process of Phase 2 changes to the *Act*, they need clear assurances that the GNWT and legislators are committed to making it happen, even if it is politically contentious and could cause difficulties in the government's relationship with the UNW.

7. Concerns with specific aspects of the Bill:

- The Minister claimed in her presentation that it is unclear who is included within the Bill, that it “*makes the government's position difficult in terms of determining who to bargain with and who represents whom.*”
 - The Bill makes these definitions very clear. If the Bill passed and there was a successful application to the NWT Supreme Court, the government would bargain with the employee association authorized by the Supreme Court.

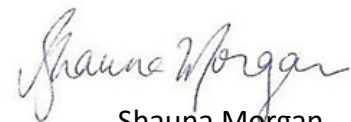
- The UNW claimed: *“Potentially, a couple of individuals could randomly name themselves “NWT Nurses’ Employee Association” and they would act in the same capacity as the UNW and NWTTA.”*
 - This is entirely incorrect according to the process laid out in Bill 26. There is no way that a few random individuals could force the government to bargain with them. The Bill would require the NWT Supreme Court to verify that all nurses in the NWT public service had a fair opportunity to vote on a new bargaining agent, and that the majority voted in favour, before the government would be obliged to recognize an association representing nurses as a legitimate bargaining partner.
- The UNW expressed concern that: *“Bill 26 makes mention of the current CA as a bridging agreement, but not who would enforce it. The employer is under no obligation to start negotiations with the current CA as the baseline. Arbitrated wins may no longer apply to nurses with a new CA.”*
 - The Bill makes it clear in section 6(3) that in the event nurses received authorization by the NWT Supreme Court to negotiate a separate collective agreement, the existing collective agreement would continue to apply to nurses until a new collective agreement was entered into. The UNW would be legally obligated to continue their existing responsibilities for enforcing the current collective agreement, until a new one takes effect.
 - The UNW implied in this statement that there is a legal difference between what an existing union can guarantee will carry over to a new collective agreement, and what a new bargaining agent could guarantee to its members. A group of nurses who signed a petition and submitted it to Committee expressed these exact same misconceptions. It is important that the UNW Executive and UNW members understand that nothing automatically carries over to a new agreement, it doesn’t matter whether the bargaining agent is new or the same as before.
 - It is important to understand that **a collective agreement is not a document that is “owned” or proprietary to the particular union bargaining team that negotiates it.** The collective agreement belongs to its members, and should be freely available and accessible to them. Even if those members choose a different bargaining agent, they are free to bring forward the same or similar provisions into a new round of collective bargaining (or different or expanded demands/provisions if they wish). Arbitrated wins would continue to apply as long as the same language/provisions are included in the new collective agreement.
- The UNW expressed concern that there is no explicit language in Bill 26 saying it is an “interim measure”.

- There is no need in Bill 26 to specify that the GNWT is allowed to propose its own rewrite of section 41 and that the Legislature can replace the changes made by Bill 26. That is the full prerogative of the GNWT and the Legislature.
- The UNW concludes – “There are too many uncertainties and omissions in this bill.”
 - Neither the GNWT nor the UNW have suggested any amendments to the Bill, or specified which critical things are missing from the Bill.

I understand that labour relations can be complex, and that it will be challenging to create a new regime of labour relations for the public sector, given that our existing *Public Service Act* is so antiquated and does not appear to be *Charter* compliant. The only way forward is to create something new in the NWT, which can be scary. I urge Committee members not to shy away from our responsibility as legislators to embrace new ways of doing things, especially when the old ways are believed to be violating people’s *Charter* rights.

I would welcome the opportunity to appear again before Committee to discuss these issues in more detail, as well as to address any other points raised at public hearings, and to respond to further questions and comments from Committee members.

Thank you for your consideration,



Shauna Morgan
MLA, Yellowknife North

From: [Shauna Morgan](#)
To: [Sherman Cavanaugh](#); [Robert Hawkins](#); [Kate Reid](#); [Kieron Testart](#); [DST LEG Committees](#)
Cc: [Erin Currie](#); [Emily Heeringa](#); [Marie Buchanan](#); [Ronald Valdriz](#); [Mary Pambid](#); [Kimberly Minoza](#); [Dale Matheson](#); [Toiyie Jeethan](#); [Victoria Capela](#); [Margaret-Ann Bowden](#); [Emily Heeringa](#); [Seetal Patel](#); [Allyson Arychuk](#); [Sara Hollinshead](#); [Edward Salaveria](#); [Shawna Tohm](#); [Serge Provencal](#); [Josee-Anne Spirito](#); [Joel Neudorf](#); [Joyce Yap](#); [Samantha Brooks](#); [Stephanie Weatherby](#); [Sarah Kalnay-Watson](#)
Subject: RE: Before I send it to MLA , please review, come by and sign this am please. See attachment and sign if you can't come to Pod A tks
Date: September 5, 2025 10:05:36

Good morning Sherman and your colleagues in Primary Care,

First, thank you for sending this letter explaining your concerns about Bill 26.

I should be clear that I think you are absolutely right in asking questions and in seeking more information about any proposed new bargaining agent, including a potential NWT nurses' association – what would a new group offer me that I can't get from my existing union (UNW)? My position has been that I think it's your right to have any choice at all (currently you don't have one) – if nurses compare the UNW to some other option and think the UNW is the best choice, that's great. I agree that the choice should be informed.

The entire purpose of Bill 26 is to provide you with a choice that you do not currently have. If Bill 26 passed, it would not automatically force anyone to do anything – it would not automatically create a new bargaining agent. It would not even automatically mean a vote would be held amongst nurses. It would allow for a process to begin, where, if a group wants to form and is interested in being the bargaining agent for NWT nurses, they could present their plan to NWT nurses and try to make a case for why they think they could be a better choice for a bargaining agent. First, they would have to make a good enough case that they could convince the majority of NWT nurses to vote for them. Second, they would have to make a case to the NWT Supreme Court to convince the court that the process was done fairly, free of fraud and political interference. If they failed at either of these things, then the status quo would prevail.

Beyond that, I am concerned that there are some serious misunderstandings about what Bill 26 would do, and how the negotiation of any new collective agreement works.

1. Concern that you would be left without any collective agreement at all during the interim period and the GNWT could change your wages and benefits at whim.

This is absolutely not true. There is a clause in Bill 26 (section 6(3)) that in the event nurses received authorization by the NWT Supreme Court to negotiate a separate collective agreement, **the existing collective agreement would continue to apply to**

nurses until a new collective agreement was entered into. The UNW would be legally obligated to continue their existing responsibilities for enforcing the current collective agreement, until a new one takes effect.

2. Concern you could lose your accumulated pensions, benefits, seniority, vacation leave etc.

There is no way you could lose any pension or benefits you have already earned or accumulated so far.

In terms of future benefits - there is no legal difference between what an existing union can guarantee will carry over to a new collective agreement, and what a new bargaining agent could guarantee to its members.

3. On the question of whether you can get a “guarantee” that benefits “will be carried over in full”, or whether switching to a new bargaining agent will mean that nurses lose all of the benefits and arbitration wins you’ve gotten in previous or current collective agreements:

It’s important to understand that there is never any legal guarantee that terms and benefits from one collective agreement automatically carry over into the next iteration of that collective agreement – even when the bargaining agent and employer remain unchanged. The law simply says that the employees’ association (currently the UNW, by law) and the Minister’s representatives (GNWT) will meet and bargain collectively in good faith. In very general terms, the duty to bargain in good faith requires the parties to engage in honest and meaningful negotiations with the goal of reaching an agreement. It does not necessitate or oblige the parties to accept previously agreed upon terms and conditions (although there is the presumption in negotiations that an existing collective agreement would be considered the baseline). All terms and conditions (unless protected by law ie. Statutory holidays) are subject to negotiation, and as such each party to negotiations can make proposals (ie. Rollbacks, improvements, status quo, etc.) for consideration by the other. Legally speaking – it doesn’t matter whether it’s the UNW or a new bargaining agent; each would begin from the same starting point when it’s time to negotiate a new collective agreement.

Previous arbitration decisions are based on context-specific language found in a collective agreement between an employer and bargaining agent. Whenever the collective agreement changes – whether it’s the same or a new bargaining agent - there are factors that could potentially affect on the application of previous arbitration decisions:

- Substantive changes to provisions/language in new collective agreement – past arbitration decisions interpreting previous language may not be relevant

- based on the provisions found in the new collective agreement;
- Same/similar provisions/language in new collective agreement – past arbitration decisions interpreting the same language would more than likely be accepted and given weight by arbitrators, given the language/provisions are unchanged from the previous collective agreement.

So, if there was a new bargaining agent and they wanted to make sure that previous arbitration decisions would continue to apply, they would just need to advocate at the bargaining table for the same language to be used as the previous collective agreement.

It is important to understand that **a collective agreement is not a document that is “owned” or proprietary to the particular union bargaining team that negotiates it.**

The collective agreement belongs to its members, and should be freely available and accessible to them. Even if those members choose a different bargaining agent, you don’t “lose” access to your existing collective agreement. Members are free to bring forward the same or similar provisions into a new round of collective bargaining (or different or expanded demands/provisions if they wish).

4. On the common question of a “bridging agreement”:

A “bridging agreement” is a temporary/interim agreement struck between an employer and a bargaining agent, to cover the period between when an existing collective agreement expires and a new one can be agreed upon and come into effect (or else, if the group was previously not part of a union, for the period leading up to a brand new collective agreement). It is NOT something that can somehow guarantee that all provisions in an existing collective agreement will be automatically transferred into a new collective agreement (that type of thing does not exist, as discussed above).

There is already a provision in my private member’s bill (section 6(3)) ensuring that the existing collective agreement would continue to be in effect for nurses until a new one is bargained by the new employees’ association, leaving no “limbo” period in between, so that would essentially serve the same function as a bridging agreement.

5. On the question of how nurses in supervisory or management roles will be classified:

Bill 26 makes no changes whatsoever to how nurses in supervisory or management roles will be classified.

I hope that helps to clear up the confusion. Again, thank you for reaching out and I’m happy to chat further about this at any time – either in person or over the phone or virtually.

Shauna Morgan

MLA Yellowknife North | Député de Yellowknife Nord
(She/Her/Elle)

Northwest Territories Legislative Assembly | L'Assemblée Législative des Territoires du Nord-Ouest

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From: Sherman Cavanaugh <Sherman_Cavanaugh@gov.nt.ca>

Sent: Friday, August 15, 2025 4:23 PM

To: Shauna Morgan <Shauna_Morgan@ntassembly.ca>; Robert Hawkins <Robert_Hawkins@ntassembly.ca>; Kate Reid <Kate_Reid@ntassembly.ca>; Kieron Testart <Kieron_Testart@ntassembly.ca>

Cc: Erin Currie <Erin_Currie@gov.nt.ca>; Emily Heeringa <Emily_Heeringa@gov.nt.ca>; Marie Buchanan <Marie_Buchanan@gov.nt.ca>; Ronald Valdriz <Ronald_Valdriz@gov.nt.ca>; Mary Pambid <Mary_Pambid@gov.nt.ca>; Sherman Cavanaugh <Sherman_Cavanaugh@gov.nt.ca>; Kimberly Minoza <Kimberly_Minoza@gov.nt.ca>; Dale Matheson <Dale_Matheson@gov.nt.ca>; Toyie Jeethan <Toyie_Jeethan@gov.nt.ca>; Victoria Capela <Victoria_Capela@gov.nt.ca>; Margaret-Ann Bowden <Margaret-Ann_Bowden@gov.nt.ca>; Emily Heeringa <Emily_Heeringa@gov.nt.ca>; Seetal Patel <Seetal_Patel@gov.nt.ca>; Allyson Arychuk <Allyson_Arychuk@gov.nt.ca>; Sara Hollinshead <Sara_Hollinshead@gov.nt.ca>; Edward Salaveria <Edward_Salaveria@gov.nt.ca>; Shawna Tohm <Shawna_Tohm@gov.nt.ca>; Serge Provencal <Serge_Provencal@gov.nt.ca>; Josee-Anne Spirito <Josee-Anne_Spirito@gov.nt.ca>; Joel Neudorf <Joel_Neudorf@gov.nt.ca>; Joyce Yap <Joyce_Yap@gov.nt.ca>; Samantha Brooks <Samantha_Brooks@gov.nt.ca>; Stephanie Weatherby <Stephanie_Weatherby@gov.nt.ca>

Subject: FW: Before I send it to MLA , please review, come by and sign this am please. See attachment and sign if you can't come to Pod A tks

Subject: Concerns Regarding Proposal

Dear Honorable Shauna Morgan,

We appreciate the effort and intention behind your proposal; however, after careful review, we have identified significant gaps and uncertainties that prevent us from supporting it in its current form.

Those of us who have signed this letter from LPCC/YPCC are committed to protecting the rights, benefits, and security of our members, and we cannot endorse changes that lack clear protections or measurable advantages.

Without concrete assurances, we are not in a position to vote “yes” at this time.

- It can take years to develop a collective agreement and even longer to negotiate it. In the interim, we would be left without such an agreement, leaving our benefits and wages vulnerable to changes at the sole discretion of the GNWT.
- Our accumulated seniority, earned vacation, sick leave, and special leave would not be recognized until negotiations are finalized—potentially years in the future.
- It remains unclear whether nurses currently working in supervisory or management roles would be recognized or included under the proposed structure.
- We seek a guarantee that the benefits we currently experience under the existing collective agreement will be carried over in full, and that these will be protected and/or bargained as part of any new agreement.
- We are concerned about the impact on staff who are approaching retirement and were being grandfathered under the current agreement. It is unclear how this initiative might affect their entitlements and earned benefits.
- We also ask for a clear guarantee that this initiative will result in an impactful and measurable improvement for our members, rather than a change with uncertain or negligible benefit.

Note, because of the summer schedule, many are on leave; more to follow.

We respectfully request more detailed information and concrete assurances on these matters before we can consider supporting the proposal.

Sincerely,

September 05, 2025

Gayla Thunstrom
President
Union of Northern Workers
thunstg@unw.ca

Follow-up to August 29 Briefing on Bill 26: An Act to Amend the *Public Service Act*

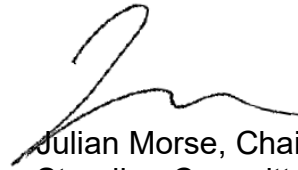
The Standing Committee on Government Operations (Committee) thanks you, Adrienne Cartwright, and Chris Parsons for appearing before it on August 29 to provide the Union of Northern Workers' (UNW) perspective on Bill 26: An Act to Amend the *Public Service Act*. Committee appreciates your offer to provide additional documentation and information upon request.

Committee has additional questions that arose following the briefing:

- Could the UNW provide statistics or additional information related to the number of times while in bargaining talks that the UNW has brought forward proposals related to healthcare workers that were rejected by the employer and not included in the final agreement over the past 15–20 years?
 - Committee recognizes that details of specific requests are likely confidential. Could the UNW provide a summary of each item, or group of items (e.g. “remuneration”, “nurse-patient ratios”)?
- Ms. Thunstrom noted that of the UNW’s approximately 7,000 members, roughly 550 were nurses that would be directly impacted by Bill 26. Committee would like to know how many of the 550 are employed in Yellowknife.
 - If possible, Committee seeks to receive this information broken down by profession (e.g. Licensed Practical Nurses, Registered Nurses, Nurse Practitioners, etc.).

.../2

Thank you for your time and consideration. We look forward to your response, and would be pleased to receive any additional information should you have anything further to share as Committee continues its review of Bill 26.

A handwritten signature in black ink, appearing to read 'Julian Morse', with a stylized, flowing script.

Julian Morse, Chair
Standing Committee on
Government Operations

- c. Committee Members, Standing Committee on Government Operations
Clerk, Standing Committee on Government Operations
Advisor, Standing Committee on Government Operations

September 11, 2025

Josée-Anne Spirito
Regional Executive Vice-President, North
Public Service Alliance of Canada
spiritj@psac-afpc.com
mantona@psac-afpc.com

Gayla Thunstrom
President
Union of Northern Workers
thunstg@unw.ca

Dear Josée-Anne Spirito and Gayla Thunstrom,

Follow-up to September 10 Briefing on Bill 26: An Act to Amend the *Public Service Act*

The Standing Committee on Government Operations (Committee) thanks Josée-Anne Spirito, Shannon Blatt and Aaron Manton for appearing before it on September 10 to provide the Public Service Alliance of Canada North's (PSAC North) perspective on Bill 26: An Act to Amend the *Public Service Act*. Committee appreciates your offer to provide additional documentation and information upon request.

Committee has additional questions that arose following the briefing, and would appreciate receiving a response from both PSAC North and the Union of Northern Workers (UNW):

- In your view, do any of Bill 26's provisions prevent nurses from choosing the UNW to become their authorized bargaining agent?
- Similarly, could nurses establish their authorized bargaining agent to be a new subsidiary (unit / local) of the UNW to negotiate towards a separate collective agreement for nurses, similar to Northwest Territories Power Corporation and NWT Housing Associations, who have separate collective agreements and who negotiate them separately?

 $\dots/2$

Thank you for your time and consideration. We look forward to your response as Committee continues its review of Bill 26.



Julian Morse, Chair
Standing Committee on
Government Operations

- c. Committee Members, Standing Committee on Government Operations
Clerk, Standing Committee on Government Operations
Advisor, Standing Committee on Government Operations



September 15, 2025

INFORMATION OR COMMUNICATIONS PUBLIC

JULIAN MORSE
CHAIRPERSON
STANDING COMMITTEE ON GOVERNMENT OPERATIONS

**Follow-up to the July 21, 2025 letter on the
Briefing on Bill 26: An Act to Amend the *Public Service Act***

Thank you for your letter of July 21, 2025, in follow-up to the public briefing on the Department of Finance's perspectives on Bill 26, *An Act to Amend the Public Service Act*, and ongoing efforts to review and modernize the *Public Service Act*, offered before the Standing Committee on Government Operations (Committee) on July 15, 2025.

I am pleased to respond to the following questions posed by Committee.

1. Has the Minister's position on the Bill been communicated to Cabinet?

While I am not able to speak to confidential Cabinet discussions, the position I have **communicated** to Committee is consistent with the position I expressed at the second reading of Bill 26, where the members of the Legislative Assembly including the Executive Council were present.

As I stated during the second reading of Bill 26, the Government of the Northwest Territories (GNWT) is committed to exploring both the right to determine a bargaining association and the entity that represents that association through an acceptable certification process by an independent body such as a labour relations board that considers both practical and legal requirements, and is grounded in fairness, transparency, and the principle of employee choice. However, I also indicated clearly that Bill 26 will not address these issues and is not the right tool to create positive, effective and efficient change to collective bargaining in the Northwest Territories' public service. Further review, engagement, and consultation is needed prior to addressing these issues in legislation.

I am committed to tabling a draft bill in 2026 to amend section 41 of the Public Service Act following a review of certification processes Canada-wide (which is now complete), engagement with our longstanding bargaining partners – the Union of Northern Workers (UNW), the Northwest Territories Teachers' Association (NWTTA) and the Public Service Alliance of Canada (PSAC), and consultation with public service employees.

.../2

2. Does the adoption of Bill 26 interrupt, supplant, or require a restart of the GNWT's Phase II amendments to the *Public Service Act*?

The effect of adopting Bill 26 is unclear on both the GNWT's Phase II amendments and any subsequent potential certification application for nurses. As mentioned above, I have committed to tabling a draft bill in 2026 to amend section 41 and that work is already underway. Determining a collective bargaining certification process, in a manner that is appropriate to the specific context of the Northwest Territories, and is compliant with the Canadian Charter of Rights and Freedoms (Charter) provisions on freedom of association, is complex and requires a comprehensive and consultative legislative process that respects the interests of public service workers (including nurses and others that may want to collectively organize), existing unions, and the government.

I acknowledge that Bill 26 was introduced as a Private Member's Bill due to a perception that the government was slow to amend the *Public Service Act*, and I appreciate it is intended as a positive step to support nurses and the healthcare system. Despite these good intentions, it may in fact have the opposite outcome.

Bill 26 affords an opportunity to a specific group of public service workers (nurses) without affording that same opportunity to other workers, either separately or collectively with nurses. The designation of nurses as those defined as a member in subsection 1(1) of the Nursing Profession Act ignores the freedom of association of, for example, others in the healthcare profession who may perform roles that are complementary to those performed by nurses and may benefit from bargaining collectively with nurses. Nurses may also want to bargain with those persons performing complementary roles but will be prevented from doing so.

Further, it is the position of the Department of Finance that Bill 26 is not compliant with the Charter. It is inappropriate for a legislature to bring into force a piece of legislation that is known to violate the Charter and could trigger legal challenges. Legal challenges would not only delay the implementation of the Bill itself but could also halt progress on Phase II amendments, as the GNWT would need to expend significant effort to defend the Bill in court.

Another challenge with Bill 26 is that it does not establish a process for the Supreme Court of the Northwest Territories to hear a certification application, leaving it to the discretion of the court to adopt such a process. In provinces and territories with specialized labour relations boards, there are processes that allow the applicants for certification, the existing union, and the employer to make submissions to the board before a decision on certification is made. The primary role of their courts regarding certification of bargaining units is to hear any judicial review applications from board decisions.

In contrast, on reviewing Bill 26, it is not clear which entity, or court would review certification decisions made by the Supreme Court of the Northwest Territories. Since Bill 26 would empower the Supreme Court of the Northwest Territories to certify a representative body for nurses, the Supreme Court of the Northwest Territories would be precluded from judicially reviewing its own decisions on certification.

Additionally, it is typically courts, and not labour relations boards, who hear proceedings about the constitutionality of enabling legislation. It is without legal precedent or equivalent in Canada for the very entity that certifies a representative body – the Supreme Court of the Northwest Territories in this case - to be the same entity to hear legal challenges on the constitutionality of the Bill. The court's role should be limited to legal issues and not certification applications that are best dealt with by an independent and specialized administrative body such as a labour relations board.

3. Can the Minister comment on what impacts the adoption of Bill 26 could have on negotiations with the UNW set to begin in the winter of 2025-26?

Significant and immediate implications for the upcoming round of collective bargaining can be expected. The GNWT has committed to engaging with the unions on Phase II changes to the Public Service Act. Bill 26, if passed, could be perceived as a unilateral and adversarial action that has the potential to erode trust resulting in a potentially contentious round of bargaining.

If notice to bargain is served by either party, the GNWT will be prohibited from making any changes that would impact the terms and conditions of employment without the agreement of the UNW. This would include any progress on implementing Bill 26 and would normally also extend to the proposed Phase II work. However, the UNW has indicated their interest in continuing to engage with the GNWT on Phase II during the next round of bargaining. On May 23, 2025, Gayla Thunstrom, the President of the Union of Northern Workers; Josée-Anne Spirito, the PSAC North Regional Executive Vice President; and I, issued a joint *"Media Statement – Joint Commitment to Collaborative Progress on Public Service Act Amendments"* whereby we affirmed a shared commitment to continuing conversations on section 41. I maintain that it is through working with the UNW, PSAC and the NWTTA that meaningful and sustainable amendments to section 41 will be brought into effect. The unions have perspectives that need to be considered in respect to section 41. Engagement with stakeholders is critical to ensuring fairness, transparency, adherence to existing collective agreements and constitutional compliance.

4. Would the GNWT be prevented from proposing legislative amendments to address section 41 of the Act should nurses initiate a new bargaining process by that point?

This may depend on the specific circumstances, but it likely would complicate the proposed legislative amendments of the GNWT and introduce substantial uncertainty, particularly if a union was part way through a process of applying to bargain collectively on behalf of nurses and/or if a legal challenge was launched against the adoption of Bill 26.

The Bill does not include a timeline for establishing a new union and lacks details regarding process. For example, our jurisdictional review found that it is common for labour legislation to define an open period, usually near the end of a collective agreement, during which applications for certification and decertification can be made. This timeline provides stability and reduces the potential for constant disruption. Likewise, labour legislation typically sets out legal requirements to ensure the legitimacy and accountability of union applicants for certification, such as filing a copy of their constitution and bylaws with the labour board, and prohibitions against fraud and employer interference in the certification process. Bill 26 speaks to an electronic or paper vote that must occur for the Court to authorize an applicant to collectively bargain on behalf of nurses but does not explain who is responsible for administering the vote.

Given the ambiguity in how the certification application process would unfold as proposed by Bill 26, it is probable that the adoption of Bill 26, and a subsequent certification application under the process outlined in the Bill, would delay the GNWT's ability to introduce a bill to further amend section 41 of the *Public Service Act*.

It should also be noted that changes of this magnitude can often result in further morale issues if made without due consultation for impacted parties.

For the aforementioned reasons, the GNWT maintains that Bill 26 is not the appropriate vehicle for reform and that moving forward with Phase II of the *Public Service Act* remains the most effective, comprehensive and responsible path forward.

The Department of Finance appreciates the opportunity to present feedback on Bill 26 and would be pleased to return at a future meeting to provide additional information, respond to members' questions, and address points raised during other public briefings and meetings held as part of the Committee's review.



Caroline Wawzonek
Minister of Finance

Distribution List

Members of the Legislative Assembly

Chief of Staff

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Clerk, Standing Committee on Government Operations

Advisor, Standing Committee on Government Operations

Committee Members, Standing Committee on Government Operations

September 24, 2025

SHAUNA MORGAN
MEMBER OF THE LEGISLATIVE ASSEMBLY FOR YELLOWKNIFE NORTH

Follow-up to September 23 Public Meeting on Bill 26: An Act to Amend the *Public Service Act*

On September 23, 2025, the Standing Committee on Government Operations (Committee) held a public meeting on Bill 26: An Act to Amend the *Public Service Act*.

During the meeting, a member of the public, Ms. Vivian-Lei Silverio-Chua, presented the following questions to Committee:

1. **Continuity of benefits and protections** – will current benefits, entitlements, and previously arbitrated decisions under the Union of Northern Workers Collective Agreement automatically carry over if nurses form their own bargaining unit?
2. **Impact on healthcare delivery** – what safeguards will be in place to ensure patient care and staffing stability during any transition period leading to the establishment of a separate bargaining agent for nurses?

Committee committed to forwarding these questions to the sponsor of Bill 26 to provide responses directly to Ms. Silverio-Chua.

Committee would appreciate if you could provide your response, as sponsor of Bill 26, directly to Ms. Silverio-Chua at Vivian-lei_silverio-chua@gov.nt.ca. Committee also requests that the Committee Clerk be copied on your response in order for this correspondence to form part of the public record of Committee's study of Bill 26. The Committee Clerk can be reached at Angus_Wilson@ntassembly.ca.

Thank you for your follow-up on the above matter; Committee looks forward to receiving your response.



Julian Morse, Chair
Standing Committee on
Government Operations

c. Distribution list

Distribution list

Members of the Legislative Assembly

Committee Members, Standing Committee on Government Operations

Clerk, Standing Committee on Government Operations

Advisor, Standing Committee on Government Operations

From: [Shauna Morgan](#)
To: [Vivian-Lei Silverio-Chua](#)
Cc: [Angus Wilson](#); [Julian Morse](#); [Sarah Kalnay-Watson](#)
Subject: Response to your questions raised at public hearing
Date: September 24, 2025 18:44:38

Good evening Vivian-Lei,

I was listening to your questions raised at the public hearing yesterday about Bill 26, and would like to provide you with some responses here. As well, I would be happy to meet with you in person to better understand your situation, your concerns, and discuss any further questions that might come up. Feel free to reach out to me directly at Shauna_Morgan@ntassembly.ca.

1. Continuity of benefits and protections – *will current benefits, entitlements, and previously arbitrated decisions under the Union of Northern Workers Collective Agreement automatically carry over if nurses form their own bargaining unit?*

There is no legal difference between what an existing union can guarantee will carry over to a new collective agreement, and what a new bargaining agent could guarantee to its members.

It's important to understand that there is never any legal guarantee that terms and benefits from one collective agreement automatically carry over into the next iteration of that collective agreement – even when the bargaining agent and employer remain unchanged. The law simply says that the employees' association (currently the UNW, by law) and the Minister's representatives (GNWT) will meet and bargain collectively in good faith. In very general terms, the duty to bargain in good faith requires the parties to engage in honest and meaningful negotiations with the goal of reaching an agreement. It does NOT mean that either of the parties have to accept previously agreed upon terms and conditions (although there is the presumption in negotiations that an existing collective agreement would be considered the baseline). All terms and conditions (unless protected by law ie. Statutory holidays) are subject to negotiation, and as such each party to negotiations can make proposals (ie. Rollbacks, improvements, status quo, etc.) for consideration by the other. Legally speaking – it doesn't matter whether it's the UNW or a new bargaining agent; each would begin from the same starting point when it's time to negotiate a new collective agreement.

Previous arbitration decisions are based on context-specific language found in a collective agreement between an employer and bargaining agent. Whenever the collective agreement changes – whether it's the same or a new bargaining agent - there are factors that could potentially affect on the application of previous arbitration decisions:

- Substantive changes to provisions/language in new collective agreement – past arbitration decisions interpreting previous language may not be relevant based on the provisions found in the new collective agreement;
- Same/similar provisions/language in new collective agreement – past arbitration decisions interpreting the same language would more than likely be accepted and given weight by arbitrators, given the language/provisions are unchanged from the previous collective agreement.

So, if there was a new bargaining agent and they wanted to make sure that previous arbitration decisions would continue to apply, they would just need to advocate at the bargaining table for the same language to be used as the previous collective agreement.

It is important to understand that **a collective agreement is not a document that is “owned” or proprietary to the particular union bargaining team that negotiates it.**

The collective agreement belongs to its members, and should be freely available and accessible to them. Even if those members choose a different bargaining agent, you don’t “lose” access to your existing collective agreement; it doesn’t suddenly “evaporate”. Members are free to bring forward the same or similar provisions into a new round of collective bargaining (or different or expanded demands/provisions if they wish).

I should be clear that I think you are absolutely right in asking questions and in seeking more information about any proposed new bargaining agent– what would a new/different group offer me that I can’t get from my existing union (UNW)? My position has been that I think it’s your right to have any choice at all (currently you don’t have one) – if nurses compare the UNW to some other option and think the UNW is the best choice, that’s great. The entire purpose of Bill 26 is to provide you with a choice that you do not currently have. If Bill 26 passed, it would not automatically force anyone to do anything – it would not automatically create a new bargaining agent. It would not even automatically mean a vote would be held amongst nurses. It would allow for a process to begin, where, if a group wants to form and is interested in being the bargaining agent for NWT nurses, they could present their plan to NWT nurses and try to make a case for why they think they could be a better choice for a bargaining agent. First, they would have to make a good enough case that they could convince the majority of NWT nurses to vote for them. Second, they would have to make a case to the NWT Supreme Court to convince the court that the process was done fairly, free of fraud and political interference. If they failed at either of these things, then the status quo would prevail.

2. Impact on healthcare delivery – what safeguards will be in place to ensure patient care and staffing stability during any transition period leading to the establishment of a separate bargaining agent for nurses?

There is a clause in Bill 26 (section 6(3)) that in the event nurses received authorization

by the NWT Supreme Court to negotiate a separate collective agreement, the existing collective agreement would continue to apply to nurses until a new collective agreement was entered into. That would ensure stability, continuity and predictability for staff—the terms of your existing collective agreement would continue to apply, you wouldn't be left in limbo without any collective agreement in place.

There would be no effect on staffing decisions, policies and protocols for patient care that are under the control of the employer – how many positions to fund, how many and which staff to hire, etc.

My hope is that a nurse-specific collective agreement could make the NWT a more enticing and competitive place to work and eventually lead to better retention and recruitment of nurses, the way nursing unions in the provinces have been able to win significant gains both for their members and for their healthcare systems as a whole (like the introduction of safe staff to patient ratios in the B.C. collective agreement). My hope is that it could eventually lead to better patient care and better staffing stability. Of course, legislators do not have direct control over these things. However, we are the only ones who can make changes to laws, such as the NWT Public Service Act which currently does not respect workers' right to choose your bargaining agent, so it needs to be changed.

Thank you for caring about this issue, for being part of the conversation, and as I said I would be quite happy to meet with you in person to continue the conversation.

Mársi | Kinanaskomitin | Thank you | Merci | Hai' | Quana | Qujannamiik | Quyanainni | Máhsi | Máhsi | Mahsi`

Shauna Morgan

MLA Yellowknife North | Député de Yellowknife Nord
(She/Her/Elle)

Northwest Territories Legislative Assembly | L'Assemblée Législative des Territoires du Nord-Ouest

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Dear Standing Committee on Government Operations

We would like to take this opportunity to provide clarity regarding remarks made to the Standing Committee on Government Operations by the Union of Northern Workers and the Northern Territories Federation of Labour. In both parties' remarks, it was stated that CANNN is attempting to become the bargaining agent for nurses, thereby violating our role as regulator and engaging in union raiding.

These are serious allegations, and it is important that the record be set straight. CANNN has consistently and publicly affirmed that we would not pursue collective bargaining, as this would create an inherent conflict of interest. We have no interest in, nor are we pursuing, any role related to the unionization of nurses. Our sole intent has been to acknowledge and support the voices of nurses who sought our involvement. It was in this context that we presented the findings of our survey.

As part of refining our mandate, a new professional association—the Northwest Territories and Nunavut Association of Nurses (NTNAN)—will be launched in early 2026. At that time, CANNN will move forward with a singular mandate as the regulatory body, with our core responsibility being the protection of the public through the safe and effective regulation of the nursing profession.

NTNAN will be a separate and independent entity. Once established, we trust that it will continue to advocate for the voices of nurses in the Northwest Territories and Nunavut. It is therefore essential that nurses, stakeholders, and the public understand that recent statements suggesting otherwise are inaccurate and misleading.

Megan Wood

Chief Executive Officer / Registrar
College and Association of Nurses of the Northwest Territories and Nunavut



To: Julian Morse MLA, Chair, Standing Committee on Government Operations

Cc: Committee Members, Standing Committee on Government Operations
Clerk, Standing Committee on Government Operations
Advisor, Standing Committee on Government Operations
Executive Administrative Coordinator, Office of the Clerk
Gayla Thunstrom, President, Union of Northern Workers

Re: Follow-up to September 10 Briefing on Bill 26: An Act to Amend the *Public Service Act*

October 1, 2025

Dear MLA Morse,

In response to your correspondence – dated September 11, 2025 – with follow-up questions regarding PSAC North's briefing to the Standing Committee on Government Operations on Bill 26: An Act to Amend the *Public Service Act*, we are pleased to provide the following information on behalf of PSAC North and UNW.

In response to your first question, the provisions in Bill 26 would not prevent nurses from choosing *any* association to become the authorized bargaining agent for a separate bargaining unit of nurses, whether that be the existing agent (UNW), another existing association, or one yet to be established.

However, we cannot emphasize strongly enough that the low standards and lack of basic controls and procedural safeguards around certification in Bill 26's provisions create a real danger that the genuine wishes of nurses on the question of whether to bargain separately from the larger unit of GNWT employees would not be reliably determined. We spoke at length on this subject in our oral presentation. In addition, the Employer could find itself facing a contentious and disruptive legal conflict within its workforce as it struggles to recruit and retain health care workers, due to the deficient processes set out in Bill 26.

Just as importantly, it remains the case that regardless of who nurses might choose as their bargaining agent, they would still be required to negotiate a first collective agreement for a separate bargaining unit of nurses, at the risk of losing the terms and conditions of employment that have been bargained for over the years, as well as arbitrated grievance wins.

In response to your second question, if nurses chose to authorize UNW as the bargaining agent for a separate bargaining unit of nurses, it would be open to UNW to establish a new Local comprised only of nurses. In fact, as discussed in their oral presentation, UNW was in the process of investigating an internal reorganization of health care workers before this member-driven exploration was disrupted by the introduction of Bill 26. Any process of creating a new Local exclusively for nurses would be conducted in accordance with the union's existing, democratic processes outlined in the UNW Bylaws and PSAC Constitution, and only if this were the expressed wish of the affected members.

We must clarify, however, that employees of NTPC are not all assigned to a single Local.

Rather, employees of NTPC are members of three different Locals based on region and operations. As well, with respect to your mention of NWT Housing Associations (Authorities), we must bring to your attention that those numerous entities are governed by the Canada Labour Code, not the NWT *Public Service Act*, and that there is a separate bargaining unit of employees at each Housing Authority's location. They are not all assigned to the same Local; each Housing Authority is assigned its own Local.

Having said all of this, we must emphasize that any establishment of new Locals could not be accomplished through Bill 26's provisions or any other amendments to the *Public Service Act*. Unions are self-governing, and to legislate such matters of internal governance and organization would be a fundamentally undemocratic intrusion into a union's internal affairs, and an unconstitutional overreach by the legislature.

We appreciate your ongoing interest in our perspective on Bill 26 and reiterate our support of establishing mechanisms to ensure neutrality and fairness through the ongoing modernization of the *Public Service Act*. We remain available to address any additional questions or concerns you may have on this matter.

In solidarity,



Josée-Anne Spirito
Regional Executive Vice-President
PSAC North



October 1, 2025

Mr. Julian Morse, Chair
Standing Committee on Government Operations
NWT Legislative Assembly

via email Julian_Morse@ntassembly.ca
Larissa_LeMouel@ntassembly.ca

Dear Mr. Morse and Committee,

Re: Bill 26 - Follow up

The UNW appreciates the opportunity to present to committee on August 29th and providing more context here. Additional information requested by committee is provided in parts 1 and 2 of this document. In part 3, we are clarifying and correcting some information presented to the committee over the course of this process, and providing examples and resources for further research where appropriate.

Having said this, I hope that the UNW's position on Bill 26 and reasons do not get lost in the overabundance of peripheral information that has been and is being provided.

The UNW is strongly opposed to this bill because:

- it does not address the issues that we have heard from members nor what was presented in the Bill proposal;
- there is no consensus or frontrunner on what UNW members, or nurses, or healthcare workers want, and this Bill has caused major rifts amongst member coworkers;
- we have committed to working meaningfully with the GNWT on revisions to Section 41 during phase 2 consultations;
- most importantly, there are too many serious errors, omissions, and uncertainties in the legal language in Bill 26.

The UNW is not opposed to a customized NWT Labour Board. Our concern is ensuring that any new legislation does not cause damage and/or uncertainties, but instead provides strong legal protection for labour rights and members of the territorial public service.

Sincerely,

Gayla Thunstrom,
UNW President

Part 1 - Healthcare in bargaining

PSAC North's presentation on September 10th provided the Committee with many of the important collective bargaining **achievements** that have been made over the years by the UNW/PSAC member bargaining teams.

These are some examples of the healthcare proposals that have been brought forward in negotiations that the Employer has refused to agree to or negotiate:

- Last increase for shift premiums was in 2009, from \$2.00/hour to \$2.50/hour
- More flexibility for healthcare workers for employee requests for shift changes.
- Distribution of overtime to healthcare employees first over agency workers.
- Retention allowances for healthcare workers built into the collective agreement (this is different than the Labour Market Supplement).
- A dedicated vehicle with appropriate child protective equipment specifically for Social Services employees, in each community.
- Defined caseloads for Child and Family Services

Patient – Staff Ratios

Please note that while it has been discussed widely over the years, to our knowledge this topic has not been brought forward by healthcare workers as an official proposal to the UNW bargaining team in the past. We **have** heard from members at various meetings and consultations over the past five years that since the COVID-19 pandemic, when the healthcare workforce suffered a large exodus of workers, that this issue has risen to a major concern for nurses. We have brought it to the Employer's attention in numerous other forums, and the employer has told the union unequivocally it will not be considered by the department.

This is a good time to reiterate that the Bill **does not change who the employer is**, so a separate bargaining unit would hear the same refusals and arguments from the same employer at the bargaining table.

Part 2 - Numbers of UNW member nurses

Please note that these figures fluctuate due to the number of casual positions (also known as “locums” to the general public) and active relief positions at any given time. Our data is up to 2 months out of date, due to the times that we receive the Employer reports. If you request this data of the Employer(s), you will have more accurate and timely information.

GNWT bargaining unit (all members) ~7015

HRHSSA bargaining unit (all members) ~ 239

	LPN	RN	NP	?	Total Nurses
GNWT					
All Yellowknife	71	422	8		501
Stanton/Local 11	38	271			309
WSCC (YK + Iqaluit)		4			4
Aurora College		14			14
All other YK	33	151	8		192
All Inuvik	16	41	1		58
All other communities	34	94	2		130
HRHSSA	13	27	2	6	48
TOTALS	134	584	13	6	737

We also have nurse members at Avens, but we aren’t able to pull those numbers as they are not specified on the reports we receive from the Employer.

In addition, there are nurses who are in excluded positions in the GNWT to consider who are obviously not included in our numbers.

Some additional information is provided in **Appendix A** that may assist you in understanding casual and relief positions.

Part 3 - Public Statements to Committee on Bill 26

This section addresses some statements that the sponsor of the Bill has made in a submission to this committee, dated September 3, 2025, as well as a similar email that the sponsor sent to a group of UNW members.

- It has come up multiple times during discussions about Bill 26 that there are no jurisdictions outside the NWT and Nunavut that legislate a designated bargaining unit. In fact, legislation that designates the bargaining agent for employees is not uncommon, and we touched on this briefly in our presentation to the Committee.

Appendix B provides examples of jurisdictions where this practice has been upheld by courts.

- As discussed previously, in a nurses-only or even healthcare-only bargaining unit, the vast majority (80% or more) of the members would be deemed “essential” and unable to conduct a meaningful strike.

For example, when HRHSSA members voted in favour of strike action in 2023, 83% of the bargaining unit was deemed “essential” by an arbitrator. This is a bargaining unit that includes allied health professionals and administrative workers. Strike action is the only leverage that union members have in negotiations.

Under the Canada Labour Code, in these situations, groups who are predominantly “essential” are often forced to go to binding arbitration in the event of a dispute. Neither the *Public Service Act* nor the proposed Bill actually address arbitration in any way for negotiations. This avenue – as objectionable as it is to unions – would not even be available to a nurses-only bargaining unit.

A very recent and relevant example of a healthcare-only union forced to arbitration on a collective agreement, is the Ontario Nurses Association. More information about this example can be found in **Appendix C**.

- Lastly, on September 5, the sponsor of Bill 26 sent an email response to a list of questions asked by a group of UNW members who are nurses. The MLA’s response included strongly worded legal representations which are very incorrect.

As an elected official and legislator, an MLA’s statements – rightly or wrongly – carry more weight and credibility than an average individual. When she uses unequivocal and explicit

phrases such as “...would be legally obligated...” and “...there is no legal difference...” and “Legally speaking...” she is representing herself as a legal expert providing legal advice.

We have consulted legal counsel on responses, which can be found in **Appendix D**.

Appendix A – Casual and Relief Nurses

Casual nurses take positions that are anywhere from 5 days to 6 months, with scheduled hours. They do NOT receive all provisions of the collective agreement (ie, excluded from vacation leave, sick leave, other leaves, pension, lay off, etc).

They are entitled to relocation in/out of the community, including up to 10 days accommodations (details included in Appendix A5 of the Collective Agreement). We have been told that the different regions treat housing for casual nurses differently – some receive reduced rent, some have housing covered completely, some have no housing assistance.

Relief nurses are indeterminate employees. They do not have regularly scheduled hours of work – they accept shifts at their own discretion. They are also excluded from parts of the CA around paid leaves and pensions. In lieu of these benefits, they receive additional 16% base salary as supplementary compensation (Appendix A1 of the CA).

The Union would prefer that the Employer focus on employing the more stable indeterminate and term workers, who are entitled to all provisions in the CA. However, we certainly support employing casual and relief nurses over agency nurses. Casual and relief nurses have often worked in the NWT for many years, accepting casual work that fits their lifestyles. They may or may not currently live in the NWT, but they often have the cultural awareness and sense of community that agency nurses do not.

Unfortunately, the Employer's use of agency nurses discourages nurses from taking casual positions with the GNWT. The perception is that agency nurses have better relocation and housing benefits. The overuse of agency nurses is edging out casual nurses; another negative side effect and long-term damage to the healthcare system.

Appendix B – Examples of Legislating a Designated Bargaining Unit

1. **Supreme Court of Canada** - [*Mounted Police Association of Ontario \[2015\] 1 SCR 3*](#) (the decision that granted RCMP members the right to unionize.)

[95] The Wagner Act model, however, is not the only model capable of accommodating choice and independence in a way that ensures meaningful collective bargaining. **The designated bargaining model (see, e.g., *School Boards Collective Bargaining Act, 2014, S.O. 2014, c. 5*) offers another example of a model that may be acceptable. Although the employees' bargaining agent under such a model is designated rather than chosen by the employees, the employees appear to retain sufficient choice over workplace goals and sufficient independence from management to ensure meaningful collective bargaining.** This is but one example; other collective bargaining regimes may be similarly capable of preserving an acceptable measure of employee choice and independence to ensure meaningful collective bargaining.

[96] Labour schemes are responsive to the interests of the parties involved and the particular workplace context. Different models have emerged to meet the specific needs of diverse industries and workplaces. The result has been ongoing debate on the desirability of various forms of workplace representation and cooperation and on their coexistence: D. J. Doorey, "Graduated Freedom of Association: Worker Voice Beyond the Wagner Model" (2013), 38 *Queen's L.J.* 511; B. W. Burkett, "The Future of the *Wagner Act*: A Canadian-American Comparison" (2013), 38 *Queen's L.J.* 363; D. Taras, "Reconciling Differences Differently: Employee Voice in Public Policymaking and Workplace Governance" (2007), 28 *Comp. Lab. L. & Pol'y J.* 167; Adams, at paras. 1.290 to 1.340.

[97] The search is not for an "ideal" model of collective bargaining, but rather for a model which provides sufficient employee choice and independence to permit the formulation and pursuit of employee interests in the particular workplace context at issue. Choice and independence do not *require* adversarial labour relations; nothing in the [*Charter*](#) prevents an employee association from engaging willingly with an employer in different, less adversarial and more cooperative ways. This said, genuine collective bargaining cannot be based on the suppression of employees' interests, where these diverge from those of their employer, in the name of a "non-adversarial" process. Whatever the model, the [*Charter*](#) does not permit choice and independence to be eroded such that there is substantial interference with a meaningful process of collective bargaining. **Designation of collective bargaining agents and determination of collective bargaining frameworks would therefore not breach s. 2(d) where the structures that are put in place are free from employer interference, remain under the**

control of employees and provide employees with sufficient choice over the workplace goals they wish to advance.

(at paras. 95-97, emphasis added)

2. **Ontario's School Boards Collective Bargaining Act, 2014** which is referred to at para. 95 in the example above, is another example that has been expressly approved by the Supreme Court of Canada.

3. **Alberta Crown Attorneys' Association v Alberta** (*Justice and Solicitor General*), 2023 ABCA 120.

Alberta Crown Attorneys objected to having the Alberta Union of Public Employees designated by legislation as their bargaining agent. In that matter, the challenge was dismissed at all levels, with the Supreme Court of Canada ultimately refusing leave to appeal and leaving the lower courts' decisions undisturbed. At all levels in that case, the decisions emphasized that section 2(d) of the *Charter* does not protect an absolute choice of bargaining agent.

4. The **Alberta Union of Public Employees** and the **United Nurses of Alberta** are both designated by statute as bargaining agents for specific public service employees.

More information about Section 2(d) of the Charter regarding organized labour:

<https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-ccdl/check/art2d.html>

Appendix C - Ontario Nurses Association arbitration

The Ontario Nurses Association is Canada's largest nurses-only union. They recently issued a press release condemning an arbitration decision on September 3, 2025, that set the terms of a two-year contract in favour of the employer.

"Hospital employers and the provincial government have benefitted from more than 15 years of failed bargaining settled by arbitrators that serve the interests of employers, not nurses and working people," says Ariss. "This decision once again puts the lie to the false promise that arbitration can deliver fairness without the right to job action. We wholly reject this decision."

- Ontario Nurses Association, Sept 3, 2025

Below is the full ONA news release, a link to ONA's submission to arbitration, and a link to the arbitrator's decision:

ONA NEWS RELEASE:

<https://ona.org/news/20250903-hospital-arbitration-decision/>

Full ONA submission to arbitrator:

https://access.ona.org/docs/default-source/members/2025hospitalbargaining_onaarbitrationbrief_20250429.pdf?sfvrsn=5d5fa0a9_3&gl=1*1bt22lo*_ga*MTgyNjUwNzY5My4xNzU3MDA2NjU1*_ga_FPL6GZB7QQ*cze3NTcwMDY2NTQkbzEkZzEkdDE3NTcwMDc5MTQkajYwJGwwJGgw

Full arbitrated decision:

https://ona.org/wp-content/uploads/2025/09/2025HospitalProvincial_ParticipatingHospitalsDecision_20250903.pdf

Appendix D – MLA “Legal Advice” to UNW Members

Below is an email response to UNW members from MLA Morgan. As you can see in one UNW member’s response, the MLA’s statements are being taken as 100% fact.

Factual corrections are highlighted in yellow and have been reviewed by PSAC legal counsel.

From: Sheila Laity <sheilalaity@hotmail.com>

Sent: Friday, September 5, 2025 11:06:55 a.m.

To: Shauna Morgan <Shauna_Morgan@ntassembly.ca>

Cc: Sherman Cavanaugh <Sherman_Cavanaugh@gov.nt.ca>; Robert Hawkins <Robert_Hawkins@ntassembly.ca>; Kate Reid <Kate_Reid@ntassembly.ca>; Kieron Testart <Kieron_Testart@ntassembly.ca>; DST_LEG_Committees <committees@ntassembly.ca>; Erin Currie <Erin_Currie@gov.nt.ca>; Emily Heeringa <Emily_Heeringa@gov.nt.ca>; Marie Buchanan <Marie_Buchanan@gov.nt.ca>; Ronald Valdriz <Ronald_Valdriz@gov.nt.ca>; Mary Pambid <Mary_Pambid@gov.nt.ca>; Kimberly Minoza <Kimberly_Minoza@gov.nt.ca>; Dale Matheson <Dale_Matheson@gov.nt.ca>; Toyie Jeethan <Toyie_Jeethan@gov.nt.ca>; Victoria Capela <Victoria_Capela@gov.nt.ca>; Margaret-Ann Bowden <Margaret-Ann_Bowden@gov.nt.ca>; Seetal Patel <Seetal_Patel@gov.nt.ca>; Allyson Arychuk <Allyson_Arychuk@gov.nt.ca>; Sara Hollinshead <Sara_Hollinshead@gov.nt.ca>; Edward Salaveria <Edward_Salaveria@gov.nt.ca>; Shawna Tohm <Shawna_Tohm@gov.nt.ca>; Serge Provencal <Serge_Provencal@gov.nt.ca>; Josee-Anne Spirito <Josee-Anne_Spirito@gov.nt.ca>; Joel Neudorf <Joel_Neudorf@gov.nt.ca>; Joyce Yap <Joyce_Yap@gov.nt.ca>; Samantha Brooks <Samantha_Brooks@gov.nt.ca>; Stephanie Weatherby <Stephanie_Weatherby@gov.nt.ca>; Sarah Kalnay-Watson <Sarah_Kalnay-Watson@ntassembly.ca>

Subject: Re: Before I send it to MLA , please review, come by and sign this am please. See attachment and sign if you can't come to Pod A tks

Thanks Shauna

I think this clearly explains some of Local 33’s myths!

Sheila

Sent from my iPhone

On Sep 5, 2025, at 10:05 AM, Shauna Morgan <shauna_morgan@ntassembly.ca> wrote:

Good morning Sherman and your colleagues in Primary Care,

First, thank you for sending this letter explaining your concerns about Bill 26.

I should be clear that I think you are absolutely right in asking questions and in seeking more information about any proposed new bargaining agent, including a potential NWT nurses' association – what would a new group offer me that I can't get from my existing union (UNW)? My position has been that I think it's your right to have any choice at all (currently you don't have one) – if nurses compare the UNW to some other option and think the UNW is the best choice, that's great. I agree that the choice should be informed.

The entire purpose of Bill 26 is to provide you with a choice that you do not currently have. If Bill 26 passed, it would not automatically force anyone to do anything – it would not automatically create a new bargaining agent. It would not even automatically mean a vote would be held amongst nurses. It would allow for a process to begin, where, if a group wants to form and is interested in being the bargaining agent for NWT nurses, they could present their plan to NWT nurses and try to make a case for why they think they could be a better choice for a bargaining agent. First, they would have to make a good enough case that they could convince the majority of NWT nurses to vote for them. Second, they would have to make a case to the NWT Supreme Court to convince the court that the process was done fairly, free of fraud and political interference. If they failed at either of these things, then the status quo would prevail.

Beyond that, I am concerned that there are some serious misunderstandings about what Bill 26 would do, and how the negotiation of any new collective agreement works.

1. Concern that you would be left without any collective agreement at all during the interim period and the GNWT could change your wages and benefits at whim.

This is absolutely not true. There is a clause in Bill 26 (section 6(3)) that in the event nurses received authorization by the NWT Supreme Court to negotiate a separate collective agreement, **the existing collective agreement would continue to apply to nurses until a new collective agreement was entered into**. The UNW would be legally obligated to continue their existing responsibilities for enforcing the current collective agreement, until a new one takes effect.

FALSE. Section 6(3) does not state that the existing collective agreement would continue to apply. It reads as follows:

Term or condition

(3) For greater certainty, any term or condition of employment that applies to nurses who are members of the Union of Northern Workers continues to apply

until a collective agreement is entered into by an employees' association that bargains on behalf of nurses

This is what would be called a "freeze" provision by experienced labour relations professionals, albeit a poorly drafted one. It does not keep the existing collective agreement (CA) in force. It plainly does not say that it does so.

Rather it keeps the terms/conditions of employment set out in that CA in force, which is an entirely different thing than keeping a CA itself in force. If another union has become the bargaining agent for nurses, it is that union that would have to enforce those frozen terms and conditions of employment.

UNW would no longer be the bargaining agent for nurses, so it would not be required, nor even would it be permitted on the face of things, to continue to represent the nurses. This is the most reasonable interpretation of an extremely poorly drafted clause. It does not make sense that UNW would still owe representational duties to the nurses after they have decertified in favour of a different union.

Misuse of the phrase "who are members of the Union of Northern Workers" should also be addressed. Membership in a union is not the same thing as membership in a bargaining unit. One can be an employee in a bargaining unit but not necessarily be a member of the union. For example, if someone is suspended from membership in good standing because of a disciplinary offence under the union's constitution, or if they have simply not signed an application for membership in the union (i.e. union card), they would not be a member in good standing, i.e. not a member of the union. If someone is off work for an extended period, their dues payments would lapse and cause a loss of membership in good standing. Under the text of this Bill, those workers would not have the benefit of the "freeze" provision, because they aren't members.

2. Concern you could lose your accumulated pensions, benefits, seniority, vacation leave etc.

There is no way you could lose any pension or benefits you have already earned or accumulated so far. In terms of future benefits - there is no legal difference between what an existing union can guarantee will carry over to a new collective agreement, and what a new bargaining agent could guarantee to its members.

Pensions would depend on if the GNWT would maintain or carry over your pension in a new CA. It is correct that you would not lose pension already earned/accumulated so far as long as you have passed your vested period.

The other things listed - those things are absolutely at risk.

They aren't at risk during the first six months of the period in which a new nurses' union attempts to bargain a CA with the employer, because those particular terms/conditions will be frozen by s.6(3), but they **are** at risk from the six month mark onward if that new nurses' union gets displaced (raided) by another union or it gets decertified (de-authorized) as bargaining agent, because when that happens, s.6(3) won't be applicable any longer.

The nurses at that point won't be "UNW members" (or employees in a UNW-represented bargaining unit), so there will be no freeze provided by that section on any available interpretation of s.6(3). And displacement and de-authorization will be *very* easy to accomplish under Bill 26 because of the dangerous lack of the usual safeguards, standards and controls over how and when raiding and decertification can be carried out.

Whether a nurses bargaining agent has reached a first CA or not, if it gets displaced or deauthorized from the six month mark onward, there will be no CA in place any longer and no freeze of terms/conditions of employment in place. Nurses will revert to individual contracts of employment and they'll have to accept whatever the employer wants to give them, until such time as they authorize a new bargaining agent again and it manages to bargain its first CA with the employer.

3. On the question of whether you can get a “guarantee” that benefits “will be carried over in full”, or whether switching to a new bargaining agent will mean that nurses lose all of the benefits and arbitration wins you’ve gotten in previous or current collective agreements:

It's important to understand that there is never any legal guarantee that terms and benefits from one collective agreement automatically carry over into the next iteration of that collective agreement – even when the bargaining agent and employer remain unchanged. The law simply says that the employees' association (currently the UNW, by law) and the Minister's representatives (GNWT) will meet and bargain collectively in good faith. In very general terms, the duty to bargain in good faith requires the parties to engage in honest and meaningful negotiations with the goal of reaching an agreement. It does not necessitate or oblige the parties to accept previously agreed upon terms and conditions (although there is the presumption in negotiations that an existing collective agreement would be considered the baseline). All terms and conditions (unless protected by law ie. Statutory holidays) are subject to negotiation, and as such each party to negotiations can make proposals (ie. Rollbacks, improvements, status quo, etc.) for consideration by the other. Legally speaking – it doesn't matter whether it's the UNW or a new bargaining agent; each would begin from the same starting point when it's time to negotiate a new collective agreement.

Previous arbitration decisions are based on context-specific language found in a collective agreement between an employer and bargaining agent. Whenever the collective agreement changes – whether it's the same or a new bargaining agent - there are factors that could potentially affect on the application of previous arbitration decisions:

- Substantive changes to provisions/language in new collective agreement – past arbitration decisions interpreting previous language may not be relevant based on the provisions found in the new collective agreement;
- Same/similar provisions/language in new collective agreement – past arbitration decisions interpreting the same language would more than likely be accepted and given weight by arbitrators, given the language/provisions are unchanged from the previous collective agreement.

So, if there was a new bargaining agent and they wanted to make sure that previous arbitration decisions would continue to apply, they would just need to advocate at the bargaining table for the same language to be used as the previous collective agreement.

It is important to understand that **a collective agreement is not a document that is “owned” or proprietary to the particular union bargaining team that negotiates it.** The collective agreement belongs to its members, and should be freely available and accessible to them. Even if those members choose a different bargaining agent, you don't “lose” access to your existing collective agreement. Members are free to bring forward the same or similar provisions into a new round of collective bargaining (or different or expanded demands/provisions if they wish).

The language used in a CA is not proprietary, but a CA itself is a different matter.

Unions make gains incrementally over many rounds. While it's true that everything is potentially on the table each round, it doesn't work that way in practice in a mature bargaining relationship. Concessions may be sought, but the bulk of the agreement typically remains the same, subject to improvements and wage increases etc.

The negotiation of a **FIRST collective agreement** for a bargaining unit, however, is always the most difficult and the most protracted. It would be naive to believe that the employer won't try to get rid of/deny as much good stuff as it can when negotiating a first CA for a nurses bargaining unit with a union that will probably be extremely green and inexperienced.

This is in addition to the massive loss of bargaining power nurses will experience when they move to a separate unit. They will be essential employees who cannot use the threat of a strike as their leverage, and they won't have a path to using interest arbitration to establish their CA, because the PSA does not

contain provisions that would require the employer to participate in such interest arbitration. Nurses would move from collective bargaining to collective begging under this Bill's structure.

4. On the common question of a “bridging agreement”:

A “bridging agreement” is a temporary/interim agreement struck between an employer and a bargaining agent, to cover the period between when an existing collective agreement expires and a new one can be agreed upon and come into effect (or else, if the group was previously not part of a union, for the period leading up to a brand new collective agreement). It is NOT something that can somehow guarantee that all provisions in an existing collective agreement will be automatically transferred into a new collective agreement (that type of thing does not exist, as discussed above).

SOME collective agreements contain bridging language, but most don't. The norm is that when a CA is nearing its expiry date, either the union or the employer delivers a Notice to Bargain, and the legislation establishes a "freeze" that is triggered into effect when notice to bargain is delivered, resulting in the terms and conditions of employment continuing in force past the CA's expiry date for a period of time, allowing the parties to collectively bargain for a new agreement, without the employer being permitted to unilaterally alter those terms/conditions or lock employees out, and prohibiting employees from striking, until a variety of conditions have been met.

Discussion of a bridging agreement is not going to be helpful in the context of Bill 26. Why would the employer agree to that, when the Bill gives the employer a major advantage in a first CA negotiation?

There is already a provision in my private member's bill (section 6(3)) ensuring that the existing collective agreement would continue to be in effect for nurses until a new one is bargained by the new employees' association, leaving no “limbo” period in between, so that would essentially serve the same function as a bridging agreement.

See comments above on mistaken statements about s.6(3) and the manner in which it will operate. But again, discussion of a bridging arrangement is not helpful here.

5. On the question of how nurses in supervisory or management roles will be classified:

Bill 26 makes no changes whatsoever to how nurses in supervisory or management roles will be classified.

Correct, the Bill doesn't change those things, but the Bill does fail to introduce standard safeguards that would prevent supervisors and managers from interfering with or even participating in a vote by nurses on whether to authorize a different union as bargaining agent for a separate bargaining unit of nurses.

I hope that helps to clear up the confusion. Again, thank you for reaching out and I'm happy to chat further about this at any time – either in person or over the phone or virtually.

Mársi | Kinanaskomitin | Thank you | Merci | Hai' | Quana | Qujannamiik | Quyanainni | Máhsi | Máhsi | Mahsi'

Shauna Morgan

MLA Yellowknife North | Député de Yellowknife Nord
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Northwest Territories Legislative Assembly | L'Assemblée Législative des Territoires du Nord-Ouest

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From: Sherman Cavanaugh <Sherman_Cavanaugh@gov.nt.ca>

Sent: Friday, August 15, 2025 4:23 PM

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Subject: FW: Before I send it to MLA , please review, come by and sign this am please. See attachment and sign if you can't come to Pod A tks

Subject: Concerns Regarding Proposal

Dear Honorable Shauna Morgan,

We appreciate the effort and intention behind your proposal; however, after careful review, we have identified significant gaps and uncertainties that prevent us from supporting it in its current form.

Those of us who have signed this letter from LPCC/YPCC are committed to protecting the rights, benefits, and security of our members, and we cannot endorse changes that lack clear protections or measurable advantages.

Without concrete assurances, we are not in a position to vote “yes” at this time.

- It can take years to develop a collective agreement and even longer to negotiate it. In the interim, we would be left without such an agreement, leaving our benefits and wages vulnerable to changes at the sole discretion of the GNWT.
- Our accumulated seniority, earned vacation, sick leave, and special leave would not be recognized until negotiations are finalized—potentially years in the future.
- It remains unclear whether nurses currently working in supervisory or management roles would be recognized or included under the proposed structure.
- We seek a guarantee that the benefits we currently experience under the existing collective agreement will be carried over in full, and that these will be protected and/or bargained as part of any new agreement.
- We are concerned about the impact on staff who are approaching retirement and were being grandfathered under the current agreement. It is unclear how this initiative might affect their entitlements and earned benefits.
- We also ask for a clear guarantee that this initiative will result in an impactful and measurable improvement for our members, rather than a change with uncertain or negligible benefit.

Note, because of the summer schedule, many are on leave; more to follow.

We respectfully request more detailed information and concrete assurances on these matters before we can consider supporting the proposal.

Sincerely,