



HUMAN RESOURCES AUTHORITIES

PURPOSE

1. This directive defines the authorities for human resources management functions in the public service of the Government of Nunavut (GN) and identifies which authorities have been delegated under the *Public Service Act* (PSA) to specific GN positions.

APPLICATION

2. This directive applies to all GN departments and public bodies.
3. The **attached chart** identifies the major human resources management responsibilities in the GN. The chart shows the legal source (if applicable), legal authority, and delegated authority (if applicable) for each responsibility.
4. Authorities are:
 - Minister of Human Resources
 - Deputy Minister of Human Resources
 - Assistant Deputy Minister, Operations, Human Resources
 - Deputy Heads
 - Senior Managers
 - Managers/Supervisors

VALUES/GUIDING PRINCIPLES

5. This directive is guided by the following values:
 - *Aajiiqatigiinniq* - decision making through consensus; and
 - *Piliriqatigiinniq/Ikajuqtiigiinniq* - working together for a common cause.

DEFINITIONS

6. **Deputy Head** is the Deputy Minister of a GN department or the head of a public body.
7. **Assistant Deputy Minister, Operations, Human Resources** is an executive level Department of Human Resources position that is responsible for all human resources functions for the GN and public bodies.
8. **Minister** is the Minister of Human Resources.
9. **Senior Manager** is an employee who occupies a position that involves management of significant financial resources, programs and personnel, and,



where an employee reports directly to a deputy head, means the deputy head, (that is, where an employee reports directly to a deputy head, the deputy head is the senior manager). Senior Manager includes, Associate Deputy Minister, Assistant Deputy Minister, Executive Director, Director, Superintendent of Schools, Directeur General.

10. **Manager/Supervisor** is an employee who occupies a position that involves management of staff and reports directly to a Senior Manager or Assistant Deputy Minister.

PROVISIONS

11. Under the *PSA*, certain responsibilities (powers, functions, duties) of the Minister responsible for *PSA* can be delegated to GN employees by position or name. This enables decisions to be made as close to the working level as possible in order to maximize accountability, efficiency and responsiveness.
12. GN employees holding positions to whom authority has been delegated by the Minister responsible for the *PSA* cannot delegate this authority to another person.
13. Pursuant to the *PSA* and its regulations, the Minister cannot delegate the authority to:
- Issue Directives pursuant to s. 3
 - Make a court application pursuant to s. 66
14. Certain authorities for specific human resources management functions have also been defined in the *Public Service Regulations*. The powers and functions in the *Public Service Regulations* **cannot be delegated**.
15. Employees must exercise their authority in a fair and consistent manner. They must respect the rights of individual employees and the needs of the public service.
16. Delegated authority must be provided to employees in writing.

AUTHORITIES AND REFERENCES

17. *Public Service Act and Public Service Regulations*
18. *Interpretation Act*
19. *Staffing Review and Appeals Regulations*

CONTACTS



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Building *Nunavut* Together
Nunavut liuqatigiingniq
Bâtir le *Nunavut* ensemble

Human Resources Manual
Directive 102: Human Resources
Authorities

20. For clarification or more information on this topic contact:

Director, Policy, Planning and Communications
Department of Human Resources
Iqaluit, Nunavut

Delegation of Authority Human Resources Authorities

The Law

**X indicates where authority lies and/or who the authority has been delegated to
Red X indicates the position(s) that will routinely carry out the responsibility on behalf of the Minister**

TASKS	Source: <i>Public Service Act (PSA)</i> or Regulations (Reg) *	Authority **	Minister ***	Deputy Minister of Human Resources	Assistant Deputy Minister, Operations, Human Resources ****	Deputy Head	Senior Manager (Associate Deputy Minister, Assistant Deputy Minister, Executive Director, Director, Superintendent of Schools, Directeur General)	Manager / Supervisor	Note
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STAFFING									
Request for Staffing (Job Action Request)	PSA s. 7	Minister				X			
Casual Staffing Action ≤ 4 months	PSA s. 12(2)(a)	Minister				X	X (Health, CGS, NAC only)		Specific senior management positions in Health, CGS and NAC also have this authority
Extension of Casual Appointment > 4 months but ≤ 1 year	Reg. s. 5	Deputy Head				X			
Extension of Casual Appointment > 1 year	Reg. s. 5	Deputy Head				X			Must be done in consultation with Director, Staffing or Director, Regional Staffing. Union support letter required for NEU positions.
Extension of Term Employment	PSA s. 18(2)	N/A		X	X				By agreement between parties.
Change of Status from Term to Indeterminate	PSA s. 18(3)	N/A		X	X				

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Transfer Assignment	<i>PSA s. 12(2)(b)(c)(d)</i>	Minister		X	X				
External Assignment (Includes Interchange Canada Agreement)	<i>PSA s. 12(2)(e)</i>	Minister		X					
Direct Appointment	<i>PSA s. 12(1)</i>	Minister approves upon recommendation of Executive Council	X (Minister – upon recommendation of Executive Council)						Direct appointments are evaluated by the Department of Human Resources prior to Cabinet consideration. Evaluations are signed by the Deputy Minister of Human Resources.
Internship position creation	<i>PSA s. 13(1)</i>	Minister		X	X				
Appointment to Internship positions	<i>PSA s. 13(2)</i>	Minister		X	X				

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Appointment of interns to indeterminate positions	<i>PSA s. 13(4)</i>	Minister		X	X				
Creation of an eligibility list	<i>PSA s. 11</i>	Minister		X	X				
Restriction of eligibility to certain competitions	<i>PSA s.10(3)</i>	Minister		X	X				
Lay-off Casual Employee	Reg. s. 6	Deputy Minister of Department Responsible for the PSA		X					Recommendation of Deputy Head
Lay-off - Indeterminate, Term, Seasonal or Part-time employees	<i>PSA s.21</i>	Minister		X					

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Job Offer (with the exception of Direct Appointments, which have to be recommended by Cabinet prior to extending a job offer)	<i>PSA s. 8</i>	Minister		X	X	X (President NAC) X (DM of Health for nursing positions) X (Clerk of the Legislative Assembly)			Specific positions in HR, NAC and Health also have this authority
Staffing Appeals	<i>PSA s, 10(6)</i> Staffing Review and Appeals Reg s. 8(3)	Staffing Appeals Committee							Staffing Appeals Committee makes all decisions regarding appeals with the exception of cancelling a competition which falls the under the authority of the Minister pursuant to s.8(4)
Rejection on Probation	<i>PSA s. 17(1)</i>	Minister		X	X				
Reduce or Waive Probation	<i>PSA s. 16(2)</i>	Minister				X			

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Extend Probation	<i>PSA s. 16(3) and Reg. s .4</i>	Minister	X upon recommendation from Deputy Head			X Recommends to Minister and notifies employee more than 30 days before end of probation			Recommendation from Deputy Head must be reviewed by Deputy Minister, Human Resources
Resignation - acceptance and withdraw	<i>PSA s. 19</i>	Deputy Head					X		
LEAVE AND ATTENDANCE									
Annual Leave	<i>Reg. ss. 23</i>	N/A						X	
Sick Leave – where employee has leave credits or LWOP where employee does not have leave credits	<i>Reg. s. 25</i>	Immediate Supervisor						X	
Advance of Sick Leave	<i>Reg. s. 29(1)</i>	Senior Manager					X		Consult with Employee Relations

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Special Leave ≤ 5 days	Reg. s. 31	Immediate Supervisor						X	
Special Leave > 5 days	Reg. s. 32(1)	Deputy Head				X			
Advance of Special Leave	Reg. s. 32(3)	Deputy Head				X			
Casual Leave	N/A	N/A						X	
LWOP ≤ 6 months	Reg. s. 39	Senior Manager					X		
LWOP > 6 months (except public service leave)	Reg. s. 39	Deputy Head				X			
LWOP and approval to run for public office – restricted employee	PSA s. 33(1) and 34(2)	Deputy Head				X			Completed forms MUST be forwarded to Deputy Minister for publication in NU Gazette
LWOP Relocation of Spouse up to 1 year	N/A	N/A				X			

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LWOP Compassionate Care Leave	N/A	N/A				X			
Maternity or Parental Leave	N/A	N/A				X			
Medical Travel Leave ≤ 4 days	Reg. s. 29.1	Deputy Head				X			Referral by a medical practitioner, nurse practitioner or nurse
Injury on Duty Leave	Reg. s. 38	Deputy Head				X			
Court Leave	Reg. s. 35	Deputy Head				X			
Emergency Leave	N/A	N/A					X		
Education Leave	Reg. s. 33	Deputy Head				X			
Public Service Leave	N/A	N/A					X		
Retiring Leave	Reg. s. 36	N/A				X			

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Reservist Leave	Reg. 39.01	Manager/ Supervisor						X	
HOURS OF WORK									
Flex hours / compressed hours	N/A	N/A					X		
Job Sharing	N/A	N/A				X			
Part-Time Employees	Reg. 9	Deputy Head				X			
Holiday Designation	Reg. s. 13	Deputy Minister of Department Responsible for the PSA		X					
PAY									
Overtime	Reg. s. 10	Immediate Supervisor						X	

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Promotion Salary ≥ 25%	Reg. ss. 19 and 20(2)	Deputy Minister of Department Responsible for the PSA		X					
Senior Manager Promotion Salary	Reg. s. 20(1)	Deputy Head				X			
Bilingual Bonus	N/A	N/A				X			Retroactive bilingual bonus requests must be submitted to the Deputy Minister, Human Resources for approval
Trainer's Allowance	N/A	N/A						X	
Callback Pay, Reporting Pay, Shift Premiums and Standby Pay	N/A	N/A					X		
Pay Increments	Reg. s. 21	Immediate Supervisor						X	
Acting Pay	Reg. s. 18	Deputy Head				X			

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EMPLOYEE DISCIPLINE									
*Consult with Employee Relations									
Verbal Reprimand	N/A	N/A						X	
Written Reprimand*	N/A	N/A						X	
Suspension (with or without pay)*	<i>PSA s. 22</i>	Deputy Head				X			
Demotion*	<i>PSA s. 22(1)(c)</i>	Deputy Head				X			
Suspension with investigation* <90 days	<i>PSA s. 23</i>	Deputy Head				X			
Suspension with investigation >90 days	<i>PSA s. 23(3)</i>	Minister		X	X				
Demotion after Investigation*	<i>PSA s. 25(2)</i>	Deputy Head				X			
Dismissal	<i>PSA s. 8</i>	Minister		X	X				

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Dismissal – Casual employees*	Reg. s. 6	Deputy Minister of Department Responsible for the PSA		X					
Medical Termination	N/A	N/A		X					
Abandonment of Position*	PSA s. 20	Minister		X	X				This authority has been delegated to 2 individuals. Red X indicates the position that will routinely carry out the responsibility on behalf of the Minister.
Grievance 1st Level for Excluded employees (incl. senior managers)*	Reg. s. 44	Person designated by Minister						X	
Grievance 2nd Level for Excluded employees (incl. senior managers)*	Reg. s 45	Deputy Head				X			
JOB EVALUATION									

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Job Descriptions and Job Evaluation Requests	<i>PSA s. 7(2)</i>	Minister				X			
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RELOCATION									
Relocation of employees on initial hire, transfer and termination	N/A	N/A		X	X	X (President of NAC) X (DM of Health for nursing positions)			Specific positions in HR, NAC and Health also have this authority

IMPORTANT NOTES

The Public Service Regulations apply to every person employed in the public service. In accordance with s. 1.1(2), if there is an inconsistency between the Regulations and a Collective Agreement, the terms and conditions of the Collective Agreement prevail to the extent of the inconsistency.

- * If an employee obtains the authority by **Regulation**, this authority **CANNOT BE FURTHER DELEGATED** (sub-delegated) to another person
- ** A responsibility that is delegated by the Minister responsible for the *Public Service Act* **CANNOT BE FURTHER DELEGATED** (sub-delegated) by the person receiving the authority. The Minister must directly delegate the responsibility.
- *** Minister refers to Minister of Human Resources

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