



OUT-OF-TERRITORY REMOTE HIRING POLICY

HUMAN RESOURCES

PURPOSE

The Government of Nunavut (GN) is committed to increasing Inuit employment and meeting its obligations under Article 23 of the *Nunavut Agreement*, and to the uninterrupted delivery of critical services to Nunavummiut.

The Out-of-Territory Remote Hiring Policy provides for hiring of employees to work remotely from their out-of-territory home on a temporary (term) basis. Eligibility is limited to specialized hard-to-fill positions and Cabinet approval is required to advertise positions as eligible for out-of-territory remote work. This Policy is an interim measure to address critical capacity challenges within the GN and out-of-territory remote work will only be approved for a set term.

PRINCIPLES

This policy is based on the following principles:

- *Qanuqtuurniq* - being innovative and resourceful: Out-of-territory term remote hiring demonstrates the GN's commitment to increasing human resource capacity to meet critical service delivery for Nunavummiut.
- Remote hire arrangements should maintain or improve service delivery to Nunavummiut.
- Remote hiring must not create additional expenses or risk for the GN with respect to any financial, operational, and safety considerations.
- The priority of the GN is to have staff working in Nunavut in GN workspaces. Out-of-territory remote hiring is a temporary backup tool to address specific critical staffing challenges.

APPLICATION

This Policy applies to staffing of public service positions pursuant to the *Public Service Act*.

DEFINITIONS

Department – means a department or public body of the GN, as per Schedule A of the *Public Service Act*.

Deputy Head – the Deputy Minister of a department, the Chief Executive Officer or President of a public body, or such a person as the Minister responsible for the *Public Service Act* may designate as Deputy Head.

Position – is one specific job with the authorized position description as signed by the employing department/public body and employee and identified by its unique position number.

Hard-to-Fill Position – a vacancy that through unsuccessful competition(s) has proved difficult and challenging to hire a qualified candidate over a sustained period.

Specialized Position – a professional occupation that generally requires specialized credentials or certification to practice including in areas of law, accounting, sciences, medicine, construction trades, and engineering.

Remote Hire – an employee hired to work outside of the GN office space usually reserved for the position.

Remote Hire Agreement – an employment contract, signed by the employee, the manager, and deputy head or delegate, that governs the details of the remote work employment contract.

Employee – a person employed in or under any department or public body listed in Schedule A of the *Public Service Act*. For certainty, “Employee” includes full-time, part-time, indeterminate, term, seasonal, casual, and relief employees.

Dependent Care – includes childcare, elder care, and care of ill family members or dependents with disabilities.

ROLES AND RESPONSIBILITIES

Cabinet

- Cabinet will review and consider requests for out-of-territory remote hire and work arrangements.

Minister of Human Resources

- The Minister of Human Resources is accountable to Executive Council for the implementation of this Policy.

Deputy Minister of Human Resources (HR)

- The Deputy Minister of HR is responsible to the Minister for administration and implementation of this Policy, including the development of operational guidelines and other supporting tools as required.

Deputy Minister of Community and Government Services (CGS)

- The Deputy Minister of CGS is responsible for supporting GN devices deployed to

out-of-territory remote employees.

Deputy Minister of Finance

- The Deputy Minister of Finance is responsible for ensuring appropriate compensation and benefits are coordinated for employees hired for out-of-territory remote work.

Deputy Heads

- Deputy Heads are responsible for ensuring that their department/public body abides by this Policy.
- Monitor and ensure tracking is in place for all remote hires within their department/public body.

Managers

- Must work collaboratively with employees working out-of-territory to ensure operational needs are met and adequate support and resources are provided to employees.
- Must ensure effective performance management of employees working out-of-territory.

Employees

- Must work collaboratively with their manager to facilitate remote work arrangements that meet operational needs and requirements.
- Must have and maintain workspace that meets the requirements of this Policy.
- If necessary, employees must allow the GN to physically inspect the workplace for prevention or incident investigation purposes. This may include the taking of photographs.

PROVISIONS

General Provisions

1. Out-of-territory remote hiring will only be considered for hard-to-fill specialized positions in the GN.
2. Out-of-territory remote hiring will be considered on a position(s) specific basis as a temporary recruitment tool requiring Cabinet approval, prior to the start of a job competition.
3. Only those categories of positions approved for out-of-territory remote hiring can be advertised as such.

4. GN positions in Executive, Senior Management, Middle Management, and Administrative Support categories are generally not eligible for consideration for out-of-territory remote hire arrangements.
5. Out-of-territory remote hiring is not intended to be a substitute for the GN's normal recruitment and hiring process. The Priority Hiring Policy applies to out-of-territory remote hiring.
6. Employees hired to work remotely under this Policy will not be eligible for Nunavut Northern Allowance, Household Allowance, or any other incentives that may be in place for in-territory employees.
7. No remote hire will be approved to work remotely outside of Canada.

Approval for Out-of-Territory Remote Hiring

1. Departmental requests for out-of-territory remote hiring must be made through a Request for Decision for Cabinet consideration.
2. Requests for out-of-territory remote hiring are submitted to Cabinet by the requesting department/public body following the Cabinet submission process that is used for reorganizations.
3. For efficiency in implementing this Policy, departments/public bodies may submit a Request for Decision for more than one position, provided substantiation and supporting documentation is included for each position being requested for remote hiring consideration.
4. The Department of Human Resources will develop internal assessment criteria and other processes to facilitate the review of Requests for Decisions from departments/public bodies.
5. In reviewing and recommending the out-of-territory remote hiring request, the Department of Human Resources will review the position's job description and consider factors including:
 - Suitability of the position for remote work;
 - Record of recruitment and retention within the GN;
 - Organizational structure; and
 - Internal and public impact.

Recruiting and Selecting a Candidate

1. After Cabinet approval, the hiring department/public body will work with the Staffing Division of the Department of Human Resources to advertise the position in its home community and as eligible for out-of-territory remote work. There may be

circumstances where the position would also be appropriate for consideration under the Flexible Workplace Policy.

2. Out-of-territory remote employees will be hired for a term of up to three years.

Onboarding Out-of-Territory Remote Employees

1. If the successful candidate will work remotely out-of-territory, then an out-of-territory Remote Hire Agreement must be signed as a condition of employment.
2. The hiring department/public body will work with the Departments of Finance (Compensation and Benefits) and Community and Government Services in setting up the employee to work remotely, outside of Nunavut.
3. The employee remains obligated to comply with all GN policies and procedures that would apply if the employee were working in Nunavut.
4. Should a current GN employee be the successful applicant and choose to work remotely out-of-territory, they will not be eligible for relocation costs.
5. Remote Hiring is not a substitute for dependent care arrangements. When entering a Remote Hire Agreement, the employee must make or maintain adequate arrangements for the care of children or other dependents where required.

PREROGATIVE OF EXECUTIVE COUNCIL

Nothing in this Policy shall in any way be construed to limit the prerogative of Executive Council to make decisions or take action respecting out-of-territory remote hiring outside of this policy.

SUNSET

This Policy will be effective from the date of approval and sunset on October 12, 2026, subject to the prerogative of Executive Council.

RELATED LEGISLATION AND AUTHORITIES

Public Service Act

Safety Act

Canadian Human Rights Act

Nunavut Human Rights Act

Access to Information and Protection of Privacy Act

Collective Agreement – Nunavut Employees Union

Collective Agreement – Nunavut Employees Union - QEC

Financial Administration Manual

Handbook – Excluded Employees and Senior Managers

Effective Date: October 12, 2023

Sunset: October 12, 2028

Human Resources Manual