



## POLICY STATEMENT

The Government of Nunavut (GN) is committed to providing high quality, uninterrupted government services to Nunavummiut while providing employees with the flexibility, when practical and appropriate, to provide those services in a safe work environment outside of designated GN workplaces.

This Policy serves to provide a consistent and accountable framework for teleworking arrangements in the GN.

Employee telework requests may be approved where they align with the requirements set out in this Policy.

## PRINCIPLES

This Policy is consistent with the following Inuit Societal Values:

- **Inuuqatigiitsiarniq** – respecting others, relationships and caring for people. The GN should deliver effective and efficient services to all Nunavummiut while satisfying the needs of employees to improve their overall quality of life by providing the opportunity for telework arrangements.
- **Qanuqtuurniq** – being innovative and resourceful. The GN aims to embrace new ways of working that will help the government respond to the challenges of today and in the future while also caring for its employees.

## APPLICATION

This Policy applies to all employees hired under the Public Service Act.

This Policy does not apply in instances where telework is used to accommodate an employee's disability or medical needs pursuant to the GN's duty to accommodate and Return to Work Policy.

Any telework arrangements in place prior to the effective date of this Policy that are not compliant with this Policy must cease no later than August 31, 2024.

## DEFINITIONS

**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.

**Dependent Care** – care for ill family members or dependents with disabilities. It includes childcare and elder care.

**Deputy Ministers' Telework Committee**— a committee consisting of the Deputy Ministers of the Departments of Human Resources, Executive and Intergovernmental Affairs and Finance which reviews and has the authority to approve requests for long-term telework.

**Designated Workplace** – means the official location (address) where the employee would normally work from if a telework arrangement did not exist.

**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, casual and relief employees.

**Hybrid Telework** – a specific type of telework arrangement where an employee works partly in the designated workplace and partly at another location (e.g. employee’s home).

**Long-Term Telework** – working away from the designated workplace for a duration longer than three consecutive weeks to a maximum of six (6) months per fiscal year. This would be considered on a case-by-case basis.

**Manager** – the direct supervisor of an employee.

**Minister** – the Minister responsible for the *Public Service Act*.

**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.

**Short-Term Telework** – working away from the designated workplace for a duration of up to three (3) consecutive weeks to a total of no more than six (6) weeks per fiscal year. This would be considered on a case-by-case basis.

**Telework** – a voluntary arrangement whereby an employee performs their job from a location other than the designated workplace (i.e., GN office building, GN facility) for a predetermined length of time. Such locations could include an employee’s home or any other location within Nunavut or outside of the territory, within Canada.

## **ROLES AND RESPONSIBILITIES**

### **Minister**

The Minister responsible for the Public Service Act is accountable to the Executive Council for the implementation of this Policy.

### **Deputy Minister of Human Resources**

The Deputy Minister of Human Resources is responsible for overall administration and implementation of this Policy including:

- a) Ensuring the necessary operational guidelines and other supporting tools are in place to implement this policy effectively and efficiently.
- b) Chairing the Deputy Ministers' Telework Committee.

- c) Coordinating departmental reporting on telework arrangements.
- d) Monitoring and evaluating the overall effectiveness and impact of this Policy.
- e) Reporting annually on the use of the Telework Policy.

### **Deputy Heads**

Deputy Heads are responsible for consistent application of this Policy and oversight of the telework arrangements in place within their department/public body including:

- a) Determining internal processes and decision-making authorities for telework.
- b) Approving applications for short-term and hybrid telework in accordance with this Policy and its guidelines.
- c) Recommending approval of eligible applications for long-term telework to the Deputy Minister of Human Resources for consideration by the Deputy Ministers' Telework Committee.
- d) Ensuring that departmental tracking and monitoring is in place for all telework arrangements and that operational requirements are being satisfied.
- e) Reporting on telework arrangements as required to the Department of Human Resources.

### **Managers**

Managers are responsible for day-to-day administration and operational oversight of telework arrangements within their division/work unit including:

- a) Conducting the initial assessment of an employee's request for telework arrangements in accordance with this Policy and its guidelines and forwarding the request to their Deputy Head with their recommendation.
- b) Ensuring that requests for formal telework arrangements are approved or denied on a timely basis and that the decision, and reasons are communicated in writing to the employee.
- c) Maintaining regular contact with employees who are teleworking.
- d) Working collaboratively with and providing support and resources to employees who are teleworking to ensure operational needs are met.
- e) Managing the performance of employees who are teleworking as part of the GN's regular performance planning and review process.

### **Employees**

Employees are responsible for ensuring their own readiness for and successful performance in telework arrangements including:

- a) Adhering to the telework agreement, including all provisions related to health and safety and all provisions related to confidentiality.

- b) Maintaining workplace relationships and ensuring consistent and responsive communication with managers, colleagues, and clients.
- c) Working collaboratively with the manager to mitigate any operational impacts associated with the telework arrangement.
- d) Recognizing that telework is a benefit and that flexibility may be required at times to support operational requirements and team needs.
- e) Proactively addressing or proposing solutions to any challenges that may arise because of telework.

### **Deputy Ministers' Telework Committee**

The Deputy Ministers' Telework Committee is responsible for providing timely and accountable review of long-term telework requests including:

- a) Establishing criteria to guide the assessment of requests.
- b) Meeting as required to review requests.
- c) Documenting the rationale for approving or denying requests.

### **PROVISIONS**

#### **A. General Provisions**

- 1) Teleworking arrangements are voluntary and require the mutual agreement of the employee and the employer. Telework is not an employee entitlement.
- 2) Teleworking arrangements will be determined on a case-by-case basis and must be for a time limited period.
- 3) Teleworking arrangements should not be put in place until an employee has been fully onboarded.
- 4) Generally, teleworking arrangements should not be put in place for employees working remotely under the Remote Hiring Policy.
- 5) Telework should maintain or enhance GN program and service delivery to clients.
- 6) While some positions or tasks within the GN can be performed outside of the designated workplace, other roles or tasks are not suitable for telework.
- 7) Telework should not create significant impact or expense for the GN with respect to financial, operational or safety considerations.
- 8) Telework is not a substitute for using personal leave credits when unable to work due to illness or other emergent situations.

- 9) Telework is not a substitute for dependent care arrangements (e.g., child, parent, or another person). In this case, an employee should discuss other options, including flexible work schedules and/or paid and unpaid leave entitlements, with their manager.
- 10) Telework must be performed within Canada.

## **B. Requests for Telework**

- 1) An employee must request telework arrangements in writing and submit the request to their manager. The employee must describe the reason for the request and explain how they will be able to perform their work away from the designated GN workplace. A telework application form must also be completed and attached to the request.

## **C. Telework Suitability Criteria**

- 1) The following factors should be considered when reviewing a request for telework:
  - a. operational needs;
  - b. position suitability;
  - c. employee suitability;
  - d. position's amount of decision-making or influence; and
  - e. telework location suitability.
- 2) Detailed telework suitability criteria will be outlined in the Policy's guidelines, and all telework requests must be assessed against these criteria.
- 3) While this Policy prescribes a consistent approach to decisions about telework arrangements across the GN, it must be recognized that given the diversity of departments, work units and individual positions in the GN, the application of suitability criteria may be different.

## **D. Approval for Telework**

### **Short-Term Telework**

- 1) Telework for a maximum consecutive length of three (3) weeks to a total of no more than six (6) weeks per fiscal year must be approved by the employee's Deputy Head or their delegated authority.
- 2) The manager will initially review the request and forward their assessment and recommendation to the appropriate authority in accordance with internal procedures established by the Deputy Head.
- 3) If the request is approved, the employee, manager, and Deputy Head or their delegated authority will sign a telework agreement.
- 4) If the request is not approved, the employee will be notified in writing including the reason for the denial of the request.
- 5) Where an employee submits multiple requests for short-term telework and the total number of days would exceed six (6) weeks in a single fiscal year, the Deputy Head must refer the matter to

the Deputy Minister of Human Resources for review and consideration by the Deputy Ministers' Telework Committee.

### **Long-Term Telework**

- 1) Telework for more than 3 weeks consecutively or beyond six (6) weeks per fiscal year must be approved by the Deputy Ministers' Telework Committee.
- 2) Long-term telework will only be approved for exceptional circumstances that are urgent in nature. Requests that exceed six (6) months will not be considered.
- 3) The manager will initially review the request and forward their assessment and recommendation to the appropriate authority in accordance with internal procedures established by the Deputy Head.
- 4) If approved at the departmental level, the Deputy Head of the employee's department must submit the request to the Deputy Minister of Human Resources by email. The email must include the employee's telework application and detailed explanation for the request as well as the Deputy Head's rationale for supporting the request.
- 5) The Deputy Head will be notified by the Deputy Minister of Human Resources of the Deputy Ministers' Telework Committee's decision regarding the request in writing. The Deputy Head will relay to the employee of the decision in writing.
- 6) If the request is approved, the employee, manager, and Deputy Head or their delegated authority will sign a telework agreement.
- 7) If the request is not approved, the employee will be notified in writing including the reason for the denial of the request.

### **Hybrid Telework (Note: Implementation is targeted for July 1, 2025)**

- 1) Hybrid telework requests for up to two (2) days per week must be approved by the employee's Deputy Head.
- 2) Such requests can be for a consistent telework day(s) per week (e.g., every Friday) or on an ad hoc basis based on the employee's work schedule.
- 3) The manager will initially review the request and forward their assessment and recommendation to the appropriate authority in accordance with internal procedures established by the Deputy Head.
- 4) If the request is approved, the employee, manager, and Deputy Head will sign a telework agreement.
- 5) If the request is not approved, the employee will be notified in writing including the reason for the denial of the request.
- 6) An employee approved for hybrid telework is expected to attend the designated workplace or other work locations for meetings, training sessions, or other work that must be done in person, as required by their supervisor with reasonable notice.

- 7) Hybrid telework arrangements should not be approved for employees hired under the Remote Hiring Policy.
- 8) Hybrid telework arrangements must be reviewed and approved annually.

#### **Other Telework Requests**

- 1) Cabinet approval is required for any telework arrangements that are not compliant with this Policy and its guidelines.

#### **E. EMPLOYEE PERFORMANCE AND ACCOUNTABILITY**

- 1) During a telework arrangement, the employee must meet the same performance standards that apply in the designated workplace.
- 2) Telework arrangements are contingent on the employee's ability to meet performance expectations. The employer may end telework work arrangements if performance expectations are not being met.
- 3) An employee on probation may not be eligible for telework.
- 4) An employee on a performance improvement plan may not be eligible for telework.

#### **F. Telework Schedule**

- 1) The employee must maintain hours of work pursuant to the applicable Collective Agreement or other human resources authorities or follow established procedures to request adjustment to work hours.

#### **G. Nunavut Northern Allowance**

- 1) An employee is not eligible to receive Nunavut Northern Allowance for any period of time in excess of six (6) fiscal weeks per fiscal year that they are teleworking outside of Nunavut.

#### **H. Health and Safety**

- 1) Employees are responsible for ensuring their telework workplace is safe and suitable for telework.
- 2) When entering a telework work agreement, the employee and manager must complete a remote work health and safety checklist.
- 3) The employee must regularly use the checklist to inspect their telework location and, if the employee notes any changes, identify actions they will take to address the changes, in writing, to their manager.
- 4) The employee must report any work-related incidents or injuries sustained in the telework place to their supervisor, as they would normally in the designated workplace.
- 5) Where a serious health and safety incident occurs at the telework location, the employee's manager and/or a health and safety officer may enter the location to investigate, with reasonable notice.

## **I. Information Technology and Equipment**

- 1) The manager must ensure that the employee has the necessary GN supplied or approved information technology equipment (e.g., computer and phone) to perform their work remotely.
- 2) The employee must provide office furniture for the telework location.

## **J. Information Privacy and Security**

- 1) The employee must follow the relevant laws including the Access to Information and Protection of Privacy Act, policies and guidelines related to managing and protecting government information and personal privacy, as outlined in the guidelines and telework agreement.

## **K. Insurance, Liability and Employee Costs**

- 1) The employee is responsible for having appropriate insurance coverage for the telework location.
- 2) The employer is not liable for damages to the employee's telework location or the employee's personal property.
- 3) The employee must not hold any in-person work meetings at the telework workplace.
- 4) The employee must pay the costs of maintaining the telework workplace, including (if applicable) homeowner or tenant insurance premiums, internet and other utilities, and any renovation costs.

## **L. Terminating Telework Arrangements**

- 1) The employer or the employee can end a telework arrangement by providing 30 days notice or other mutually agreed-upon period of notice, in writing.
- 2) The employer may end a telework arrangement immediately (without notice) with cause, such as a breach of employment conditions or policies, or a health and safety risk.

## **M. Monitoring and Reporting**

- 1) Departments are required to record and track all employees who have signed a telework agreement.
- 2) Periodically, HR will require departments to report on all telework arrangements.

## **PREROGATIVE OF EXECUTIVE COUNCIL**

Nothing in this Policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or act with respect to telework and telework arrangements.

## **SUNSET DATE**

This Policy will be effective from the date of approval and sunset on June 6, 2028, subject to the prerogative of Executive Council.



## **RELATED LEGISLATION AND AUTHORITIES**

*Public Service Act*

*Canadian Human Rights Act*

*Nunavut Human Rights Act*

*Access to Information and Protection of Privacy Act*

*Safety Act and Occupational Health and Safety Regulations*

Collective Agreements

Handbooks – Senior Managers and Excluded Employees

Human Resources Manual