

February 7, 2019

Honourable Robert C. McLeod  
Minister of Finance  
Government of the Northwest Territories  
PO Box 1320  
Yellowknife, NT X1A 2P3

Dear Mr. McLeod,

**Re: Arbitration – GNWT and NTPC**

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The Union of Northern Workers has heard that the government may have some confusion over the bargaining teams' offer of binding arbitration. I would like to provide the clarity that you may need.

During two separate mediation sessions – one between UNW/PSAC and NWT Power Corporation (November 14-15, 2018), and one between UNW/PSAC and Government of the NWT (October 25-26, 2018) – the Union bargaining teams offered to agree to binding arbitration in place of mediation. The offers were made verbally to the respective mediators (Mr. Mitchnick and Mr. Ready), who took all offers back and forth between the parties. In both situations, the Union bargaining teams were advised that the Employer's bargaining teams rejected the offer.

As you know, we have put public ads in the NWT newspapers with regards to the Union's willingness to enter into binding arbitration for these two bargaining units. Giving up our right to strike is a very serious matter, and the offers were not made lightly.

To avoid any further confusion:

The Union of Northern Workers hereby renews our offers to enter into binding arbitration with the Government of the Northwest Territories and the Northwest Territories Power Corporation. We must receive a positive response before mediation commences.

Arbitration was purposefully removed from the Public Service Act in the 90s, but it is still contemplated as an option, by way of Section 41 of the PSAC:

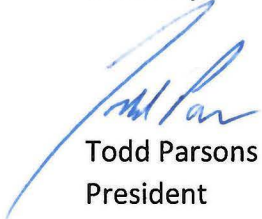
*"collective agreement" means an agreement in writing entered into under this section between the Minister and an employees' association respecting terms and conditions of employment and related matters and **shall be deemed to include any award made by an arbitrator**; {bold and italics added}*

Alternatively, the Union and the Employer could agree, in advance, to proceed with mediation, with the promise that both parties would agree to, accept, and abide by the recommendations of the mediators.

For both options, this would be a one-time non-precedent setting offer.

I would be happy to discuss this matter with you. But I do need to know before mediation commences if we need to continue with the prescribed PSA process.

Sincerely,



Todd Parsons  
President

cc: UNW Full Executive  
UNW GNWT and NTPC bargaining team members  
Deputy Minister David Stewart  
Director of Labour Relations Nicole McNeil  
GNWT legal counsel Glenn Tait  
MLAs of the 18<sup>th</sup> Legislative Assembly