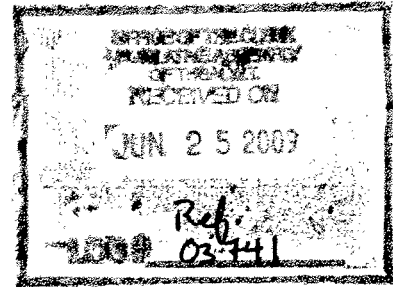




June 17, 2009

The Honourable Paul Delorey
Speaker
Legislative Assembly of the Northwest Territories
PO Box 1320
Yellowknife NT X1A 2L9



Dear Speaker Delorey:

I am honoured to present to you, for transmittal to all Members of the Legislative Assembly, my Annual Report as Equal Pay Commissioner. The report addresses my activities since July 1, 2008.

As in previous years, the first part of my report summarizes the right to equal pay for work of equal value, and the role of the Equal Pay Commissioner in relation to it. In the second part, I review my activities over the past year in relation to those responsibilities.

I. The Right to Equal Pay

The right to equal pay for work of equal value is created by s. 40 of the *Public Service Act* (“*Act*”) and applies to public service employees. It requires that there be no differences in the rate of pay between male and female employees who perform work of equal value in the same establishment. The *Act* designates the Government, the Power Corporation, and teachers who are covered by the *Public Service Act* as separate establishments. “Pay” means not only salary or wages, but includes all compensation received for performing the job, including all benefits, bonuses, housing, clothing (or clothing allowances), and so on. The *Act* is concerned with dissimilar work that is equal

in “value.” The value of work for this purpose is measured by the skill, effort and responsibility required to do the work, and the working conditions under which it is performed. When men and women working in the same establishment perform dissimilar work that is equal in value, the *Act* requires that they receive the same rate of pay.

The *Act* charges the Equal Pay Commissioner with responsibility for receiving complaints from employees who believe that their right to equal pay for work of equal value has been violated. He or she is required to investigate complaints received and to assist the parties to resolve them. If the complaint is not resolved at an early stage, the Equal Pay Commissioner must prepare an investigation report that includes recommendations to the parties as to how to resolve the complaint. If the parties are not able to agree on a resolution, the legislation provides for the dispute to go before an arbitrator.

In addition to his or her complaints-related responsibilities, the Equal Pay Commissioner is also required to promote awareness and understanding of the right to equal pay for work of equal value.

II. Activities July 1, 2008 – June 30, 2009

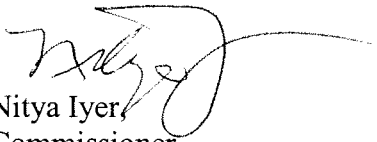
My initial term as Equal Pay Commissioner expired in May of this year and I was honoured to be reappointed by the Legislative Assembly to a further term.

As has been the case in previous years, I received no formal complaints this past year. I did not even receive any enquiries.

I continued to consult with the Government on draft Equal Pay Regulations. However, this work was not a priority, as the government has been engaged in collective bargaining with the UNW this spring. I did not travel to the NWT this year, as I believed it would be more useful for all if I waited until the conclusion of a new collective agreement.

With respect to educational activities, I attended a conference on pay equity hosted by the Ontario Pay Equity Commission last fall, and have followed with interest the adoption, by the federal government, of an innovative collective bargaining approach to equal pay this past March. I hope to be in a position to provide stakeholders in the NWT with more information about this new approach when I visit the NWT in the fall.

Respectfully submitted this 17th day of June 2009.


Nitya Iyer,
Commissioner

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