

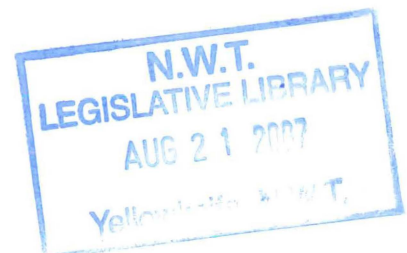


EQUAL PAY COMMISSIONER
to the
LEGISLATIVE ASSEMBLY
OF THE NORTHWEST TERRITORIES

ANNUAL REPORT

June 28, 2007

Prepared by
Nitya Iyer, Commissioner



June 28, 2007

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 third Annual Report as Equal Pay Commissioner. The report addresses my activities since July 1, 2006.

In the first part of my Report, I summarize 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 of my Report, I review my activities 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 it 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 GNWT, the NWT 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, 2006 – June 30, 2007

I have grouped my activities over the past year in relation to my two responsibilities under the *Act*: complaints and education about the right to equal pay for work of equal value.

a) Complaints

With respect to complaints, as has been the case in previous years, I received very few inquiries. Most concerned issues or concerns beyond the scope of the right to equal pay for work of equal value.

Most recently, in June 2007, I received a request from the Government of the Northwest Territories, under s. 49.1 of the *Act*, to consult on draft regulations. I expect that the consultation process will occur over the next couple of months.

b) Educational Activities

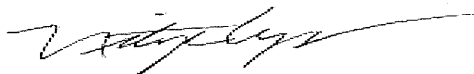
With respect to my responsibility to promote awareness and understanding of the right to equal pay for work of equal value, over the past year I have finalized the Equal Pay Commissioner website, at <http://www.assembly.gov.nt.ca/EqualPay> and have arranged for links to it to be placed on relevant GNWT web pages, on the NWT Power Corporation website and on the website of the Union of Northern Workers. It can also be accessed through a link on the Legislative Assembly's home page. Among other things, the site contains detailed information about the right to equal pay for work of equal value under the *Act*, descriptions of related protections for pay, information about how to make a complaint, and my annual reports.

I traveled to Yellowknife twice in the past year. The primary purpose of my April 2007 trip was to continue to introduce myself to groups to whom the legislation applies. I met with the NWT Power Corporation and with the Union of Northern Workers. At the request of UNW, I will participate in a series of meetings with UNW groups to discuss the purpose and effect of the *Act's* equal pay provisions in the fall of 2007.

In June 2007, I traveled to Yellowknife to speak at the annual conference of the Canadian Association of Statutory Human Rights Agencies. I spoke at a plenary session on women's equality issues. My presentation focused on the complex nature of women's continuing economic inequality in income from employment, as compared to men, highlighting the dimensions of the problem when factors such as geographical location and aboriginality are considered. As a number of representatives of local organizations attended the conference, this was a useful occasion to make new, more direct, connections to the community.

In summary, it has been a relatively uneventful year for the office of the Equal Pay Commissioner. I look forward to discussing the proposed regulations with GNWT, and to more education initiatives in the fall.

Respectfully submitted this 28th day of June, 2007,

A handwritten signature in black ink, appearing to read "Nitya Iyer", with a long horizontal flourish extending to the right.

Nitya Iyer, Commissioner

