

Standing Committee on  
Government Operations



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# Report on Long-term Post-pandemic Recovery: Recommendations to the GNWT

19<sup>th</sup> Northwest Territories Legislative Assembly

Chair: Mrs. Frieda Martselos

**MEMBERS OF THE STANDING COMMITTEE ON  
GOVERNMENT OPERATIONS**

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SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker:

Your Standing Committee on Government Operations is pleased to provide its *Report on Long-term Post-pandemic Recovery: Recommendations to the GNWT* and commends it to the House.

Mrs. Frieda Martselos  
Chairperson

**STANDING COMMITTEE ON  
GOVERNMENT OPERATIONS**

**REPORT ON LONG-TERM POST-PANDEMIC RECOVERY:  
RECOMMENDATIONS TO THE GNWT**

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## **STANDING COMMITTEE ON GOVERNMENT OPERATIONS**

### **REPORT ON LONG-TERM POST-PANDEMIC RECOVERY: RECOMMENDATIONS TO THE GNWT**

#### **INTRODUCTION**

The Standing Committee on Government Operations has developed the following recommendations to the Government of the Northwest Territories concerning the Northwest Territories long-term, post-pandemic recovery, with a specific focus on the departments for which the Standing Committee has oversight: Executive and Indigenous Affairs (EIA), Finance, and Municipal and Community Affairs (MACA).

#### **COORDINATION OF OVERALL GOVERNMENT RESPONSE TO PANDEMIC**

Committee is generally satisfied with the GNWT's response to COVID-19, but feels that lessons can be learned to improve the GNWT's response to future pandemics, including a potential second wave of COVID-19 infections requiring the Northwest Territories to return to a containment phase, as described in the Government of the Northwest Territories' plan for safely easing pandemic restrictions *Emerging Wisely: Continued Public Health Response to COVID-19 in the Northwest Territories*.

With respect to the GNWT's overall response to the pandemic, the Standing Committee feels that the GNWT must build on the lessons learned from this experience to ensure that future emergency responses are as prompt as possible. Committee also feels that strong, visible leadership on the part of the Premier and her Cabinet Ministers is essential to ensuring a successful emergency response. With respect to the overall government response to future emergencies, Committee makes recommendations in the following areas: the emergency response legislative framework; public communications; and enforcement.

## **Emergency Response Legislative Framework**

In response to the COVID-19 global pandemic and to protect public health in the Northwest Territories, the Minister of Health and Social Services declared a territory-wide public health emergency on March 18, 2020, pursuant to the Northwest Territories *Public Health Act*. This declaration invested the Chief Public Health Officer with expanded powers, including the power to:

- Authorize qualified people to provide additional aid and services as needed;
- Expedite emergency licensing of additional health care providers;
- Make orders and provide directions restricting or prohibiting travel to or from any area within the Northwest Territories;
- Coordinate and provide for the delivery of medical services; and
- Procure and provide for the distribution of medical supplies and equipment across the NWT;

On March 24, the Minister of Municipal and Community Affairs declared a territorial state of emergency, pursuant to the *Emergency Management Act*. Similar to the declaration made under the *Public Health Act*, this declaration also allowed for expanded powers, in this instance to the Minister of Municipal and Community Affairs and the Emergency Management Organization (EMO) under MACA's administration. This enabled the GNWT to control and direct the actions of the government and its agencies to support the orders of the Chief Public Health Officer.

The authority of the GNWT to declare a public health emergency pursuant to the *Public Health Act* and a territorial state of emergency under the *Emergency Management Act*, underlined a potential legislative void, in that it did not expressly provide the Premier with the authority to coordinate and manage the overall response.

This lack of authority prompted Premier Cochrane to appoint a new Associate Deputy Minister of Municipal and Community Affairs on March 30, 2020 and to subsequently assume responsibility for the entire MACA portfolio on April 7, 2020.

Committee supports the Premier's decision to take steps to assume clear authority for the overall government response, but notes that it can be destabilizing to replace a Cabinet Minister in the midst of an emergency and that such a move would not have been necessary had the appropriate legislative structure been in place to allow the Premier to take overall control of the emergency response without also having to assume the role of Minister of Municipal and Community Affairs.

**Recommendation 1:** *The Standing Committee on Government Operations recommends that the GNWT undertake a review of the legislative framework supporting the GNWT's emergency response, with a view to determining what amendments are necessary to ensure that the Premier has overall administrative control whenever a public health emergency and a territorial state of emergency are declared under their respective acts at the same time. Committee further recommends that the GNWT bring forward a legislative proposal to make the necessary amendments to the GNWT's emergency response legislative framework during the life of the 19<sup>th</sup> Legislative Assembly.*

## **Public Communications**

Centralized, clear and consistent communications to the public are important during an emergency. Such communications can ensure that people understand what is expected of them and that they know where to turn for help and further information. This is most important at the outset, when an emergency is called, because that is the time when public fears and uncertainty are at their highest. Again, Committee is generally satisfied with the GNWT's communications response to the COVID-19 pandemic, but feels that more should have been done, sooner, to put the government's emergency communication's response in place.

During the earliest days of the GNWT's response, around the time that staff were instructed to begin working from home, Premier Cochrane found it necessary to self-isolate as a result of having traveled. Lack of visibility by the Premier, while understandable, reflected the lack of a clear communications plan for the Premier and her Cabinet to lead the public through this emergency.

Committee Members appreciate the briefings that came to be held by the Premier and the Chief Medical Officer, but notes that these could have been more effective if they had been scheduled to occur on a regular basis at a fixed time and if they had been clearly publicized through a variety of media channels. Committee believes the example set by the Prime Minister, who held regular daily briefings for the nation, should be emulated by the GNWT during any future emergency response.

Committee believes that the implementation of the 811 NWT COVID Support Hotline was a positive move, but notes that it was not opened to the public until April 17, more than a month after GNWT employees were instructed to begin working from home. Committee encourages the GNWT to prioritize the opening of such a hotline in future, so that the public has a number to call from the outset of a declaration of emergency. Committee further suggests that the GNWT should not move to close the existing

hotline until well after the final pandemic response measures are lifted pursuant to *Emerging Wisely*.

Committee feels that if ever there is a time when the GNWT should strive to speak as one government, with one voice, it is during an emergency such as that created by COVID-19. Members strongly encourage the GNWT to design and execute a public communications approach with this overarching objective in mind. Members note that multiple government websites and channels of communication created uncertainty for their constituents, who looked to their MLAs to confirm facts and quell misinformation. This uncertainty was exacerbated by the fact that information was not always kept current in all locations at the same time, leading to a lack of consistency in the information being made available to the public.

Committee was pleased to see the GNWT launch a definitive single COVID-19 website on May 9, 2020, but again notes that this was not done until almost two months after the onset of the pandemic. In future, the GNWT should strive to make such a website available from the outset of an emergency. Members also note constituent complaints about the lack of information in languages other than English and, therefore, feel that more effort must be made to provide information in as many of the NWT's official languages as possible.

Members also feel strongly that, particularly in the smaller communities, the availability of information by electronic means should not supplant the need for the GNWT to provide visible leadership to assist residents. In future emergencies, Committee would like to see the GNWT keep a single office open in each of the smaller communities, where people can go to ask questions and seek clarity. Committee notes that the Government Service Officers in the Department of Executive's single window service centres might be best positioned to fulfil this role, provided they are equipped with the appropriate social distancing measures and personal protective equipment necessary to ensure their safety and that of their clients.

Committee further believes that the GNWT needs to do more to communicate with its most vulnerable populations, many of whom do not have access to computers or who found their access limited as a result of the closure of schools and libraries. Such communications should focus on pamphlets, mail outs and radio and cable messaging designed specifically to reach residents who do not have access to computers.

**Recommendation 2:** *The Standing Committee on Government Operations recommends that the GNWT develop an emergency response communications protocol that ensures regularly scheduled updates to the public, by the Premier and the appropriate emergency authorities, whenever an emergency is declared under either or both the Public Health Act and the Emergency Measures Act. This protocol should also ensure that the GNWT's public response via electronic means is supplemented by non-electronic communications mechanisms.*

## **Enforcement**

The Standing Committee acknowledges the importance of ensuring that the public complies with the orders of the Chief Public Health Officer and supports the GNWT's efforts to mobilize and deploy an enforcement task force. Again, however, Committee notes that the government's response was not as prompt as it could have been, pointing out that the announcement of the task force on April 8 did not come until a full three weeks after the declaration of a public emergency. It is Committee's hope that gaps in existing enforcement efforts can be corrected now and that planning for future enforcement will include the identification of individuals and positions that can be seconded to work on enforcement, thereby allowing earlier deployment of an enforcement task force.

A number of issues arose with respect to enforcement that will need to be better addressed in future emergencies, including a possible second wave of COVID-19. The GNWT will need to work in collaboration with Indigenous and municipal governments to clarify the authority for establishing highway check stops outside of border crossings and to ensure that, where they are established, there are guidelines for their operation and consistency in how they are managed. The Committee encourages the GNWT obtain input from community representatives about how their issues and concerns were addressed in the COVID-19 response and to determine how to improve collaboration and make changes to any future response. This should include obtaining feedback about the efficiency and effectiveness of the isolation centres established in Inuvik, Yellowknife, Hay River and Fort Smith.

Members have heard complaints from constituents who arrived at the border to discover that the GNWT did not have handouts containing information, or copies of forms that travelers were expected to complete. In some cases, the information that was disseminated did not include contact information for authorities.

There also appeared to be little consistency in follow-up with respect to ensuring that those in isolation are complying with orders. Committee believes that better

enforcement would be supported by the development of a policy framework that, among other things, distinguishes between discretionary self-isolation, mandatory self-isolation, and mandatory isolation ordered by authorities, specifies how these differ with respect to enforcement, and which provides enforcement officers with guidance when verbal or written warnings are advisable, compared with fines or other punitive measures.

**Recommendation 3:** *The Standing Committee on Government Operations recommends that the GNWT undertake steps now to address public concerns about gaps in enforcement, so that remedies are put in place before the possibility of a second wave of COVID-19 this autumn. Committee further recommends the planning necessary to ensure that an enforcement taskforce can be mobilized within 48 hours of a future declaration of emergency. The Committee also recommends that the GNWT undertake a dialogue with municipal and Indigenous governments to obtain their input on enforcement measures, and use this information to guide the development of a policy framework for the future enforcement of orders issued during a public health or territorial emergency.*

## NWT DIGITAL INFRASTRUCTURE

The global response to the COVID pandemic has illustrated the vital importance of digital communications for both human interaction and business continuity. The ability of individuals and families to connect online has been critical to ensuring that people can work and study from home, stay abreast of the changing global situation, and nurture vital family and community networks to support community cohesion and individual mental health.

In 2017, the GNWT completed construction of the Mackenzie Valley Fibre Link project, a 1,200 kilometer fibre optic line from Alberta to Inuvik. This public-private partnership project cost the GNWT \$95 million in capital costs and will cost an additional \$64 million in operational costs over the 23-year duration of the contract. The GNWT claimed<sup>1</sup> to have “connected” six communities<sup>2</sup> with a high speed, fibre optic, digital internet connection, however, the Finance Minister later stated that *“Linking this backbone to the community is what’s called the “last mile.” This service is provided by the local service provider as GNWT is not in the business of providing local Internet service...We own Mackenzie Valley fibre optic line. I think we’re responsible for getting it out to pop-out,*

<sup>1</sup> Honourable R.C. McLeod, Minister of Finance, Minister’s Statement 213-18(2), Hansard, September 27, 2017, p. 2785.

<sup>2</sup> Fort Simpson, Wrigley, Tulita, Norman Wells, Fort Good Hope and Inuvik.

*as it's called in the community, and then their service provider would go from there.”<sup>3</sup>*  
This has left it unclear which communities are directly linked to the Mackenzie Valley Fibre Link and which are still waiting for local service providers to make the connection a reality. There is also no clear plan for connecting those outlying communities that could have access to the MVFL, but which are not located directly on the path of the fibre link.

Lack of access to the NWT’s digital infrastructure can put businesses, students and vulnerable populations at a greater disadvantage during a pandemic. The GNWT must do all it can to ensure not only that the NWT has a robust digital infrastructure, but that all NWT communities are able to benefit from its existence. Committee takes note of initiatives such as the Yukon Government’s decision<sup>4</sup> to provide prepaid cell phones to at-risk populations during the COVID-19 emergency, and the provision of WIFI in low-cost housing by some community housing associations. Committee encourages the GNWT to investigate some of the initiatives used in other jurisdictions and consider how they could be adapted for use in the Northwest Territories.

**Recommendation 4:** *The Standing Committee on Government Operations recommends that the GNWT develop digital communications plan for the Northwest Territories, that: assesses the state of telecommunications infrastructure serving each NWT community; identifies the costs and timelines associated with ensuring that all NWT communities have access to high-speed, digital telecommunications; and identifies who will be responsible for the work and how it will be achieved. The GNWT’s long-term pandemic response must also include provisions ensuring that vulnerable populations have access to the internet during a pandemic lockdown, by developing plans, on a community-by-community basis, for ensuring internet access for individuals, when libraries and community centres are ordered closed during a lockdown.*

## HUMAN RESOURCES PRACTICES

In the middle of March, the GNWT took the unprecedented step, as did many governments and businesses around the world, of directing its employees to begin working from home. This extreme but necessary decision allowed the GNWT to best protect the health and safety of its employees, while allowing for business continuity. It will, undoubtedly, yield lessons that can benefit the GNWT in preparing for future emergencies and help shape future business operations.

<sup>3</sup> Honourable R.C. McLeod, Minister of Finance, Return to Oral Question 807-18(3), Hansard, August 14, 2019.

<sup>4</sup> [“Yukon Government provides phones to vulnerable women during COVID-19 pandemic,”](#) April 3, 2020.

Committee Members have heard a variety of concerns raised by their constituents about the experience of working from home. Front-line workers have expressed frustration that they are being required to risk their lives and put in long hours, while other GNWT employees are collecting their full paycheques while working from home, where they may or may not be working a full work week. Some constituents feel that the GNWT could be providing better support to employees to assist them to be productive while working from home.

The Committee would like to see the GNWT undertake some analysis of employees' experiences while working from home, with a view to developing a "Working from Home Policy," to guide employees should it become necessary for large numbers of employees to work from home in future. This policy should address the unique circumstances of front-line workers, should include accountability measures for all employees working from home, should identify the supports that will be provided by the GNWT to employees working from home, and should identify circumstances under which employees may be eligible to work from home during non-emergency periods, including circumstances necessitated by the GNWT's duty to accommodate ill or injured employees.

**Recommendation 5:** *The Standing Committee on Government Operations recommends that the GNWT prepare a "lessons learned" report, based on employee input, which can be used to inform the development of a "Working from Home Policy" designed to identify the circumstances under which employees will be authorized or directed to work from home, what supports are available to employees, and what expectations the GNWT has with respect to the accountability staff members who are working from home. The Committee further recommends that this work be completed by August 31, 2020, and shared with the Standing Committee for input, consistent with the 19<sup>th</sup> Legislative Assembly's Process Convention on the Standing Committee Review of Proposed Policy Initiatives and Implementation Plans."*

## CONCLUSION

This concludes the Standing Committee on Government Operations' *Report on Long-term Post-pandemic Recovery: Recommendations to the GNWT*.

**Recommendation 6:** *The Standing Committee on Government Operations recommends that the GNWT provide a response to the recommendations contained in this report within 120 days.*