

**GOVERNMENT OF THE NORTHWEST TERRITORIES
FINAL MOBILITY REPORT
SOCIAL UNION FRAMEWORK AGREEMENT**

AUGUST 2002

SUMMARY

The Government of the Northwest Territories (GNWT) has reviewed its programs in the four social policy areas identified in the Mobility section of the Social Union Framework Agreement. The GNWT identifies a residency issue in two areas of the Northwest Territories Student Financial Assistance Program. Additionally, the GNWT identifies residency criteria in five programs delivered by Aurora College.

In the context of Section II of the agreement, the GNWT provides a rationale identifying the residency criteria as being reasonable and consistent with the principles of the Social Union Framework Agreement.

BACKGROUND

The Social Union Framework Agreement (SUFA) is a three-year intergovernmental agreement signed on February 4, 1999, by Canada, all provinces and territories with the exception of the province of Quebec. The agreement promotes a series of principles and intergovernmental arrangements for developing and financing Canada-wide social programs. The agreement commits all governments to certain actions and relationships over the three-year term of the SUFA. One critical area of intergovernmental commitment in SUFA is Section Two – Mobility.

REQUIREMENTS: MOBILITY – SECTION 2 – SUFA

- I. Governments will ensure that no new barriers to mobility are created in new social policy initiatives.
- II. Governments will eliminate within three years any residency-based policies or practices which constrain access to post-secondary education; training; health and social services; and social assistance unless they can be demonstrated to be reasonable and consistent with the principles of the Social Union Framework.
- III. Accordingly, sector Ministers will submit annual reports to the Ministerial Council identifying residency-based barriers to access and providing action plans to eliminate them.

Governments are also committed to ensure, by July 1, 2001, full compliance with the mobility provisions of the *Agreement on Internal Trade* by all entities subject to those provisions, including the requirements for mutual recognition of occupational qualifications and for eliminating residency requirements for access to employment opportunities.

OUR PROCESS - STEPS TAKEN TO MEET SOCIAL UNION MOBILITY COMMITMENTS

The GNWT undertook a number of actions to complete its Mobility report, including:

1. Established interdepartmental working group to review government programs.
2. Prepared Mobility Action Plan.
3. Prepared inventory of programs.
4. Reviewed all programs in the four SUFA policy areas.
5. Identified any program(s) that have residency-based criteria which constrain access to social programs in the four policy areas.
6. Determined if programs should be eliminated or justified, according to section II.
7. Established a rationale for determining if the program(s) are reasonable and consistent with the principles of the Social Union Framework Agreement.
8. Continued to meet Labour Market mobility provisions established under the Agreement on Internal trade.
9. Prepared and submitted Mobility Report to GNWT Cabinet.
10. Submitted Mobility Report to the Ministerial Council on Social Policy Renewal.
11. Monitored SUFA Mobility obligations with respect to the negotiation and development of aboriginal self-governments in the NWT.

RESIDENCY CRITERIA IN GNWT PROGRAMS AND SERVICES

The GNWT undertook a survey of all programs and services in the four designated areas of Section II. The following programs have residency criteria that require a rationale for justifying their continued application:

I. NWT Student Financial Assistance Program (SFA):

- i. Years Schooled in the NWT
- ii. Interest Relief

II. Aurora College:

- i. Nursing Access Program
- ii. Northern Nursing Program
- iii. Social Work Access Program
- iv. Recreation Leaders' Program
- v. Natural Resource Technology Access Program

The following table identifies the relevant residency eligibility criteria for the programs:

Program	Criteria
Student Financial Assistance – Years Schooled in the NWT	You are considered to be a Student Schooled in the NWT if you attended some or all of Grades 1 to 12 in the Northwest Territories. Students who are schooled in the NWT are eligible for a Basic Grant, a Remissible Loan, and a Repayable Loan. Students not schooled in the NWT are eligible for a Repayable Loan.
Student Financial Assistance – Interest Relief	Student could be eligible for interest relief if they are living in the NWT and are available for work.
Aurora College – Nursing Access Program	Preference is given to residents of the NWT.
Aurora College – Northern Nursing Program	NWT Aboriginal persons and long-time NWT residents will be given priority selection for the program.
Aurora College – Social Work Access Program	NWT Aboriginal persons and long-time NWT residents will be given priority selection for the program.
Aurora College – Recreation Leaders’ Program	Preference will be made for residents of the NWT.
Aurora College – Natural Resource Technology Access Program	Preference is given to residents of the NWT.

Description: Student Financial Assistance – Years Schooled in the NWT.

Access to Northwest Territories (NWT) Student Financial Assistance is provided to all applicants who attend post-secondary programs. However, applicants who have gone to school for all or part of their grade schooling in the NWT are eligible for additional benefits. These benefits provide incentives for NWT residents to return to and use their skills and education in the NWT, after having successfully completed their post-secondary studies. Eligibility in the NWT Student Financial Assistance Program for these additional benefits has a residency based criteria: years of schooling in the NWT. Applicants who are schooled in the NWT (all or part of grades 1 to 12) are eligible for a grant, a remissible loan, and a repayable loan, while those applicants not schooled in the NWT are eligible only for a repayable loan. The NWT Repayable Loan is a program similar to the Canada Student Loan program, a condition that the NWT must meet for opting out of the Canada Student Loans program.

Description: Student Financial Assistance – Interest Relief

The purpose of the Interest Relief Program is to assist borrowers who are experiencing undue hardship in meeting their repayment obligations, by allowing students to defer their loan payments while the GNWT forgoes the interest. In order to qualify for the

program, Student Financial Assistance requires an individual to be actually resident in the NWT.

Description: Aurora College Programs

Aurora College is the primary provider of post-secondary education, training and skill development programming in the Northwest Territories. Programs are designed to meet the unique circumstances of delivering education services to adult residents of the NWT. In the programs identified, a primary factor in considering the issue of residency in the programs identified is that of the level of educational qualifications among the adult population. Educational qualifications of adult learners in the NWT fall well below the educational levels of adults in many other places in the country. Targeted programs using residency as a criteria is a vital policy instrument in addressing both the educational and employment deficiencies experienced in the NWT labour force. This is especially the case in the three “Access” programs that have residency criteria. These programs provide a educational bridge for students with low education levels to attain sufficient enough grades to enter the professional program.

RATIONALE FOR MAINTAINING RESIDENCY IN ELIGIBILITY CRITERIA

The GNWT considers that the eligibility criteria for the Student Financial Assistance programs and Aurora College programs are reasonable and consistent with the principles of the Social Union Framework Agreement. The following items provide a rationalization:

i. The criteria is reasonable and consistent with the Principles of the Social Union Framework Agreement:

- a) SUFA Principle - *Meeting the needs of Canadians – Ensuring access to programs*. No applicant is denied access to Student Financial Assistance based on their residency. Residents not eligible for NWT grants or remissible loans can apply for a NWT basic loan. Residents not immediately eligible for NWT Student Financial Assistance can apply to the province/territory of their recent residence for a Canada Student Loan. The repayable loan program for ‘not-schooled in the NWT’ applicants is similar to provincial programs offered in other Canadian jurisdictions.
- b) SUFA Principle - *Promote the full and active partnership of Canadians in Canada’s social and economic life*. Incentives for students schooled in the NWT work towards promoting the full and active participation of these Canadians who reside in the NWT, who in most cases must pursue education outside of the NWT. In particular, eligibility for interest relief to those resident in the NWT is part of a public policy approach by the GNWT to develop and support an indigenous labour force in the NWT, resulting in greater participation in the wage economy.

- c) SUFA Principle - *Meeting the needs of Canadians – provide appropriate assistance to those in need*. Cost of living/cost of schooling are significant factors for residents of the NWT: there is no post-secondary university nor technical institution in the Northwest Territories providing full access to post-secondary career development and education. Most NWT post-secondary students are required to travel and study/reside outside of the NWT to pursue education and training opportunities. Incentives for students schooled in the NWT cover higher and additional expenses such as travel, especially for students with families.
- d) SUFA Principle – *All Canadians are equal*. Residency criteria for the college programs ensure equality of opportunity for NWT adults, especially those adults who have lower levels of education and require special consideration and programming.
- e) SUFA Principle - *Aboriginal Peoples and the Social Union*: Student Financial Assistance is one instrument of policy and practice by which the GNWT addresses the pressing needs of aboriginal peoples in the NWT. *

ii. Legislative Basis - The NWT Student Financial Assistance Act:

- a) The NWT Student Financial Assistance Act authorizes the Minister to provide student financial assistance in the form of a grant, scholarship, loan, or in any other form that is prescribed to a person who is eligible for student financial assistance.

iii. Legitimate Policy Objectives

The GNWT pursues legitimate policy objectives through its social policies and practices, including:

- a) *Amelioration of social conditions*: Education, training and skill development of NWT residents is a policy priority for NWT social and economic development. The role of education as a vehicle to ameliorate social conditions is well established in theory and practice, nationally and internationally.
- b) *Capacity*: the development of an indigenous Northwest Territories labour force is critical to the development and maturation of the NWT economy and society, especially critical to meet the demand for indigenous labour in resource development projects. Incentives for young NWT residents to pursue post-

* Note: Ethnicity (Indigenous Aboriginal) also constitutes one of the categories for Student Financial Assistance eligibility in the NWT. Mobility provisions in the SUFA do not identify ethnicity as a barrier to mobility and consequently it was not included in the GNWT Mobility Report. It is noted, however, that aboriginal applicants from outside the NWT, who are not members of, descendents of, or eligible for band membership, or beneficiaries of the Inuvialuit Land Claim, can access a basic grant and remissible loan if they attended schooling in the NWT.

secondary education and training are legitimate policy approaches to address the issue of labour importation across all occupational categories.

LABOUR MARKET MOBILITY: AGREEMENT ON INTERNAL TRADE (AIT)

The GNWT entered the Agreement on Internal Trade with a high degree of compliance with Chapter 7. The GNWT has implemented regulatory change in a number of occupations to facilitate the signing of mutual recognition agreements and the achievement of individual occupation compliance. Several occupations are currently passing through legislative processes that will result in full NWT compliance. The GNWT has not received any complaints raised by any individual or jurisdiction respecting worker mobility.

SUFA AND SELF-GOVERNMENT AGREEMENTS

The GNWT continues to monitor the relationship between mobility provisions in the Social Union Framework Agreement and the results of the self-government negotiations where jurisdiction over social policy and eligibility for programs are part of the subject matter under negotiation.

CONCLUSION

As access to student financial assistance or college programs is not denied, no further work is required on the GNWT's Mobility Action Plan, outside of monitoring self-government arrangements, and meeting the deadlines for labour market mobility (AIT).