

**Kitasoo Xai'xais Nation  
Operations Manual**

---

**Section 5  
Human Resources**

---



Updated Version: August 30, 2023

## Section Five Human Resources

### Table of Contents

1. Human Resources Management - Introduction .....	4
1.1 Intent.....	4
1.2 Application.....	4
1.3 Family.....	5
1.4 Human Resource Officer.....	5
2. Recruiting and Staffing.....	6
2.1 Introduction .....	6
2.2 Classification of Workers .....	6
2.3 Creating or Deleting Employee Positions .....	7
2.4 Advertising Positions.....	8
2.4 Equal Opportunities and Indigenous Hiring Preference .....	8
2.6 Appointment of Personnel Selection Boards.....	9
2.7 Personnel Selection Board Duties and Responsibilities.....	9
2.8 Hiring.....	10
2.9 Criminal Records, Licenses and other Special Employment Conditions .....	11
2.10 Orientation.....	12
3 Conditions of Employment .....	13
3.1 Job Descriptions.....	13
3.2 Probationary Period.....	13
3.3 Standard of Professional Conduct .....	14
3.5 Fraud .....	16
3.6 Employer’s Property .....	17
3.7 Technology.....	18
3.8 Phones and Cell Phones.....	20
4 Respectful Workplace Policy.....	21
4.1 Application .....	21
4.2 Definitions.....	21
4.3 Policies .....	21
4.4 Steps for Reporting Harassment / Discrimination Complaints / Abuse of Authority .....	22
4.5 Human Rights and Accommodations.....	24
4.6 Alcohol, Marijuana, and Drug Abuse .....	25

- 5. Confidential Information and Privacy Policy..... 27
  - 5.1 Introduction ..... 27
  - 5.2 Individual Access to Personal Information ..... 28
  - 5.3 Employee Records..... 29
- 6 Personnel Management..... 30
  - 6.1 Employee Training and Development..... 30
  - 6.2 Performance Management..... 31
  - 6.3 Discipline, Suspension and Dismissal..... 32
  - 6.4 Layoffs and Without Cause Terminations..... 34
  - 6.5 Reconsideration Requests ..... 35
  - 6.6 Notice of Resignation..... 36
  - 6.7 Dispute Resolution..... 36
  - 6.8 Notices ..... 37
- 7 Hours of Work..... 38
  - 7.1 Standard Hours of Work ..... 38
  - 7.2 Comp-Time and Overtime..... 38
  - 7.3 Attendance, Lateness and Absenteeism..... 39
- 8 Benefits, Wage and Salary Administration ..... 41
  - 8.1 Employee Benefits ..... 41
  - 8.2 Pay Increase ..... 41
  - 8.3 Compensation for Increased Responsibility (Acting Pay) ..... 41
  - 8.4 Payment of Wages / Salaries ..... 42
  - 8.5 Payroll Deductions ..... 42
  - 8.6 Timesheets..... 42
- 9 Leave, Vacation and Holidays ..... 43
  - 9.1 Vacation Leave ..... 43
  - 9.2 Scheduling of Vacation Leave ..... 43
  - 9.3 General (Statutory) Holidays ..... 44
  - 9.4 Sick Leave ..... 45
  - 9.5 Bereavement Leave ..... 46
  - 9.6 Maternity Leave ..... 47
  - 9.7 Parental and Adoption Leave..... 47
  - 9.8 Benefits during Maternity, Parental and Adoption Leave ..... 47
  - 9.9 Return to Employment ..... 48
  - 9.10 Compassionate Care and Critical Illness or Injury Leave ..... 48

9.11	Court leave.....	49
9.12	Voting Leave.....	49
9.13	Family and Personal Responsibility Leave .....	49
9.14	Unpaid Personal Leave.....	49
9.15	Educational Leave .....	50
9.16	Leave for Traditional Indigenous Practices.....	50
9.17	Winter Break.....	51
9.18	Leave Respecting Domestic Violence.....	51
10	Health and Safety.....	52
10.1	Occupational Health & Safety.....	52
10.2	Smoke Free Workplace .....	54
10.3	Scent and Allergen Free Workplace.....	54
	Appendix “5A” Employee Orientation Checklist.....	56
	Appendix “5B” Employee Documentation Requirements List .....	57
	Appendix “5C” Performance Appraisal Chart.....	58
	Appendix “5D” List of Personnel Forms.....	60
	Appendix “5E” Employee Acknowledgement.....	61
	Appendix “5F” Record of Amendments.....	62
	Appendix “5G” Incident Report Form.....	63

# 1. Human Resources Management - Introduction

## 1.1 Intent

---

- a. These Human Resources Policies have been adopted to ensure the fair, equitable, and consistent treatment of all KXN employees. The policies and procedures are designed to help set new standards for how the KXN will operate and continue to strive to provide the best service to the people who work and form part of our organization.
- b. The policies, procedures and practices outlined in this section are to serve as a reference and working guidelines for management, supervisory staff and all personnel in fostering and maintaining good employee/employer relationship.
- c. We expect that all of our employees, without exception, will understand, respect and comply with our policies. Therefore it is imperative that all employees familiarize themselves with the content to understand the organization. We sincerely hope that our policies will contribute to an open, honest communication process and add to your sense of pride in working with this organization.
- d. **Jurisdiction.** First Nations undertake Federal work which means they are covered by the *Canada Labour Code* and other employment related federal and provincial legislations. The KXN also undertakes some work under Provincial jurisdiction such as the School and Health Services Department which may be subject to the BC *Employment Standards Act*. If any conflict or inconsistencies exist between this manual and applicable labour legislation, the appropriate legislation or regulations shall take precedence in the event of any inconsistencies and/or omissions within this Operations Manual.
- e. **Amendment.** Council reserves the right to revise, supplement, rescind or add policies to this Operations Manual as appropriate and will ensure that all employees are advised of any changes.
- f. **Equal Opportunities.** KXN is an equal opportunity employer and takes positive steps to correct the disadvantages in employment experienced by women, Indigenous peoples, persons with disabilities, and members of visible minorities.

## 1.2 Application

---

- a. **KXN Departments.** This Personnel Policy applies to the direct operations of the Kitasoo Xai'Xais Nation only including: the Kitasoo Xai'xais Integrated Resource Authority, the Kitasoo Education Authority, Salmon Enhancement Program, Social Development, Housing Authority, Post Office and Health Care Employees hired by the KXN.
- b. **Kitasoo Development Corporation.** This Policy does not apply to the Kitasoo Development Corporation and its subsidiaries. The Kitasoo Development Corporation may choose to adopt this Policy and apply it independently or develop its own policy.

- c. **Independent Contractors.** This Policy also does not apply directly to Independent Contractors as defined in the Operations Manual Section 1 Definitions. However, Independent Contractors are expected to independently meet the standards of this policy and must comply with the Respectful Workplace Policy.

## 1.3 Family

---

- a. **Our Traditions.** KXN values the Kitasoo/Xaixais' rich family traditions and strong custom of customary adoption.
- b. **Definition of Immediate Family.** The definition of Immediate Family is in the Operations Manual at Section 1.
- c. **Other Family.** An employee may request permission from their Department Manager and Human Resources Officer that a member of their extended family be recognized as immediate family for any purpose under this Policy.

## 1.4 Human Resource Officer

---

- a. **Hiring and Supervision.** The Human Resource Officer (HRO) is hired by the Chief & Council, with the recommendation of the General Manager, to take responsibility for personnel and human resources matters in accordance with the adopted human resources policies and procedures. The HRO directly reports and is accountable to the General Manager.
- b. **Purpose and Scope.** The Human Resource Officer works closely with the General Manager and Department Managers but is responsible for planning, developing, implementing and monitoring application of human resource policies. The Human Resources Officer provides service and support to the General Manager and Department Managers in various human resource functions, which include recruitment, staffing, training and development, performance appraisals monitoring, dispute resolution, occupational health and safety and maintenance of personnel files. The Human Resource Officer may participate on Personnel Selection Boards.
- c. **Responsibilities.** The Human Resource Officer's main responsibilities are listed in the job description appended to the Operations Manual Section 3.

## 2. Recruiting and Staffing

### 2.1 Introduction

---

- a. **Process.** Vacant positions will be filled through a process of recruitment and selection designed to hire and retain the most suitable and qualified applicants following objective and consistent hiring practices. KXN is also committed to providing career development opportunities for staff and community members. The organization has a vested interest in encouraging and assisting in the development of training and education programs designed to create a skilled source of future staff members from within the Nation's membership, thus vacancies will first be posted internally and then externally to find suitable and qualified candidates.
- b. **Application.** This Part of the Policy does not apply to the Selection of the General Manager, Human Resource Officer, Finance Officer, Department Managers or other specific employees who are hired pursuant to other Sections of the Operations Manual

### 2.2 Classification of Workers

---

- a. **Contractor or Employee.** People who work for KXN and who are not an elected Councillors are either a contractor or employee:
  - i. **Contractor:** A person who is not an employee or manager that performs work for KXN. A contractor usually:
    - Has a written contract stating they are a contractor,
    - works independently,
    - is self-employed or works for a company other than KXN,
    - owns their own tools,
    - sets their own hours,
    - has clients in addition to KXN,
    - carries on business for themselves, and
    - is responsible for their own taxes and statutory deductions.

For example, generally plumbers, electricians, consultants lawyers and accountants are hired as contractors.

Council approves the hiring of contractors where the value of the goods or services is over \$50,000 following the recommendations of the General Manager pursuant to the Operations Policy Manual Section 4.23. The General Manager makes all independent contractor hiring decisions for goods and services valued at less than \$50,000, and may delegate these hiring decisions to Department Managers. Independent Contractors hired for the Health Services Department are hired pursuant to the Operations Policy Manual Section 7.06(e).

ii. **Employee:** A person hired as an employee and not a contractor. If the employer provides the employee tools and a workplace, a wage rate or a salary, collects statutory deductions for them, supervises and controls when and where they work then the person is usually considered an employee.

b. **Classification of Employees** –Employment positions shall be classified as

I. either permanent or temporary,

and,

II. either full-time, part-time or casual. All positions will be subject to a probationary period, though previous service for KXN can satisfy this requirement at the discretion of the hiring manager. Positions may be classified as supervisory depending on their roles and responsibility.

a. **Full-time Employee:** Employees who are employed for a minimum of 30 hours per week, who are being funded for the position on an ongoing basis and have been designated Full-Time in their employment contract.

b. **Part-time Employee:** Employees who are employed for between 20 – 30 hours per week, who are being funded for the position on an ongoing basis and have been designated Part-Time in their employment contract.

c. **Casual Employee:** Employees who have been designated as Casual in their employment contract, and are employed only on a short-term basis or are working less than 20 hours per week.

## 2.3 Creating or Deleting Employee Positions

---

a. **Employee Positions.** To create or abolish an employee position, the General Manager, in consultation with Department Managers, Committees and the Human Resource Officer, makes a recommendation to Chief and Council outlining the rationale identifying the need to add or delete a position, the cost, identification of funding source and other relevant information. The Chief and Council will render a decision and task the Human Resource Officer to proceed with the recruiting process.



## 2.4.

### 2.4. Advertising Positions

---

- a. **Inside Posting.** Vacant or new staff positions for the KXN shall first be advertised internally to the organization and community and will be posted in a prominent public place commonly used for the purpose of community notices, newsletter and website where available. It will be common practice to post for ten (10) working days where operationally feasible. Council reserves the right to hire without posting to meet operational requirements.
- b. **External Posting.** In the event a suitable and qualified candidate is not found within the Kitsoo Xai'xais community, the employer may advertise the vacant or new position externally for a period of fourteen (14) days. Advertising may include, but is not limited to, the following;
  - Newspaper ads;
  - Postings with Human Resources Development Canada;
  - Postings with other First Nations;
  - Ads with Educational Institutions (where appropriate);
  - Public notices;
- c. **Reposting.** The employer reserves the right to re-post any position when the applications received are unsuitable or unqualified for the position.
- d. All job postings will contain a brief job description, minimum qualifications and a date by which the applications should be received. An indication of salary or wages may also be included.
- e. Job postings that are being developed in anticipation of an upcoming position will state —Anticipatory Staffing – This position may not be filled depending on funding.
- f. Contract extensions of temporary employees whose employment has expired or recently expired do not need to be posted and can be extended or renewed at the discretion of the Department Manager.

### 2.4 Equal Opportunities and Indigenous Hiring Preference

---

- a. The Employer is an equal opportunity and takes positive steps to correct the disadvantages in employment experienced by women, Indigenous peoples, persons with disabilities and members of visible minorities.
- b. The Employer reserves the right to give first preference to Indigenous applicants who possess the necessary qualifications or experience for the position.
- c. Certain positions may require knowledge and/or experience with Kitsoo Xai'xais languages, culture, history, or customs as a bona fide occupational requirement.

## 2.6 Appointment of Personnel Selection Boards

---

- a. Personnel Selection Boards are *ad hoc* committees formed when a job vacancy needs to be filled. Guided by the principle that the KXN is an equal opportunity employer, the Personnel Selection boards are mandated to proceed with the selection of the most suitable and qualified candidate for the vacant position that needs to be staffed.
- b. Personnel Selection Boards are required for the selection of all employees, other than independent contractors, Department Managers, and other employees that are hired pursuant to other Sections of the Operations Manual. However, Department Managers, the General Manager and Council may appoint personnel selection Boards to assist them when hiring employees pursuant to other Sections of the Operations Manual.
- c. A Personnel Selection Board for a job vacancy will consist of the Human Resource Officer, the Manager of the department for which the job vacancy exists and is being staffed, and a Committee member from the respective Committee attached to the Department where the vacancy is being filled. If there is no Committee attached to the Department from where a position is being filled, then a Supervisor or Manager from another Department can be used. If the Human Resources Officer or Department Manager is unavailable due to a conflict of interest or any other reason, then the General Manager can select other Personnel Selection Board members.

## 2.7 Personnel Selection Board Duties and Responsibilities

---

Personnel Selection Board duties and responsibilities are:

- i. Review the applications and qualifications of the job applicants for the specific job vacancy required to be staffed and create a list of eligible employees who have the position's minimum qualifications.
- ii. Each Personnel Selection Board member must declare any conflicts of interest to the other members of the Personnel Selection Board and the General Manager pursuant to Section 11 Code of Conduct and Managing Conflicts of Interest, and withdraw from the selection process if excused by the General Manager or the other members of the Personnel Selection Board if the eligibility list includes an Immediate Family Member. In that case, the General Manager or the Chief when applicable will appoint another suitable person for the Personnel Selection Board.
- iii. Rank the job applicants based on the following criteria:
  - Education and Training;
  - Work Experience;
  - Skills and Abilities;
  - Motivation and potential;
  - Personal expectations of the employee;
  - References;
  - Aptitude test (where applicable)

- iv. Compile a set of questions designed to test each candidate's knowledge, ability, and personal suitability for the position. Once unanimously approved, these same questions shall be used as a base list of questions for all candidates. Additional questions can be asked of each candidate.
- v. As appropriate, require candidates to provide original documents or certified true copies, including transcripts, certificates, graduation certificates or licences for copying. Copies will be maintained in the employee's personnel file.
- vi. Conduct job interviews with the top 3 job applicants;
- vii. Ask the candidates to disclose any conflicts of interest that may arise during their employment pursuant to the Operations Manual Section 11 Code of Conduct & Managing Conflicts of Interest, employees will also be asked to disclose any potential conflicts of interest that may arise during their employment;
- viii. Conduct reference checks;
- ix. Collectively rank the candidates in order of who is best qualified for the position;
- x. Contact Housing Manager to determine if proposed candidate will need to sign a payroll deduction authorization for rent and arrears; and
- xi. Notify the General Manager of the Selection Committee's ranking and the Department Manager's selected Candidate with any recommendations on salary adjustments or special conditions.

## 2.8 Hiring

---

- a. The General Manager may approve or reject a Department Manager's selected candidate. In the event that the General Manager rejects a Department Manager's recommendation, the recommendation will be forwarded to Council for approval or rejection.
- b. To avoid nepotism and conflict of interest, immediate family members of employees should not be hired into positions where there is a direct reporting relationship or where internal controls may be compromised as a result of such appointment. Such hires may only be approved by Council if appropriate and if safeguards are introduced to avoid conflicts of interest pursuant to the Operations Manual Section 11 Code of Conduct & Managing Conflicts of Interest.
- c. In cases where it is necessary to hire for a position on an emergency basis, the procedure set out above may be waived, but only with the prior approval of Council.
- d. The General Manager will direct the Human Resources Officer to notify an approved candidate and prepare a contract offer including:
  - i. the job title,
  - ii. starting salary or wage rate,

- iii. benefits (if any),
  - iv. the probationary period (if applicable),
  - v. the commencement date,
  - vi. a copy of the Human Resource Policy section of the Operations Manual,
  - vii. if applicable a payroll deduction authorization for housing charges.
- e. Positions requiring a criminal records check (CRC) will provide an offer of employment that is contingent upon obtaining and maintaining a satisfactory CRC for the position.
- f. The Employment Agreement will not be complete until the candidate signs and return the original Employment Agreement. All duly signed forms must be returned prior to the start date. The Human Resource Officer will keep the Employment Agreement and any other forms and letters on the employee's personnel file.
- g. Should the successful candidate turn down the position, the second interviewed candidate on the list will be offered the position subject to their approval by the Department Manager and General Manager as per Section 5.2.8(a).
- h. In the event that no qualified candidate is identified or willing to accept the position, the position may be advertised again or abolished.
- i. These procedures do not restrict or apply to the ability of Council to make appointments to committees, boards or other offices as required.

## 2.9 Criminal Records, Licenses and other Special Employment Conditions

---

- a. Some positions have special requirements such as:
- i. a valid BC Driver's Licence;
  - ii. first aid certification.
  - iii. professional licenses, and
  - iv. no relevant criminal record.
- b. Candidates will be informed of special requirements of their jobs, at the interview and in writing in an offer of employment letter.
- c. Employees who must maintain clean criminal record checks, licenses or certifications must inform the Human Resources Officer immediately of any corresponding charges, suspensions, citations or loss of license or certification. Failure to meet or maintain the requirement could result in termination of employment.
- d. Employees must report new criminal charges to their Department Manager. An employee of the KXN charged with of a criminal offense or who engages in criminal activity, where the offense or activity harms or compromises the reputation or position of the employer, or where the offense or activity interferes with an employee's ability to perform his/her duties and responsibilities, may be subject to suspension pending trial or terminated.

- e. KXN reserves the right to require annual Criminal Records Checks and Driver's Abstract for employees at the employer's expense.

## 2.10 Orientation

- a. The employer shall provide all new employees with an orientation process at the start of their employment. The orientation process takes time and does not happen all in a single day. As you settle in, please do not hesitate to ask questions at any time. We recognize the value of providing a comprehensive orientation program to employees.
- b. The Orientation will be the responsibility of the employee's Department Manager assisted by the Human Resources Officer and may be supported by other staff members of the organization.
- c. The Department Manager will ensure that all payroll, benefits and employee documents are completed and forwarded to the payroll department, and to the employee's personal file, within the first two days of work.
- d. An Orientation checklist may be used by the supervisor to ensure that all aspects are covered. The New Employee Orientation Checklist is attached as **Appendix "5A"**.

## 3 Conditions of Employment

### 3.1 Job Descriptions

---

Job descriptions will be available for all full-time and part-time positions. Department Managers are responsible for writing and amending all job descriptions and maintaining an updated copy of all job descriptions on file in consultation with the Human resources Manager. New Job Descriptions and amendments must be approved by Council.

Job descriptions shall include the following:

- Job title;
- Purpose of the job;
- Decision making authority of the position;
- Accountability – sets out the reporting structure;
- Qualifications required for the position;
- Responsibilities which may change from time to time to reflect the needs of the employer.

### 3.2 Probationary Period

---

The probationary period is an integral part, and an extension of the employee selection process. During the probationary period, the employee's Department Manager and the immediate supervisor shall work in partnership with the new or promoted employee to try and achieve a desired and acceptable level of performance. The probationary period provides both the employee and employer the opportunity to assess skills, knowledge and abilities and fit with the organization. We encourage you to actively participate in this process and ask questions that will help your understanding of your role and of the organization.

- a. All new employees shall serve a three (3) month probationary period from the commencement of their employment, though previous employment with the KXN can satisfy a probationary period at the discretion of the Department Manager.
- b. Employees who are already receiving benefits when promoted or transferred will continue to receive these benefits during the probationary period.
- c. Employees who are promoted or transferred who are not successful in their probationary period in the new position may not be entitled to return to their previous position.
- d. During the probationary period, the employee should receive a written performance evaluation review prior to the end of their probationary period. The Department Manager will evaluate employees working under their respective department. Department Managers and the Human Resource Officer will be evaluated by the General Manager. If the position of a Department Manager is vacant, the General Manager will assume the role of Department Manager. The General Manager will be evaluated by Chief and Council. Employees must be given written notice of their evaluation prior to the end of their probationary period. Any further written comments on an employee's

evaluation are to be made available for the employee to review. The notice must indicate whether their employment will or will not continue. Employees who decide not to continue with their employment must give written notice no less than one (1) week prior to the end of their probationary period.

- e. Where an employee does not meet the performance requirements of the position during the probationary period, the employee's employment shall be terminated with or without any notice or pay in lieu of notice depending on length of service in accordance with *Canada Labour Code* or the *BC Employment Standards Act*.

### 3.3 Standard of Professional Conduct

---

The following is the standard of professional conduct we expect from our employees. Failure to live up to this Code of Conduct is grounds for disciplinary action, up to and including termination of your employment.

- a. Employees of KXN shall conduct and present themselves in a professional and an appropriate manner at all times, including while performing work for the employer, representing the employer, participating in employer organized activities or events, and when dealing with outside organizations or persons.
- b. Employees shall work together with management as a team.
- c. An employee's personal appearance and dress shall be appropriate to the employee's employment position, the image of the organization, and the nature of the employee's work assignments.
- d. Employees shall use the facilities, property, and supplies which are owned or rented by the employer, with care and due diligence, and only as authorized. Employees shall not use employer owned or leased equipment, vehicles and software for their personal use or pleasure, without the preauthorization of the General Manager.
- e. Building and maintaining our good reputation is essential to moving forward. Employees shall not publicly criticize the employer and its policies, other employees, nation and community members, the governing body, and any other persons or organizations doing business with the employer, as this can damage our reputation and our ability to serve our clients and partners. Care must be taken that when you are representing yourself that you do not make statements on behalf of the organization.
- f. Employees are to carry out the duties and responsibilities of their position to the best of their ability, conscientiously, loyally and honestly, remembering that their primary responsibility is to the employer in serving the needs of the clients/community.
- g. Employees are encouraged to demonstrate initiative in finding ways of doing their work more efficiently, effectively, and economically while following instructions attentively, being cooperative with their supervisor and co-workers, and working as a team member with other employees.

- h.** Employees will show respect for the authority and jurisdiction of the management and the Chief and Council
- i.** Employees are expected to perform their jobs in accordance with established policy and procedures as set out in the Operations Manual.
- j.** Employees shall not accept any fees, gifts, or other tangible benefits for duties performed by virtue of their position. Sales incentives are property of the employer. Unsolicited traditional gifts presented to an individual staff member may be kept if the gift is declared to and approved by the General Manager.
- k.** Employees will not participate in private political activity during the working day or at any time during which the employee is on official business, unless authorized in advance by the General Manager in writing.
- l.** Employees must not speak publicly on matters which could bring the organization into disrepute or be perceived as an official act or representation unless authorized to do so.
- m.** The following list provides some examples of improper conduct that would not be in keeping with our Code of Conduct:
  - i.** Bullying;
  - ii.** Theft;
  - iii.** Abuse of property and equipment;
  - iv.** Harassment or discrimination;
  - v.** Habitual lateness or absences;
  - vi.** Asking for or acceptance of personal gifts or gratuities in exchange for preferential treatment;
  - vii.** Falsifying company records;
  - viii.** Disclosing confidential information;
  - ix.** Engaging in an undeclared conflict of interest without managerial approval;
  - x.** Possession, use or sale of illegal substances on KXN property;
  - xi.** Being under the influence of alcohol or illegal substances while on the employer's business;
  - xii.** Insubordination or failure to carry out instructions;
  - xiii.** Job abandonment;
  - xiv.** Undermining Behaviour; and
  - xv.** conducting personal business or the business of any organization other than that of the employer during normal working hours, without the pre-approval of their Immediate Supervisor or Department Manager.



## 3.5 Fraud

---

KXN aims to provide community leadership and quality services, operated with the highest standards of respectability and accountability. It is our aim to establish appropriate controls which would aid in the detection and prevention of any fraud against the Nation.

This Anti-Fraud Policy Statement aims to raise awareness of the risks and consequences of Fraud. It provides a framework for promoting the Organization's policies and procedures to prevent and detect fraud. This statement covers fraud and loss within the KXN's administration and applies to Staff, Band Member, Contractors and Elected Officials.

This policy has been created to protect the Organization's commitment to protect its revenues, property, reputation and other assets; to emphasize clearly the need for accurate financial reporting and to define guidelines for the investigation and handling of fraud should it occur.

- a. The definition of fraud is in the Operations Manual at Section 1.
- b. We expect staff to act with honesty and integrity at all times; to safeguard the public resources for which they are responsible. All staff are required to participate actively in protecting the organization's money and resources.
- c. **Zero tolerance.** We promote an anti-fraud culture by having a zero tolerance for fraud; by an expectation that every employer and all employees are knowledgeable about this policy and create an environment to support this policy; by investigating every allegation of fraud whether anonymously or otherwise; taking disciplinary action where appropriate; and recovering losses through civil action if necessary.
- d. **Reporting.** Any fraud detected or suspected must be reported immediately to the General Manager. If the accused is the General Manager, the complaint would go to the Chief Councillor, if the complaint is against both or they are in a conflict of interest with one another, then it must be reported to the Deputy Chief.
- e. **Investigation.** The General Manager, or when deemed appropriate, the Chief will initiate the investigation with utmost discretion and determine whether the accused should remain at work or be suspended pending the investigation.
- f. The General Manager will immediately notify the Chief and Council of any significant fraud investigation. Also, the Chief and Council will involve the Auditor/Legal or RCMP, as deemed appropriate.
- g. Upon conclusion of the investigation, the results will be reported to the appropriate management representatives. All significant instances of fraud will be further reported to the Chief and Council. Lastly, quarterly updates of any detected fraud will be provided to Chief and Council and appropriate management representatives.
- h. Where there are reasonable grounds to indicate that a significant fraud may have occurred, the General Manager will report the incident to the Chief and Council and the appropriate authorities in

order to pursue all legal remedies. Also, the employer may pursue every reasonable effort, including court ordered restitution, to obtain recovery of the losses from the offender. If there is proof that a fraud has occurred by the investigation, disciplinary action, up to and including dismissal shall be taken.

- i. **Controls.** All employees should be familiar with the types of impropriety that could occur in their area of responsibility and report any suspected fraudulent activity to their supervisor. The organization is responsible for instituting and maintaining a system of internal control.
- j. **Whistle Blower protection.** No employee of KXN or person acting on behalf of the Organization in good faith in attempting to comply with this Fraud Policy shall:
  - Be dismissed or threatened to be dismissed;
  - Be disciplined or suspended or threatened to be disciplined or suspended;
  - Be penalized or any other retribution imposed, or
  - Be intimidated or coerced,

based on any extent upon the fact that the employee has reported an incident or participated in an investigation in accordance with the requirements of this policy

- k. **Examples of Fraud.** The following are examples of acts of fraud. This list is not exhaustive.
  - Embezzlement, misappropriation or other financial irregularities;
  - Forgery or alteration of any document or account belonging to the organization (e.g. cheques, time sheets, leave applications and absence reports, travel claims, contract agreements, purchase orders, other financial documents, electronic files, etc.)
  - Taking funds, securities, supplies or other assets;
  - Destruction or concealment of records or documents;
  - Improprieties in the handling or reporting of money or financial transactions;
  - Misappropriation of funds, supplies, inventory, or any other assets (including but not limited to furniture, computers, fixtures or equipment);
  - Authorizing or receiving payment for goods not received or services not performed;
  - Authorizing or receiving payment for hours not worked; and
  - Misuse of office (including but not limited to failure to disclose a conflict of interest resulting in personal benefit).

## 3.6 Employer's Property

---

- a. All employees must protect and care for all property entrusted to them by the employer.
- b. All employees must report any faulty equipment that requires repair or maintenance to their immediate supervisor or designate.
- c. All employees must report any KXN property that is lost or misplaced to their immediate supervisor or designate immediately upon becoming aware of the loss.

- d. Keys will be issued and signed for by the employee. These keys will not be duplicated. Lost keys are to be reported immediately or can result in disciplinary action.
- e. All keys, password and login information and any other property belonging to the employer must be returned to the employer upon termination of employment or leave of absence.
- f. No personal visitors or unauthorized person(s) are permitted in the Nation's Administrative Office after regular business hours.

## 3.7 Technology

---

Computers, the Internet and email are tools used to support job responsibilities and to further the business operations of KXN. Use of these tools requires each employee to be personally responsible for the security, integrity and well-being of the systems.

- a. Computers are first and foremost provided for business use.
- b. Work emails must only be sent or received using official email addresses on the Employer's email domains such as @kitasoschool.ca, @kxsa.ca, @kitasoband.com, unless approved otherwise by a Department Manager.
- c. E-mail messages and electronic documents are written documents for legal purposes, including documents that have been deleted. They may be subject to court order and disclosure may apply to a user's personal documents as well as work documents.
- d. Also understand that email messages are not secure and may be intercepted, misdirected or retransmitted beyond your intended audience.
- e. Any documents, files, programs or other electronic content created on the employer's equipment belongs to the employer regardless of the time of day created or the purpose of that creation.
- f. The employer retains the right to monitor any and all electronic communications, files and use of the Internet to ensure the integrity of the system and compliance with our policies. However, Email accounts and personal workstations may only be reviewed by management following a Band Council Resolution that is forwarded to the General Manager and the Office Manager, and only for investigating suspected misconduct or when retrieving documents that are suspected to be lost or stolen, or inaccessible.
- g. The following list, while not exhaustive, demonstrates the types of activities that are prohibited:
  - i. Accessing or distributing pornographic material or engaging in any illegal activity;
  - ii. Knowingly using or distributing software or products that contain viruses, that are designed for hacking or activities designed to interfere with the functioning of the internal or external network;

- iii. Using technology to make racial slurs, defamatory or other derogatory statements, harass, threaten or electronically stalk or to circulate sexually explicit material including jokes or cartoons;
  - iv. Deliberately misrepresenting the organization or yourself;
  - v. Using material, software or other intellectual property of others that would violate software licenses, copyright and trademark laws;
  - vi. Disclosing security methods, passwords or other proprietary information;
  - vii. Using the network for personal commercial use, advertisements, solicitations or promotions or for personal political gain;
  - viii. Chat rooms, forums and other types of internet areas;
  - ix. Instant messaging systems (e.g. MSN);
  - x. Do not forward jokes, chain emails, etc;
  - xi. The employer will not tolerate the use of computer equipment for personal gain, illegal activities or any activity that violates the nature and intent of our policies, procedures or codes of conduct.
- g. Acceptable use of computer equipment and tools would include:
- i. Activities required to conduct the organization's business and fulfill its mandate;
  - ii. Use of electronic mail or the internet for personal communications, educational purposes or for research that does not interfere with your performance or the ability to do your job or harm the employer's reputation on breaks and not on company time.
- h. Employees should understand that every message delivered from our system reflects on and represents the Nation. Therefore, you should always re-read your message before you hit send and ensure that:
- i. It pertains to business matters;
  - ii. It transmits a professional message (should it be on letterhead);
  - iii. If written when angry that you save it and reconsider the consequences when you have cooled off.
- i. Violations of this policy may result in suspension of computer use, email and internet privileges and may be subject to disciplinary action, up to and including termination. Suspected illegal activity may be reported to law enforcement agencies for investigation.

**Internet Etiquette:**

1. Consider which messages should be typed on letterhead and maintained in the employer files;
2. Make sure emails that record business are printed and filed in the employer files if required in your department;
3. Keep messages as short as possible – say what you need to say, but be clear about your message;
4. Sign your message – try to include at least your full name and email address;
5. Extremes to remember: UPPER CASE MEANS SHOUTING! Multiple exclamation marks are bad!!!! Standard punctuation is expected;
6. Carbon copies should be shown so that everyone knows who the message is going to.

7. Use blind carbon copies when mailing to multiple members of the public who have not consented to the disclosure of their email addresses, such as when emailing a community announcement to a distribution list.

## 3.8 Phones and Cell Phones

---

1. Employees may occasionally use company telephones for short personal calls, though they should be kept to a minimum and placed during break times as much as possible. Personal long distance calls are not permitted. Phone calls may be monitored at all times, and phone log reports may be run when necessary.
2. Collect calls are not accepted from the general public as a general practice, however you must use your discretion when a collect call is from staff or Council members.
3. Personal cell phone use is permitted during break periods only and devices should not be turned on during work time, unless authorized.
4. Employees must not use cellular phone calls while a vehicle they are operating is in motion. For your safety, use cellular phones only while the vehicle is parked so that you may direct your full attention to your driving and the road as distractions can and do cause accidents.

## 4 Respectful Workplace Policy

Our goal is to foster a professional, safe, supportive and productive work environment where all employees are treated with respect and dignity, provided with equal rights and opportunities, and are free from discriminatory practices and all forms of bullying and harassment. KXN will provide protection for complainants, confidentiality in the review of bullying and harassment and discrimination complaints, and proper redress. This Respectful Workplace Policy shall be administered and interpreted to meet the requirements of any applicable legislation.

### 4.1 Application

---

This Respectful Workplace policy applies to all individuals working for the organization including front line employees, temporary employees, all supervisory personnel, managers, officers and councilors. Independent Contractors and service providers are expected to have a substantially similar policy. Independent Contractors, service providers and members of the public can be the subject of complaints under this policy by staff and councilors. The Employer will not tolerate bullying, harassment or discrimination by anyone at any time.

For the purposes of this policy, bullying, harassment and discrimination can occur:

- a) At the workplace;
- b) At employment-related social functions;
- c) In the course of work assignments outside the workplace;
- d) During work-related travel;
- e) Over the telephone, if the conversation is work-related; or
- f) Elsewhere, if there is a connection to work responsibilities or a relationship at work.

This policy applies to individuals directly as well as indirectly through their agents, such as a spouse or family member who engages in bullying, harassment or discrimination on their behalf.

### 4.2 Definitions

---

Definitions for bullying and harassment, sexual harassment, discrimination, abuse of authority, and other terms are located in the Operations Manual at Section 1.

### 4.3 Policies

---

- a. Bullying and harassment in any form will not be accepted and will be considered a serious offense subject to discipline.

- b. KXN zero tolerance for sexual harassment. Every employee is entitled to employment free of sexual harassment. Sexual harassment is discrimination on the basis of sex and contrary to the *Canadian Human Rights Act* or the *B.C. Human Rights Code*. KXN will make every reasonable effort to ensure that no employee is subjected to sexual harassment. Employees who believe they have been sexually harassed have the right to seek redress under the *B.C. Human Rights Code* or the *Canadian Human Rights Act*.
- c. Allegations of harassment will be investigated and dealt with in a fair, unbiased and timely manner.

#### 4.4 Steps for Reporting Harassment / Discrimination Complaints / Abuse of Authority

---

- a. The following steps outline the process of reporting complaint of Harassment, Discrimination and Abuse of Authority:
  - i. Any case of bullying, harassment or discrimination should be reported immediately to the Human Resources Officer for investigation. Should the Human Resources Officer be the subject of the complaint, the employee should report the incident to the General Manager for investigation. The investigator may obtain external services or appoint Council member to assist in the conduct of the investigation. It is the responsibility of Management and Chief and Council to take immediate and appropriate action to report or deal with incidents of harassment of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally without assistance.
  - ii. The goals of the complaint procedure are to ensure that any inappropriate behaviour or actions cease immediately and do not recur, that any loss incurred by the employee subjected to such behaviour is redressed and that employees are educated about discrimination and harassment so that it does not happen in the future.
  - iii. The employee should provide documentation of any incidents including dates, times, locations, details of the behaviour, names of witnesses and any prior attempts to resolve the issue or stop the behaviour. In addition, the complainant should provide the solution they are seeking to satisfy their complaint.
  - iv. Employees who file a complaint in good faith that is not frivolous or vexatious will remain free from threats or reprisals from either co-workers or management. Should a threat or reprisal occur a separate complaint should be filed. KXN does not condone retaliation and will take the necessary action to address the matter, up to and including dismissal.
  - v. The Human Resource Officer, General Manager or their appointee will undertake an investigation including meeting with the employee (complainant) filing the complaint to confirm the facts, meeting with the person being accused (respondent) to understand their perspective and any witnesses to these events. The complainant and the respondent are both entitled to be informed of the outcome of the investigation.

- vi. Following investigation, the General Manager, in consultation with the Chief or in cases where a complaint is made against the General Manager, the Chief, in consultation with Council will determine the appropriate resolution.
- b. Employee Responsibilities.** The following outline the employee's responsibilities when subjected to bullying, harassment, discrimination or Abuse of Authority:
- i. Speak up. If you are uncomfortable with another person's behaviour you need to tell the person to stop. Let them know how you feel (embarrassed, humiliated, demeaned or just bothered) by what they are doing or saying. You should speak to that person directly. You should keep a record of this conversation, including the date and any other person you discussed this with and your attempts to resolve the issue.
  - ii. If you are unable to address the person yourself, you may ask your Department Manager or the Human Resource Officer to help you deal with the person on an informal basis. They may be able to help you by facilitating a discussion with the person or help you to express your feelings in a letter.
  - iii. Keep notes of all unwelcome behaviour. Write down what happened, when it happened, where you were, anyone who witnessed the event and how you felt about it.
  - iv. Some uncomfortable behaviour may not meet the definition of bullying, harassment or discrimination and should be resolved informally with the help of management and the Human Resources Officer. However, all behaviour that meets the definition of bullying, harassment or discrimination must be reported.
- c. Rights of the Accused.** If you have been accused of bullying, harassment or discrimination, you have the right to be informed of the complaint and receive a written statement of the allegations to enable you to respond. You have the right to have someone accompany you during the process, and to be kept informed of the progress of your complaint. You will be advised about the final outcome of the investigation at the same or similar time as the complainant.
- d. Resolutions.** Resolutions resulting from an investigation which finds bullying harassment or discrimination occurred, whether formal or informal, may include options including but not limited to:
- i. A formal apology;
  - ii. Accommodation;
  - iii. A written warning delivered to the person who conducted the harassment;
  - iv. Counselling;
  - v. reassignment or relocation
  - vi. Attendance at educational seminars;
  - vii. Disciplinary action which may include demotion, suspension, termination of employment.
- e.** The employer will review the past history of the employee, whether any previous events have been recorded, the employee's accountability for their actions and the wishes of the victim when determining the penalty.



- f. Chief and Council will be informed when termination is the recommended resolution.
- g. Complaints that are not supported by evidence gathered during an investigation will be dismissed. As long as the complaint was filed in good faith and was not frivolous or malicious, there will be no penalty to the person who complained.
- h. Where an employee's allegations of bullying, harassment or discrimination are found to be frivolous or malicious, or in bad faith, that employee will be subject to disciplinary action, up to and including termination.
- i. **Record Keeping.** All documents related to an investigation will be maintained in a sealed envelope within a locked cabinet. The documentation will be kept by the Employer for a period of no less than two years after both the complainant and respondent cease their employment.
- j. **Confidentiality.** The Employer will attempt, in all cases to maintain the confidentiality of the complainant and respondent. While it is not always possible to do so when soliciting witness statements, the Employer will refrain from unnecessarily releasing any information to other employees which would jeopardize the confidentiality of the parties involved. Where it is determined that legislation/law was contravened, the Employer may supply and all evidence to the authorities in accordance with applicable privacy laws. The Employer may also use and disclose information related to a complaint in order to defend itself in civil and administrative proceedings.

In sexual harassment complaints, the Employer will not disclose the name of a complainant or the circumstances related to the complaint to any person except where disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures.

## 4.5 Human Rights and Accommodations

---

- a. Employees have human rights to be treated fairly despite certain differences that they may have. However, at times discrimination occurs unintentionally when a standard, practice or policy impacts people differently. Accommodation seeks to eliminate barriers, standards, requirements, practices, policies, and rules that adversely affect people on the basis of one or more prohibited grounds of discrimination.
- b. **Examples of Discrimination.** Discrimination can take many forms, such as:
  - a. if a religion requires holidays other than the statutory holidays, alternative days off may have to be provided to accommodate an employee's religion;
  - b. if the capabilities of a person are restricted due to a disability, a reasonable accommodation, such as the purchase of an assistive device, or the restructuring of certain components of their job, may be required in order to allow the disabled person to apply their skills and abilities.
- c. **Requesting Accommodation.** Any employee requesting accommodation must make a request to their immediate supervisor.

- d. **Religious Holidays.** Employees that require accommodation for religious holidays are directed to provide as much advance notice as is possible.
- e. **Disability.** Employees requesting an accommodation due to disability may be expected to provide medical information to their supervisor and work with their Health and Safety Representative or Committee.
- f. **Reasonable Accommodation.** Employees do not have a right to a “perfect” or “ideal” accommodation. The Employer shall work to provide a reasonable workplace accommodation up to the point of undue hardship. Undue hardship may occur where all options have been considered and it is established that no forms of appropriate accommodation exist, or where the creation of accommodation would result in excessive costs or create a health and safety hazard.
- g. Where an employee refuses a reasonable accommodation, the Employer may take the position that it has met its legal duties and the employment relationship may come to an end.
- h. **Human Rights Complaints.** In the event that the employee requesting accommodation feels that their needs have not been met in a reasonable manner, they may file a complaint of discrimination with the Human Resources Officer pursuant to the Respectful Workplace Policy above.

## 4.6 Alcohol, Marijuana, and Drug Abuse

---

Alcohol, marijuana and drug abuse can adversely affect an employee’s performance and the safety and health of themselves and other employees. It is the intent of KXN to have an environment that is free from intoxication. All functions and premises will be free from marijuana, alcohol and intoxicating drugs and staff, visitors or guests who are impaired will be asked to leave our premises.

The use and possession of intoxicating drugs, marijuana and alcohol in the workplace is strictly prohibited and may result in disciplinary action up to and including the termination of your employment.

- a. Reporting to work under the influence or after-affects of the above-noted substances may impair your ability and/or create a safety hazard for others is also prohibited and subject to disciplinary action up to and including termination of employment.
- b. **Outside Events.** When employees are being paid to attend and represent KXN at outside events, they are not to consume alcohol or impairing medication or marijuana while at that function.
- c. **On-Call Workers.** In the event that an employee is asked to come in to work on a day off, they must refuse if they are unfit due to the influence of alcohol, marijuana or drugs. Employees who are expected to be on-call must abstain from alcohol and impairing drugs and marijuana during potential work hours.

- d. Medication.** Over-the-counter drugs, prescribed drugs, and prescribed marijuana may be used as long as they do not significantly impair your ability to safely be in the workplace and do your job. In such cases, we will request medical information from your doctor. Employees who are prescribed drugs which may impair their ability to safely be in the workplace and do their job must inform their immediate supervisor of the potential impairment so that accommodation can be investigated.
- e. Asking for Help.** Employees who come forward voluntarily to seek help with an alcohol, drug or marijuana problem will be referred for an assessment by a medical or counselling professional and will be expected to follow any recommended treatment plan. Declaring a problem does not eliminate the requirement for maintaining satisfactory job performance levels. Employees who voluntarily seek assistance for addiction problems by coming forward to the Employer will not be disciplined for doing so but employees cannot avoid performance management or discipline by declaring they have an addiction.
- f. Off-Duty Recreational Use.** When an employee is on their own time, they may make their own decision about alcohol or marijuana consumption however they should remember to always act responsibly and that inappropriate behaviour may affect the reputation of the KXN. Actions or conduct may occur during or outside of the scheduled workday that may warrant disciplinary action, up to and including dismissal, for inappropriate off-duty conduct, whether verbal, written or through other electronic means, include but are not limited to:
- Damages our reputation and goodwill within the Community;
  - Materially and adversely affects your job performance or the job performance of other employees;
  - Divulges private information of the organization or of others, to any person or entity that is not authorized to receive that information;
  - Makes libellous, slanderous or maliciously false statements towards or concerning the organization, any of its employees, governing body, services or products.

## 5. Confidential Information and Privacy Policy

### 5.1 Introduction

---

KXN has a practice of protecting the privacy and security of customer, supplier, member and employee records. We are committed to meeting any applicable obligations under Canadian data privacy laws, including the Canadian *Personal Information Protection and Electronic Documents Act*, and British Columbia's *Personal Information Protection Act*. We adhere to the privacy principles set out below, which govern the way we collect, use, store, and disclose personal information that is obtained in the course of conducting business or in the course of employment.

**a. Definitions:**

Definitions for personal information and confidential information are contained in the Operations Manual at Section 1.

**b. Principles.** We will collect, use, store, and disclose personal and confidential information in accordance with the following privacy principles:

- i. **Confidentiality Agreement:** Department Managers, the General Manager or the Human Resource Officer will ensure that employment contracts contain commitments to Confidentiality.
- ii. **Privacy Officer:** The overall responsibility for ensuring our compliance with data privacy laws and this privacy policy rests with the General Manager, who also acts as the Privacy Officer. All employees within the organization have responsibility for the day-to-day collection and processing of personal information. The role of the Privacy Officer may be delegated to another employee within the organization by adding this designation in their job description.
- iii. **Responsibility.** We are responsible for personal and confidential information in our possession or custody, including personal information that we may transfer to third parties for processing. We will require our service providers to agree to contractual requirements that are consistent with our privacy and security policies. We will require that our service providers are prohibited from using personal information, except for the specific purpose for which we supply it to them.
- iv. **Managerial Approval.** No business transactions or confidential information should be disclosed without prior written approval of a Supervisor and must at all times be in keeping with organization policies and legal requirements. If an employee is unsure about the confidentiality of any information or a document, they must check with their Supervisor, Department Manager or the General Manager.
- v. **Identifying Purposes:** Either before or at the time of collection, we will identify the purposes for which we plan to use the Personal Information. Depending upon the way in which the personal information is collected, this can be done orally or in writing. Unless required by law,

we will not use personal information for a new purpose without the knowledge and consent of the individual to whom the information relates.

- vi. **Obtaining Consent:** Personal information will only be collected, used, or disclosed with the consent of the individual, except in certain circumstances permitted or required by law. The way in which we seek consent may vary depending upon the sensitivity of the information but will primarily be noted on our forms.

Typically, we will seek consent for the use or disclosure of personal information at the time of collection. Additional consents may be sought after the personal information has been collected, if it is required for a new purpose.

- vii. **Limiting Collection:** We will collect personal information by fair and lawful means and will limit the amount and type of personal information we collect to that which is reasonable for our identified purposes.
- viii. **Limiting Use, Disclosure, and Retention:** We will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as authorized by law.
- ix. **Accuracy:** We will use our best efforts to ensure that personal information that is used on an ongoing basis and information that is used to make a decision about an individual is as accurate, complete, and up-to-date as necessary for the purpose for which it is to be used.
- x. **Safeguards:** We will protect personal and confidential information with safeguards appropriate to the level of sensitivity of the information. Our safeguards protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification, regardless of the format in which the information is held. We will exercise care in the disposal or destruction of Personal and confidential Information to prevent unauthorized parties from gaining access to the information. Our methods of protection include physical measures (e.g., locked file storage and restricted access to offices), organizational measures (e.g., limiting access on a need-to-know basis), and technological measures (e.g., the use of passwords). We also require our outside service providers to provide a comparable level of protection to personal information that we may supply to them.
- xi. **No Personal Information on Private Devices.** Employees must ensure that material belonging to the employer is not stored on home computers unless they receive consent from their Department Manager, and only for the purpose of performing work for KXN.

## 5.2 Individual Access to Personal Information

---

- a. **Requesting Access.** Upon written request, we will inform an individual of the existence, use, and disclosure of his or her personal information, and give him or her reasonable access to that information. We may deny access for legally permissible reasons, such as situations where the information is prohibitively costly to provide, if it contains references to other individuals, or where it

cannot be disclosed for legal, security, or commercial proprietary reasons. We will advise the individual of any reason for denying an access request.

When an individual successfully demonstrates the inaccuracy or incompleteness of personal information held by us, we will correct or update the information as required.

This section applies to employees seeking access to their personnel file.

- b. **Filing Inquiries and Complaints:** We will investigate all written complaints and respond to all written inquiries. If we find a complaint to be justified, we will take appropriate measures to resolve it.
- c. **Discipline:** Any breach of confidentiality will be reviewed by the Department Manager or General Manager and may result in disciplinary action, which may include termination of employment. The Department Manager will make record of any breaches of confidentiality conducted by an employee which shall be noted on the employee's personnel file.

### 5.3 Employee Records

---

- a. **Personnel Files.** Adequate records must be maintained on every employee and all information retained in the employee's personnel file will be the responsibility of Department Managers with the assistance of the Human Resource Officer.
- b. Two files will be kept on each employee: (a) a personnel file, (b) a payroll file and (c) a medical file. Refer to the Employee Documentation Requirements List attached as **Appendix "5B"** for a complete list of employee records necessary to be included in each of the employee's file.
- c. **Confidentiality.** Records will be kept confidential and locked at all times to protect your privacy. Internal access to employee's records is restricted to those having an authorized, business related need to know.
- d. **Retention.** Employee files are kept for a minimum of nine (9) years in accordance with the Canada Labour Code Regulations.
- e. **Medical records.** Employee medical records including doctor's notes shall be kept separately and shall be in a locked compartment available to the Human Resource Officer. An employee with a known medical condition may choose to provide relevant information to the employer in case of a medical emergency. This information is kept in a sealed envelope on the employee's personnel file and can be opened only by emergency medical personnel and the designated Health and Safety employee if the injured employee is unable to speak for him/herself.
- f. **Employment References.** We will not provide reference information beyond verifying dates of employment or last position held without your written permission. With your permission we will provide additional reference information concerning your general working habits, reason for termination or resignation, attendance record, salary verification, and whether or not we would rehire you, but would require a written request for us to provide this information.

## 6 Personnel Management

### 6.1 Employee Training and Development

---

The employer recognizes the value of employee training and development and will make efforts to assist permanent employees in obtaining new and enhanced skills, abilities and knowledge, which will aid in the execution of the employee's duties. This assistance may take the form of time off with pay, course fees, or travel costs associated with course or workshop attendance.

- a. **Employer Required Training.** The employer may at any time request or require an employee to complete formal professional development that is identified by management which would be the sole financial responsibility of the employer. In scheduling professional development that may involve travel, the Employer will consider an employee's family obligations.
- b. **Employee Requested Training.** An employee requesting financial assistance with professional development shall make written application to the Department Manager or the General Manager as appropriate, at least thirty (30) days before the commencement of the professional development. The application must outline the nature of the training, the cost, date and duration of the training, and the benefits to both the employer and the employee resulting from the employee's completion of the professional development. The Manager will review the employee's application, make note on the application of their rationale whether or not they support the application and forward the request to the General Manager for approval. The General Manager, in consultation with the Human Resource Officer and Chief and Council may approve the request if budgeted pursuant to Section 4 Finance.

While the employer will make every reasonable effort to accommodate the professional needs of the employee, the assistance will be limited by:

- Funding availability;
- Employer's needs;
- Employee's past and current job performance;
- Degree to which the training will assist the employee in carrying out his or her duties;
- Previous training.

The General Manager, in consultation with the Human Resource Officer and Council shall have the authority to approve professional development for all employees. The Council shall have the authority to approve professional development for the General Manager.

The employee may be asked to share the lessons learned with other employees, provide the employer with a written report or other activities which would add value to the organization's investment.

The Employer may require an employee who requests and is granted financial assistance with professional development to agree by contract to:

- a. Pay the financial assistance back if they fail or do not complete their professional development;  
and

- b. To work for the Employer for a maximum of two years following the completion of their professional development or be required to pay back a proportionate share of the financial assistance they received.
- c. The employer recognizes the need for the equitable distribution of professional development funds amongst all employees and will take this fact into consideration when approving applications for professional development.
- d. Employees are encouraged and expected to take personal interest and responsibility in the development of their skills, knowledge and personal qualities, and the setting of career goals.

## 6.2 Performance Management

---

All employees will have regular and scheduled formal performance appraisals once per year for the purpose of providing performance recognition, fostering employee self-development, and identifying performance and personal areas for development. Performance evaluation is achieved by comparing actual performance against goals and work standards. Feedback between an employee and supervisor should be ongoing, frequent and a regular part of working together. The Performance Appraisal Chart attached as **Appendix "5C"** provides direction, guidance and identify who is responsible to conduct employee Performance Appraisals.

- a. Employees shall receive an annual written performance appraisal; scheduled twelve (12) months from the completion of the employee's probationary period and every twelve (12) months thereafter.
- b. The performance appraisal will be conducted by the employee's Department Manager and will be based on the most recent job description and work plan. During the course of this review, the employee and his/her Department Manager will discuss progress made during the previous year and a work plan for the upcoming year. They will also discuss training requirements, salary review and current job description to ensure it is up to date. The appraisal will follow the format as provided on the Performance Appraisal form.
- c. The employee performance appraisal process shall include an employee self-appraisal. It may also include information from peers, supervisors, subordinates, committees and external organizations. The employee is to be given an opportunity to write comments on the fairness of the appraisal.
- d. The employee is required to sign the performance appraisal and may indicate any disagreement with the findings in the comment section provided on the performance appraisal form. The employee will be provided with a signed copy of their appraisal, and the signed original of the appraisal shall be placed in the employee's personnel file. In the event an employee feels that he/she is being treated unfairly, he/she may appeal the appraisal following the provisions of the Dispute Resolution Process outlined in this Operations Manual.



## 6.3 Discipline, Suspension and Dismissal

---

- a. Introduction.** Council has established a set of rules for employees' conduct and performance that will help guide our practices and behaviour. Our purpose is to serve the needs of our clients with a consistent, professional level of service. Our goal is to provide employees with the opportunity to solve performance or behaviour issues through guidance and feedback. Employees will be kept informed about any changes in the policies and procedures. Some types of misconduct, behaviour or performance issues will be serious enough to warrant a disciplinary approach. This policy will provide the structure for a disciplinary process.
- b. Investigation:** Before any disciplinary action is imposed, the immediate supervisor or Department Manager will investigate the circumstances leading to the dissatisfaction with the employee's performance or behaviour. The investigation might include an interview with the employee only or with a number of people. The supervisor should make notes during and after any interviews. The investigation should include a review of past performance, length of service, history of discipline and the seriousness of the infraction. The Employer reserves the right to issue administrative or investigatory suspensions with pay where alleged misconduct may have an impact on the Employer's operations.
- c. Progressive Discipline Steps.** Where performance issues exist that have not been corrected through feedback or when serious issues occur, a progressive disciplinary process will be followed to address concerns and to signal that behaviour is unacceptable. Progressive discipline is the process of taking greater forms of severity that increase with each event that breaks the rules or standards. This process of escalation will generally consist of:
- 1) Verbal Warning.** Unless the employee's misconduct is very serious, after the investigation the immediate supervisor or Department Manager will usually decide that the first disciplinary action given an employee should be a verbal warning. The immediate supervisor or Department Manager and employee should agree on an action plan, preferably in writing, to ensure the poor performance is corrected or the misconduct is not repeated. A note indicating the date and substance of the verbal warning shall be placed in the employee's personnel file.
  - 2) First Written Warning.** If inappropriate conduct or poor performance continues or reoccurs, the employee will be required to attend a meeting with the Department Manager and the Human Resource Officer if available for the purpose of discussing the case. The employee will be provided with a written warning that clearly describes the misconduct, performance or behaviour issue and set out clear expectations for the employee.  
  
The warning letter will also include the consequences of more serious disciplinary action to be imposed if the misconduct, performance or behaviour issue is not corrected. The employee will be required to sign a copy of all letters issued to acknowledge receipt and understanding. All discussion will be documented and placed in the employee's personnel file along with a signed copy of the warning letter.
  - 3) Second Written Warning.** (Same as First Written Warning if misconduct continues).
  - 4) Third Written Warning.** (Same as First Written Warning if misconduct continues).

**5) Unpaid Suspension.** A suspension may be used to provide the employee with time to consider the consequences of their actions, realize the seriousness of the situation and to reinforce that this is the last step before termination of employment. Again, the letter will clearly describe the misconduct, performance or behaviour issue and the expectations for improvement. The letter will also specify that failure to improve or repeating the behaviour may result in dismissal.

When a suspension without pay is included with a written warning, the length of the suspension shall match the issue and shall not exceed five working days. Notice of suspensions shall be issued by the Department Manager, after consultation with the Human Resources Officer and reported to the General Manager and Chief and Council, in writing.

In some cases, it may be inappropriate to give an suspension from work, such as when there is urgent work to complete or when the issue is the employee's absences from work. In these cases, the warning letter will explain why a suspension was not given but that the warning is as serious as one with a suspension.

**5) Dismissal.** If inappropriate conduct or poor performance continues or reoccurs, the employee will be dismissed with just cause by their Department Manager, after consultation with the Human Resources Officer and any applicable committee, unless another termination process is specified by another section of the Operations Manual.

The Progressive Discipline Policy is intended as a guideline, but the employer reserves the right to discipline or dismiss employees for just cause when the severity of the behaviour is serious enough to constitute grounds for termination of employment, without warning.

A failure by the Employer to follow the Progressive Discipline Steps or procedures outlined above does not invalidate discipline.

This process will fairly and effectively inform employees of the expectations and the changes they must make to be successful, along with the consequences of not making those changes. The system will apply to all employees and will be used in a consistent manner. A fair policy means that discipline will be applied to all employees in an unbiased way, focusing on the facts at hand and previous history with similar incidents.

**d. Grounds for Discipline.** It is the employee's responsibility to review, understand and follow the policies. Grounds for discipline may include, but are not limited to:

- Insubordination or the refusal to follow the directions or recognize the authority of a supervisor;
- A pattern of lateness;
- Excessive absenteeism or unauthorized absenteeism for more than three (3) consecutive work days;
- Leaving your job or your regular work place during working hours without authorization (does not include going to the restroom);
- Interfering with the work of other employees;
- Unsatisfactory job performance which could include poor productivity, lack of attention to detail, missing deadlines, poor representation of the organization, etc.;

- Voluntary destruction of the employer's equipment or property;
  - Failure to adhere to the policies (including breach of the Code of Conduct & Managing Conflicts of Interest Policy, or breach of Confidentiality);
  - Complaining in bad faith such as to undermine other employees;
  - Unsatisfactory use of company time (e.g. personal phone calls, visitors, not focusing on job responsibilities);
  - Taking issues to Council meetings instead of following the prescribed dispute process as stated in Section 6.7 (Dispute Resolution) (examples: internal problems between co-workers, complaints about being supervised or managed, etc.)
- e. Grounds for Termination.** Grounds that could lead to immediate dismissal for just cause include but are not limited to:
- Theft;
  - Drinking, using or being under the influence of intoxicating drugs, alcohol, solvents or intoxicating beverages on the job;
  - Improper use of confidential information;
  - Failure to disclose and acting in a conflict of interest;
  - Falsification of records;
  - Endangering the safety of other employees;
  - Defrauding the employer;
  - Repeat or serious bullying and harassment in the workplace;
  - Sexual harassment;
  - Persistent incompetence;
  - Insubordination;
  - Any other incident that would be considered just cause at common law or in an employment contract.
- f. Off-Duty Conduct.** Actions or conduct may occur during or outside of the scheduled workday that may warrant disciplinary action, up to and including dismissal, for inappropriate off-duty conduct, whether verbal, written or through other electronic means, include but are not limited to:
- Damages our reputation and goodwill within the Community;
  - Materially and adversely affects your job performance or the job performance of other employees;
  - Divulges private information of the organization or of others, to any person or entity that is not authorized to receive that information;
  - Makes libellous, slanderous or maliciously false statements towards or concerning the organization, any of its employees, governing body, services or products.

## 6.4 Layoffs and Without Cause Terminations

---

- a. Lay-offs Definition.** The definition of Layoff is in the Operations Manual at Section 1.

- b. Temporary v. Permanent Layoffs.** Layoffs may be temporary or permanent. A temporary layoff becomes permanent and results in a termination of employment if it is longer than 3 months.
- c. Without Cause Termination.** A without cause termination occurs when the Employer decides to terminate an employee's employment without having just cause to do so due to provable misconduct by the employee. Without cause terminations are approved by the employee's Department Manager in consultation with any relevant Committee and the Human Resources Officer. Without cause terminations must be reported by the General Manager to Chief and Council.
- d. Notice of Termination or Pay In-Lieu.** Employees that are terminated without cause or permanently laid-off and do not return to work are entitled to notice of their termination or payment in-lieu of notice, or a combination of notice and payment in-lieu, as per their contract of employment or as follows:
  - a) two weeks if the Employee has been employed for more than 3 consecutive months, or
  - b) three weeks if the Employee has been employed for more than two years, plus an additional week for each additional year of employment up to a maximum of 8 weeks.If the Employee has completed twelve consecutive months of employment and is terminated without cause the Employer will also pay severance pay equal to the greater of:
  - a) two days wages at the Employee's regular rate of wages for their regular hours of work in respect of each continuous year of employment, and
  - b) five days wages at their regular rate of wages for their regular hours of work.

## 6.5 Reconsideration Requests

---

- a. Employees who have received notice that they will be terminated or suspended may make a written request within 15 calendar days that their termination or suspension be reconsidered. Reconsideration requests must list the reasons why the suspension or termination should be reversed and include all supporting documents and evidence.
- b. Reconsideration requests must be submitted to the Human Resources Manager, unless the termination or suspension notice was signed by the Human Resources Manager, in which case the reconsideration request must be submitted to the General Manager.
- c. The Human Resources Manager or the General Manager will convene a committee including him or herself and two other managers. The committee's decision regarding a reconsideration is final and is not subject to review by any court or tribunal on any grounds, including the breach of this policy or a denial of procedural fairness. The committee will aim to provide a simple written response accepting or rejecting the reconsideration request within 30 calendar days of receipt.
- d. As human resource matters including the decision to terminate or suspend employees are delegated to managerial staff for the purpose of ensuring operational efficiency, employment appeals to Council are not permitted except in the case of Department Managers terminated by the General Manager.

## 6.6 Notice of Resignation

---

- a. All employees resigning their employment shall be expected to provide a notice of resignation in writing to their immediate supervisor. In the case of the General Manager, Finance Officer, Human Resource Officer, Department Managers or Program Coordinators who choose to terminate his or her employment he or she shall give one month notice in writing. All other employees desiring to terminate their employment shall give ten (10) business days notice in writing.
- b. The immediate supervisor will accept the employee's resignation in writing confirming the last day of work, expectations during this period including a detailed list of agreed upon duties to be completed and turned over, and list of property to be returned (for example: tools, equipment, keys, documents, intellectual property, office supplies, gas cards, calling cards, credit cards, cell phones, pagers, logins and passwords) before the last day of work. The letter will also address how outstanding vacation entitlement and banked overtime will be handled. Employees must continue to honour their commitment to the Confidentiality agreement after their employment terminates.
- c. All employees shall be compensated for salary and vacation up to the date of termination, provided all other financial documentation is completed and up to date and property or other such assets belonging to the employer have been returned to the employer.

## 6.7 Dispute Resolution

---

- a. It is the policy of KXN that all its employees receive fair and equitable treatment at all times. It is important that we are able to have open communication with each other and we therefore encourage all employees to use their communication skills to resolve issues in a positive, constructive and respectful manner.
- b. Employees should make every reasonable effort and an earnest attempt to resolve any disagreement or differences between themselves before proceeding to the formal grievance process.
- c. If the employee is not satisfied with results of the discussion with the other party, he/she can approach the immediate supervisor for assistance. This should be done as soon as possible, as the longer disputes remain unresolved the greater the potential for more issues to develop. The immediate supervisor should attempt to facilitate a resolution with the two parties present.
- d. The employee may escalate an issue beyond their immediate supervisor to their Department Manager, and then again to the General Manager if:
  - i. the employee is not satisfied with the results of the assistance from the immediate supervisor or Department Manager and feels that the dispute is not yet settled,
  - ii. the immediate supervisor or Department Manager has failed or refused to provide assistance, or
  - iii. the immediate supervisor or Department Manager is in a Conflict of Interest.

## 6.8 Notices

---

Any notice given under the within manual to the employer, is valid if delivered according to the rules in their contract of employment. If there is no rules in their contract of employment a notice can be given personally to the General Manager or the Chief or mailed directly to said person at the Administration Office's mailing address. Any notices given under the Operations Manual to the employee, is valid if delivered personally to the employee, or mailed by ordinary mail to the last known address of the employee. In the event the notice is mailed through a postal service, then such notice is deemed as received (5) days after the date of mailing or the date that the registered mail was signed as received.

## 7 Hours of Work

### 7.1 Standard Hours of Work

---

Employees will work a workday and a workweek as determined by the employer, which takes into account operational requirements, applicable legislation, fairness and internal equity. Employees shall not take time off without prior authorization.

- a. The standard workday is 6 hours and the standard workweek is 30 hours.
- b. Except in the case of a real emergency as determined by the employee's immediate supervisor, no employee can work more than forty-eight (48) hours in a week.
- c. **Meal Break.** Employees scheduled to work at least five (5) hours per day are entitled to a one (1) hour, unpaid meal period, normally to be taken daily from 12:00 PM to 1:00 PM or as approved by the employee's immediate supervisor. If an employee is required to be available to be called back-in to work during their meal break, then 30 minutes of the meal break must be paid.
- d. **Breaks.** Employees who work at least four (4) hours per day are entitled to one (1) paid fifteen-minute break. Employees who work at least seven (7) hours per day are entitled to two (2) paid fifteen-minute breaks unless otherwise approved by their immediate supervisor.
- e. **Medical and Breastfeeding Breaks.** Employees may take unpaid breaks that are certified by a doctor to be medically necessary, or for the purpose of breastfeeding a child, unless such breaks cause undue hardship to the Employer.

### 7.2 Comp-Time and Overtime

---

- a. The employer recognizes that from time to time, due to emergencies and workload, there may be the occasional need for employees to work overtime hours, in excess of their normal regularly scheduled hours. When overtime is required, it requires authorization in advance by their supervisor.
- b. Managerial employees who receive a salary are not entitled to comp-time or overtime as they are expected to manage their own work hours to ensure the operational needs of the departments are being met, but can request approval from the General Manager for time off with pay in recognition of extended hours worked.
- c. **Approval.** All hours worked in excess of the normal workday and workweek, except in the case of an emergency, must be pre-approved by the employee's immediate supervisor, in order to receive compensation. If it is not possible to obtain prior approval and additional hours appear necessary, employees will use their discretion in working the additional hours and the employer will verify and confirm the necessity of the overtime hours claimed. An employee choosing to work overtime without authorization may not receive any compensation.

- d. Comp-time Hours.** At an employee's request and with their Department Manager's written approval, Hours worked over six (6) hours a day, but not to exceed eight (8) hours a day, and over thirty (30) hours a week, but not to exceed forty (40) hours a week, may be banked as time-off in lieu credits at the employee's regular pay rate.
- e. Overtime Hours.** Hours worked over eight (8) hours a day and forty (40) hours a week will be compensated at the rate of one and one-half (1 1/2) times the hours worked. Upon the written request of an employee, a Department Manager will establish a bank for the employee and credit the employee's overtime wages to the time bank instead of paying the overtime hours.
- f. Using Banked Comp-Time and Overtime.** Employees can use their banked time-off in lieu credits to:
  - a) request pay for all or part of their banked overtime, or;
  - b) take time off with pay at a time agreed to by their supervisor or manager.To use banked overtime and comp-time as time off, discuss your workload with your Department Manager and get his/her approval in writing. Send a copy of this to Payroll so they can update your overtime bank. All banked overtime and comp-time must be used within 30 days of it being earned. The maximum amount of banked time is 30 hours. If the banked time-off in lieu credits have not been used within that time period, they will be paid out.
- g. Closing a Comp-Time or Overtime Bank.** Upon termination of employment or on receiving the employee's written request to close the time bank, the Employer will pay the employee any amount credited to the time bank.
- h. Recording Overtime.** All overtime hours must be recorded on bi-weekly timesheets and submitted to their immediate supervisor for approval / signing. In the absence of their supervisor, the Department Manager or General Manager will have approval authority.

## 7.3 Attendance, Lateness and Absenteeism

---

- a. Calling-In for Unexpected Lateness or Absences.** Employees who expect to be late or absent from work must notify their immediate supervisor by telephone before 8:30 a.m. on the day of the absence. If the supervisor is not yet available, then the employee must leave a voicemail message. If the employee knows the supervisor will be absent that day, then they must instead notify their Department Manager. An employee who does not call-in as required will be considered to be absent without cause and therefore not paid for the time away and may be disciplined.
- b.** Employees who know they will be late or absent for a reason that is eligible for paid time off or which requires a supervisors consent must submit a leave request and provide as much notice to their supervisor as possible.
- c.** In the case of lateness or absence from work, the employer may either reduce the employee's pay for the time missed or require the employee to make up for the time missed by working extra hours.
- d.** It is the responsibility of the immediate supervisors to monitor and record the attendance of all employees under his /her supervision to ensure that absenteeism does not create operational problems caused by:



- i. Patterns of absenteeism surrounding weekends, scheduled days off or holidays.
  - ii. Absences that are made without reasonable explanation or when not medically supported.
  - iii. Failing to come to work at the appropriate start times or leaving before the end of your shift.
  - iv. Excessive time off for appointments during business hours.
- c. Supervisors are expected to follow-up with employees. These conversations may include a review of overall attendance and should include ideas to generate solutions.
- d. **AWOL.** Unapproved or excessive lateness and absenteeism will result in disciplinary action and may include termination of employment.
- e. **Deemed Resignation/Abandonment.** Should an employee be absent for three consecutive days without calling their immediate supervisor the employer may consider the employee to have abandoned their position and their employment will be terminated for abandoning their position. A letter will be sent/delivered to the last known address advising the employee of this termination. Department Managers are required to review such resignations first with the Human Resources Manager.

## 8 Benefits, Wage and Salary Administration

### 8.1 Employee Benefits

---

Participation in the pension program maintained by the employer with the designated plan carrier is available for all qualifying permanent full-time employees. Participation in the health/dental/vision care portion of the designated plan carrier program is not mandatory if the employee is covered by another health plan. Participation for all permanent full-time employees and permanent part time employees who work a minimum of 25 hours per week in the life/AD&D/short term and long-term disability insurance portion of the designated plan carrier benefit plan is mandatory and is subject to the waiting period set out in the benefit plan itself.

- a. Temporary, casual, and part-time employees who work less than 25 hours per week are not eligible to receive benefits.
- b. The employer reserves the right to make changes to the designated plan carrier benefit package that it, in its sole discretion, deems reasonable and necessary but will not do so without first consulting the employees. Any changes, deletions or modifications to the benefit package shall be communicated to the employees in writing as they occur.

### 8.2 Pay Increase

---

- a. Wage and salary of each new employee will be stated in the contract of employment. Wage and salary increases will be determined with considerations for budget, employee performance, training, experience and comparison with other similar organizations and funding levels from external sources.
- b. Employee's salary treatments will be based on performance and subject to funding and will be reviewed annually at the time of the employee's annual performance appraisal or around March of each year with any applicable pay raise effective April 1<sup>st</sup>. Pay increase will be granted only to those employees whose job performance warrants such an increase (based upon the results of the employee's annual performance appraisal). Employees may be promoted to a new classification and their salary will be reviewed and adjusted based on the new position's pay rate and department budget.

### 8.3 Compensation for Increased Responsibility (Acting Pay)

---

- a. Where an employee has been requested by a Department Manager, to temporarily assume the principal responsibilities of a higher paid position for a period of at least 3 continuous working days or 30 continuous working hours or more, the employee will be paid that higher salary or wage for the time worked instead of their regular salary or wage.
- b. Where an employee has been requested by a Department Manager, to temporarily assume:
  - i. the principal responsibilities of a position that is not paid more than their job, or

ii. some of the responsibilities of a higher paying job but not the principal responsibilities while still meeting the expectations of their own job for a period of at least 3 continuous working days or 30 continuous working hours or more, the employee will be paid 10% higher than their regular rate of pay or more with the approval of the General Manager.

## 8.4 Payment of Wages / Salaries

---

Employees shall be paid bi-monthly on the 15<sup>th</sup> and the last day of each month or in the event that the pay day falls on a day of rest, the last working day prior to the 15<sup>th</sup> or the last working prior to the last day of the month.

## 8.5 Payroll Deductions

---

Deductions required by law, Court Order, or any other legal requirements on payroll shall be made on each cheque. Such deductions shall include, but not be limited to, Federal Income Tax, Canada Pension Plan, Employment Insurance, and wage garnishments, and deductions for rent with the employee's written consent.

## 8.6 Timesheets

---

All employees who are not on salary and getting paid on an hourly basis must submit completed bi-weekly timesheets to their immediate supervisor for signing. In the absence of the supervisor, the Department Manager or his designate will have signing authority.

## 9 Leave, Vacation and Holidays

### 9.1 Vacation Leave

- a. Permanent full-time employees shall be entitled to vacation leave and pay as follows:

Completed Years of Employment Based on Employment Anniversary Date	Percent (%) Entitlement	Annual Vacation Leave Entitlement (Working Days)
Less than one (1)	4%	0
One (1) year to five (5) years	4%	10
Five (5) years +	6%	15
Ten (10) years +	8%	20

- b. Permanent part-time employees will have a pro-rated amount of vacation based on hours worked.
- c. Casual employees are generally not eligible for vacation leave. Casual employees shall receive vacation pay in the amount of four percent (4%) of total wages.
- d. Vacation leave shall be earned based on the employee's employment anniversary date and shall accrue based on each full month of employment.
- e. New permanent full-time and part-time employees will earn vacation leave credits during their first year but are not entitled to vacation leave until after completing one year of continuous employment.
- f. Vacation pay will be paid to an employee on the scheduled payday immediately preceding the start of the employee's approved vacation.
- g. Managerial employees may be granted more vacation in their employment contract than regular employees in recognition of the long hours worked as salaried employees.

### 9.2 Scheduling of Vacation Leave

- a. All employees must complete the Request for Leave form and submit to their immediate supervisor for approval when scheduling vacation time off.
- b. Vacation leave shall normally be submitted in April for the coming fiscal year (April 1<sup>st</sup> to March 31<sup>st</sup>). This provides both the employer and the employee with ample time to ensure that operational needs can be met and that conflicts where more than one employee wants the same time can be fairly handled throughout the year.
- c. Where vacation leave requests are submitted outside this time period, the employee should provide at least ten (10) working days notice to their immediate supervisor and these requests will be reviewed subject to operational requirements.

- d. Vacation leave requests should take into consideration peak times, deadlines and job requirements. Prior to leaving on vacation, employees will make arrangements to ensure their job duties are covered and that their supervisor is aware of any issues that may arise during their absence.
- e. Employees may not carry leave over to the next fiscal year. The Employer reserves the right to unilaterally schedule time off if a mutually convenient time cannot be found for an employee's vacation leave.
- f. The scheduling and approval of vacation leave for employees shall be the responsibility of the applicable immediate supervisor.
- g. The Chief shall have the authority to approve the scheduling of the vacation leave of the General Manager.

### 9.3 General (Statutory) Holidays

---

Statutory Holidays are days of special significance that have been established by government to commemorate or celebrate certain events.

- a. The following days are considered to be designated paid holidays:

New Year's Day	Good Friday	Easter Monday
Christmas Day	Boxing Day	Labour Day
Thanksgiving Day	Remembrance Day	Victoria Day
Canada Day	B.C. Day	Family Day
National Day for Truth and Reconciliation		

- b. Full-time and part-time employees will receive a holiday with pay for each designated paid holiday falling within the employee's period of employment. The employee must have worked at least 15 days in the 30-day period preceding the holiday in order to be eligible to be paid for the designated holiday. Holiday pay shall be at their regular rate of pay for their normal hours of work.
- c. All other employees and employees who have worked less than 30 days will receive holiday pay at a rate of 1/20<sup>th</sup> of the regular wages they received in the four weeks prior to the holiday.
- d. **Holidays Coinciding With a Day of Rest.** When a designated paid holiday coincides with a non-working day for the employee, the holiday will be moved to the employee's first working day following the day of rest or will be rescheduled at a mutually convenient time.
- e. **Holidays Coinciding With Vacation Time.** When a designated paid holiday falls during an employee's vacation time, the employee will be granted one additional vacation day. The scheduling of the additional vacation day will be decided by the employee's immediate supervisor in consultation with the employee and will be at a time convenient to both the employer and the employee.

- f. Working on Statutory or Employer Designated Holiday.** Any employee required to work (or travel on business) on a statutory or designated holiday will be entitled to, in addition to his or her regular wage, a rate of 1.5 times his or her regular wage for all hours worked on that day. At the employee's request, the holiday may be banked to be taken as compensatory time off in lieu.
- g. Employer Designated Holiday.** The Chief and Council may declare other days as designated holidays at their discretion.

## 9.4 Sick Leave

---

- a. Earning Sick Leave.** All full-time and part-time employees are entitled to receive sick leave benefits as per the following policies:
  - i.** Full-time employees who work 30 hours per week shall earn fifteen (15) paid sick leave days per year or one and one quarter (1.25) days for each month.
  - ii.** Part-time employees shall earn paid sick leave on a pro-rated entitlement consistent with their scheduled regular hours of work.
- b.** The employer will grant sick leave with pay to an employee who is unable to perform his or her duties due to illness or accident or who is required to attend a doctor's appointment during work hours, if the employee has obtained the necessary sick leave credits.
- c.** Sick leave days will not accumulate during an unpaid leave of absence.
- d. Calling-in Sick.** If an employee is unexpectedly sick and cannot work then they must be report this to the employee's immediate supervisor by telephone or email before 8:30 a.m. on the day of the absence. If the supervisor is not yet available, then the employee must leave a voicemail message. If the employee knows the supervisor will be absent that day, then they must instead notify their Department Manager. An employee who does not call-in sick as required will be considered to be absent without cause and therefore not paid for the time away and may be disciplined.
- e. Requesting Leave.** Employees who want to use sick days to attend a scheduled medical appointment must submit a written leave request to the immediate supervisor with as much notice as possible. Employees who call-sick due to unexpected illnesses are required to complete a Request for Leave form upon their return to work so that their use of sick time can be documented.
- f. Medical Documentation.** The Employer also reserves the right to request a doctor's note at any time. However, normally any illness or absence for a period of more than three (3) days must be supported by medical documentation (doctor's note); submitted to the employee's immediate supervisor upon the employee's return to work. Failure to provide medical documentation as requested will result in the employee not being paid for the related period of sick leave and may result in discipline.
- g. Medical Employment Insurance.** Any employee who exhausts his/her sick leave may request a separation slip for the purpose of applying for medical Employment Insurance.

- h. No Payout at Termination.** An employee who for any reason resigns or whose employment is terminated for any reason is not entitled to a payout of accumulated sick leave.
- i.** The employer reserves the right to refuse to provide payment for sick leave that is not considered valid, that is determined to be dishonest, that is found to be a pattern or other situations that do not match the intent of providing sick leave including the abuse of recreational of drugs or alcohol.
- j.** The employer shall not suspend, lay-off, demote or discipline an employee because of absence due to personal or work-related illness or injury.
- k.** An employee shall not work for another employer while on sick leave.
- l. Carry Forward.** An employee who is entitled to sick leave with pay as described in section 5.36 and who has not used any of his/her sick leave during the fiscal year will be entitled to receive one third (1/3) of the accumulated sick leave into vacation leave that will be applied to the next fiscal year period.

*Example: Permanent full-time employee worked 12 consecutive months during fiscal year 2009, accumulated 15 days of sick leave with pay and did not use any of his sick leave during fiscal year 2009. The employee receives an extra 5 days (1/3 of his sick leave entitlement) in vacation leave to be taken during fiscal year 2010. This is in addition of the employee's regular 15 days vacation leave entitlement.*

## 9.5 Bereavement Leave

---

- a.** All full-time and part-time employees shall be entitled to bereavement leave with pay upon the death of an immediate family member as defined in Section 1.
- b.** Employees who have not completed their 3-month probationary period will only be eligible for time off without pay.
- c.** Employees beyond their 3 months probationary period shall be granted up to four (4) regularly scheduled consecutive working days leave with pay where there has been a death in the "immediate family of the employee", as approved by the immediate supervisor. In addition, the employee may be granted up to three (3) days of unpaid leave for the purpose of travel.
- d.** An employee may be granted one (1) day of special unpaid leave for close relatives other than the immediate family provided that the immediate supervisor is satisfied that the leave is necessary for a purpose related death.
- e.** With their Immediate Supervisor's consent, an employee may be granted ten (10) days of unpaid leave per year to attend funerals within the community or grieve.
- f.** Council may declare a period of mourning at their discretion and provide leave with pay to some or all employees.

## 9.6 Maternity Leave

---

- a. A female employee who has completed twelve (12) consecutive months of continuous employment when her leave begins, and who provides at least four (4) weeks notice before the commencement of maternity leave and a certificate from a qualified medical practitioner confirming that she is pregnant shall be granted a maternity leave of absence.
- b. An employee is entitled up to seventeen (17) weeks of maternity leave that may be taken any time during the period that begins eleven (13) weeks before the expected date of delivery and ending seventeen (17) weeks after the actual delivery date. Application for leave should be submitted prior to the 7<sup>th</sup> month of pregnancy.

## 9.7 Parental and Adoption Leave

---

- a. An employee who has completed twelve (12) consecutive months of continuous employment and who assumes actual care and custody of a new-born or newly adopted child, is entitled to parental leave of absence upon providing a written notice of leave at least four (4) weeks before the commencement of parental or adoption leave, for up to sixty-three (63) weeks.
- b. Parental or adoption leave is available to either parent, natural or adopting, and may be shared by both parents in such a way, as the total period of leave does not exceed the total entitlement of 63 weeks. Where the employee is requesting parental leave related to the adoption of a child, the employee should provide the Department Manager with appropriate documentation or a declaration.
- c. Where both parents work for the KXN, or where they both work for another employer under the jurisdiction of the Canada Labour Code, the parents are entitled to a combined leave of up to (63) weeks of parental and adoption leave, and a maximum of 78 weeks if maternity leave is also taken.
- d. Unless approval is granted by an Employee's Department Manager and the Human Resources Officer, Parental or adoption leave may only be taken during the 78-week period beginning:
  - i. in the case of a new-born child of the employee, at the option of the employee, on the day the child is born or comes into the actual care of the employee; or
  - ii. in the case of an adoption, on the day the child comes into the actual care of the employee.

## 9.8 Benefits during Maternity, Parental and Adoption Leave

---

Coverage under the employer's Group Insurance Benefits Plan shall continue during the leave period providing the employee pays, within a reasonable time, any contributions she or he would normally have paid. The employer shall continue to pay his or her required share of benefit premiums so long as the employee pays their required premiums. A series of post-dated cheques should be provided before your leave begins.



## 9.9 Return to Employment

---

- a. An employee shall be not dismissed, suspended, laid-off, demoted or disciplined because the employee is pregnant or has applied in good faith for leave of absence under this policy.
- b. During approved leave, the employee shall be informed of every employment, promotion or training opportunity for which the employee is qualified.
- c. Upon the employee's return to work from maternity, parental or adoption leave, the employee shall be reinstated into his or her former position, or where for a valid reason the employer cannot reinstate the employee in the same position, the employee will if reasonably possible be placed in a comparable position in the same location and with the same pay and benefits.
- d. Employment shall be deemed to be continuous with employment before the leave for the purposes of calculating benefits.

## 9.10 Compassionate Care and Critical Illness or Injury Leave

---

The employer shall provide all employees, a compassionate care and critical illness or injury care leave (up to 36 weeks, without pay) to provide care or support to an immediate family member of the employee who has a serious medical condition with a significant risk of death within twenty-six (26) weeks.

- a. The amount of time an employee may take off work depends on whether the immediate family member is older or younger than 19, available care support, the medical documentation provided by a physician regarding the amount of time required, and the standards required by the *BC Employment Standards Act* and the *Canada Labour Code*. Advice from the Human Resources Officer will be sought by the Department Manager.
- b. Employees making application for Compassionate Care and Critical Illness or Injury Leave must request the leave, in writing, and include a medical certificate from a qualified medical practitioner as to the health risk of the immediate family member.
- c. Employees do not need to take the entire period at once, but time cannot be taken in increments of less than one week.
- d. An employee on approved Compassionate Care and critical illness or injury leave will have protection from dismissal, suspension, lay-off, demotion or other discipline because of the compassionate care leave.
- e. Upon return from Compassionate Care and Critical Illness or Injury Leave, the employee will be reinstated to her/his former position or a comparable position if reasonably possible in the same location and at the same wage or salary.
- f. Compassionate Care Leave shall end on the day the family member dies.

## 9.11 Court leave

---

Employees shall be granted unpaid court leave to appear in court for the purpose of being available for jury selection, serving on a jury, attending as a witness in court or any legal proceeding where employees have received a subpoena or summons, and where the required attendance is not the result of any personal action of the employee.

- a. The employee is required to provide a copy of the summons or subpoena to support this request for time off.
- b. Employees appearing as a Plaintiff or Defendant, attending family court, or for jail time pending a court case must request vacation or banked overtime if available or else request an unpaid leave of absence to cover their absence.

## 9.12 Voting Leave

---

The employer respects the right of all employees to vote in Federal, Provincial, Civic and Council Elections and Referendums. On voting days, the employer shall ensure that employees have the opportunity to leave work to vote. The time frame will be three (3) consecutive hours before the polls close for Council and Federal Elections and four (4) consecutive hours before the polls close for Provincial Elections.

## 9.13 Family and Personal Responsibility Leave

---

- a. All permanent employees will be entitled to five (5) days of leave to meet responsibilities related to the care, health, education, or any urgent matter concerning themselves or of any member of the employee's Immediate Family in a calendar year. If the Employee has completed at least three months of continuous employment, the first three days will be paid.
- b. The employee is required to notify their immediate supervisor as soon as practical by submitting a leave request, unless the leave is due to an unexpected illness or injury of a family member. Employees must ensure that they keep their supervisor informed about their return to work date.

## 9.14 Unpaid Personal Leave

---

- a. An employee may have a need to request a leave from work for personal reasons. Such requests for leave shall be in writing, reviewed on an individual request basis, and shall be without pay. Employees should submit their request at least two (2) weeks to their Department Manager before the leave is to begin.
- b. Whether or not leave without pay for personal reasons will be granted will be considered in conjunction with the following:

- a requirement that all vacation and banked overtime have been used;
  - employees must have been employed for a period of one year;
  - employees have a satisfactory or higher performance appraisal rating;
  - the stated reason for the leave and;
  - whether current operational requirements and commitments will not result in operational hardship to the employer.
- c. Personal leave will not be granted for the purpose of working for other employers. Personal leave will not exceed six (6) months in duration.
- d. The General Manager, in consultation with the Human Resource Officer has the authority to approve personal leave for periods up to three (3) months. Personal leave request exceeding three (3) months will go to the Council for approval.
- e. An employee on personal leave may continue participation in the Group Insurance Benefits Plans, excluding short-term and long-term Disability, providing the employee pays 100% of all premiums (employer portion and employee portion). All other benefits including vacation accrual will be suspended during the period of the absence for leaves greater than thirty (30) days.
- f. An employee who fails to return to work on the date specified may be deemed to have abandoned their position and terminated effective that date.

## 9.15 Educational Leave

---

- a. Employees may be granted educational leave of up to one (1) year without pay. To be eligible for educational leave the following conditions must be met:
- i. The employee must have completed twelve (12) months of continuous employment for KXN;
  - ii. In the opinion of the employer, the training or education sought by the employee must be beneficial to both the employee and the employer;
  - iii. An application for educational leave must be submitted to the employer six (6) months prior to the beginning of the requested leave.
- b. Educational leave requests are to be submitted to the General Manager for consideration. The General Manager, in consultation with Council, will render decision on the leave request and will inform the employee of the decision no later than one (1) month from the date of the submission. If the educational leave request is denied, the employee will be provided with the reasons in writing.

## 9.16 Leave for Traditional Indigenous Practices

---

- a. Every employee who is Indigenous is entitled to 5 days of unpaid leave per year to engage in traditional practices including:
- i. Hunting,

- ii. Fishing,
  - iii. Harvesting,
  - iv. Potlatch preparation or attendance, or
  - v. traditional ceremony.
- a. Employees wishing to take unpaid Traditional Indigenous Practices leave must obtain prior approval from their immediate supervisor. Supervisors and Department Managers will authorize unpaid harvest leave subject to operational requirements.
- b. Employees who take unpaid harvest leave but do not spend the time engaging in traditional practices may be subject to discipline up to and including dismissal.

## 9.17 Winter Break

---

- a. The General Manager may choose to close specific departments or operations with or without pay during part or all of the Kitasoo Community School winter break. Employees whose departments or operations have closed during the winter break must be available in Klemtu to attend work if called in by their Department Manager, unless they have received written notification from their Department Manager that they will not be needed or they are taking an approved vacation. Employees are encouraged to have early discussions with their managers and each other about their holiday plans so that there is a plan for adequate staff coverage during any winter break.
- b. The Employer reserves the right to determine what departments if any to close year to year, whether the time off work will be with or without pay, and which employees and positions may be required to work during the winter break.

## 9.18 Leave Respecting Domestic Violence

---

- a. Employees may request up to 15 consecutive weeks of unpaid leave and 10 non-consecutive days per calendar year from work of the purpose of:
  - a. Seeking medical attention for themselves, a child or disabled person in their care for an injury or disability caused by domestic or sexual violence,
  - b. To obtain social services, psychological or other professional counselling for themselves, a child or disabled person in their care relating to domestic or sexual violence;
  - c. To relocate themselves, a child or disabled person in their care to escape domestic or sexual violence,
  - d. To seek legal or law enforcement assistance for themselves, a child or disabled person in their care in response to domestic or sexual violence,
- b. If requested, an employee must provide proof of the need for leave respecting domestic or sexual violence from either a police officer, medical practitioner, counsellor or social worker.
- c. An employee is not entitled to this leave if they have committed the domestic or sexual violence.

## 10 Health and Safety

### 10.1 Occupational Health & Safety

---

It is the policy of KXN to provide a safe working environment for all employees, to provide instructions covering safe work methods and to have available special equipment required to protect employees against specific hazards. An Occupational Health and Safety Program shall be developed and administered in accordance with Part II of the *Canada Labour Code* and the requirements of the *Workers Compensation Act*.

- a. Employer Responsibilities.** KXN has committed to fulfilling the requirements related to Occupational Health and Safety by:
- i. Ensuring that employees are aware of any health and safety hazards in the workplace;
  - ii. Conducting workplace inspections, as required, and correcting any unsafe acts and conditions;
  - iii. Ensuring employees are adequately trained and qualified to safely perform their duties;
  - iv. Providing written safe work procedures, when required for the employee's continued health and safety;
  - v. Maintaining health and safety records and statistics;
  - vi. Posting a copy of the applicable *Occupational Health and Safety Regulations*;
  - vii. Posting this health and safety policy;
  - viii. Posting the names of the health and safety committee members;
  - ix. Posting the minutes of the Health and Safety committee meetings;
  - x. Posting the names and work locations of trained first aid attendants
  - xi. Reviewing and responding to the recommendations of the Safety Committee.
  - xii. Providing a safe, healthy and violence-free work environment, including first aid and supplies, appropriate safety equipment and clothing, protective devices for machinery, tools and equipment, and the proper level of ventilation, lighting and noise.
  - xiii. Training and education of employees (i.e. hazardous materials, fire and emergency procedures and the safe operation of equipment and tools).
  - xiv. Developing a program to manage workplace hazardous materials.
  - xv. Reviewing the Occupational Health and Safety Program annually.
  - xvi. Dedicating sufficient attention, resources and time to address factors that contribute to workplace violence including, but not limited to, bullying, teasing, and abusive and other aggressive behaviour and to prevent and protect against it.
  - xvii. Communicating to its employees information in its possession about factors contributing to work place violence. And,
  - xviii. Assisting employees who have been exposed to workplace violence.

**b. Employee Responsibilities.** All employees are required to:

- i. Report all accidents, injuries or near misses immediately.
- ii. Take all reasonable and necessary precautions to ensure their own safety and health and that of anyone affected by their work and complying with the instructions provided for the protection of their health and safety.
- iii. Correct or report any hazards and accidents in the workplace to their immediate supervisor.
- iv. Use safety materials, equipment, devices and/or clothing either furnished by the employer or prescribed by a Regulation.
- v. Help to create a safe workplace by recommending ways to improve the health and safety program.

**c. Emergency Contact Information.** It is important that your current address, phone number(s), and emergency contact(s) be provided to the employer, in order to respond to potential emergency situations. This information will be kept secure in your Personnel file.**d. Check-in procedures for field workers who work alone or in isolation will consist of the following:**

- i. Working alone or in isolation means to work in circumstances where assistance would not be readily available to the worker;
- ii. Workers will leave a written explanation of the location they are going to work at, the directions for locating this place and the expected time frame to be on site;
- iii. Every two hours and at the end of each shift, the employee is required to make contact with their immediate supervisor;
- iv. If the employee fails to make contact, the immediate supervisor must try to reach the employee;
- v. If contact is not possible, the employee's well-being must be verified. This would include sending another employee to the job site to locate the employee;
- vi. Any worker who is involved in this process must understand the steps to take, who to notify and the methods for contacting emergency assistance (e.g. police, fire or ambulance).

**e. Drugs, Alcohol and Medication.** Employees are specifically instructed not to use or operate a machine, including motor vehicle as part of their employment while under the influence of intoxicating substances (See policies on Discipline and Alcohol & Drugs)**f. Right to Refuse Unsafe Work.** Employees have the right to refuse work when they have reasonable cause to believe that doing the work may create an undue hazard to the health and safety of any person.

An employee refusing to perform unsafe work must immediately report the circumstances and unsafe condition to their supervisor. The supervisor or manager will investigate the danger in the presence of the employee. Afterwards, if the employee still believes that the work is unsafe, then they may report the work refusal to their health and safety representative or committee which will investigate the work refusal pursuant to applicable occupational health and safety laws and regulations.

Employees will not be disciplined for initially refusing to work if they have a reasonable belief that the work is unsafe or could endanger themselves or others.

The Employer may discipline or terminate an employee if a work refusal was made in bad faith, or if the worker continues to refuse to work after WorkSafe BC finds that the work is unlikely to endanger the worker.

## 10.2 Smoke Free Workplace

---

For the health, safety and well being of all employees, clients, visitors and other personnel, all employer buildings, offices and vehicles are designated as Non-Smoking or Vaping in accordance with the Tobacco and Vapour Products Control Act and Non Smokers Health Act. This policy applies to tobacco, marijuana, and all other smoked or vaped products.

- a. Smoking and Vaping is prohibited within 6 metres of all workplaces, doorways, air intakes and open windows to the public.
- b. Employees should ensure smoking and vaping does not interfere with visitors, pedestrians or others coming to the building.
- c. Employees shall be responsible for ensuring that co-workers, clients and visitors comply with this policy.
- d. Employees smoking or vaping in areas designated as Non-Smoking will be subject to disciplinary action.
- e. Management may designate smoking areas for staff and visitors that are at least 6 metres from doorways, windows, and fresh air intakes. Such areas must be equipped with signs and ashtrays and may only be partially enclosed so that there can be adequate air circulation. All cigarettes must be extinguished and placed in ash trays.
- f. Ceremonial use of tobacco can be permitted in special circumstances by Department Managers provided if steps are taken to minimize the danger from smoke.
- g. Being under the influence of marijuana for recreational purposes is prohibited at work and during breaks. Marijuana use is only permitted if prescribed for medical reasons by a doctor, and only if a medical opinion is provided that using marijuana does not significantly impair the employee's ability to perform their work. Employees who require medical marijuana should refer to Section 4.6 on Alcohol, Marijuana, and Drug Abuse.

## 10.3 Scent and Allergen Free Workplace

---

We provide a scent and allergen-free environment.

We prohibit the use of any scented products at any time, as they may cause adverse physical effects that threaten the ongoing health and safety of our staff, clients, visitors, and the public at large.

From time to time we will give employees notice of specific allergens that are banned, which may include things such as peanuts or shellfish.

Wherever possible, we encourage our staff and visitors to use unscented or fragrance-free products.

Cats and dogs that are not required to assist a person with disabilities are not allowed on the Employer's property.



# Appendix "5A" Employee Orientation Checklist

<b>Employee Name:</b>	<b>Job Title:</b>
-----------------------	-------------------

Description	Date Completed	Supervisor Initials
<b>Prior to Hiring:</b>		
Criminal Record Check Completed (if applicable)		
Verification of Previous Employment, Education, Driver's Licence and Driver's Abstract as required		
Offer of employment letter with Confidentiality and Conflict of Interest Declarations		
Start date		
Notice to current staff about new employee		
Advance ordering/organization of equipment, tools, office keys, etc.		
Confirmation with Housing Authority regarding whether Payroll Deduction Authorization is required		
Conflict of Interest Declaration form if employee is a Manager or works in Finance		
<b>Signing Up New Employees – Day One:</b>		
Time sheet procedures		
Sign up for company benefit program – following 3 months of employment		
Complete admin and payroll forms ( if applicable)		
Emergency Contact and Medical Information Form		
Explain probationary period and performance appraisal process		
Employee to bring in SIN Card, Names and birthdates of all family members who will be eligible for benefits, etc.		
Payroll deduction authorization (if applicable)		
Provide copy of Working in BC or Federal Employment Factsheet		
<b>Departmental, Job-Specific Orientation:</b>		
Hours of work / shift		
Pay Days – date of first pay cheque		
Vacation time – earning, how to request time off		
Sick leave – how to properly notify Supervisor		
Breaks		
Training procedures & expectations		
Dispute resolution procedure		
Introductions of new employee to staff		
Assign a mentor or buddy to new staff		
Explain how employee fits with the other jobs and functions		
Tour of facilities		
Policies for tools, equipment and company owned property as appropriate		
Policies and Procedures – Operations Manual including discussion on Bullying and Harassment		
Smoking policy		
Overtime		
Access to the workplace, workplace security including how to lock up		
Occupational Health and Safety – accident/ first aid procedures and reporting, location of first aid room, first aid kits, fire extinguishers, fire exit routs and marshalling area, Health and Safety Committee, and protective equipment		
Emergency situations – how to handle & who to contact		
Review job description, pointing out specific expectations for major duties, performance standards, and quality expectations. Have employee sign a copy of the job description, date and send their personnel file.		

I have been provided with all of the information listed here and understand all aspects. I know where to go to ask questions and gain further information if a question arises.

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Note:** A signed copy of the Orientation Checklist is sent to the personnel file.

## Appendix "5B" Employee Documentation Requirements List

Personnel File	Payroll File
<ul style="list-style-type: none"> <li>Employee Name, Date of Birth, Occupation, Telephone Number, Address, Social Insurance Number</li> </ul>	<ul style="list-style-type: none"> <li>Employee Name, Date of Birth, Occupation, Telephone Number, Address, Social Insurance Number</li> </ul>
<ul style="list-style-type: none"> <li>Offer of employment letter including wage rate, hours of work, benefit entitlement</li> </ul>	<ul style="list-style-type: none"> <li>Offer of employment letter including wage rate, hours of work, benefit entitlement</li> </ul>
<ul style="list-style-type: none"> <li>Job description outlining duties and qualifications</li> </ul>	<ul style="list-style-type: none"> <li>Time sheets and Overtime bank forms or records</li> </ul>
<ul style="list-style-type: none"> <li>Copies of any certificates, designations or licenses</li> </ul>	<ul style="list-style-type: none"> <li>Letters documenting promotions, demotions or transfers</li> </ul>
<ul style="list-style-type: none"> <li>Work plans, performance appraisals, disciplinary documentation, commendation letters or notes</li> </ul>	<ul style="list-style-type: none"> <li>Statement of wages showing benefits paid, gross and net wages for each pay period, deductions</li> </ul>
<ul style="list-style-type: none"> <li>Certificate of completion for any training</li> </ul>	<ul style="list-style-type: none"> <li>Statutory holidays taken and amount paid by employer</li> </ul>
<ul style="list-style-type: none"> <li>Letters documenting promotions, demotions or transfers</li> </ul>	
<ul style="list-style-type: none"> <li>Employment Agreement, Conflict of interest form or other forms.</li> </ul>	
<ul style="list-style-type: none"> <li>Leave and Overtime bank records</li> </ul>	
<ul style="list-style-type: none"> <li>Policy Acknowledgment</li> </ul>	
<ul style="list-style-type: none"> <li>Record of Amendments to Policy</li> </ul>	
<ul style="list-style-type: none"> <li>Conflict of interest declarations for Managerial and Payroll Employees</li> </ul>	

## Appendix "5C "Performance Appraisal Chart

Performance Evaluations are conducted at least once annually.

In the event the position of the person designated to do the evaluation is vacant, then the General Manager does the evaluation.

Position Being Evaluated	Evaluation Done By	Option for Comments
<b>General Manager</b>	Chief	All Department Managers, Program Coordinators and Committees, Council
<b>Finance Officer</b>	General Manager	
<b>Human Resource Officer</b>	General Manager	Department Managers who used the Human Resources Services
<b>Office Manager</b>	General Manager	Department Managers who use office services
<b>Health Services Department Manager</b>	General Manager	Health Committee
<b>Education Department Manager (School Principal)</b>	General Manager	KEA Committee
<b>Public Works &amp; Housing Authority Manager</b>	General Manager	Housing Committee
<b>Resource Stewardship Authority Department Manager</b>	General Manager	Kitasoo Xai'xais Integrated Resource Stewardship Committee
<b>Social Development Coordinator</b>	General Manager	
<b>Administrative &amp; Financial Clerks and Community Services support staff working under the Administration &amp; Community Services Department</b>	Office Manager	Administration
<b>Housing Coordinator</b>	General Manager	Public Works & Housing Authority Manager, Housing Committee
<b>Support Staff working in the Public Works &amp; Housing Authority</b>	Public Works & Housing Authority Manager	General Manager
<b>School Administrator</b>	Education Department Manager (School Principal)	KEA Committee

<b>School Staff</b>	Education Department Manager (School Principal)	KEA Committee, School Administrator
<b>Youth and Recreation Coordinators</b>	Health Services Department Manager	Health Committee
<b>Community Health Rep</b>	Health Services Department Manager	Health Committee
<b>Drug &amp; Alcohol Counsellor</b>	Health Services Department Manager	Health Committee
<b>Nurses &amp; Dietician</b>	Health Services Department Manager	Health Committee
<b>Health Services Department clerical and janitorial Staff</b>	Health Services Department Manager	
<b>Childcare Center Supervisor</b>	General Manager	Health Services Department Manager and Health Committee
<b>Childcare Center Staff</b>	Health Services Department Manager	Health Services Department Manager, <b>Childcare Center Supervisor</b> , and Health Committee
<b>Resource Stewardship Authority Referral Coordinator</b>	Resource Stewardship Authority Department Manager	Kitasoo Xai'xais Integrated Resource Stewardship Committee
<b>Marine Use Planning Implementation Coordinator</b>	Resource Stewardship Authority Department Manager	Marine Use Advisor and Kitasoo Xai'xais Integrated Resource Stewardship Committee
<b>Land &amp; Marine Watchman Program Supervisor</b>	Resource Stewardship Authority Department Manager	Marine Use Advisor and Kitasoo Xai'xais Integrated Resource Stewardship Committee
<b>SEP Operations Supervisor, Co-Management Salmon Program and Shellfish Program Supervisors</b>	Resource Stewardship Authority Department Manager	Kitasoo Xai'xais Integrated Resource Stewardship Committee
<b>SEP Operations Staff</b>	Resource Stewardship Authority Department Manager	<b>SEP Operations Supervisor</b>
<b>Land &amp; Marine Watchman Staff</b>	Resource Stewardship Authority Department Manager	Land & Marine Watchman Supervisor
<b>Co-Management Salmon Program Staff</b>	Resource Stewardship Authority Department Manager	Co-Management Salmon Program Supervisor Co Management Salmon Program Supervisor
<b>Co-Management Shellfish Program Staff</b>	Resource Stewardship Authority Department Manager	Co-Management Shellfish Program Supervisor

## Appendix “5D” List of Personnel Forms

- Application for Maternity-Parental Leave
- Authorization to Release Information
- Employee Development Plan
- Employee Record
- Employee Self Appraisal
- Performance Appraisal
- Request for Education/Training Approval
- Request for Leave
- Request for Overtime Approval
- Timesheet
- Conflict of Interest Declaration for Managers and Payroll Employees (see Section 11 appendix)

## Appendix "5E" Employee Acknowledgement

I acknowledge that I have received and reviewed a copy of the Human Resources Manual and I commit to follow these policies.

I am aware that if, at any time, I have questions regarding KXN policies that I should direct them to my supervisor or manager.

I know that my employer may discipline me or terminate my employment for violating this Human Resources Manual.

I also am aware that the Council may at any time may, revise, enhance, or delete employment and other policies.

I understand that these policies affect KXN employees only, unless stated otherwise.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

### Appendix "5F" Record of Amendments

#	Subject	Pages	Date Amended	Date Reviewed	Signature

# Appendix "5G" Incident Report Form

**Section A: General Information**

<b>Name:</b>	
<b>Department:</b>	
<b>Position:</b>	

**Section B: Description of the Event**

<b>Incident Date:</b>	
<b>Date Reported:</b>	
<b>Name of Supervisor or Manager Reported to:</b>	
<b>Location:</b>	
<b>Witnesses:</b>	
<b>Details of Incident:</b>	

**Signature:**

\_\_\_\_\_

**Date Submitted:**

\_\_\_\_\_