



Wagmatcook First Nation

Human Resource Policy

Administrative Policy and Procedure Manual

Approved by Chief and Council April 7, 2014

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This generic policy was developed by Aboriginal Financial Officers Association (AFOA) Atlantic Chapter for use by First Nations and Aboriginal Organizations in Atlantic Canada.

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The Wagmatcook First Nation Commercial Fishery has a separate policy for governing its Human Resource. All Wagmatcook Commercial Fishers must adhere to that policy.

WAGMATCOOK FIRST NATION

This Human Resource Policy replaces the previous Wagmatcook Band Council, Wagmatcook Board of Education, Staff Policy revised December 10, 1999.

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Approved by the Wagmatcook First Nation Chief and Council on

this _____ day of _____ , _____.

Contents

1 Human Resource Policy.....	6
1.1 Short Title	6
1.2 Definitions	6
1.3 WFN Organizational Chart	9
2 Purpose of Policy.....	10
Vision Statement	10
Mission Statement	11
Value Statement.....	11
2.3 Accountability	11
2.4 Code of Conduct & Code of Ethics	12
2.5 Code of Confidentiality.....	14
2.6 Conflict of Interest.....	14
2.7 Statement of Employee & Employer Rights	15
3 Employee Recruitment	16
3.1 Position Authorization.....	16
3.2 Equal Employment Opportunity.....	16
3.3 Preferential Hiring Practice	16
3.4 Job Posting Procedure and Position Competition	16
3.5 Interview Committee Structure	17
3.6 Initial Screening Applicants	17
3.7 Internal Employee Application Process	18
3.8 Temporary Assignment	18
3.9 Casual Positions for On-Call List.....	18
3.10 Aptitude and Ability Tests	19
3.11 Verification of Previous Employment & Reference Checking	19
3.12 Verification of Licenses, Certification and Education	19
3.13 Criminal Record Check.....	19
4 New Employee Appointment and Orientation	20
4.1 Letter of Appointment.....	20
4.2 Employee Orientation	20
4.3 Employee Deductions.....	20

4.4 Human Resource file and Information Package.....	20
4.5 Declaration and Commitment Forms.....	21
5 Job Descriptions and Probation	21
5.1 Job Descriptions	21
5.2 Probation Period	22
6 Hours of Work.....	22
6.1 Regular Hours of Operation	22
6.2 Absence or Lateness.....	23
6.3 Overtime.....	23
6.4 Compensation for Overtime	23
6.5 Severe Weather and Emergency Closing of WFN	24
7 Performance Measurement Process	24
7.1 Employee Work Plans.....	24
7.2 Annual Employee Evaluation Criteria.....	24
7.3 Performance Management	25
8 Workplace Professionalism and General Policies	26
8.1 Dress Code / Personal Appearance	26
8.2 Smoking Policy	26
8.3 Substance Abuse Policy	27
8.4 Telephone, Mail and Fax Policy.....	30
8.5 Cellular Phone Use	30
8.6 Software Access and Update Procedure	30
8.7 Internet and Email Use.....	31
8.8 Emails and Internet Sites that Discriminate	32
8.9 Wagmatcook First Nation Owns Employee Email.....	32
8.10 Social Media, Professional and Personal Considerations.....	32
8.11 Office Master Keys and Security Code	32
8.12 Care and Use of WFN Property and Equipment	33
8.13 Restricted Areas and Building Security	33
8.14 Use of Vehicles for Work and During Work Hours	33
8.15 Voting.....	34
9 Discipline Policy.....	34

9.1 Disciplinary and Reprimand Procedures	34
9.2 Progressive Reprimand Procedure	34
9.3 Disciplinary Suspension and Immediate Dismissal.....	35
9.4 Discontinuation of Employment.....	36
10 Grievance Policy.....	36
11 Harassment Policy.....	37
12 Wages, Salaries, Payday and Benefits.....	39
12.1 Annual Wages and Salaries.....	39
12.2 Salary Grid Wage Grid.....	39
12.3 Pay Days and Submission of Time Sheets	40
12.4 Pension	40
12.5 Biweekly Payroll	40
12.6 Payroll Deductions	41
12.7 WFN Benefits.....	41
12.8 Incentives	41
13 Work Life Balance - Holidays, Vacation, Family and Other Leave	42
13.1 Statutory and Non-Statutory Holidays.....	42
13.2 Vacation Leave On-going Full Time Employees	43
Full-time Salaried Employees	43
Full-time Hourly Employees.....	43
13.3 Personal Leave Credit.....	44
13.4 Vacation Leave Entitlement for Term Employees	45
13.5 Return to Work after Serious Injury or Illness	45
13.6 Duty to Accommodate	45
Employer's Role in Accommodation for Injured Employees.....	45
Employee's Role in Accommodation	46
13.7 Bereavement Leave.....	46
13.9 Maternity Leave - Without Pay	46
13.10 Birth/Adoptive/ Guardian Leave – With Pay.....	47
13.11 Paternal Leave – Without Pay.....	47
13.12 Compassionate Care Leave – Without Pay	47
13.13 Court Leave	48

13.14 Educational Leave	48
13.15 Training and Professional Development Leave	48
13.16 Business Seminars, Conferences and Meetings	49
14 Resignation, Layoff, Termination and Retirement.....	49
14.1 Resignation	49
14.2 Retirement	50
14.3 Long Service Award	50
14.4 Deceased Employee	50
14.5 Separation Benefit.....	50
14.6 Termination or Layoff Notice	51
14.7 Return of WFN Property.....	51
15 Oversight of Human Resource Policy.....	51
15.1 Human Resource Committee	51
15.2 Violation of Policies	51
15.3 Severable	51
Appendices.....	53
Waiver of Coverage.....	53
Acknowledgment & Agreement	53

1 Human Resource Policy

1.1 Short Title

This policy may be cited as the “HR Policy” the terms policy and law have been used interchangeably throughout the document and are intended to mean the same.

This policy refers to and is applicable to any Employee working for WFN which includes all managers and staff (non-manager), full time and part time, ongoing (permanent) and temporary (term) employees.

1.2 Definitions

“WFN” is the Wagmatcook First Nation.

“Administrator” and “Director” mean the Director of Operations

“Anniversary Date” means the annual day from the first day an employee reports to work. An employee’s Anniversary Date is used to compute various conditions and benefits described in this HR Policy. WFN uses a common anniversary date of April 1st when calculating any vacation and other leave for on-going employees and a prorated calculation for employees in their first year of employment.

“Casual Employee” is an employee who applies for, is interviewed and is placed on a causal On-Call List. Specific On-Call Casual Lists will be created and maintained annually. Three lists will be for filling three types of positions: general administrative support, general laborer, special trades.

“Council” means the Chief and Councilors of the WFN elected pursuant to the WFN “Declaration of Custom with Respect to the Election of the Tribal Council.”

“Contractor” means an individual or company that has been retained by WFN to deliver specific services. Contractors are not employees and are not covered by this HR Policy. Contractors are required to have WCB and other insurance coverage to provide services.

“Manager” refers to an employee in charge of a specific area within a business unit of WFN.

“Employee/Employees” refers to a/all person/s employed by the WFN, whether they are on a monthly, daily, or weekly wage and who works either full time and or part time.

“Ongoing Employee” is an employee hired by the WFN in a regular position whose appointment is continuous from year to year. Ongoing employees are eligible for paid benefits.

“Term Employee” is an employee hired by the WFN for a specified period of time, usually no more than six (6) months. This includes Summer Student Employment Program hires. Term employees are not eligible for paid benefits.

“Employer” – means the Wagmatcook First Nation.

“Fiscal Period” – means the fiscal period of the Nation, that is, the period commencing on the April 1st of a calendar year to and including March 31st of the following calendar year.

“Full Time Employee” is an employee who normally works 35 hour weekly schedule (who works a regular seven hour day for five days a week).

“Human Resource Committee” is a standing committee of Chief and Council and is composed of the Director of Operations (or designate), Director of Finance (or designate), at least one employee (usually a Director and/or a Manager) and one member from Council. The Committee reviews and recommends to Council all changes to the HR policy and procedures. The Human Resource Committee is responsible for addressing and resolving Human Resource concerns and/or grievances, with approving any revisions to all job descriptions, with reviewing recommended changes to the salary guideline ranges, and interviewing applicants for all senior management positions with the WFN. As well as being responsible for all other duties and activities outlined in the HR Policy. The Committee reports to Chief and Council.

“Human Resource file” is the employee file created for each employee which is held by the Human Resource Officer. These records will be held in confidence and will include both Human Resource and finance records.

“Human Resource Officer” is the employee who is responsible for the coordination and provision of all human resource related support required by employees and Council. The Human Resource Officer works closely with the Director of Operations, Director of Finance, the Department Directors and the Human Resource Committee.

“Immediate Family” for the purposes of this HR Policy, immediate family is defined as: the employee's spouse or common-law partner; the employee's father and mother and the spouse or common-law partner of the father or mother; the employee's child(ren) and the child(ren) of the employee's spouse or common-law partner; the employee's grandchild(ren); the employee's brothers and sisters; the grandfather and grandmother of the employee; the father, mother, brother and sister of the spouse or common-law partner of the employee and any relative of the employee who resides permanently with the employee or with whom the employee permanently resides.

“Line of Authority” as per the WFN Organizational Chart.

“Local Area” means all the territory that is contained within a fifty (50) kilometer radius of the WFN Administration Building

“Part Time Employee” is an employee who is normally scheduled to work less than a 25 hour week.

“Program Manager” means a person who oversees and administers a program or department for the WFN. All Program Managers report to the Director.

“Staff” refers to all non-management employees.

“Term Employee” refers to all employees who are hired for a specific period of time.

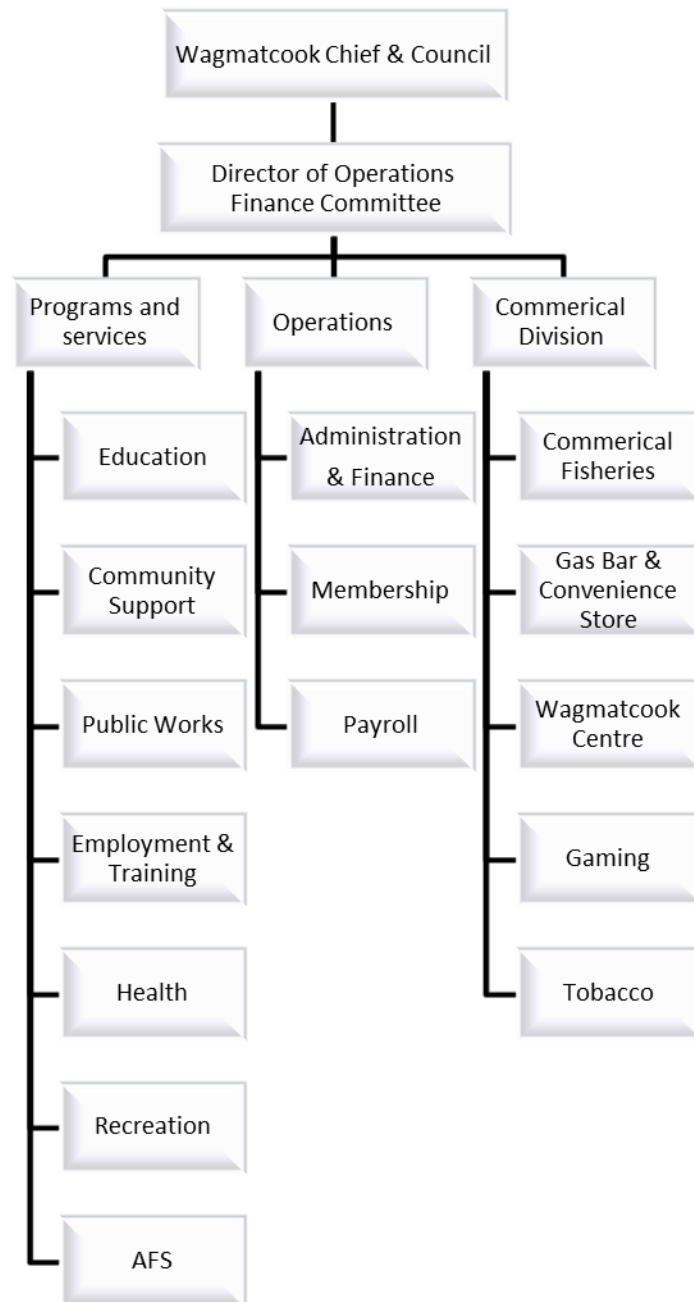
“Nation” means the Wagmatcook First Nation.

“Director of Operation” is the most senior staff position within the Nation, reporting directly to Council.

“Year of Employment” means a period of twelve (12) consecutive months commencing the first day of the fiscal period following the commencement date of employment or the completion date of the probationary period, if applicable.

1.3 WFN Organizational Chart

The organizational structure of the WFN is outlined in the Organizational Chart.



2 Purpose of Policy

The purpose of this policy including the approved procedures is to maintain a harmonious and mutually beneficial relationship between the Employer (Chief and Council) and the Employees and to ensure the integrity and efficiency of WFN. The policy describes the terms and conditions of employment and expected general working conditions. The Employer wishes to ensure that all reasonable measures are provided for the safety and occupational health of its Employees.

The Employer desires to promote the well-being and productivity of its Employees to serve its clients well and efficiently. Accordingly, the Employer is determined to establish an effective working relationship and environment for all the Employees.

From time to time, WFN policies may require revision. Management and Employees may, on an annual basis, review and revise these policies as required. Any amendments to this policy manual shall not constitute grounds for compensation. Amendments shall be effective from the time of their approval and publication.

2.1 Welcome Message from Chief and Council

“Our new human resource policy reflects the significant positive growth in our community over the last decade. Positive, creative and energetic employees are vital to the delivery of high quality programs and services to members and other residents. The Chief and Council embrace the idea that competent employees are a key to the success of our community. This policy streamlines how we plan to shape our government business. We have a long history of being a fair employer and this policy continues to embrace employee rights. This policy is open for change as we implement it and employees are encouraged to provide feedback and suggestions. As Chief, I am proud of our employees and expect that all employees will continue to serve the best interests of our community and residents. “

— **Chief Norman Bernard**

2.2 WFN Vision, Mission, Values

Our community vision, mission and value statements came from the 2002 community planning process and have been carried forward. The spirit and intent of the community values and vision are enduring and deeply rooted in Wagmatcook

Vision Statement

Teli-pkijek ula maljewe'jk tle'k utanminaq, lukutitesnen kulaman nutqo'ltite'wk Waqmitkuk
tajiko'ltitaqq,wl-lukutitaqq aq klu'titew kina'matnewey kekunm'itij.

Translation

Because they are the future of our community, we will work to ensure that the young people of Wagmatcook are healthy, productive educated individuals.

Mission Statement

In our life and work, we embrace Mi'kmaw culture, language and traditions in all things we do.

Value Statement

Culture – We have a strong and vibrant history. It is important to recognize and enhance our culture.

Education – Education is accessible and available to community members both formally and informally.

Health – A healthy community is made of up of healthy people.

Environment – We protect mother earth to provide for future generations.

Transparency and Accountability – Open discussion and involvement in decision making is crucial to a prosperous community.

Self-reliance – We encourage self-reliance for all community members and the community itself.

2.3 Accountability

The Council recognizes the importance of developing political, management and financial accountability systems intended to provide registered members with fair, open, accessible and equitable process regarding local governance and decision making.

The Council agrees to develop and maintain a fair, open, accessible and equitable political system, including but not limited to the following processes:

- making available minutes and proceedings of Council meetings;
- posting in public Band places, bylaw, resolutions and other decision of council
- providing access to registered members to inform related to the operation of the Council and community; and
- developing and posting conflict of interest guidelines for elected and non-elected officials.

The Council agrees to develop and maintain a fair, open, accessible and equitable management system, including but not limited to the following processes:

- hiring competent and dedicated staff to deliver programs and services;
- making available and explaining program policies approved by Council for the management of human and fiscal resources;
- developing and updating an organization structure consistent with the program and service delivery needs of the community;
- developing and posting management policies and standards as well as a process to appeal a management decision by staff of registered members.

The Council agrees to develop and maintain a fair, open, accessible and equitable financial accountability system including but not limited to the following processes:

- developing and making available annual budgets including projected revenue and expenditure approved by Council prior to the start of each fiscal year;
- developing and maintaining a system of accounting procedure in accordance with general accepted accounting principles;
- developing and maintaining a system of budgetary controls to ensure expenditures are made within Council approved annual budgets and on objective for which funding has been received and have been expended in accordance with the terms and conditions under which funding has been provided by Canada;
- preparation of an annual audit;
- preparation of quarterly financial statements which encompass the complete operations of Council;
- prohibit personal loans or advances to registered members.

2.4 Code of Conduct & Code of Ethics

The Wagmatcook First Nation is dedicated to serving its members and clients as well as its partners, funders and other First Nations. It is important that all employees are aware of their responsibilities to members, clients, organizations, fellow employees and WFN. Therefore, all WFN employees shall comply with the following guidelines pertaining to conduct and ethics.

While the Code of Ethics may not cover every situation, it will serve as a guide to the general conduct, which is expected of all employees.

1. During work hours, employees must devote themselves to their duties of employment; be prompt, courteous and temperate in their performance; as well adhere to the policies and procedures of WFN.
2. Employees shall carry out the duties of their positions conscientiously, loyally and honestly, remembering that the primary work task is to serve WFN, its members, clients, and other stakeholders.
3. Employees shall respect the integrity and dignity of the organization, its programs, staff and all other affiliated agencies.
4. Employees shall conduct themselves, while on duty and in public, in a manner that will be a credit to themselves, their department, and WFN.
5. Employees shall work continually towards self-improvement through self-evaluation and training.
6. Employees shall use information obtained on the job for the Employer's intended purpose only, not for their own personal interests or those of other persons.

7. Employees shall be on the job punctually each day unless there is a valid reason for absence or lateness, in which case the employee will contact his/her immediate Manager at the start of the working day and give an indication of when s/he expects to return to work.
8. Employees shall use their initiative to find ways of doing their work more efficiently and economically.
9. Employees shall follow instructions attentively and cooperate with their Manager.
10. Employees shall maintain a satisfactory standard of dress and general appearance appropriate to their duties.
11. Employees shall use equipment, property or supplies, which are owned, leased or rented by WFN for authorized purposes only.
12. Employees shall protect and care for all WFN property entrusted to them and report to their relevant Manager any faulty equipment that requires repair.
13. Employees shall not engage in public criticism of other employees or the approved policies of WFN.
14. Employees may recommend to their Manager, within their sphere of responsibility, changes of policy which they believe appropriate.
15. Employees will not be under the influence of alcohol or drugs while on duty.
16. Employees will respect the confidentiality of all records, materials, and communications and disclose information acquired through employment only when authorized by the relevant Manager.
17. Employees shall refuse any fee, gifts or other tangibles offered to them in reward for duties performed by virtue of their appointment, with the exception of cultural offerings.
18. Employees shall not receive travel or other reimbursements for the same meeting from two agencies.
19. Employees shall serve members, their clients and all stakeholders with loyalty, determination and the maximum application of professional skill and competence.
20. Employees will not participate in, or allow any behavior that is intended to degrade, humiliate, intimidate or cause fear to any community member, client, volunteer, or other employee.

21. Employees will respect the culture, traditions and teachings of the Nation and act accordingly.
22. Employees shall maintain electronic copies of all documents on WFN server, all files from removable disk or other medium should be made available on the server for authorized personnel

2.5 Code of Confidentiality

All employees of WFN shall work to promote WFN, its vision, goals and objectives and to uphold the WFN bylaws and any other policies and procedures. At all times employees are to keep information confidential with regards to the Nation, members and clients.

Employees must adhere to the "Code of Ethics" and the "Code of Confidentiality" during their employment with WFN. At no point whether during employment or following employment has been terminated shall an employee disclose any confidential information gained while working for WFN.

The fundamental Principles of WFN Confidentiality include:

All personnel working on behalf of WFN will protect the confidentiality of any information acquired during the conduct of their duties.

Confidential information may be disclosed only when a member or client has authorized in writing such disclosure, or when there is some legal obligation to do so.

In any event, disclosure for legal reasons shall not occur before consultation with the Director of Operations or authorized personnel of the organization. Any possibility of legal disclosure must be made known to WFN.

All personnel working on behalf of WFN shall not speak or divulge any information to the media regarding WFN business unless instructed by the Chief and Council (or designate) as approved by motion.

Violation will result in suspension or dismissal.

2.6 Conflict of Interest

It is critically important that no employee of WFN shall engage in any conduct in the course of employment that may result in a personal benefit to that employee or a member of his/her family. No employee shall participate in any decision which may benefit the employee or a member of his/her family, regardless of the position or authority of that employee, or no employee in authority shall influence or lobby another manager or director for decisions that are deemed to be in conflict of interest.

A conflict of interest is a situation in which an individual is faced with competing interests or bias. The breach conflict of interest occurs when an individual acts to benefit their own interests.

All decisions must be made with the intention of benefiting WFN, the Nation and its membership.

As the employer-employee relationship is founded on trust and commitment to strive for mutual benefits, it is expected that the employee's time/labour/skill and attention will be devoted to the business of the WFN as specified by the employment arrangement.

The WFN property, materials and services will be utilized only as requested or authorized by the arrangement.

Participation of an employee in other business, organizations or activities that compromise the employment relationship or disadvantage the WFN will be considered a conflict of interest.

Managers shall be responsible for identifying potential conflict of interest activities to employees. Where an employee persists in activities that may disadvantage the WFN, the Director is to be informed.

Employees must consult with their Manager prior to engaging in any activities that may seem as conflict of interest, such as, but limited to:

- having a vested interest in an external business which may provide materials or services to the WFN;
- being offered services or materials as a result of employment or position with the WFN;
- making use of a position with the agency to solicit services or materials for personal gain;
- utilizing WFN equipment, services or materials for an external business;
- pursuing personal gain over the wellbeing or needs of people supported.

Employees who fail to honor the provisions of this policy will be considered to be in breach of his/her employment arrangement with the WFN and violation will result in disciplinary action as suspension or dismissal.

The Wagmatcook Chief, as the presiding Chairperson of the band council meeting, shall ensure that any Council member deemed to be in a conflict of interest will be identified and request that they remove themselves from the meeting while the topic is being discussed officially by a quorum of Council. If the Chief is in a conflict of interest, he/she shall be required to identify the conflict and remove him or herself from the meeting before the topic is discussed by Council. At this point the Chief will appoint a temporary Council member as Chair of the Council meeting and a discussion will commence on the agenda item.

WFN individual Council members shall confirm in writing that they have received and read this policy.

2.7 Statement of Employee & Employer Rights

WFN believes that it is important to identify and protect both employees and employer rights. As such WFN believes:

- All employees are entitled to fair and just treatment;

- Employees are entitled to carry out their job without fear of harassment. WFN has the responsibility of preventing and actively discouraging harassment in the workplace.
- All employee files and information should be kept with great care to protect the privacy and confidentiality of the individual's records.
- No employee shall be suspended or discharged, with or without just cause unless there is written authority of the Human Resource Committee.
- No person who is employed in a managerial or confidential capacity shall, by intimidation, threat of dismissal or any other type of threat, cause an employee to abandon a complaint or grievance or refrain from exercising a right to present a dispute, as provided in the conditions of employment.
- Any employee may use the grievance procedure described in this Policy to dispute a management decision with regard to the performance of that employee's duties.
- WFN will own the right to use and revise, free of charge, any or all artistic, recorded or written work that an employee created during and after the period of employment at the organization.

3 Employee Recruitment

3.1 Position Authorization

All new positions must receive Budgetary Authorization from the Finance department and Posting Authorization by the Director before the position can be posted. Any previously approved position that has become vacant may be approved by a Program Manager for re-posting (assuming budget is still in place).

Program Managers will prepare the documentation including the job description, rationale for the position and the budgetary support for presentation and recommendation to the Director and Human Resource Committee as required.

3.2 Equal Employment Opportunity

The WFN under this HR Policy provides equal opportunity for everyone regardless of age, sex, color, race, creed, sexual orientation, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions.

3.3 Preferential Hiring Practice

The intention in all hiring is to recruit the best-qualified candidate. When two or more candidates are deemed to be equal in terms of "best qualified," then preference will be given to the candidate of Aboriginal ancestry.

3.4 Job Posting Procedure and Position Competition

All positions, both Ongoing and Term, will be posted to provide an opportunity for transfers, promotions, advancements, and short term replacements as well as external applicants.

All positions will be posted and advertised as directed by the Director of Operations and/or Human Resource Officer with the approval of Finance department. Generally, all postings will be open for a minimum of 10 working days.

All postings are to comply with established posting and interview procedures. Standard job postings shall include qualifications, duties, date of posting, application deadlines, anticipated interview date and other relevant information related to the position deemed necessary by the Human Resource Officer and Program Manager. At the close of the competition, the Human Resource Officer shall be responsible to review all applications and setting up interviews as necessary.

3.5 Interview Committee Structure

The full Council or a specially appointed committee composed of at least three individuals from outside the WFN and at least one employee from within WFN, shall be responsible for the interviewing, selection and hiring of the Director of Operations and Director of Finance.

The Director of Operations (or designate) along with at least two other members from the Human Resource Committee will have the responsibility for interviewing, selection and hiring of all Program Managers and senior manager positions. All other Interview Committees must have at least two members but preferably three which must include the Program Manager and another member of the Human Resource Committee.

The Interview Committee shall be responsible for the interviewing of each position within each Department. The Human Resource Officer and the Program Manager shall jointly decide who shall be on the interview committee. The Human Resource Officer shall coordinate the interviews.

If a member of the interview committee is in a conflict of interest, he/she must declare it to the Committee and shall temporarily be replaced during that portion of the competition. The remaining members of the Committee shall appoint the temporary replacement. The member once replaced will abide by the decisions made by the reconfigured Committee.

Any individual who is in a Conflict of Interest must self-identify and be replaced on the Interview Committee.

3.6 Initial Screening Applicants

Initial screening of all applications will be assessed by the Human Resource Officer to determine the applicant's ability to meet the minimum stated qualifications. Second level screening of all applications for Director and Director of Operations level positions will be assessed by the Human Resource Committee and second level screening of all applications for positions of Manager and below will be assessed by the Director (or designate) and one (1) other member of the interview committee. All applications of qualified candidates received for a posting will be forwarded to the Human Resource Committee / Interview Committee.

Only job-related questions or ones which assess the candidate's experience, skill and training, personal suitability will be asked. All candidates will be asked the same questions. If any potential candidate

misses an interview, he/she will not be granted a second chance to be interviewed. The Human Resource Officer will notify in writing, all candidates who have been interviewed of the Nation's decision in relation to the candidate's application.

The Director of Operations/Director may seek permission from the Human Resource Committee under emergent/urgent circumstances to have the discretion to move to the selection and hiring of a candidate without going through the normal posting/interviewing process. This shall only be used for temporary/urgent appointments. Selection of all on-going positions must follow the proper procedure.

WFN reserves the right to not fill a position if they determine that there are no qualified applicants.

3.7 Internal Employee Application Process

The Director of Operations/Director should first consider promotion from within the organization to determine if an existing employee can fill the position. However, if no suitable internal applicant is identified the position will be advertised locally, regionally and then nationally.

Internal applicants will be required to submit a formal application, will be formally interviewed by an interview committee, and if appointed, undergo the new employee probation process.

3.8 Temporary Assignment

Positions for temporary employment may be offered on a specific or on a project based basis as determined by the Program Manager. Temporary staffing assignments of less than 3 months do not require job posting competitions. A Director wishing to fill a temporary position must provide the Human Resource Committee with the rationale for making the position temporary and for why it should be filled without competition. Finance Department is to be informed of this decision as well as informed on the duration of the employment. A letter of appointment signed by the Director shall be given to an employee appointed to fill a temporary assignment outlining the specific term, duties, conditions of employment and additional pay or compensation.

Should a WFN employee be temporarily assigned to perform the duties of a higher position on an acting basis for a period that exceeds twenty (20) working days, that employee may be paid the salary rate of the higher position for the duration of the temporary assignment. Authorization for the increase in pay must be approved by the Human Resource Committee and Finance Department.

3.9 Casual Positions for On-Call List

To enable the administration to hire individuals to fill short term positions, each Department has been allowed to establish an On-Call Casual List. Each department must seek approval from the Director and Human Resource Committee to create specific positions that can be filled through an On-Call List.

Once approved, the Human Resource Officer will keep each Department List and must follow established hiring protocol (advertising, interviewing and selection) to fill the On-Call List. The frequency of posting to fill the List (and to keep it current) will be at the discretion of the Department. Individuals from the On-Call List may be hired for a few hours, a few days and or a few weeks. The letter of offer will specify the job title, the Manager/Supervisor, the duties, the hours of work, and the rate of pay.

Employees hired through the On-Call process will be placed on the regular payroll and expected to abide by all the conditions of this Policy.

Three types of On-Call Lists will be established: (1) for general administrative and clerical support type positions, (2) for general laborer (inside and outside) positions, and (3) for specialized trades which require specific training and or certification. Each On-Call List will have a clear job description including a general description of duties, required skills and qualifications. Only individuals from an On-Call List will be eligible for hiring for temporary /term positions of this type.

The letting of Contracts to independent Contractors will only be used to complete special projects and or to deliver specific/specialized professional services. Contractors are not employees and contract positions must be filled through proper established WFN purchasing procedures.

3.10 Aptitude and Ability Tests

Some positions require skills for which a known level of competence exists, i.e., keyboarding, computer applications, and data entry. Under these circumstances the Hiring Committee may request applicants to demonstrate skills by completing an exercise involving a job-related work sample. All interviewed applicants must be given the same exercise. All test results will be confidential.

3.11 Verification of Previous Employment & Reference Checking

The Human Resource Officer will be responsible for verification of employment and educational information provided by the applicants for all positions. References and previous employers for top candidate(s) that have been short listed for an interview will be contacted with respect to details of position(s) held and candidate's overall work habits after signing a Reference Check Release Form.

3.12 Verification of Licenses, Certification and Education

The Candidate will be responsible for providing original verification of his/her licenses, certification and educational background, including confirmation of the successful completion of all certificates, diplomas, licenses, degrees, etc... The successful candidate will be asked to provide original documentation of accreditation before the interview. Documents will be placed in the employee Human Resource file.

3.13 Criminal Record Check

Criminal Reference Checking will be a condition of employment or service for persons applying for certain positions in the organization – those working with children and those responsible for handling cash.

A new employee will provide a copy of a current criminal record check.

Any employee must immediately notify his/her Director and the Human Resource Officer should his/her status change while employed with WFN.

4 New Employee Appointment and Orientation

4.1 Letter of Appointment

All new employees shall be given a Letter of Appointment signed by the Human Resource Officer and Director of Operations. The Letter shall outline the job title, Manager/Supervisor(s) (title), start date, (term end date for term positions), salary placement and length of probationary period. Also included in the letter will be any special conditions of employment such as outstanding education and certification requirements, professional membership requirements, etc.. Attached to the Letter will be the Job Description.

Once the probationary period has been successfully completed, a Permanent Letter of Appointment shall be provided to the employee, signed by the Director of Operations and Human Resource Officer and placed in the Human Resource file.

4.2 Employee Orientation

It is the responsibility of both the Human Resource Officer and the new employee's direct Supervisor to establish good employee-employer relations, open communications and reduce anxiety with regard to the new work environment and to begin to make the employee feel part of the team.

All new employees will be provided with a comprehensive orientation process. The Human Resource Officer will review the HR Policy and conditions for his/her probation and explain all other relevant documents. The new employee will then be asked to sign all the required forms including the declaration of understanding (which indicates that he/she has received a copy, understands and agrees to abide by all WFN policies).

4.3 Employee Deductions

The Human Resource Officer will inform the new employee about the WFN's Benefit Package and will have the new employee sign a number of forms including the Federal Income Disclosure Form T-1, Direct Deposit Authorization, and Payroll Deduction forms.

4.4 Human Resource file and Information Package

A confidential employee file (Human Resource file) will be created for each new employee. All employees will have access to his/her own records upon request and appointment. Director of Operations and/or Manager will have access to their staff members' records. The Human Resource Officer and/or Financial Manager will have access to all records. The Human Resource Officer and/or Financial Manager will be present during all access to Human Resource files. No files will be removed from the Human Resource Office. The Human Resource Officer and/or Financial Manager will maintain a log of persons accessing the files. The files will be locked at all times.

No information relating to an employee's performance shall be placed in his/her file unless a copy has also been furnished to the employee.

4.5 Declaration and Commitment Forms

WFN is dedicated to providing the best services possible for its clients and the client Bands. As such, all employees will be required to agree to abide by the established Code of Ethics, Code of Conduct and Code of Confidentiality.

All employees will be required to sign a *Code of Ethics* form which will remain in effect throughout and following employment with the WFN. The *Oath of Confidentiality* is binding on all employees during and after employment with the WFN. A breach of confidentiality can result in legal proceedings and/or immediate dismissal.

To ensure that all employees are completely aware and informed of the core WFN policies and procedures, each new employee will have the HR Policy explained to them and will be given a copy of the Policy during their orientation. All employees will be required to sign a *Declaration of Understanding* indicating that they have been informed and received a copy of the HR Policy and all other relevant documents and that they will abide by these during their employment with WFN.

Employees that are found to be in violation of their commitment to providing Ethical and Confidential performance and/or not abiding by established WFN policies may be subject to disciplinary action.

5 Job Descriptions and Probation

5.1 Job Descriptions

Job Descriptions have been created for all positions within the WFN. Copies of all Job Descriptions are available from the Human Resource Officer and/or the Financial Manager.

All Job Descriptions shall include the following:

Position title

Accountability or reporting structure, including line of authority

Responsibilities: nature and scope of work, including regular duties

Experience, abilities, knowledge and skills required

Qualifications: educational background and training, licenses, certificates required

Job descriptions will be used to determine employee selection, job requirements, employee evaluations, organizational structure and for such other purposes as determined by the Human Resource Committee. From time to time Job Descriptions may be reviewed and revised at the request of or by the Human Resource Committee. The Manager/Supervisor will provide the employee with a written copy of a new/updated job description.

A current written copy of the employee's job description must be signed by the employee and kept in his/her Human Resource file.

5.2 Probation Period

All new staff will be placed on a six (6) month probation period.

An employee who accepts a promotion / new position within the WFN will be treated like any new employee and given the same probation as a new employee. Should the promoted staff member fail the probationary period all reasonable efforts will be made to replace him/her in a position similar to the one he/she vacated. However, no guarantee will be made.

Chief and Council will evaluate a probationary Director of Operations and Director of Finance. The Director of Operations will evaluate all probationary Managers and all other direct reporting employees. Each Manager will evaluate all probationary employees within his/her department. In the case where an employee reports to two Managers, both will jointly conduct the evaluation.

The individual(s) completing an evaluation will outline in writing to the Director / Human Resource Committee his/her/their recommendations for continuation or termination of the employee's appointment. Probationary employees who fail to meet the overall performance criteria and standards laid out in the Employee Evaluation process will not be recommended for further employment.

At any time during the probation period the Director / Human Resource Committee may terminate employment without notice.

The same Performance Appraisal process and forms used for the annual evaluation shall be used during the probationary evaluation.

Probationary employees shall not be entitled to any retroactive wages or benefit increases.

6 Hours of Work

6.1 Regular Hours of Operation

A full time employee at WFN works a 32.5 hour per week.

The regular work hours are from 9:00 a.m. to 4:00 p.m. daily. A 30 minute unpaid lunch break is scheduled each weekday from 12:00 noon until 12:30 pm. In addition to the lunch break, two (2) fifteen minute paid coffee breaks are scheduled each workday, one occurring in the morning, the other in the afternoon.

The Director may, on specific occasions may make alterations to the hours of work for a particular day or work period for some or all Departments. Independent contractors shall work such hours as are specified in their contracts.

All employees shall record their attendance with the receptionist and the Program Managers, as the case may be upon reporting to work.

Employees that are away from the office during the work day must complete the required form which documents the purpose of their absence. These forms must be submitted along with time cards for the calculation of the biweekly payroll.

All employee wages shall be calculated pursuant to the time recorded on his/her attendance records, sign-out sheets and time clocks.

Any entries on the time sheet for overtime, personal leave, other leave and/or vacation must be accompanied by an approved overtime/leave application.

6.2 Absence or Lateness

If an employee is unable to report for work at the assigned time or will be late, he/she must contact the Receptionist, his/her Manager/Supervisor and / or the Director of Operations immediately. Repeated lateness or tardiness will be subject to disciplinary action.

WFN employees who expect that they will be late or absent from work, must notify their Manager/Supervisor within thirty (30) minutes of the start of the workday. The employee will provide a valid reason for their absence/lateness and give indication of when they expect to be available to work.

Any employee arriving late to work or departing early from work without permission will have his/her vacation or wages reduced as follows

Up to five (5) minutes: No deductions

Between six (6) and fifteen (15) minutes a deduction of 15 Minutes

After fifteen (15) minutes a deduction of 15 minutes per every 15 minutes

Absence from work for three (3) consecutive days without notification to the WFN will be considered a resignation.

6.3 Overtime

Overtime is generally not permitted for salaried employees anywhere in WFN.

Hourly employees must have prior approval from the Director of Operations and/ or Program Manager.

6.4 Compensation for Overtime

WFN will provide Compensation for overtime in the form of "lieu time off" for salaried employees.

Hourly employees will follow Service Canada's guidelines for overtime.

Overtime shall be calculated as follows:

Equal time for any overtime worked in excess of regular hours up to eight (8) hours in a day and/or 40 hours in a week (i.e. for the eighth (8th) hour worked in one day)

Time and one-half for all additional hours of overtime worked that exceed eight (8) hours in a workday and/or 40 hours in a workweek. Maximum hours are 48 in a week.

All overtime must be pre-approved.

All earned time off in lieu must be taken within the quarter (four months) of being earned. Overtime not taken in the designated quarter will be lost to the employee.

6.5 Severe Weather and Emergency Closing of WFN

The WFN will not close except under unusual circumstances. In the event of severe weather or other emergencies, if WFN has to cancel operations or close, information will be made available as quickly as possible through a variety of communications mediums including the local radio station.

Employees are expected to be at work, unless WFN is officially closed. Employees are expected to exercise judgment regarding their ability to travel safely to and from work. However, employees that choose not to travel for work on a day when WFN has not been closed for weather related purposes, may either use personal leave or take the day off without pay.

If appropriate, an employee may negotiate the ability to work from home for a period of time, and must receive prior written approval from his/her Manager

7 Performance Measurement Process

7.1 Employee Work Plans

Annually, each employee shall meet with his/her direct Manager/Supervisor to develop an Annual Work Plan which outlines anticipated goals, specific program and project service objectives and to specify tasks and responsibilities that he/she will deliver over the coming year.

Each month, the employee and his/her Manager/Supervisor will meet to discuss the status of activities the previous month and any changes and or alterations that need to be incorporated in the following month. Each employee shall be responsible for maintaining a current copy of his/her own Workplan and providing his/her Manager/Supervisor with any updates as discussed and approved by the Manager/Supervisor.

Employee performance will be assessed annually based on how each employee met, did not meet, and/or exceeded their approved Annual Workplan.

7.2 Annual Employee Evaluation Criteria

Each ongoing employee shall be evaluated by the Program Manager with input and involvement from his/her direct Manager/Supervisor using the established Evaluation systems and forms. A term employee who works for the WFN for a period longer than six months shall be evaluated using the established Performance Appraisal systems and forms. The Human Resource Officer shall ensure that each employee has an employee evaluation completed annually on or before the first day of the fiscal year.

The Human Resource Officer will inform each Director of the employees within his/her department to be evaluated.

Upon completion of the Annual Performance Appraisal, a signed copy of the forms (signed by both the employee and their direct Manager/Supervisor) will be placed in the employee's Human Resource file. The employee shall be given a copy of the forms.

7.3 Performance Management

The employee performance evaluation process, including goal setting, performance measurement, regular performance feedback, employee recognition, and documentation of employee progress, ensures the success of our organization. The performance evaluation process—done with care and understanding—helps employees see how their jobs and expected contributions fit within the bigger picture of our organization.

Documented employee performance evaluations are communication tools that ensure the Manager and his/her reporting staff members are clear about the requirements of each employee's job. The employee performance evaluation also communicates the desired outcomes or outputs needed from each employee's job and defines how these will be measured.

The goals of employee performance evaluation is to provide an effective employee evaluation and an overall performance process to ensure the employee and the Manager are clear about the employee's goals, required outcomes or outputs for the year as documented in the Annual Workplan, as well as how each employee's successes and contributions will be assessed.

The goal of the employee performance evaluation process is to focus on employee development and organizational improvement. The employee performance evaluation helps employees accomplish both personal development and organizational goals. The act of writing down the goals takes the employee one step closer to accomplishing those goals.

Since goals, deliverables and measurements are negotiated in an effective employee evaluation, the employee and the Manager are committed to achieving those goals. The written personal development goals are a commitment from the organization to assist the employee to grow in his or her career.

Employee performance evaluation provides legal, ethical, and visible evidence that employees were actively involved in understanding the requirements of their jobs and their performance. The accompanying goal setting, performance feedback, and documentation ensure that employees understand their required outputs/performance expectations.

Chief and Council shall conduct and approve the evaluation for the Director of Operations and Director of Finance. The Director of Operations shall conduct and approve the evaluations for the Program Managers. The Program Managers will review and approve the evaluations for all employees in their departments.

The Process for conducting the annual Performance Appraisal is as follows:

Chief and Council / Director of Operations / the Program Managers will:

Request that the employee within a mutually agreed-upon time frame carry out a self-assessment for the period of the review (usually the last year).

Conduct the review of the employee's performance against the work plan and the "Employee Performance Review."

Have a meeting with the employee to compare the two (2) assessments and evaluation forms. In the event of an inconsistent review the evaluation conducted by the Program Manager will stand.

Both the employee and Program Manager shall sign both completed forms. The employee will sign signifying acknowledgement/agreement with the assessment. If the employee does not agree with the Performance Review, he/she may ask for the appraisal process to be reviewed by the Director of Operations / Human Resource Committee.

In the event of a disagreement, the Director of Operations and Human Resource Committee will:

Review both forms as completed by the employee and the Director and may meet either individually or together. Once the Director of Operations / Human Resource Committee have completed the assessment their findings will be presented to the employee and Director. The findings of the Director of Operations / Human Resource Committee will be final.

8 Workplace Professionalism and General Policies

8.1 Dress Code / Personal Appearance

All employees are expected to dress and groom in accordance with professional standards. Director of Operations and the Human Resource Committee are responsible for establishing a dress code appropriate to the various jobs performed within the organization. Employees are expected to be clean and well groomed and dressed in a manner that adheres to safety guidelines.

All employees whose job requires the wearing and use of safety equipment will be informed upon hiring and/or if circumstances or regulations change. Employees who do not comply with the requirement to properly wear personal safety equipment (including boots, hard hats, safety eyewear and/or other articles) will be subject to disciplinary action.

WFN is a scent free workplace; employees are not to wear any perfumes, colognes and/or body spray while working or attending meetings on behalf of WFN.

8.2 Smoking Policy

In compliance with local regulations the WFN offices, office building and all WFN vehicles are designated non smoking.

8.3 Substance Abuse Policy

Wagmatcook First Nation is committed to the health and safety of its employees and has adopted this policy to communicate its expectations and guidelines surrounding substance use, misuse and abuse.

Employees under the influence of drugs or alcohol on the job can pose serious health and safety risks both to themselves and their fellow employees. To help ensure a safe and healthy workplace, Wagmatcook First Nation reserves the right to prohibit certain items and substances from being brought on to, or present on company premises.

Expectations

The following expectations apply to employees and management alike while conducting work on behalf of the company, whether on or off company property:

- Employees are expected to arrive to work fit for duty and able to perform their duties safely and to standard; employees must remain fit for duty for the duration of their shift
- Use, possession, distribution or sale of drugs or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited
- Employees are prohibited from reporting to work while under the influence of non-prescribed drugs or alcohol
- Employees on prescription medication must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment

Roles and Responsibilities

Wagmatcook First Nation

- Clearly communicate expectations surrounding alcohol and drug use, misuse and abuse
- Maintain a program of employee health and awareness
- Provide a safe work environment
- Review and update this policy on a regular basis

Management

- Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions
- Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation) and is not disciplined for doing so
- Maintain confidentiality and employee privacy

Employees

- Abide by the provisions of this policy and be aware of their responsibilities under it
- Arrive to work fit for duty, and remain as such for the duration of shift
- Perform work in a safe manner in accordance with company established safe work practices

- Avoid the consumption, possession, sale, or distribution of drugs or alcohol on company property and during working hours (even if off company property)
- When off duty, refuse a request to come into work if unfit for duty
- Report limitations and required modifications as a result of prescription medication
- Report unfit co-workers to management
- Seek advice and/or appropriate treatment, where required
- Communicate dependency or emerging dependency
- Follow after-care program, where established

Suspicion of Impairment

The following procedure will be enacted if there is reasonable belief that an employee is impaired at work:

1. If possible, the employee's manager/supervisor will first seek another manager/supervisor's opinion to confirm the employee's status.
2. Next, the manager/supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. Suspicions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behaviour that may include, but not limited to, slurred speech, difficulty with balance, watery and/or red eyes, dilated pupils, and/or there is an odour of alcohol, the employee should not be permitted to return to their assigned duties in order to ensure their safety and the safety of other employees or visitors to the workplace.
3. If an employee is considered impaired and deemed "unfit for work" this decision is made based on the best judgment of two members of management and DOES NOT require a breathalyser or blood test. The employee will be advised that Wagmatcook First Nation has arranged a taxi or shuttle service to safely transport them to their home address or to a medical facility, depending on the determination of the observed impairment. The employee may be accompanied by a manager/supervisor or another employee if necessary.
4. An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse Wagmatcook First Nation organized transportation and make the decision to drive their personal vehicle the company is obligated to and will contact the police to make them aware of the situation.
5. A meeting will be scheduled for the following work day to review the incident and determine a course of action which may include a monitored referral program as part of a treatment plan.

Substance Dependency

Wagmatcook First Nation understands that certain individuals may develop a chemical dependency to certain substances, which may be defined as a disease or disability. Employees are not excused from their duties as a result of their dependencies. Wagmatcook First Nation promotes early diagnosis. Any employee who suspects that he/she might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

Voluntary Identification

Employees are encouraged to communicate if they have a dependency or have had a dependency so that their rights are protected and they can be accommodated appropriately. Employees will not be disciplined for requesting help or due to current or past involvement in a rehabilitation effort.

All medical information shall be kept confidential by Wagmatcook First Nation, unless otherwise authorized by law.

Agreement for the Continuation of Employment

Wagmatcook First Nation reserves the right to invoke an Agreement for the Continuation of Employment in accordance with an employee's commitment to become, and remain alcohol and drug-free. The Agreement will outline the conditions governing the employee's return to the job and the consequences for failing to meet the conditions.

An Agreement for the Continuation of Employment may include a requirement for drug and alcohol testing.

Substance Related Convictions

Any employee convicted of, or who pleads no contest to, any substance related offense must inform Wagmatcook First Nation within five (5) days of the conviction or plea. Failure to do so will result in disciplinary action up to and including termination of employment.

In the event of an employee's conviction or plea to charges relating to the manufacture, possession, sale, use, distribution, receipt, or transportation of any substance, Wagmatcook First Nation will determine whether disciplinary action will be taken, including the appropriateness of continued employment.

In accordance with Wagmatcook First Nation's human rights obligations, consideration of the circumstances will be given on a case-by-case basis.

Disciplinary Action

Employees will be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this policy, including, but not limited to:

- Failure to meet prescribed safety standards as a result of impairment from alcohol and/or drugs; and
- Engaging in illegal activities (e.g. selling drugs and/or alcohol while on Wagmatcook First Nation premises).

8.4 Telephone, Mail and Fax Policy

No long-distance personal calls are allowed. Personal local calls may be made if they are for emergency purposes.

The WFN's address is not a personal mailing address. Do not put personal mail in the stacks that are to be run through the postage meter.

Faxes are not to be used for personal use.

8.5 Cellular Phone Use

Other than for approved WFN business, employees are not to use a cellular phone or other device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet, or downloads and allows for the reading of and responding to emails, whether the device is supplied by WFN or personally owned.

WFN is aware that employees utilize their personal or WFN-supplied cellular phones for business purposes. At the same time, cell phones are a distraction in the workplace. To ensure the effectiveness of meetings, employees are asked to leave cell phones at their desk. Or, on the unusual occasion of an emergency or anticipated emergency that requires immediate attention, the cell phone may be carried to the meeting on vibrate mode.

WFN, in compliance with the new provincial regulations, prohibits employee use of cellular phones (whether personal or company supplied) while driving, unless a hands-free device is used.

This prohibition of cell phone or similar device use while driving includes: receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages. Additionally, employees are not to use their cell phones during regular business hours for any other purpose than those related to his/her employment; the business; our clients; our vendors/suppliers; or other Nation responsibilities performed for or in the name of the WFN; or any other WFN related activities not named here.

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

8.6 Software Access and Update Procedure

All WFN computers must use authorized anti-spy and anti-virus software. Employees need to inform their Manager if this software is not functioning and/or about to expire.

Software needed, in addition to the Microsoft Office suite of products, must be authorized by a Finance Department. Only an individual designated within WFN may conduct the download. If an employee

needs access to software not currently on the organization network, prior approval from the Finance Department must be sought.

8.7 Internet and Email Use

Email and Internet usage assigned to an employee's computer or telephone extensions are solely for the purpose of conducting business. Some job responsibilities at WFN require access to the Internet and the use of software in addition to the Microsoft Office suite of products. Only people appropriately authorized for organization purposes may use the Internet or access additional software.

Employees are not to engage on the internet in any personal political activity that is outside the mandates of WFN and guidelines set by Council.

Employees are only permitted to use WFN assigned emails. If an employee uses his/her personal email during work and or to conduct WFN business, those emails automatically become the property of WFN.

Email is also to be used only for work related business purposes. Confidential information must not be shared outside of the organization, without authorization. There shall be no personal usage of WFN computer and/or email systems.

Please keep this in mind when considering forwarding non-business emails to associates, family or friends. Non-business related emails waste time and attention.

Employees must not use WFN supplied email addresses for non-work related postings to chat groups, discussion groups, chat, online auctions, Facebook, MySpace, Usenet groups or web pages, or other social media platforms.

Employees must not circulate extraneous email chain letters, jokes, etc. on WFN workstations.

Internet use is only to be conducted during work hours and only for work related activities. Internet use brings the possibility of breaches to the security of confidential organizational information. Internet use also creates the possibility of contamination to the WFN system via viruses or spyware. Spyware allows unauthorized people, outside the organization, potential access to WFN passwords and other confidential information.

Removing such programs from the network requires IT staff to invest time and attention that is better devoted to progress. For this reason, and to assure the use of work time appropriately for work, all employees are asked to limit Internet use.

Individuals using WFN equipment to access the Internet are subject to having activities monitored by system or security personnel. Use of this system constitutes consent to security monitoring, and employees should remember that most sessions are not private.

Additionally, under NO circumstances may WFN computers or other electronic equipment be used to obtain, view, or reach any pornographic, or otherwise immoral, unethical, or non-business-related Internet sites. Doing so will lead to disciplinary action up to and including termination of employment.

All employees shall also refer to the Internet, Email and Computer Use Policy.

8.8 Emails and Internet Sites that Discriminate

Viewing pornography, or sending pornographic jokes or stories via email, is considered sexual harassment and will be addressed according to WFN Harassment policy as well as is defined in the Internet, Email, and Computer Use Policy.

Any emails that discriminate against employees by virtue of any protected classification including race, gender, nationality, religion, and so forth, will be dealt with according to the harassment policy. These emails are prohibited at WFN. Sending or forwarding non-business emails will result in disciplinary action that may lead to employment termination

8.9 Wagmatcook First Nation Owns Employee Email

Keep in mind that WFN owns any communication sent via email or that is stored on WFN computer equipment. Management and other authorized staff have the right to access any material including employee emails or information stored on any computer. Please do not consider electronic communication, storage or access to be private if it is created or stored at work.

8.10 Social Media, Professional and Personal Considerations

Social Media is a broad term encompassing many electronic technological socially interactive or content creating activities. Its forms take on many forms and can include the seemingly innocent enough photo album sharing and forwarding of jokes, witticisms, sayings or images altered using editing software of public persona so that they appear ridiculous or worse. The sites commonly known to be used for social media mingling and “friendliness” are Facebook.com, Twitter.com, LinkedIn, myspace.com and the like. This is by no means a comprehensive list but one to simply demonstrate and define for the purposes of this policy the type of interactions possible.

Regardless of whether, at home, on personal time or at work the employee must refrain from Social Media interactions that include any commentary (negative or positive) about their Employer (the WFN) including all individuals elected to council, or anyone else employed by the Nation, its partners, suppliers, clients, members and any other organization affiliated with the WFN. Employees must never post or forward defamatory or derogative comments, postings, pictures, graphics or other such messages alluded to on a Social Media site.

Employees should always remember that they are bound by the confidentiality and privacy clauses of this policy in all instances and at all times. This effectively means that there can be no expectation of maintaining a private life or private attitudes that are completely consequence free. Regardless whether positive or negative, engaging in political commentary on or through any social media is forbidden for the sake of maintaining public confidence of the professionalism of all WFN employees.

Employees violating this may subject to disciplinary action.

8.11 Office Master Keys and Security Code

Only designated employees shall be issued office door keys.

Employees issued office keys shall be listed on the security system call list and be taught how to operate the buildings' alarm systems.

In the event that an office key is lost or stolen, the Employee is responsible for reporting it to his/her Manager immediately. The Employee will be responsible for the cost of replacing key and change of lock.

Only Employees who have successfully completed their probationary period shall receive keys to the office or passwords for the security system.

8.12 Care and Use of WFN Property and Equipment

Personal use of WFN property or equipment is not allowed. Abuse of this section will lead to disciplinary action.

Any equipment, machines, computers, cellular telephones and supplies that are used by employees are to be signed out with the Manager, particularly when such items are taken off site for use. A copy of the authorization forms will be placed in the employee's Human Resource file.

Any equipment broken or destroyed while in the care of an employee (outside of normal wear and tear) will be the responsibility of that employee to repair or replace.

In the event of theft, the Manager may review the circumstances to determine responsibility for replacement and to assess which notification procedures are required.

8.13 Restricted Areas and Building Security

In the interest of safety and security all new employees will be advised about proper entrances and exits they are permitted to use throughout WFN offices and other facilities.

Employees are responsible for locking their own computers and turning off their office lights at the end of each day. The last employee leaving the building must ensure that all doors and windows are locked and the security alarm set.

If an employee accidentally sets off the alarm, he/she must turn the alarm off, call the appropriate security system immediately and state his/her name and secret password. Managers should be made aware of the incident.

8.14 Use of Vehicles for Work and During Work Hours

WFN vehicles may only be used by employees when on WFN business and only for WFN business. In the event that a WFN vehicle is not available, the employee may seek travel mileage under WFN Travel policy. If the employee wishes to use their own personal vehicle for WFN business and a WFN vehicle is available, no travel mileage will be compensated.

Employees driving, either their own vehicle or a WFN vehicle, must ensure they have a valid Nova Scotia Driver's License.

Employees seeking to use his/her own vehicle must first have prior approval of his/her manager.

Only WFN employees and/or clients/authorized passengers may travel in a WFN vehicle.

WFN requires that there is sufficient business insurance coverage for employees required to use their own personal vehicle when using it for WFN purposes.

Parking and other traffic violations will be the responsibility of the employee. In case of accident the employee is responsible for the insurance deductible.

Operating a vehicle while under the influence of drugs or alcohol will result in immediate dismissal.

8.15 Voting

The WFN encourages all employees to vote in Federal, Provincial, Civic, and his/her own community Band Elections.

Every employee who is an elector is entitled, during voting hours on polling day, to have four (4) consecutive hours for the purpose of casting his/her vote. Employees are encouraged to take the opportunity to vote either at the beginning or the end of the period the polls are open.

9 Discipline Policy

9.1 Disciplinary and Reprimand Procedures

The WFN seeks to establish and maintain a safe and productive work environment and to establish effective and efficient operational and administrative practices and procedures. Failure by an employee to adhere to these established policies and procedures may result in disciplinary action. It is the responsibility of each employee to know and understand the terms and conditions of WFN's policies, procedures, including the HR Policy and other established rules.

The WFN subscribes to the principles of progressive and corrective discipline. If an employee is felt to be in violation of any of the WFN's policies, procedures or other established regulations, he/she will be subject to the following Progressive Reprimand Process.

The Human Resource Committee along with the Director of Operations is responsible for all disciplinary procedures. The Director of Operations / Human Resource Committee may follow the progressive disciplinary process described below, and/or in the case of a serious violation move immediately but temporarily to suspend an employee pending investigation, before moving through the reprimand process.

9.2 Progressive Reprimand Procedure

A) Verbal Warning

The first violation by an employee will be addressed with a verbal warning. The Program Manager with input from the direct Manager (or the Director of Operations) in the case of a matter with a Program

Manager) as appropriate will initiate any verbal warnings. An employee will be given a verbal warning in a private meeting with the Manager/ and or direct Manager. The employee will be told what action will be taken if another violation occurs. A record of this meeting will be placed in the employee's Human Resource file, which shall be maintained by the Human Resource Officer who will attend all meetings and take minutes.

B) Written Warning

The second violation by an employee will be addressed with a written warning. The Manager/ Director of Operations with input from the direct Manager as, appropriate will initiate the written warning. An employee will be given the written warning in a private meeting with the Manager/ Director of Operations and direct Manager. The employee will be told what action will be taken if another violation occurs. Documentation of the meeting will be prepared by the Manager/ Director of Operations and include a statement of the facts and a copy of the written warning given to the employee. A record of this meeting will be placed in the employee's record, which shall be maintained by the Human Resource Officer who will attend all meetings and take minutes.

Two (2) written letters of warning in a Human Resource file may result in termination of employment.

9.3 Disciplinary Suspension and Immediate Dismissal

The Manager/ Director of Operations may recommend to the Human Resource Committee to suspend (after following the above progressive discipline process) an employee immediately for a period of up to one week, with pay, for any of the reasons outlined in the following sections. Such a suspension shall be noted in the employee's Human Resource file.

Reason for Suspension or Dismissal can be for:

- i. nonperformance or inadequate performance of employment
- ii. blatant disregard for established WFN policies and procedures
- iii. irregular attendance - frequent inexcusable absences, tardiness, excessive use of sick leave
- iv. performance or action that is either disrespectful or brings disrespect to the Nation
- v. other valid disciplinary reason as determined by the Program Manager in conjunction with the Human Resource Committee

Reasons (just cause) for immediate dismissal can be for:

- i. gross misconduct - violation of rules, carelessness or recklessness resulting in endangerment to self or others, disorderly conduct, theft, falsifying records, attendance at work under the influence of intoxicating substance, negligence.
- ii. threats or violence - where an employee threatens to or actually causes physical harm to another employee, to a member of Council, or to any other person.
- iii. breach of confidentiality - where an employee breaches the confidentiality without written permission from the client and or the organization, or if an employee breaches any of the terms and conditions of the Code of Conduct, Code of Confidentiality or the Conflict of Interest policy.

- iv. misrepresentation or falsification of information on application for employment including but not limited to information regarding previous work and educational history, medical status, criminal record, valid driver's license.
- v. conviction of a criminal offence that would have a direct and or detrimental impact on the operation and reputation of WFN.
- vi. fundamentally breaches the employment relationship.

In the case of a disciplinary suspension and/or dismissal the employee will be called to a meeting with the Director of Operations and Human Resource Committee and given the opportunity to state his/her case. A decision will be made to impose suspension and/or dismissal as recommended by Manager/ Director of Operations. The meeting will be documented and noted in the employee Human Resource file of the employee involved. A written letter of the reasons for suspension and/or dismissal shall be provided to the employee.

9.4 Discontinuation of Employment

The Human Resource Committee has the final authority and responsibility for the dismissal and or termination of an employee in a position of Manager and below. The Human Resource Committee shall inform Council of all dismissals and terminations.

The Human Resource Committee will make a recommendation for dismissal and/or termination of the Director of Operations or Director of Finance to Council. Council has the final authority and responsibility for the dismissal and/or termination of an employee in a position of Director of Operations and/or Director of Finance.

10 Grievance Policy

Work related problems can arise in any place of employment. We hope individuals will try to reconcile differences on an individual basis. Should it not be possible to resolve a problem quickly and fairly, WFN has developed a grievance procedure using the following steps:

1. If an employee has a problem with another employee, he/she should notify his/her Manager informally and attempt to resolve the matter directly with the individual(s). Most difficulties can be settled promptly at this point. Where an informal, verbal, resolution has failed, the employee shall notify his/her Program Manager in writing no later than 30 working days after the incident. The Manager shall respond in writing within five (5) working days of meeting with both (all) employees and the other individual(s) involved. A copy of the report shall be provided to the Human Resource Committee. (If the grievance is with a Manager/ Director of Operations the employee may take the grievance directly to the Human Resource Committee.)
2. If the problem is still not resolved to the employee's satisfaction, he/she (and a co-worker of his/her choice, if desired) may go to the Human Resource Committee and verbally explain the problem to the Committee; or he/she may instead submit the problem to the Committee in writing. This step should be taken within five (5) working days following the Program Manager's

decision or within 30 days of the incident giving rise to the grievance, whichever is later. If the circumstance requires it, the Human Resource Committee will conduct an investigation. Following their investigation, the Human Resource Committee will respond in writing within five (5) days of completing the investigation to the grievance. The Human Resource Committee shall render a final decision on the grievance after hearing all sides.

As an organization dedicated to healing and wellbeing, WFN also encourages employees to take a more culturally relevant approach to resolving conflict in the workplace. The Human Resource Committee would be happy to support an employee who wishes to use another approach such as bringing in an Elder Advisor and/or implementing a healing circle to resolve a grievance. The decision of the Committee will be final and binding on all parties.

11 Harassment Policy

WFN believes in promoting a harmonious, safe work environment and has zero-tolerance towards harassment (examples include but are not limited to: humiliation, social exclusion, sexual harassment, sexualizing, threats, gossiping, lateral violence, swearing, ostracizing, bullying, racism, homophobic remarks, cyber bullying, religious discrimination, etc...)

Chief/Council/Councilors/Supervisors/Managers/Director of Finance/ Director of Operations are role models for staff and must maintain and enforce appropriate workplace behavior. However, each employee has the responsibility to treat others (fellow employees/contractors/volunteers/students) with respect and has the right to speak up to the appropriate person if they or someone else is being harassed or treated disrespectfully in the workplace.

WFN hopes individuals will try to resolve complaints on the individual informal level before further actions. Often the first step is simply making the other party aware that his/her/their behavior is unwelcome or unacceptable. By letting the person/people know their behavior is bothering others, many issues can be resolved, and often a simple sincere apology and commitment not to re-offend will suffice. Should an employee(s) feel he/she/they are unable to deal with the person directly, they may approach the Harassment Officer or another senior officer to initiate an informal intervention. Employees may ask the Officer to deal with the issues on the employee's behalf, or to be present when the employee (complainant) confronts the alleged offender (respondent).

WFN shall establish a Harassment Committee that will be responsible for investigating and resolving complaints concerning instances of harassment that may arise in the organization. This Committee shall be composed of four (4) members:

- one (1) staff, duly elected by fellow staff
- one (1) Director/Manager, duly elected by fellow Managers/Directors
- one (1) member of Council, duly appointed by Chief and Council
- one (1) elder, selected by Council (anticipated this will be the Elder Advisor)

All WFN employees shall know who the members of the Harassment Committee are, should a problem occur. Furthermore, this Committee shall be reviewed and reappointed annually (members can be re-elected/re-appointed for an unlimited number of terms).

In all circumstances, the Harassment Committee's determination of appropriate actions must take into account its duties under the Nova Scotia Human Rights Act and the Federal Code to properly resolve any/all complaints. Potentially criminal behavior (e.g. assault, sexual assault, death threats, etc...) should also be addressed to the police.

Sometimes the formal process of resolution is the most appropriate approach for allegations of harassment complaints, due to legal responsibilities and liability. The formal process may be implemented when the informal procedure fails, or if the complainant believes the informal approach to be inappropriate. The respondent also has the opportunity to request for a formal investigation. In all cases, the Harassment Committee shall become involved and help to resolve the problems.

The time limit to file for a formal complaint is two (2) months from the last incident, in compliance with the Nova Scotia Human Rights Act. During any part of the investigation, the complainant has the right to drop his/her/their complaint without any penalty.

In order to file a formal complaint, employees must contact either their Manager/Supervisor/Director of Operations or the Harassment Committee. The person whom the employee(s) has contacted will ensure the employee(s) is/are aware of the various avenues that may have to be addressed for the complaint. If the employee(s) still wishes to proceed, they must supply the following information:

- Name(s) and position(s) of complainant(s)
- Name(s) and position(s) of respondent(s)
- Details of what happened (the facts and the history of the conduct, including the time of the conduct)
- Names of any witnesses

All this information shall be placed in an envelope marked confidential and delivered to the Harassment Committee. Upon receiving this envelope, the Harassment Committee shall determine if an investigation is warranted.

Should the complaint be upheld, the remedies for the complainant include but are not limited to

Oral and/or written apology from the respondent and/or WFN

Replacement of what was lost as a result of the complaint (e.g. Wages)

Compensation of any lost employment benefits such as sick leave

Outcomes for the respondent if the complaint is upheld may include a variety of approaches, ranging from counseling, training, transfer up to dismissal with or without notice should the Harassment Committee and WFN see fit. In the rare chances where it is revealed that a complaint was made in bad

faith, appropriate actions may be taken against the complainant including discipline, up to dismissal. Any retaliation against any party involved in a complaint will not be accepted by WFN and will result in discipline.

All formal complaints shall be kept on record for seven (7) years by the Human Resource Officer. These files shall be secured and confidential, and after the seven year time frame they shall be destroyed. The provisions of the Freedom of Information/Protection of Privacy Act shall govern access to confidential files of formal complaints within corporate HR.

All parties involved in a complaint (Complainant, Respondent, Witnesses, Harassment Committee and any Councilor/Supervisors/Managers/Director of Operations) shall keep all information concerning the complaint confidential. The circumstances of the complaint will not be disclosed to any person(s) except where disclosure is necessary for the purpose of the investigation. Any breach in confidentiality will be dealt with severely by WFN.

WFN recognizes that experiences with harassment can be difficult for all parties involved and is devoted to providing support, information and opportunities on how to cope. The Human Resource Officer can provide support to staff, as well as further education and information on conflict resolution skills.

12 Wages, Salaries, Payday and Benefits

12.1 Annual Wages and Salaries

As budgetary conditions permit, it is WFN policy is to award increases to employees for their contribution to the growth of the WFN based upon:

increase in assigned duties and responsibilities (expansion of job description), and / or

for outstanding performance as determined during the annual Performance Appraisal process.

Granting of an increase in salary is based on individual performance and granted on an individual basis.

Every employee is eligible for consideration for a merit increase; however, merit increases are not automatic. Following the completion of all annual Performance Appraisals, Directors (with input from Managers) may submit a request for specific individual increases to the Human Resource Committee. They shall consider all recommended increases and will grant, as budget and merit allow, subject to overall financial position of WFN and within the scope of the wage grid as established for the position. Approval of the annual budget will not automatically result in an increase in wages of employee(s).

Under no circumstances shall any employee receive and advancement of wages.

12.2 Salary Grid Wage Grid

The Finance Department and the Human Resource Committee shall review the WFN Wage Grid every three years to determine if there needs to be any adjustments and or alterations. The Finance Department and the Human Resource Committee will make recommendations to the WFN Council for

any recommended changes to the Grid with supporting evidence and budget analysis. Increases will only be made if overall cash flow and approved budget allows.

Each position in the Nation shall be placed on the Wage Grid. The Finance Department and the Human Resource Officer will assess the specific placement of individual new employees hired to work for WFN based on his/her experience and background. That placement will be assessed each year following the Performance Appraisal process to determine if the individual should be granted an increase.

Once an employee reaches the top step of the WFN wage grid his/her salary is capped. Only if an overall increase is approved for the wage grid, will an employee be awarded an increase in his/her wages.

If an employee transfers to another position within WFN, previous work experience and benefits will be transferred with the employee, but placement on the Grid will be based on the position and the individual's capacity to meet the required qualifications in the new position.

Any changes in an employee placement on the Wage Grid and/or actual salary will be indicated to the individual in writing. Only upon receipt of a written letter of confirmation will the any changes in payroll be enacted.

12.3 Pay Days and Submission of Time Sheets

WFN pay days shall occur every two (2) weeks for all employees and include the two-week period prior to that pay day.

Each employee is expected to sign in and out daily, *see Section 6 Hours of Work above*. The Program Manager and/or Manager/Supervisor are to approve all timesheets for processing by Finance Department (payroll).

12.4 Pension

All fulltime ongoing employees with WFN are eligible to enroll in the Pension program. Employees must contact the Human Resource Officer after the completion of probationary period for enrollment or waiver of pension plan as established by the Nation. Currently WFN has a program whereby 2-7% of gross pay is deducted from employee payroll which is matched by WFN and the total amount then remitted to pension fund.

12.5 Biweekly Payroll

All full time WFN employee pay cheques will be directly deposited by the WFN into the employee's personal Bank Account every second Tuesday. All employees will be required to provide necessary banking information to the Financial Department in order that their pay cheque may be deposited directly into a savings or chequing account.

It is encouraged that all employees in full time, part time and term positions use direct deposit; however paper cheques are available every second Wednesday, if desired.

No payroll advances will be made.

Effective September 1, 2014 the biweekly payroll will be release one day later. Direct deposits will be deposited every second Wednesday and paper cheques will be released every second Thursday.

12.6 Payroll Deductions

The mandatory deductions will be made from every employee's gross wages where applicable. These deductions include Federal and Provincial Income Tax, Canada Pension Plan, Employment Insurance, Group insurance plan premiums, and any other required legislated, departmental or Nation deductions, as well as any mandatory employee benefit plan contribution payments.

Every employee must fill out and sign a federal withholding allowance certificate (TD-1) on or before his/her first day on the job. This form must be completed in accordance with federal regulations. The employee may fill out a new TD-1 at any time when his/her circumstances change.

Every employee will receive a T-4 for the preceding year on or before February 25th. Any employee who believes that his /her deductions are incorrect for any pay period, or on the T-4, should check with the Financial Department immediately.

Overpayments on travel shall be deducted as per the criteria as stated on the "payment request form."

Deduction to pay due to lateness of absences shall be made based on section 6.2 above.

12.7 WFN Benefits

WFN has an optional benefit package for all its on-going full time employees. These benefits include but are not limited to Life Insurance, Disability Insurance, Health Insurance and Dental Insurance. Information on the entire benefit package is available through the Finance Department.

12.8 Incentives

Christmas Staff Bonus Criteria

The Christmas Staff Bonuses are subject to Annual Approval by the WFN Council.

To qualify for the Full Christmas Staff Bonus of \$100.00 an employee must;

- have worked a minimum of 960 hours during the calendar year
- & must still be employed

If an employee is still employed and does not meet the 960 hours they will receive a bonus consistent with the following schedule:

240+ Hours \$25.00

480+ Hours \$50.00

720+ Hours \$75.00

13 Work Life Balance - Holidays, Vacation, Family and Other Leave

WFN is committed to ensuring its employees maintain a healthy work life balance and as such encourage staff to take entitled vacation days and to enjoy all designated holidays.

13.1 Statutory and Non-Statutory Holidays

The following statutory and non-statutory holidays shall be observed by the WFN:

- New Year's Day
- Family Day (third Monday in February)
- Good Friday
- Easter Monday
- Victoria Day
- National Aboriginal Day
- Canada Day
- Feast of St. Anne (Friday & Monday of Mission Weekend)
- Labour Day
- Treaty Day
- Thanksgiving
- Remembrance Day
- Christmas Day
- Boxing Day
- additional days to be determined by Chief & Council.

When a day designated as a statutory/non-statutory holiday coincides with either a Saturday or Sunday and/or with the employee's normal day of rest, the holiday shall be moved to the Monday following the statutory holiday.

Employees are eligible to be paid for a statutory or non-statutory holiday only after working 30 days of continuous employment with the WFN prior to that holiday.

WFN may declare other non-statutory holiday days during a given year.

13.2 Vacation Leave On-going Full Time Employees

WFN provides on-going employees (both part time and full time) with paid vacation leave.

Full-time Salaried Employees

Annual vacation entitlement (vacation leave) for full-time salaried employees is calculated based on years of service working for WFN and granted as follows:

Years of full-time Employment	Vacation Entitlement
1 & 2 years	2 weeks
3 & 4 years	3 weeks
5 to 7 years	4 weeks
8 to 14 years	5 weeks
15 years and more	6 weeks

A salaried employee is entitled to two weeks vacation after their “year of employment” No vacation time can be carried over into the subsequent year; if it is unused in the year it will be lost to the employee.

Full-time Hourly Employees

Annual vacation entitlement (vacation leave) for full-time hourly employee is based on the following rates and are earned on an accrual basis and are based on the years of service working for WFN and granted as follows:

Years of full-time Employment	Vacation Entitlement
1 & 2 years	4%
3 & 4 years	5%
5 to 7 years	6%
8 to 14 year	7%
15 years and more	8%

An hourly employee is entitled to their accrued 4% for a up to a two week vacation after their “year of employment” No vacation time can be carried over into the subsequent year; if it is unused in the year it will be lost to the employee.

Director of Operations and / or Managers are responsible for scheduling vacations. Monitoring vacation entitlement is the responsibility of the Finance Department. Employees are responsible for planning ahead for vacation, and working out a complete schedule with their Manager/Supervisor.

Vacation leave requests should be submitted to his/her direct Manager/Supervisor two weeks prior to leave; leave will be granted to all members of a department in a fair and equitable manner. However, if vacation leave requests conflict with another employee in the same department, leave will be granted to the employee with the most seniority. Employees wishing to request use of vacation entitlement must submit a "Request for Leave" form to his/her direct Manager/Supervisor.

If an employee takes unpaid time off, the vacation entitlement is pro-rated.

13.3 Personal Leave Credit

WFN will provide personal leave credits for the purposes of sick, marriage, cultural, family, and compassionate or other personal reasons.

This only applies to on-going employees. Personal Leave Credits have no cash surrender value.

All full time permanent employees shall accumulate personal Leave at the rate of 1.5 days per month which are cumulative to a maximum of seventy-five (75) days. Teacher's personal leave credits only accumulate from September to June.

Probationary employees are not entitled to take personal leave, but earned days begin accumulating upon employment.

Term employees are not entitled to Personal Leave.

An employee must contact his/her Manager/ Supervisor no later than 30 minutes after the start of the work day, should he/she be taking Personal Leave.

A statutory or other declared holiday falling within the personal leave period shall not be charged against the personal leave.

After three consecutive days of absence due to illness, a medical certificate is required. It is the employee's responsibility to supply the WFN with appropriate medical documentation.

The WFN is retiring the previous sick leave policy. We now require employees to apply for long term disability insurance. When an employee needs to take sick leave for an extended time, they must immediately apply for Medical Employment Insurance and Short Term Disability leave. Proof must be submitted to the Human Resource Officer. Upon drawing on Medical Employment Insurance, the WFN will "top-up" the employee to their regular pay after the Gross Employment Insurance Benefits.

Full time permanent employees hired before April 1, 2014 were entitled to a sick leave benefit to a maximum of 175 sick days. In lieu of any accumulated sick leave credits prior to the sick leave policy change, the WFN will offer a one-time only surrender value to sick leave credits in excess of 75 days. If the employee refuses to surrender their sick leave credits in excess of 75 days, they may use their excess credits as personal leave credits. The employee must use a minimum of 20% of credits per year for a maximum of 5 years. Twenty percent of credits are retired each year if they are not used as personal leave.

13.4 Vacation Leave Entitlement for Term Employees

Term employees (hired on a set term with a specified start and end date) are entitled to vacation calculated at 4% of gross wages. If a Term employee has worked continuously for the WFN for four or more years, paid vacation entitlement is calculated at 6% of gross wages.

The WFN is required to pay employees accumulated annual vacation pay when the employee takes vacation. Any outstanding vacation pay must be paid on termination of employment.

13.5 Return to Work after Serious Injury or Illness

As protection for both the employee and the WFN, an employee who has been absent from work because of serious illness, surgery, or injury may be required to obtain a medical certificate specifically stating that the employee is capable of performing his/her normal duties and regular assigned work.

An employee returning from a serious injury and or a stress related illness must provide the Human Resource Officer with a medical certificate indicating that he/she is ready to return to work. The employee must also provide a written “Plan of Action” approved and signed by a certified medical practitioner that shows how the individual will cope with or prevent any further incidence of injury and or stress in the future.

13.6 Duty to Accommodate

WFN is committed to protecting employees and its duty to accommodate. WFN will not discriminate against any employee with regard to age, ancestry, birthplace, colour, conviction for an offence unrelated to employment, family status, marital status, mental disability, physical disability, political belief, race, religion, sex or sexual orientation.

Employer’s Role in Accommodation for Injured Employees

WFN has a primary obligation to search for and accommodate any of its employees needing special accommodation. This means, that WFN, as the employer must first take the necessary steps to inform itself of the nature of employee’s:

- Medical Condition
- Prognosis, and
- Capabilities for alternative work

WFN is required to assess an employee’s qualification and if deemed necessary, to provide training for an alternative position.

A continued (on-going) assessment may be carried out by WFN in order to monitor the employee’s changing health conditions with an attempt to modify any accommodations over time. This assessment will be carried out by WFN to determine if something can be done to the existing job to enable the employee to perform his/her job. WFN may make use of external professional expertise to make this determination.

Employee's Role in Accommodation

Employees are responsible

- for identifying their need for an accommodation,
- to provide relevant information to inform WFN's accommodation efforts,
- to act reasonably and otherwise compromise by accepting a reasonable yet imperfect accommodation. (WFN reserves the right to discharge its duty to accommodate should a reasonable accommodation be proposed by WFN and rejected by the employee).

WFN has the right to obtain sufficient information relating to an employee's limitations to properly fulfill the duty to accommodate. This information cannot be obtained should it violate the privacy rights of the employee. Requests for information shall be clearly communicated in writing and the employee will be provided with details as to what specific information is required and why. Information should first be solicited from an employee's own doctor prior to an independent medical exam.

If it is either a physical or mental disability, WFN is entitled to know the nature of the illness/disability and any job restrictions, but not the diagnosis. However, if it is neither a physical or mental disability, WFN shall consider carefully where to obtain the required documentation (e.g. religious leader within the community). WFN shall keep written notes on file for all accommodations that are either requested, considered and/or implemented.

Accommodation techniques to be considered by WFN may include, but are not limited to the following:

- Provide a graduated return to work;
- Modifying an employee's existing job or move employee to another job within the Organization
- Alter the workplace (e.g. wheelchair access)
- Train the employee to work in a different job
- Alter work schedules, including time off for medical treatment, religious ceremony, etc.
- Provide part-time work
- Provide adaptive technologies or equipment

These accommodations to the needs of an individual may not be granted should they impose undue hardship on the individual employee or on WFN; whether these hardships are health, personal/public safety and/or cost. Financial cost, safety and the actual impact on the rights of other employees shall be considered by WFN before granting any accommodations.

13.7 Bereavement Leave

An employee shall be entitled to bereavement leave when a member of the employee's immediate family dies (See definition in Glossary). The employee shall be entitled to bereavement leave for a period of five (5) work days

13.9 Maternity Leave - Without Pay

An employee who has completed six consecutive months with the WFN is eligible to apply for Maternity leave.

An employee who is pregnant or nursing is eligible for 17 weeks of maternity leave. In addition, an employee who assumes actual care of a newborn or newly adopted child is entitled to parental leave of up to 37 weeks. However, the total duration of the maternity and the parental leaves must not exceed 52 weeks.

An employee who is pregnant or nursing is entitled to an unpaid leave of absence during the period from the beginning of the pregnancy to the end of the twenty-fourth (24th) week following the birth, on condition that she provides a medical certificate indicating she is unable to work and which indicates the duration of the inability.

An employee who is pregnant or nursing may request that her job functions be modified or that she be reassigned to another job if continuing any of her current job functions may pose a risk to her health or that of her fetus or nursing child. This request must be accompanied by a certificate from a qualified medical practitioner indicating how long the risk is likely to last and what activities or conditions should be avoided in order to eliminate the risk.

WFN will maintain medical or other benefit plans throughout an employee's maternity leave and will continue to make payments to the plan or plans in accordance to federal legislation and the regulatory terms of the benefit plan(s).

The services of an employee who is absent from work for maternity leave is deemed to be continuous for the purpose of vacation entitlement and notice of termination.

An employee on maternity leave must give the WFN at least two (2) weeks' notice of her intention not to return to work before completion of her maternity leave.

13.10 Birth/Adoptive/ Guardian Leave – With Pay

An employee is entitled to up to two (2) days paid leave to attend the birth of his/her child; and/or upon receiving into the household a newly adopted child; and/or to care for his/her family during this period; and/or for an employee who has taken legal responsibility for the Foster Care/Guardianship of a child. The employee must submit a "Request for Leave" form with his/her Manager.

13.11 Paternal Leave – Without Pay

All employees are eligible for 17 weeks of unpaid parental leave. In addition, an employee who assumes actual care of a newborn or newly adopted child is entitled to parental leave of up to 37 weeks. However, the total duration of the maternity and parental leaves must not exceed 52 weeks. Should both parents work for WFN combined parental leave should not exceed 37 weeks. Natural or adoptive parents must have completed six consecutive months of continuous employment with WFN to be eligible for paternal leave.

13.12 Compassionate Care Leave – Without Pay

An employee may take up to eight (8) weeks of compassionate care unpaid leave to provide care and support to a gravely ill family member. A certificate is required from a qualified medical practitioner stating that the family member has a serious medical condition with a significant risk of death within 26

weeks. If an employee is sharing the provision of compassionate care with another individual, the total leave is still eight (8) weeks.

13.13 Court Leave

Paid court leave will be granted to a WFN employee who is required to appear as a witness in a work related case. A copy of the court order or subpoena must be supplied to the employee's direct supervisor when requesting time off.

The WFN will grant employees unpaid time off for mandatory Jury Duty or court appearances as a witness when the employee must serve or is required to appear as a result of a court order or subpoena involving a personal or private (non-work related) case.

13.14 Educational Leave

WFN encourages all employees to continue with their formal education. A WFN employee who has worked for the organization for more than one (1) continuous year may apply for full-time educational leave, up to one year, without pay, if the program is deemed to be job related and beneficial to the organization. If leave is granted, the employee's position, seniority and pay rate shall be protected. However, benefits will be cancelled until the employee returns to work on a full-time basis. If the request for unpaid leave is granted, the Human Resource Committee will decide if the employee's position will remain vacant or filled with a term appointment.

An employee who is granted educational leave for a program of less than one (1) academic/calendar year may be eligible to return under the following conditions:

- the employee has successfully completed the educational program
- the time required to complete the program does not exceed the previously approved length of leave (approved leave time)

If an employee does not complete his/her training program, he/she may be required to formally resign from his/her position at WFN.

Note: WFN employees who are members of the WFN may be eligible to apply for educational funding. Employees are encouraged to seek advice from the post-secondary education coordinator. (This assumes funding is coming from the post-secondary program)

13.15 Training and Professional Development Leave

WFN believes that employees should actively engage in life-long learning and continually strive to enhance their credentials or professional designation. Annually, the Human Resource Committee will assess the overall professional development and training needs for the organization. Annually, each employee will develop and sign an approved Employee Performance Contract (as part of the annual performance appraisal process) which includes both, the individual work performance goals and objectives as well as his/her training or professional development plans for the year.

Where training is either a condition of employment or a requisite to continued employment, employees must successfully complete the required training within the allotted time-frame. Proof of successful completion must be provided by the employee to his/her Manager/Supervisor. Copies of all certificates, licenses, etc. will be filed in the employee's Human Resource file.

Whenever possible Directors will attempt to create in-service opportunities for employees to develop and upgrade their skills for the positions they occupy or for positions for which they may wish to be trained.

If an employee wishes to take short courses or workshops during regular working hours, he/she must apply in writing to his/her Program Manager. The Director will submit all requests to the Director of Operations and Finance Department who shall grant such requests as budgetary and organizational constraints allow.

Where professional development cannot reasonably be undertaken within working hours, the employee may apply for "Professional Development Leave" with or without pay at the discretion of the Director. Professional Development not provided by WFN will normally be at the employee's time and expense.

13.16 Business Seminars, Conferences and Meetings

To ensure that WFN has representatives at essential business conferences, seminars and key external meetings, each Director with input from his/her Managers, shall identify which conferences, seminars and meetings should be attended by members of the Department. In the interest of continual improvement for all staff, Directors/Managers shall assign appropriate opportunities for all employees to participate. Upon returning from Business Seminars, Conferences and Meetings, employees will be expected to share with the other staff in his/her Department all relevant information obtained at the conference or seminar.

All employees including Program Managers must seek approval to attend business conferences, seminars and meetings. An employee must seek approval from his/her Director, and Directors from the Director of Operations. The employee is expected to provide a written report to his/her Director/Manager within five (5) days following the meeting.

14 Resignation, Layoff, Termination and Retirement

14.1 Resignation

A staff member who is resigning from the organization shall provide a minimum two (2) weeks written notice to his/her Director. Management resigning from the organization shall provide a minimum three (3) weeks written notice to the Director of Operations.

An employee who resigns his/her position at any time for another employment opportunity has effectively terminated his/her employment with the Council. In this case, all former employees shall be required to re-apply for positions which may be available in accordance with sections 3.1, 3.2, 3.3, 3.4 & 3.5 of the administrative policy and procedural manual.

14.2 Retirement

The WFN will pay a Retirement Award in the event an employee satisfies all the following three criteria:

- has retired;
- has completed a minimum twenty-five years full time continuous employment and service ;
- and whose age and years of service equals 80 plus

This retirement award payment is calculated at the rate of one week of current salary for each year of full time service. Employees will be paid for their unused annual leave for the current fiscal year within five days following their last day of work.

14.3 Long Service Award

The WFN understands that at times a full time employee has to terminate employment. The WFN will pay a Long Service Award to a full time permanent employee if the employee resigns as a result of:

- illness,
- incapacity or
- domestic or other pressing necessity.

This long service award will be calculated at the following rates:

- after 15 years of employment , \$300 / per year for each complete year of service
- after 20 years of employment, \$400 / per year for each complete year of service
- after 25 years of employment, \$500 / per year for each complete year of service
- after 30 years of employment, \$600 / per year for each complete year of service

14.4 Deceased Employee

In the case of a deceased employee, all outstanding payroll cheques, vacation pay and a final severance benefit (if qualified) are paid to the estate. The employee must have worked a minimum of 12 month to be qualified for the Final Severance Benefit, with a minimum benefit equivalent to five days wages.

The final severance benefit paid to a deceased employee is determined with the following criteria:

- Age and years of service equals 80 plus; five (5) days wages for each complete year of service
- Age and years of service equals 70 plus; four (4) days wages for each complete year of service
- Age and years of service equals 60 plus; three (3) days wages for each complete year of service
- Age and years of service is less than 60; two (2) days wages for each complete year of service

14.5 Separation Benefit

An employee upon leaving employment can only be qualified for one benefit for the same period of employment. Sick, Maternity and Parental absences are included the continuity of employment and count in the years of service. An employee can only qualify for one of the following:

- Retirement Award (see 14.2 Retirement)

- Long Service Award (see 14.3 Long Service Leave)
- or Final Severance Benefit (see 14.6 Deceased Employee)

14.6 Termination or Layoff Notice

Termination or lay off may be necessary due to redundancy, lack of funding or elimination of positions and/or completion of projects. In the case of termination for redundancy, an employee who has passed the probationary period shall be given a two (2) week notice and be eligible for an additional five days regular pay for each consecutive year of employment with a minimum benefit of 5 days. Severance will only be paid in cases where an employee's termination is not for "just cause."

14.7 Return of WFN Property

Any WFN property issued to an employee, such as computer equipment, cell phones, briefcases, product samples, tools or uniforms, must be returned to the WFN at the time of termination, lay off, dismissal or resignation. Each employee is responsible for paying for any lost or damaged items. The value of any property issued and not returned may be deducted from the final payroll cheque.

On the final day of employment, the Human Resource Officer must receive all keys, ID card, and WFN property from the employee before the final payroll cheque will be issued.

15 Oversight of Human Resource Policy

15.1 Human Resource Committee

The Human Resource Committee reviews and recommends all changes to the HR policy and procedures. It is responsibility for

- addressing and resolving all Human Resource concerns and/or grievances,
- with approving any revisions to the accountability framework and job descriptions,
- with reviewing recommended changes to the policy and related salary guidelines,
- interviewing applicants for all senior management positions with the WFN and
- all other duties and responsibilities as outlined in this policy.

The Committee reports to Chief and Council.

15.2 Violation of Policies

All employees are bound by this HR Policy and are expected to abide by the policies herein. Failure to do so will lead to appropriate disciplinary action as presented and defined in this HR Policy. This description is not to be considered exhaustive or all-inclusive. The Human Resource Committee reserves the right to interpret this Policy.

15.3 Severable

Council may amend this Administrative Law – Human Resource Policy at any time. If amended, all employees will be informed in writing that changes have been approved. Employees will be informed where they can at any time, review a copy of the Policy (revised and amended).

If any provision of this HR Policy is found invalid, such provision is severable and shall not affect the validity of the HR Policy as a whole.

Appendices

Waiver of Coverage

- ☐ I have been given the opportunity to apply for coverage but do not wish to participate. I understand that I will not be able to enroll in these plans at a later date without the mutual consent of my employer and Medavie Blue Cross. Also, I may be required to submit medical evidence of insurability at that time
- ☐ I have been given the opportunity to apply for coverage. I do not wish to participate and waive this offer due to spousal coverage. I understand that I may be required to submit medical evidence of insurability should I apply 31 days after losing spousal coverage.

I do not want to participate in the following coverage:

☐ Health ☐ Dental ☐ Both Health and Dental

Acknowledgment & Agreement

I acknowledge that I have read and understand the Human Resource Policy of Wagmatcook First Nation. I agree to adhere to this policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules set forth in this policy, I may face disciplinary action, up to and including termination of employment.

Name: _____

Signature: _____

Date: _____

Witness: _____

REFERENCE CHECK RELEASE FORM

I authorize the Wagmatcook First Nation to conduct a reference check with my present and/or previous employer(s). This also serves to authorize my present and/or previous employer(s) to provide reference information to the Wagmatcook First Nation as it is requested.

I understand that reference information may include, but not be limited to, verbal and written inquiries or information about my employment performance, professional demeanor and character, rehire potential, dates of employment, salary and employment history. By providing such authorization, I understand and agree that I release the Wagmatcook First Nation from any and all claims or potential claims I may have regarding any and all information released to or by the Wagmatcook First Nation and regarding any employment decisions made about me on the basis of such information.

Name: _____

Signature: _____

Date: _____