



?akisq̄nuk First Nation

# HUMAN RESOURCE POLICY MANUAL

April 28<sup>th</sup>, 2009

PREPARED BY: LES HART AND ASSOCIATES MANAGEMENT SERVICES



## ?akisqnuq First Nation

April 28<sup>th</sup>, 2009

### To All Employees of the ?akisqnuq First Nation


It is with pleasure that we welcome you to the ?akisqnuq First Nation. The Chief and Council and the Band Administrator firmly believe that it is the individual and collective contributions of the employees that make the ?akisqnuq First Nation Administration a success.

The Human Resource Policy Manual which you are about to read is very important, for it is this document that primarily describes the working / employment relationship between the employer and the employee. It is also one of the documents that demonstrates the responsibility and commitment of the employer to the ?akisqnuq First Nation, and to its employees.

Please read this Manual carefully. Use it as an on-going reference. If you have questions, please do not hesitate to ask your immediate Supervisor.

Again, Welcome to the ?akisqnuq First Nation.

  
\_\_\_\_\_  
Chief, ?akisqnuq First Nation

  
\_\_\_\_\_  
Band Administrator, ?akisqnuq First Nation

# TABLE OF CONTENTS

	PAGE(S)
DEFINITIONS.....	<i>i -iii</i>
INTRODUCTION.....	<i>iv-v</i>
<hr/>	
<b>PART A – EMPLOYMENT POLICIES</b>	
<hr/>	
POSITIONS AND EMPLOYEE CLASSIFICATION .....	1
RECRUITMENT, SELECTION AND PROMOTION .....	2-6
PROBATIONARY PERIOD .....	6-7
EMPLOYEE ORIENTATION.....	7-8
TERMINATION OF EMPLOYMENT – LAYOFF .....	8-9
EMPLOYEE NOTICE OF RESIGNATION .....	9-10
EMPLOYEE EXIT INTERVIEW .....	10
RETIREMENT .....	10
<hr/>	
<b>PART B – EMPLOYEE BENEFITS AND WAGE / SALARY ADMINISTRATION</b>	
<hr/>	
BENEFIT ENROLMENT AND ADMINISTRATION .....	11-12
OTHER BENEFITS.....	12-14
WAGE AND SALARY ADMINISTRATION .....	15-18
PAYMENTS OF WAGES / SALARIES .....	19
<hr/>	
<b>PART C – WORKING CONDITIONS</b>	
<hr/>	
GENERAL HOLIDAYS .....	20-21
HOURS OF WORK .....	21-22
OVERTIME .....	22-24
LATENESS, LEAVING EARLY AND ABSENTEEISM .....	24-25
CALL BACK TO WORK.....	25
TRAVEL TIME .....	25-27
TRAVEL ADVANCE AND EXPENSES.....	27
<hr/>	
<b>PART D – DISPUTE RESOLUTION</b>	
<hr/>	
RESOLVING OF DISPUTES.....	28-29
<hr/>	
<b>PART E – LEAVE POLICIES</b>	
<hr/>	
VACATION LEAVE .....	30-33
SICK LEAVE & FAMILY ILLNESS LEAVE.....	33-35
COMPASSIONATE CARE LEAVE .....	35-37
BEREAVEMENT LEAVE .....	37-38
MATERNITY AND PARENTAL LEAVE .....	38-40
CULTURAL LEAVE .....	40-41
COURT LEAVE .....	41
EDUCATION LEAVE .....	41-42
PERSONAL LEAVE .....	43
REHABILITATION LEAVE.....	44

## **TABLE OF CONTENTS** – CONTINUED

	PAGE(S)
<b>PART F – PERFORMANCE MANAGEMENT POLICIES</b>	
CONFLICT OF INTEREST .....	45-46
CONFIDENTIALITY.....	46-47
PROFESSIONAL AND PERSONAL STANDARDS.....	48-49
HARASSMENT .....	49-51
EMPLOYEE PERFORMANCE VALUATION.....	52-53
DISCRIMINATION.....	53
ALCOHOL AND DRUGS.....	53
DISCIPLINE, SUSPENSION AND DISMISSAL.....	54-57
<b>PART G – PROFESSIONAL DEVELOPMENT AND TRAINING POLICY</b>	
PROFESSIONAL DEVELOPMENT & TRAINING .....	58-59
<b>PART H – EMPLOYEE HEALTH AND SAFETY POLICY</b>	
HEALTH AND SAFETY .....	60-63
<b>PART I – GENERAL POLICIES</b>	
POSITION DESCRIPTIONS.....	64
EMPLOYEE PERSONNEL RECORDS .....	65-66
CONVICTION OF A CRIMINAL OFFENCE .....	66
TRAFFIC VIOLATIONS AND VEHICLE ACCIDENTS .....	66
SMOKING .....	67
DRIVER'S LICENCE .....	67
BUSINESS INSURANCE .....	67
TRAVEL AND TRAVEL INSURANCE .....	68
INTERNET AND ELECTRONIC MAIL .....	68
ENTRY INTO ?AKISQNUK FIRST NATION FACILITIES .....	68
PERSONAL USE OF TELEPHONE AND FAX .....	69
USE AND RETURN OF ?AKISQNUK FIRST NATION PROPERTY .....	69
COMPUTER SOFTWARE .....	69
CELL PHONE AND COMMUNICATIONS EQUIPMENT .....	70
ACCEPTANCE OF GIFTS.....	70
VOTING .....	70-71

## DEFINITIONS

“**ʔakisqnuq First Nation**” means the Employer.

“**as applicable**” means as it relates to the direct subordinates of.

“**Band Administrator**” means the person employed by the ʔakisqnuq First Nation Chief and Council to manage and be responsible for the overall administration and operations of the Administration affairs of the ʔakisqnuq First Nation.

“**Canada Human Rights Commission**” means the Commission responsible for the administration of the *Canada Human Rights Act* and the *Employment Equity Act*; laws to ensure that the principles of equal opportunity and non-discrimination are followed.

“**Canada Labour Code**” means Part II and III of the *Canada Labour Code*, an Act that defines both the occupational health and safety requirements and the minimum labour standards that apply to ʔakisqnuq First Nation and its employees.

“**common law**” means a person who has been cohabitating with an individual in a conjugal relationship (married state) for at least one (1) year, or who had been cohabitating with the individual for at least one (1) year before the person’s death.

“**compensation**” means all financial rewards including time off in-lieu, that an employee receives as a result of her / his employment with the ʔakisqnuq First Nation.

“**Council**” means the elected representatives of the ʔakisqnuq First Nation.

“**designate**” means a person that is chosen or appointed to assume the responsibility or authority of another person.

“**discipline**” means a corrective or punitive action taken by the Employer towards any employee for just cause.

“**employee**” means a person hired and designated by the ʔakisqnuq First Nation as an employee, consistent with the definition of the “**employer-employee relationship**” as defined by Revenue Canada Regulations.

“**employer**” means the ʔakisqnuq First Nation as represented by the members of the Chief and Council. (the Council)

“**exempt**” means where an employee of the ʔakisqnuq First Nation is not eligible to receive a provision or benefit defined within Policy, as determined by the employer, and where applicable, consistent with the provisions of the *Canada Labour Code, Part III*.

“**immediate family member**” shall generally mean:

- spouse (including common-law)
- father and mother (natural , step or common law)
- child, stepchild or ward
- brother or sister
- grandmother or grandfather
- uncle and aunt
- father-in-law or mother-in-law (including common-law)
- grandchild
- any other relative of the employee who resides permanently in the employee’s household or with whom the employee permanently resides

**DEFINITIONS - CONTINUED**

**“immediate family member”** for the purpose of administering Compassionate Care Leave:

- spouse or common-law partner of the employee
- child of the employee or a child of the employee’s spouse or common-law partner
- parent of the employee or a spouse or common-law partner of the parent
- child of the individual's parent or a child of the spouse or common-law partner of the individual's parent;
- grandparent of the individual or of the individual's spouse or common-law partner or the spouse or common-law partner of the individual's grandparent;
- grandchild of the individual or of the individual's spouse or common-law partner or the spouse or common-law partner of the individual's grandchild;
- spouse or common-law partner of the individual's child or of the child of the individual's spouse or common-law partner;
- parent, or the spouse or common-law partner of a parent, of the individual's spouse or common-law partner;
- (spouse or common-law partner of a child of the individual's parent or of a child of the spouse or common-law partner of the individual's parent;
- child of a parent of the individual's spouse or common-law partner or a child of the spouse or common-law partner of the parent of the individual's spouse or common-law partner;
- uncle or aunt of the individual or of the individual's spouse or common-law partner or the spouse or common-law partner of the individual's uncle or aunt;
- nephew or niece of the individual or of the individual's spouse or common-law partner or the spouse or common-law partner of the individual's nephew or niece;
- current or former foster parent of the individual or of the individual's spouse or common-law partner;
- current or former foster child of the individual or the spouse or common-law partner of that child;
- current or former ward of the individual or of the individual's spouse or common-law partner;
- current or former guardian of the individual or the spouse or common-law partner of that guardian;
- in the case of an individual who has the serious medical condition, a person, whether or not related to the individual by blood, adoption, marriage or common-law partnership, whom the individual considers to be like a close relative; and

**DEFINITIONS - CONTINUED**

**“immediate family member”** for the purpose of administering Compassionate Care Leave: - *Continued*

- in the case of an individual who is the claimant, a person, whether or not related to the individual by blood, adoption, marriage or common-law partnership, who considers the individual to be like a close relative.

**“immediate supervisor”** means the person the employee takes primary direction from, has his/her work controlled by, receives the day-to-day support and leadership from, and the person to whom the employee is directly accountable to/reports to.

**“just cause”** means the obligation and responsibility of the Employer to take corrective and punitive discipline or measures, based on clear, compelling and justifiable reasons.

**“membership”** mean the registered members of the ?akisqnuk First Nation.

**“overtime work”** means the preauthorized time an employee works beyond the defined full-time day and full-time week.

**“Privacy Act of Canada”** means the federal legislation that addresses the collection, storage and use of personal and employment information by the ?akisqnuk First Nation.

**“probationary employee”** means an employee who is serving a probationary period as defined within this policy.

**“regular employee”** means an employee who has successfully completed her/his probationary period and is scheduled to work full-time or part-time with no predetermined employment termination date.

**“resignation of employment”** means a voluntary termination of employment by an employee shall be referred to as a resignation.

**“service”** means the years of continuous employment with the ?akisqnuk First Nation.

**“temporary employee”** means an employee who is scheduled to work full-time or part-time for a pre-determined period of time – may also be referred to as casual or seasonal.

**“termination of employment”** means where the employment of an employee is terminated by the authority of the employer.

**“years of employment”** means the continuous period of time an employee is employed by the ?akisqnuk First Nation.

## INTRODUCTION

The ʔakisqnuq First Nation Administration strives to incorporate ʔakisqnuq First Nation customs, traditions and values within the organization and in its relationship with its employees.

The ʔakisqnuq First Nation aims to be fair and equitable in all employer / employee relationships. The ʔakisqnuq First Nation will always strive to ensure that all employees are treated with courtesy, respect and consideration.

### ***Nation Vision Statement***

Strong, healthy citizens and communities speaking our languages and celebrating who we are and our history in our ancestral homelands, working together, managing our lands and resources, as a self-sufficient, self-governing Nation.

### **ʔakisqnuq First Nation Mission Statement:**

Through sound responsible leadership, we will promote the well being and economic self-reliance of our people by encouraging and fostering education and sustainable employment.

The ʔakisqnuq First Nation Chief and Council (Council) recognizes the importance of defining and regularly reviewing Human Resource Policy and Procedures. Council accepts their responsibility and authority in the development and approval of human resource policy, and in overseeing the management of human resource policy.

The ʔakisqnuq First Nation Council believes that written statements of human resource policy should reflect, or result in:

- good faith and transparency in the defining and administration of terms and conditions of employment
- fair management practices and accountability



## INTRODUCTION - CONTINUED

- the practices and policies of similar external organizations
- the culture of the ?akisqnuk First Nation
- the provisions of the *Canada Labour Code*, *Privacy Act of Canada*, *Canadian Human Rights Act* and other applicable regulations
- consistent, fair and effective decision making
- increased employee and employer understanding of human resource policies and procedures

The ?akisqnuk First Nation Council has the authority to amend the ?akisqnuk First Nation Human Resource Policy with recommendations from the Band Administrator. The Band Administrator will have the overall responsibility for the management of human resource policy and ensuring that all ?akisqnuk First Nation employees have a copy and an understanding of Human Resource Policy and Procedures.

## APPLICATION

The ?akisqnuk First Nation Human Resource Policies shall apply to all employees of the ?akisqnuk First Nation. All employees are expected to comply with approved human resource policy and shall have their employment administered in accordance with approved policy. Where there is a discrepancy within a policy, the provisions of the *Canada Labour Code*, Part II and III, and other applicable Government Regulations shall apply.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART A - EMPLOYMENT**

**POSITIONS AND EMPLOYEE CLASSIFICATION**

**GENERAL POLICY**

- Positions shall be classified as either regular full-time or part-time, temporary or casual full-time or part-time, or probationary. Employees of the ?akisqnuq First Nation shall generally be identified in accordance with the classification of the position.

**SPECIFIC POLICIES**

**1. Regular (Permanent) Full-time**

Employees scheduled to work seven (7) hours a day and thirty-five (35) hours a week, exclusive of the one (1) hour unpaid lunch / meal period, with no predetermined employment termination date, shall be classified as regular full-time.

**2. Regular (Permanent) Part-time**

Employees scheduled to work less than thirty-five (35) hours a week, exclusive of the one (1) hour unpaid lunch / meal period, with no predetermined employment termination date, shall be classified as regular part-time.

**3. Temporary or Casual**

Employees scheduled to work full-time or part-time for a predetermined period of employment shall be classified as temporary or casual.

**4. Probationary**

Employees, while on probation, shall be classified as probationary.

?akisqnuk First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART A – EMPLOYMENT**

**RECRUITMENT, SELECTION AND PROMOTION**

**GENERAL POLICIES**

- The ?akisqnuk First Nation is an equal opportunity employer that shall promote and practice fairness in the recruitment and selection of all employees.
- The ?akisqnuk First Nation shall make every reasonable effort to employ the most suitable / qualified candidates, based on pre-determined and approved bona-fide occupational requirements, with a preference given to the members of the ?akisqnuk First Nation who meet the qualifications for the position.
- The ?akisqnuk First Nation shall not accept nepotism in the recruitment / selection of employees.
- The ?akisqnuk First Nation shall require all members of a Personnel Selection Committee to declare an immediate personal conflict of interest and withdraw from the Committee, where the list of applicants includes a member of their immediate family, or any other person where it may be perceived as a conflict of interest.
- The ?akisqnuk First Nation may require a criminal record check, verification of a current driver's license, driver's abstract, a medical examination, or the employee to be bonded, where the employer deems it appropriate to the position being applied for.
- Before a regular position is posted and/or advertised, there must be an approved and current position description and position qualifications.
- In lieu of a personal résumé and covering letter, candidate shall complete the ?akisqnuk First Nation Employment Application Form. Where a resume is incomplete, the Employer shall have the option of requesting the candidate to complete the ?Akisqnuk First Nation Application Form.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART A – EMPLOYMENT**

**RECRUITMENT, SELECTION AND PROMOTION - *Continued***

**SPECIFIC POLICIES**

**Aboriginal Employment Preference**

1. Where the employer deems it appropriate or an occupational requirement, the employer may apply an aboriginal employment preference. The aboriginal employment preference shall be administered in a fair and reasonable manner, and consistent with the Canadian Human Rights Commission Policy on Aboriginal Employment Preference.
2. The employer may apply the aboriginal employment preference to new and vacant positions, to the promotion of an aboriginal employee, or to the replacement of a non-aboriginal employee. Where the employer hires a non-aboriginal, the employer shall inform the employee in writing within the offer of employment of the employer's Aboriginal Employment Preference Policy. A non-aboriginal employee affected by this policy, shall have her / his employment termination administered in accordance with the provisions of the "Termination of Employment" Policy

**Selection Committee**

3. The Selection Committee shall be responsible for reviewing and understanding the relevant position description, position qualifications, interview questions, determining the list of applicants for interview, interviewing, and the reviewing of applicant references.
4. The Selection Committee responsible for the **recruitment and selection of the Band Administrator** shall consist of a quorum of the Council, and other external personnel, as invited by the Council. Due to Council member "declarations of a conflict of interest", the need for a quorum of Council may be waived.
5. The Selection Committee responsible for the **recruitment and selection of Program Managers** shall consist of the Band Administrator (Chair of the Selection Committee), one (1) member of the Council (portfolio holder or designate), and other external personnel and ?akisqnuq First Nation employees, as invited by the Band Administrator.
6. The Selection Committee responsible for the **recruitment and selection of Program administrative, professional and technical employees**, shall

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART A – EMPLOYMENT**

**RECRUITMENT, SELECTION AND PROMOTION - *Continued***

**SPECIFIC POLICIES**

consist of the Band Administrator, (Chair of the Selection Committee), the relevant Program Manager, and other ?akisqnuq First Nation or external personnel as invited by the Band Administrator, in consultation with the Program Manager.

7. The Selection Committee responsible for the **recruitment and selection of all other Program employees**, shall consist of the Band Administrator, the relevant Program Manager (Chair of the Selection Committee), and a minimum of two (2) other ?akisqnuq First Nation or external personnel as invited by the Program Manager, in consultation with the Band Administrator.
8. The **recruitment and selection of employees to fill temporary or casual support positions** for an employment period of not more than three (3) months shall be the responsibility of the Band Administrator and the relevant Program Manager.
9. The Selection Committee shall generally interview all applicants who meet the minimum qualifications for each vacant or new position except when hiring temporary or casual employees. All employees hired by the ?akisqnuq First Nation shall be interviewed, with reference checks, prior to employment.

**Authority to Hire, Promote or Reclassify**

10. The Selection Committee shall have the authority to hire employees for **regular full-time and regular part-time positions, and temporary positions for a period of employment greater than three (3) months.**
11. The Band Administrator shall have the authority to approve the **promotion or the reclassification of employees within non-Managerial / supervisory positions**, as recommended by the Program Manager where applicable.
12. The Band Administrator shall have the authority to approve the hiring of persons or organizations on a **contract-for-service** (contractors) for a period of up to four (4) months, and as recommended by the Program Manager as applicable. Any contract-for-service greater than four (4) months shall have the written approval of the Council.
13. The Band Administrator shall have the authority to **promote employees to Managerial / supervisory positions** upon consultation with the Council.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART A – EMPLOYMENT**

**RECRUITMENT, SELECTION AND PROMOTION - *Continued***

**SPECIFIC POLICIES**

**Authority to Hire, Promote or Reclassify - *Continued***

14. The Band Administrator shall have the authority to hire **temporary or casual employees** for an initial period of employment of not more than three (3) months. The Band Administrator shall also have the authority to approve an employment extension of up to two (2) months.
15. The Council shall have the authority to hire for the **position of Band Administrator**.
16. Upon the hiring, promotion, demotion, or reclassification of an employee, the Band Administrator shall inform the Council in writing.

**Competitions and Advertising**

17. New and vacant temporary, casual and regular positions shall be posted in the community, and with the Ktunaxa Nation Council (KNC) Human Resource Department and KNC member Band Offices for ten (10) working days before external advertising is considered. Consideration may be given by the Band Administrator to vary this time period for extenuating circumstances.
18. Where positions are advertised externally, applications shall be received for a period of up to fifteen (15) working days.

**Interview and Relocation Expense**

19. The Band Administrator or Council as applicable, shall have the authority to approve interview and reasonable relocation - moving expenses. Relocation - moving expenses shall be forgiven on an equal monthly basis over a continuous work period of twelve (12) months. Examples: Where an employee resigns after six (6) months of employment, the employee shall be required to pay back the employer fifty (50) percent of the relocation-moving expenses paid by the employer. Where an employee is terminated by the employer prior to twelve (12) months, the Relocation Expense shall be forgiven in total by the employer.
20. Any interview and relocation expenses must be justified by employment level or the employment environment.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART A – EMPLOYMENT**

**RECRUITMENT, SELECTION AND PROMOTION - *Continued***

**SPECIFIC POLICIES**

**Offer of Employment and Contracts-for-Service**

21. All persons hired as an employee shall receive and sign a written offer of employment prior to the commencement of employment.
22. All persons or organizations hired on a contract-for-service (contractor) shall receive and sign a written Contractor Agreement prior to the commencement of work. Before a person or an Organization is hired on a contract-for-service, the relationship between the ?akisqnuq First Nation and Contractor must meet the requirements of a Contractor as defined by the Canada Revenue Agency.
23. The Band Administrator shall be responsible for approving all new employee salaries and approving and signing the offer of employment. In the hiring of the Band Administrator, the Council shall determine and sign the offer of employment.

**PROBATIONARY PERIOD**

**GENERAL POLICY**

- The probationary period is an integral part, and an extension of the employee selection process. During the probationary period, the employee's immediate supervisor shall work in partnership with the new or promoted probationary employee to achieve a desired and acceptable level of performance.

**SPECIFIC POLICIES**

1. The Band Administrator and Program Managers shall serve a six (6) month probationary period.
2. All other employees hired in a regular position or hired in a twelve (12) month temporary position, shall serve a four (4) month probationary period.
3. Employees promoted or transferred into a position shall serve a three (3) month probationary period.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART A – EMPLOYMENT**

**PROBATIONARY PERIOD - *Continued***

**SPECIFIC POLICIES**

4. Employees may have their probationary period extended up to an additional three (3) months, where the employee's performance is not at a satisfactory or acceptable level, and as approved by the Band Administrator, or Council, as applicable.
5. Employees shall remain on probation until such time as the final formal probationary Performance Appraisal (Valuation) is complete. The Band Administrator shall be responsible for ensuring final and formal performance valuations are completed for all probationary employees within the time period.
6. Where an employee does not meet the performance requirements of the position during the probationary period, the employee's employment with the employer shall be terminated upon written recommendation of the Band Administrator and formal approval by the Council.

**EMPLOYEE ORIENTATION**

**GENERAL POLICY**

- The ?akisqnuq First Nation shall provide all new employees with an Orientation within five (5) working days of the commencement of their employment. The Orientation shall include information on the ?akisqnuq First Nation, including membership, structure and Programs of Administration, the Group Insurance Benefit Plan and Pension Plan, Health and Safety, and the duties, responsibilities and expectations of their position.

**SPECIFIC POLICIES**

1. The Orientation will be the responsibility of the employee's immediate supervisor.
2. The immediate supervisor will ensure that all payroll, benefits and employee documents are completed and forwarded to the payroll department, and the employee's personnel file, as appropriate.
3. The immediate supervisor will provide a copy and review the position description and Human Resource Policies, and any other applicable information, policies and procedures with the employee.



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART A – EMPLOYMENT**

**EMPLOYEE ORIENTATION - *Continued***

**SPECIFIC POLICIES**

4. The Council shall be responsible for the formal orientation of the Band Administrator.

**TERMINATION OF EMPLOYMENT**

**GENERAL POLICY**

- The ?akisqnuq First Nation recognizes the adverse affects of an employment termination, including a lay-off, on an employee and the family of the employee, and on the general operation of the ?akisqnuq First Nation. It is the policy of the ?akisqnuq First Nation to provide a notice of employment termination, or pay in lieu of notice, and severance pay where applicable, and in accordance with the *Canada Labour Code, Part III*.

**SPECIFIC POLICIES**

**Individual Termination of Employment and Notice of Employment Termination**

1. Where an employee has completed at least three (3) consecutive months of continuous employment with the ?akisqnuq First Nation, has not terminated his or her own employment, is not dismissed for just cause, or where the employee has been subject to lay-off that constitutes a termination of employment, the employee shall be provided with at least a two (2) week notice of employment termination or two (2) weeks pay in lieu of notice.
2. A lay-off shall constitute a termination of employment where the lay-off is for a period greater than three (3) months. In certain circumstances, a lay-off of more than three (3) months may not constitute a termination of employment (*Section 30, Canada Labour Code, Part III*).

**Individual Termination of Employment and Severance Pay**

3. Where an employee has completed at least twelve (12) months of continuous employment with the ?akisqnuq First Nation, has not terminated his or her own employment, is not dismissed for just cause, is not entitled to a pension registered pursuant to the *Pension Benefits Standards Acts* which is contributed to by the employer / a person under the *Old Age Security Act* / a

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART A – EMPLOYMENT**

**TERMINATION OF EMPLOYMENT – *Continued***

**SPECIFIC POLICIES**

**Individual Termination of Employment and Severance Pay - *Continued***

pension under the Canada Pension Plan, or where the lay-off is considered a termination of employment, the employee shall be eligible for severance pay.

4. An employee eligible for severance pay shall receive the equivalent of one (1) weeks pay at the employee's regular rate of pay for regular hours of work for each complete year of continuous employment. Severance pay shall be prorated for a partial year of employment.

**Approval of Terminations of Employment**

5. All ?akisqnuq First Nation employee involuntary terminations of employment, including layoff, shall require the written recommendation of the Band Administrator and approval, in writing, of the Council.
6. Where the termination of an employee's employment by the employer is not an administered lay-off, but an employment termination for just cause, the employer recognizes the right of the employee to access the unjust dismissal provisions of *Division XIV of the Canada Labour Code, Part III*.

**EMPLOYEE NOTICE OF RESIGNATION**

**GENERAL POLICY**

- All employees resigning their employment with the ?akisqnuq First Nation shall be requested to provide a notice of resignation. The notice will provide the employer with a reasonable period of time to assess the position and employ a suitable replacement, as appropriate.

**SPECIFIC POLICIES**

1. The Band Administrator shall provide at least six (6) weeks notice of resignation.
2. The Program Managers, professional, and senior technical and administrative employees shall provide twenty (20) working days notice of resignation.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART A – EMPLOYMENT**

**EMPLOYEE NOTICE OF RESIGNATION – *Continued***

**SPECIFIC POLICIES**

3. All other employees shall provide at least ten (10) working days notice of resignation.
4. Notices of resignation shall be in writing and provided to the employee's immediate supervisor.
5. A proper notice of resignation shall result in an employee resigning in good standing.
6. Employees may resign in good standing without providing the employer with the required notice of resignation, where the employee has received prior written approval from the employee's immediate supervisor.

**EMPLOYEE EXIT INTERVIEW**

**GENERAL POLICY**

- To assist in understanding the reasons for an employee's employment resignation, and to assist in the development of the employer-employee relationship, employees shall be provided the opportunity to participate in a confidential exit interview with the designated supervisory employee. Employees retiring, or having their employment involuntarily terminated, may also request an exit interview. All completed exit interview forms shall be forwarded to the Band Administrator for review and confidential filing.

**RETIREMENT**

**GENERAL POLICY**

- Employees of the ?akisqnuq First Nation shall not be required to retire from their employment with the ?akisqnuq First Nation upon reaching age sixty-five (65). The ?akisqnuq First Nation believes that employees, upon age sixty-five, can continue to be valuable employees and meet the responsibilities and expectations of their position. Prior to an employee continuing their employment at age sixty-five (65) the employee is encouraged to discuss their retirement options with a Pension and Retirement Adviser.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**GROUP INSURANCE BENEFIT PLAN AND PENSION PLAN  
ENROLMENT AND ADMINISTRATION**

**GENERAL POLICY**

- The ?akisqnuq First Nation believes in providing all eligible employees in a regular position, and their families, with access to a Benefit Plan that provides for their health and protection.

**SPECIFIC POLICIES**

**Group Insurance Benefit Plan**

**Enrolment**

1. ?akisqnuq First Nation employees in a regular position who receive regular pay for at least **twenty-five (25) hours** each week shall be required to enrol in the ?akisqnuq First Nation Group Insurance Benefit Plan after being employed by the ?akisqnuq First Nation for three (3) months of continuous employment.

**Group Insurance Benefit Coverage**

2. Employees eligible for participation in the ?akisqnuq First Nation Group Insurance Benefit Plan shall refer to the Benefit Booklets for detailed benefit coverage.

**Termination of Coverage**

3. Employees shall have their participation in the ?akisqnuq First Nation Group Insurance Benefit Plan terminated immediately following the last day of employment with the ?akisqnuq First Nation, or as defined within the Benefit Plan.

**Administration of Group Insurance Benefits**

4. The ?akisqnuq First Nation Plan Administrator shall be responsible for the administration of the Group Insurance Benefit Plan and providing support and information to employees in the processing of benefit claims.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**GROUP INSURANCE BENEFIT PLAN AND PENSION PLAN  
ENROLMENT AND ADMINISTRATION – *Continued***

**?akisqnuq First Nation Pension Plan Provisions**

5. For detailed information on the ?akisqnuq First Nation Pension Plan, including eligibility, employer and employee contributions, and vesting provisions, please refer to the ?akisqnuq First Nation "Pension Plan" booklet as distributed in the employee orientation and as available from the Plan Administrator.

**OTHER BENEFITS**

**Employment Insurance**

**GENERAL POLICY**

- All ?akisqnuq First Nation employees, both status and non-status, part-time and full-time, shall have employment insurance premiums deducted from their pay monthly, in accordance with Canada Employment Insurance Regulations.

**Canada Pension Plan**

**GENERAL POLICY**

- All ?akisqnuq First Nation employees, both status and non-status, part-time and full-time, shall have Canada Pension Plan premiums deducted from their pay monthly, in accordance with Canada Pension Plan Regulations.

**Workers Compensation**

**GENERAL POLICY**

- All ?akisqnuq First Nation employees shall have their Workers Compensation Board premiums paid by the employer.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**OTHER BENEFITS – *Continued***

**Employee Family Assistance Program (EFAP)**

**GENERAL POLICIES**

- Where an employee of the ?akisqnuq First Nation requires specialized attention in respect to a physical, emotional or an mental issue which is interfering with their job performance, the employee shall have immediate access to the EFA Program.
- EFAP provides professional counseling for a wide range of personal issues such as couple and marriage relationships, family concerns, gambling problems, depression, alcohol and drug dependency, career and work related concerns, life transitions, stress related problems, trauma response, and resource information. EFAP is strictly confidential and fully covered by employee benefits.

**Childcare Expenses**

**GENERAL POLICY**

- Childcare expenses may be reimbursed by the ?akisqnuq First Nation in exceptional circumstances for children sixteen (16) years old and younger. Exceptional circumstances are when an employee is required to travel out of town overnight during the course of their employment or Band business, or attend a meeting, workshop, or conference outside of the normal business hours and a spouse or other family member is unavailable to provide care.

**SPECIFIC POLICIES**

1. Childcare expenses for reimbursement must be costs incurred in addition to normal childcare.
2. Prior written approval to claim childcare expenses must be obtained from the employee's immediate supervisor.
3. The request must include the reason, the caregiver's name and the anticipated expense.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**OTHER BENEFITS – *Continued***

**Childcare Expenses – *Continued***

**SPECIFIC POLICIES**

4. A copy of the approved request is to be attached to the requisition for payment of the expense.
5. Payments will be made directly to the caregiver upon receipt of an invoice from the caregiver.
6. For the purpose of this Policy, a day shall be eight (8) hours with childcare rates prorated to accommodate periods of time lesser or greater than an eight (8) hour period.

*Please see Appendix D regarding daily rates for ?akisqnuq First Nation Childcare*

**Christmas Bonus**

**GENERAL POLICY**

- All existing employees may be eligible to receive a Christmas Bonus in appreciation for work performed. Christmas Bonuses shall be reviewed annually by the Council, in consultation with the Band Administrator.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**WAGE AND SALARY ADMINISTRATION**

**GENERAL POLICY**

- It is the policy of the ?akisqnuq First Nation to develop a wage and salary administration program that provides for equal pay for work of an equal value and equal pay for work of a comparable worth. It is also the policy of the ?akisqnuq First Nation to develop and administer a wage and salary structure that will provide for the ability to recruit and retain qualified employees, and reward employees' years of service and good performance.

**SPECIFIC POLICIES**

**Review and Approval of the Wage and Salary Administration Program**

1. The ?akisqnuq First Nation shall review the accuracy and appropriateness of the ?akisqnuq First Nation wage and salary administration program, to include the wage and salary structure, at least every three (3) years. Amendments to the wage and salary administration program shall be recommended by the Band Administrator to the Council for approval.
2. The ?akisqnuq First Nation Council shall have the authority, upon recommendation of the Band Administrator, to amend the ?akisqnuq First Nation Salary Administration Program, to include the Wage and Salary Structure, without notice or retroactivity.

**Responsibility for the ?akisqnuq First Nation Wage and Salary Administration Program**

3. The Band Administrator shall have the overall management responsibility for the development, review and administration of the ?akisqnuq First Nation Wage and Salary Administration Program.
4. The Program Managers shall have the responsibility for the day-to-day management and administration of the ?akisqnuq First Nation Wage and Salary Administration Program.



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**WAGE AND SALARY ADMINISTRATION – *Continued***

**Development and Administration of the ?akisqnuq First Nation Wage and Salary Structure**

5. All ?akisqnuq First Nation position classifications (positions) shall have a specific wage or salary structure with a Minimum, Mid-point, and a Maximum.
6. The **minimum of the wage or salary structure** shall be the minimum wage or salary level the employee can receive within the classification, and the recommended wage / salary level of a new employee who meets the minimum requirements and qualifications for the position.
7. The **mid-point of the wage or salary structure** shall be the maximum wage / salary level for a new employee who meets all, or exceeds the requirements and qualifications for the position. The mid-point shall be the recommended wage or salary level for the ?akisqnuq First Nation employee who started their employment with the ?akisqnuq First Nation near the minimum of the wage or salary structure and now has five (5) years of continuous and satisfactory performance.
8. The **maximum of the wage or salary structure** shall be the maximum wage / salary level the employee, with several years of continuous and satisfactory employment with ?akisqnuq First Nation, can receive while employed within that position classification.

**Approval of New Hire Rates**

9. The Personnel Selection Committee shall have the responsibility to recommend the wage or salary offer for the successful applicant of a ?akisqnuq First Nation position.
10. Offers of employment require the approval of the Band Administrator before the offer is made to the successful applicant.
11. All new hire rates of pay shall be in accordance with ?akisqnuq First Nation wage and salary administration policy.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**WAGE AND SALARY ADMINISTRATION – *Continued***

**Employee Wage and Salary Increases**

12. It is the policy of the ?akisqnuq First Nation, where the budget permits, and employee performance warrants a wage or salary increase, to generally provide the employee with an annual wage or salary increase.
13. The Program Manager shall have the responsibility for determining and recommending wage / salary increases and adjustments for all employees within their Program, in accordance with the guidelines developed by the Band Administrator.
14. The Band Administrator shall have the authority to approve all employee wage and salary increases and adjustments subject to ?akisqnuq First Nation Policy. The Council shall have the authority to approve a salary increase or adjustment for the Band Administrator.

**Employee Wage or Salary on Demotion**

15. Where an employee is demoted for just cause to a position classification with a lesser wage or salary structure, the employee shall have a new wage or salary within the demoted position classification, as recommended to the Band Administrator by the relevant Program Manager where applicable, and approved by the Band Administrator.
16. The date of the demotion shall become the date for administering the Employee Performance Valuation Policy.

**Employee Wage or Salary on Position Reclassification**

17. Where an employee's position is reclassified to another position with a greater wage or salary structure, the employee shall have a rate of pay that is within the new wage or salary structure of the new position.
18. The date of reclassification shall become the new date for the purpose of administering the Employment Performance Valuation Policy.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**WAGE AND SALARY ADMINISTRATION – *Continued***

**Compensation for Increased Responsibility**

19. Where an employee has been requested by the Program Manager, Band Administrator, or the Council, as applicable, to temporarily assume the responsibilities of another position with a greater wage or salary structure, the employee's wage or salary level shall be adjusted to a wage or salary level within the structure of the temporary position and not less than the employee's current salary level.
20. The adjusted wage or salary for increased responsibility shall apply where the period of increased responsibility is for a period of five (5) continuous working days or more.
21. Where it is determined within a Program that an employee will temporarily assume increased responsibilities of another position, the Program Manager shall have the authority to approve the temporary increase in responsibility, except as defined below.
22. Where it is determined that an employee will temporarily assume responsibilities of a Program Manager, the Band Administrator will need to pre-authorize the temporary increased responsibility.

**Wage and Salary Adjustment for Increased Formal Qualifications or Education**

23. Where an employee achieves higher formal qualifications or education while in a position and where the qualifications or education is relevant to the requirements of the position, the Program Manager, as applicable, may recommend to the Band Administrator a wage or salary adjustment for the employee.

**Compensation on Employment Separation**

24. Upon voluntary or involuntary employment separation with the ?akisqnuq First Nation, employees shall receive full payment for wages or salary for which the employee is entitled to, including regular pay, approved overtime pay, vacation pay and any other monies owing by, or on, the next regularly scheduled pay period.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART B – EMPLOYEE BENEFITS AND WAGE / SALARY  
ADMINISTRATION**

**PAYMENTS OF WAGES / SALARIES**

**Salaried and Hourly Employees**

25. All employees shall be paid according to their terms and conditions of employment and ?akisqnuq First Nation Human Resource Policy.

**Error in Pay**

26. Overpayment of wages shall be recovered by subsequent payroll deduction(s) and shall receive priority over all other deductions other than statutory.
27. Where the employee believes there has been an error on his/her pay cheque, the employee should immediately discuss the matter with Payroll. Corrections in pay will be reflected in the employee's next pay cheque.

**Pay Advances**

28. Advances on pay shall be granted only in exceptional circumstances, and only with written approval of the Band Administrator. Any pay advance will be deducted in its entirety on the next pay day following the advance.

?akisqnuk First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**GENERAL HOLIDAYS**

GENERAL POLICY

- A General Holiday is a day on which eligible employees (part-time and full-time) are entitled to a day off with full pay, equivalent to the wages the employee would have earned at the employee's regular rate of pay/wages for the employee's normal hours of work.

SPECIFIC POLICIES

1. An employee is not entitled to pay for a general holiday that occurs in the first thirty (30) days of the employee's employment with the ?akisqnuk First Nation, if the employee does not work on that day. If the employee is required to work on the general holiday, the employee shall be paid in accordance with Clause #9 of this Policy.
2. An employee who has worked for the ?akisqnuk First Nation for more than thirty (30) days, and does not work on a general holiday, is entitled to be paid for the general holiday, if during the thirty (30) days immediately preceding the general holiday, the employee has been entitled to wages for at least fifteen (15) days.
3. Employees who have not worked fifteen (15) days during the thirty (30) calendar days immediately preceding the holiday shall receive one-twentieth (1/20) of her/his regular wages earned during the thirty (30) calendar days preceding the holiday.
4. An employee exempt, or excluded, from the application of *Division I, of Part III of the Canada Labour Code*, who is required to work on a General Holiday, shall be given a holiday with pay at some other time.
5. Part-time employees paid on an hourly basis, shall receive general holiday pay equivalent to the wages the employee would have earned for a normal days work.
6. The following days are designated as ?akisqnuk First Nation paid **General Holidays**:

New Year's Day  
Good Friday  
Easter Monday  
Remembrance Day  
Victoria Day

British Columbia Day  
Labour Day  
Thanksgiving Day  
Christmas Day  
Boxing Day

Canada Day

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**GENERAL HOLIDAYS – *Continued***

**SPECIFIC POLICIES**

7. Where a general holiday falls on a Saturday, the employer shall declare the working day immediately preceding the general holiday as the day off with pay, and where a general holiday falls on a Sunday, the employer shall declare the working day immediately following the general holiday as the day off with pay.
8. Where a general holiday falls during the employee's scheduled vacation leave, a holiday with pay shall be added to the employee's vacation leave or granted at another mutually convenient time.
9. Employees who are required to work on a general holiday, shall be paid, in addition to their regular rate of pay for that day, at a rate equal to one and one half times the regular rate of pay for the time worked on that day.
10. The Council shall have the authority to declare additional general holidays by the way of a motion at a duly convened Council meeting. (Example: Aboriginal Day)

**HOURS OF WORK**

**Normal Hours of Work**

**GENERAL POLICY**

- Employees of the ?akisqnuq First Nation shall work a work day and a work week as determined by the employer, which takes into account operational requirements, applicable legislation, fairness, and internal equity.

**SPECIFIC POLICIES**

1. The normal hours of work for full-time employees shall be Monday through Thursday from 8:30 am to 5:00 pm and Friday from 8:30 am to 2:30 pm.
2. Employees eligible for a meal period shall receive a one (1) hour unpaid meal period from 12:00 pm to 1:00 pm, unless other arrangements have been preauthorized by the employee's immediate supervisor.
3. Other work schedules as required by the employer, to include averaging or a flexible work schedule, shall require the pre-authorization of the Band

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**HOURS OF WORK – Continued**

**Normal Hours of Work – Continued**

Administrator upon consultation with the Council, and be in accordance with the *Canada Labour Code*.

4. Employees hours of work shall not exceed forty-eight (48) hours in a week, except as a result of averaging the weekly hours of work, or in the case of a real emergency as determined by the employee's immediate supervisor.
5. Employees on an assignment outside of the Office may be required to work a flexible work schedule as determined by the ?akisqnuq First Nation, where the work schedule is administered in accordance with *Division I, Part III* of the *Canada Labour Code*.

**Time Sheets**

6. All employees of the ?akisqnuq First Nation must submit completed bi-weekly time sheets to their immediate supervisor for approval / signing.
7. Time sheets not turned in by the due date shall not be processed until the next pay period.

**OVERTIME**

**GENERAL POLICY**

- It shall not be the practice of the ?akisqnuq First Nation to regularly schedule overtime for employees. The ?akisqnuq First Nation acknowledges that due to emergencies and workload, there will be the need for employees to work overtime. Where overtime is required, and preauthorized, overtime will be compensated.

**SPECIFIC POLICIES**

**Overtime Defined**

1. Overtime is defined as time worked by an employee in excess of the employee's defined normal full-time work day and work week, as defined within Clause 1 of "Normal Hours of Work", and subject to the provisions of this Policy.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**OVERTIME – Continued**

**SPECIFIC POLICIES – Continued**

**Authorized Overtime**

2. All hours worked in excess of the normal full-time workday and work week, as defined within the “Normal Hours of Work” Policy, except in the case of an emergency, must be preauthorized in writing by the employee’s immediate supervisor, in order for the employee to receive overtime compensation.

**Eligibility for Overtime**

3. Overtime hours worked in the case of an emergency must be authorized by the employee’s immediate supervisor before overtime compensation will be provided to the employees.
4. All non-exempt employees shall be eligible for overtime compensation. Employees deemed exempt, as defined within Federal Legislation, shall not be eligible for overtime compensation as defined within *Part III* of the *Canada Labour Code*.

**Overtime Compensation**

5. Hours worked in excess of the defined work day and work week within Clause 1 within the “Normal Hours of Work” Policy shall be compensated in time off in lieu, at the rate of one and one-half (1 ½) times the hours worked in excess of the normal work day and work week.
6. Overtime shall not accumulate until the employee has worked more than twenty (20) minutes beyond the normal work day and work week.
7. Employees exempt from overtime compensation may be provided reasonable time off in-lieu as approved by the Council or the Band Administrator, as appropriate.
8. Pay for a designated General Holiday not worked by an employee, shall be considered as time worked in calculating overtime.
9. Should an employee be required to attend an evening or weekend meeting as part of their job function, every effort should be made to adjust their regular hours of work to accommodate the meeting or function rather than incur overtime.



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**OVERTIME – *Continued***

**SPECIFIC POLICIES – *Continued***

**Accumulation and Scheduling of Time-off in Lieu of Direct Overtime Compensation**

10. The scheduling of time off for approved overtime must be pre-authorized by the employee's immediate supervisor, and in writing.
11. Overtime hours must be used within three (3) months of the time that they are accumulated. Prior arrangements must be made with the employee's immediate supervisor in scheduling time off for the purposes of using accumulated overtime credits. If the employee has not made arrangements to take time off for the purposes of using accumulated overtime credits within one year of the time it was accumulated, the employee's supervisor will schedule the time off on the employee's behalf. Such leave will not be charged against vacation or other leave credits.

**Record of Overtime**

12. All overtime must be recorded, with the record of employee overtime being maintained by the Program Manager or Band Administrator, as applicable, and the Finance Department.

**LATENESS, LEAVING WORK EARLY, AND ABSENTEEISM**

**GENERAL POLICY**

- Employees are expected to commence and leave work in accordance with their work schedule and requirements as approved by the ?akisqnuq First Nation, and as assigned by their immediate supervisor. The proper notification of lateness or absenteeism will assist the employer in finding a suitable and timely replacement where required.

**SPECIFIC POLICIES**

1. Employees unable to report for work at the commencement of a scheduled work day or as required by the employer, shall personally notify her / his immediate supervisor, or in the absence of the immediate supervisor, the Program Manager, or Band Administrator, as applicable within twenty (20) minutes of their scheduled work day / time.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART C – WORKING CONDITIONS**

**LATENESS, LEAVING WORK EARLY, AND ABSENTEEISM – *Continued***

**SPECIFIC POLICIES**

2. Employees wanting to leave work early/before the scheduled termination of the work day or period, will need to receive preauthorization from their immediate supervisor.
3. Unauthorized or excessive lateness or absenteeism, to include leaving work early without preauthorization, may result in disciplinary action, including loss of pay for the period of absence and/or disciplinary action including termination of employment.

**CALL BACK TO WORK**

**GENERAL POLICY**

- Employees called back to work by the employer, in case of an emergency and as preauthorized, whether they work or not, shall receive a minimum of three (3) hours pay. Where the employee has worked a normal work week of thirty-five (35) hours and is called back to work, and works two (2) hours, the employee shall receive one (1) hour at the employee's regular rate of pay and two (2) hours at the overtime rate of compensation. This policy does not apply to employees who voluntarily provide services to the community or to Band Members where such services are outside the employee's assigned or regular duties and responsibilities as defined by the employer.

**TRAVEL TIME**

**GENERAL POLICY**

- The ?akisqnuq First Nation shall compensate employees for travel time where the travel is pre-authorized by their immediate supervisor for the purpose of employer business, or to attend conferences and conventions where requested by the ?akisqnuq First Nation.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**TRAVEL TIME – *Continued***

**SPECIFIC POLICIES**

**Compensation for Travel Time**

1. Travel time outside of the employer's office and while on employer business on a normal work day and during normal working hours shall be compensated as part of the employee's regular work day.
2. On a normal work day and outside the normal working hours where the employee has already worked the normal work hours for that day, the employee shall be compensated for authorized travel time in equivalent time off at the rate of one hour scheduled time-off for each hour of travel time.
3. On a non-scheduled work day (on the normal day of rest), authorized travel time shall be compensated in equivalent time off at the rate of one hour scheduled time off for each hour of travel time.

**Travel to Attend Conferences and Conventions**

4. On a normal work day and during normal working hours, travel time shall be compensated at the employee's regular rate of pay.
5. On a normal work day and outside the normal working hours where the employee has already worked the normal work hours for that day and where attendance is at the request of the employer to represent the interests of the employer, the employee shall be compensated for authorized travel time in equivalent time off at the rate of one hour scheduled time off for each hour of travel time.
6. Outside the normal work day and on the employee's normal day of rest, where attendance is at the request of the employer to represent the interests of the employer, travel time shall be compensated in equivalent time off at the rate of one hour scheduled time off for each hour of travel time.
7. Travel time to attend or participate in a conference or convention where attendance at the conference or convention has not been preauthorized by the employer, shall not be compensated.

**Travel for Professional Development and Training**

8. Travel time associated with the attendance / participation at professional development and training courses or programs shall be compensated where

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART C – WORKING CONDITIONS**

**TRAVEL TIME** – *Continued*

**Travel for Professional Development and Training** – *Continued*

such attendance by the employee is required by the ?akisqnuq First Nation and preauthorized.

**Travel to and from the ?akisqnuq First Nation Office**

9. Travel time to and from the employee's residence and the employer's office shall not be compensated.
10. Travel time to and from one employer office to another employer office at a different geographical location, shall be compensated.

**TRAVEL ADVANCES AND EXPENSES**

**GENERAL POLICY**

- The ?akisqnuq First Nation shall provide the employee with an appropriate level of travel advances and expense reimbursement, as defined within Appendix A of this Manual. The Council, as recommended by the Band Administrator, has the authority to amend the provisions of Appendix A.

?akisqnuk First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART D – DISPUTE RESOLUTION POLICY**

**RESOLVING OF DISPUTES (DISAGREEMENTS) BETWEEN THE  
EMPLOYEE AND THE EMPLOYER AND BETWEEN THE  
EMPLOYEES OF THE ?AKISQNUK FIRST NATION**

**GENERAL POLICY**

- ?akisqnuk First Nation employees are to be treated in a fair and proper manner at all times. Employees, who believe they have been treated in an unfair or improper manner are encouraged to bring forward their disagreement in accordance with this policy.

**SPECIFIC POLICIES**

**Step 1:**

Employees, party to the disagreement, shall make every reasonable effort to resolve the disagreement. Before proceeding to the formal procedure the parties in conflict shall immediately discuss their differences with each other in an earnest attempt to resolve the issue of disagreement.

**Formal Resolve Procedure**

**Step 2:**

1. The employee shall immediately present and discuss the dispute (difference) with the Program Manager in an earnest attempt to resolve the issue of disagreement.
2. Where the employee and the Program Manager are unable to resolve the dispute, the employee and the Program Manager shall separately present the issue in dispute in writing to the Band Administrator. The Band Administrator shall meet immediately with the employee and the employee's immediate supervisor to discuss the dispute and arrive at a solution. The Band Administrator shall present her/his decision to the employee in writing with a copy to the Program Manager and a copy to the employee's Personnel File.
3. Where the employee and Band Administrator are unable to resolve the dispute, the employee and the Band Administrator shall have the opportunity to present the issue of the dispute to the Council. Prior to discussion with the Council, the employee and the Band Administrator shall separately forward in writing, the dispute and facts surrounding the dispute to the Council.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART D – DISPUTE RESOLUTION POLICY**

**RESOLVING OF DISPUTES (DISAGREEMENTS) BETWEEN THE  
EMPLOYEE AND THE EMPLOYER AND BETWEEN THE  
EMPLOYEES OF THE ?AKISQNUK FIRST NATION – *Continued***

**Formal Resolve Procedure – *Continued***

**Step 2:**

4. The Council shall have the responsibility to:
  - Review the facts of the dispute to include meeting with the parties to the dispute in determining whether there are grounds for further investigation
  - As deemed appropriate, appoint a representative from Council to take the lead role in the review of the dispute. The representative from Council shall have the authority to utilize a staff member to provide administrative support, and the responsibility to provide a recommendation to Council of whether to proceed or not proceed with an investigation.
  - Where the decision of Council is not to proceed with further investigation, the Council shall convey this decision to the parties to the dispute, in writing.
  - Where the decision of Council is to proceed with further investigation, the Council shall have the authority to form a Special Committee to resolve the dispute or to initiate a mediation or arbitration proceeding.
  - Where the Council makes a direct determination / decision without initiating any formal proceedings, the decision of Council shall be final and binding, and communicated to the parties by Council, in writing.
5. Where the immediate supervisor is the Band Administrator, the employee shall immediately present and discuss the dispute (disagreements) with the Council for resolve.

?akisqnuk First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART E – LEAVE POLICIES**

**VACATION LEAVE**

**GENERAL POLICY**

- The ?akisqnuk First Nation shall provide employees with the needed opportunity to relax and enjoy time away from ?akisqnuk First Nation office and work by providing employees, where entitled, to annual vacation leave with pay.

**SPECIFIC POLICIES**

**Continuous Years of Service Defined**

1. Continuous year(s) of service means a period of employment with the ?akisqnuk First Nation commencing on the date the employee commences work, or any anniversary of that date and ending twelve (12) months later. For employment to be continuous there must not be a period of time in which the employee was not employed by the employer. Where an employee has been laid off for a period of three (3) months or less, the employment of the employee shall be deemed as being continuous.

**Vacation Entitlement**

2. **Regular full-time employees, hourly and salaried**, on payroll on April 28<sup>th</sup>, 2009, will earn the following vacation leave with pay:

<b>Years of Continuous Service</b>	<b>Percent (%) Entitlement</b>	<b>Annual Vacation Entitlement (Work Days)</b>
<i>One (1) through Two (2) Years</i>	4%	10
<i>Three (3) through Four (4) Years</i>	6%	15
<i>After Five (5) Years</i>	8%	20
<i>After Six (6) Years</i>	10%	25
<i>After Seven (7) Years</i>	12%	30

?akisqnuk First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**VACATION LEAVE – *Continued***

**Vacation Entitlement – *Continued***

3. **Regular full-time employees, hourly and salaried**, hired after April 28<sup>th</sup>, 2009, shall be entitled to the following.

<b>Years of Continuous Service</b>	<b>Percent (%) Entitlement</b>	<b>Annual Vacation Entitlement (Work Days)</b>
<i>One (1) through Two (2) Years</i>	4%	10
<i>Three (3) through Four (4) Years</i>	6%	15
<i>Five (5) through Nine (9) Years</i>	8%	20
<i>Ten (10) through Fourteen (14) Years</i>	10%	25
<i>Fifteen (15) and Subsequent Years of Continuous Employment</i>	12%	30

4. **Regular part-time employees** shall be entitled to the same vacation entitlements as full-time employees; however, their vacation pay shall be calculated based on their part-time earnings.
5. **Temporary employees** are generally not eligible for vacation leave. Where vacation leave is granted, the leave must have the approval of the Band Administrator. Temporary employees shall receive vacation pay in the amount of four percent (4%) of total wages / earnings.
6. Vacation leave shall accrue based on the employee's employment anniversary date.

**Scheduling of Vacation Leave**

7. Employees shall submit their vacation leave requests in writing to their immediate supervisor at least fifteen (15) work days before the date they wish to commence their vacation leave.
8. Vacation leave shall be scheduled as to ensure at least ten (10) work days of continuous vacation leave are scheduled within any one fiscal year.



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**VACATION LEAVE – *Continued***

**Scheduling of Vacation Leave – *Continued***

9. The scheduling of vacation leave shall take into account the date the employee requests vacation leave, operational requirements, and the length of employment of the employee with the ?akisqnuq First Nation.
10. Employees shall not be eligible to schedule vacation leave during their first year of employment, unless approved by the Band Administrator.
11. The number of days vacation leave shall not exceed the employee's vacation entitlement.
12. Vacation leave earned in one fiscal year, and not taken during that fiscal year, may be carried forward to the next fiscal year to a maximum of ten (10) vacation days, with the written authorization of the Band Administrator. The vacation leave carried forward must be taken during the first four (4) months of the fiscal year it is carried over to, unless approval is granted by the Band Administrator, in writing.
13. The scheduling and approval of vacation leave for Program employees shall be the responsibility of the Program Manager.
14. The scheduling and approval of vacation leave for all employees with a reporting relationship to the Band Administrator shall be the responsibility of the Band Administrator
15. Where an employee fails to request annual vacation leave, the Band Administrator, in consultation with the employee's immediate supervisor, will schedule that annual leave on behalf of the employee. In such a case, the employee will be given a minimum of two (2) weeks notice indicating the start date of the assigned leave.
16. The Council shall have the authority to approve the scheduling of the vacation leave of the Band Administrator.

**Approved Leave with Pay during an Employees Scheduled Vacation Leave**

17. Where an employee qualifies for sick leave, as verified by a Doctor's certification, bereavement leave, or a general holiday leave with pay during his/her vacation leave, such leave shall not be included as vacation leave.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**VACATION LEAVE – *Continued***

**Approved Leave with Pay during an Employees Scheduled Vacation Leave**

18. The period of vacation leave displaced with another approved leave with pay shall be re-scheduled.

**Other**

19. Earned or accrued vacation leave must be taken in time off, and shall not be paid out, except upon termination of employment.
20. An employee may, by written agreement with the employer, postpone or waive the employee's entitlement to an annual vacation for a specified year of employment. Where an employee waives an annual vacation the employer shall pay the vacation pay to the employee within ten (10) months after the end of the specified year of employment.
21. Where an employee voluntarily terminates her/his employment, accrued or continuous years of employment will be lost. The employee's new employment date shall determine vacation leave entitlement.

**SICK LEAVE AND FAMILY ILLNESS LEAVE**

**GENERAL POLICY**

- The ?akisqnuq First Nation shall provide all employees with paid sick leave and paid family illness leave.

**SPECIFIC POLICIES**

**Sick Leave**

1. **Sick Leave** shall be defined as the period of time an employee is permitted to be absent from work at her/his regular rate of pay due to an illness, accident related disability, injury or quarantine of the employee.
2. **Family Illness Leave** shall be defined as the period of time an employee is entitled to be absent from work with pay to attend to the personal health needs of an immediate family member living with the employee. Definition of immediate family member shall be as defined within the Definition section of this Manual.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**SICK LEAVE AND FAMILY ILLNESS LEAVE – *Continued***

**SPECIFIC POLICIES – *Continued***

**Leave Entitlement**

3. Full-time employees shall earn sick leave and family illness leave at a combined rate of one and one-half (1 ½ ) days for each month of employment in which the employee received his/her regular pay for at least eighteen (18) work days.
4. Part-time employees shall earn sick leave and family illness leave on a prorated entitlement consistent with their scheduled regular hours of work.
5. An employee shall not earn or be eligible for sick leave and family illness leave for any period of time in which the employee is on leave without pay, under suspension or on lay-off.
6. An employee shall continue to earn sick leave and family illness leave while on approved or certified sick or family illness leave, or other leave, where the employee receives his/her regular pay.
7. An employee, upon the approval of the immediate supervisor, in writing, shall be entitled to a maximum of five (5) work days family illness leave pay per calendar year to attend to the illness or medical needs of an immediate family member. Family illness leave shall be deducted from earned sick leave.
8. Sick Leave and Family Illness Leave shall continue to be earned to the end of the current fiscal year (March 31<sup>st</sup>) and begin with the commencement of the new fiscal year (April 1<sup>st</sup>). Sick Leave and Family Illness Leave earned one fiscal year may not be carried over to the next fiscal year. Financial compensation shall not be given for unused sick leave and family illness leave at anytime.

**Certification of Sick Leave**

9. An employee may be granted up to and including three (3) consecutive sick leave days without a certificate from a Doctor.
10. The employer reserves the right at all times, to require a proof / certification of illness.
11. Failure to provide an appropriate proof (certificate) of sick leave will result in the employee not being paid for the related period of sick leave.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**SICK LEAVE AND FAMILY ILLNESS LEAVE – *Continued***

**SPECIFIC POLICIES– *Continued***

**Position and Employment Protection**

12. The employer shall not dismiss, suspend, lay-off, demote or discipline an employee because of absence due to personal or work-related illness or injury.
13. An employee on sick leave not resulting from a work related illness or injury, who has completed three (3) consecutive months of employment with the employer, shall be entitled to position and employment protection for a period of sick leave not exceeding twelve (12) continuous weeks or for a greater period of protection as approved by the Band Administrator.
14. An employee, who has suffered a work-related illness or injury, as certified by a Doctor, may not be dismissed, subject to lay-off, demoted or disciplined during the period of sick leave. Where reasonably practicable, the employee should be returned to his/her position, or be assigned to a different position, with different terms and conditions of employment where the employee is unable to perform the work required prior to the absence.

**Other Employment While on Sick Leave**

15. An employee shall not work for another employer while on sick leave with the ?akisqnuq First Nation. If an employee is found to have accepted employment with another employer, the employee will be subject to disciplinary action, up to and including employment termination.

**COMPASSIONATE CARE LEAVE**

**GENERAL POLICY**

- The ?akisqnuq First Nation shall provide all employees, without pay, with a compassionate care leave to provide care or support to a family member of the employee who has a serious medical condition with a significant risk of death within twenty-six (26) weeks.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART E – LEAVE POLICIES**

**COMPASSIONATE CARE LEAVE – *Continued***

**SPECIFIC POLICIES – *Continued***

1. All employees of the ?akisqnuq First Nation are entitled to up to eight (8) weeks compassionate care leave without pay. Where the employee is the primary caregiver, the employee shall be entitled to receive up to one (1) week of the compassionate care leave with pay. Only one (1) employee of the family member will be provided the compassionate care leave with pay.
2. Where a family member is still gravely ill at the end of the twenty-six (26) weeks and the employee has already received up to eight (8) weeks of compassionate care leave, the employee is entitled to a further period of up to eight (8) weeks of compassionate care leave.
3. Employees making application for Compassionate Care Leave must request the leave, in writing, and include a medical certificate from a qualified medical practitioner as to the health risk of the immediate family member. Applications shall be submitted to the Program Manager or the Band Administrator, as applicable.
4. Where an employee is unable to produce a medical certificate prior to the leave, the employee must produce a medical certificate within fifteen (15) days of the employee's return to work following the period of Compassionate Care Leave.
5. An employee on approved compassionate care leave will have protection from dismissal, suspension, lay-off, demotion or other discipline because of the compassionate care leave.
6. Upon return from Compassionate Care Leave, the employee must be reinstated to her/his former position or a comparable position in the same location and at the same wage or salary.
7. Compassionate Care Leave shall end the last day of the week in which the family member dies.
8. Employees shall not be eligible for Compassionate Care Leave and Bereavement Leave at the same time.
9. All compassionate leave shall require the approval of the Band Administrator. Approval shall be in writing.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART E – LEAVE POLICIES**

**COMPASSIONATE CARE LEAVE – *Continued***

**SPECIFIC POLICIES – *Continued***

10. During the period(s) of compassionate care leave, the employee shall continue to be entitled to participate in the ?akisqnuq First Nation Group Insurance Benefits and Pension Plans.

**BEREAVEMENT LEAVE**

**GENERAL POLICY**

- All employees of the ?akisqnuq First Nation shall be entitled to bereavement leave with pay.

**SPECIFIC POLICIES**

**Death of an Immediate Family Member of the Employee**

1. An employee shall be granted up to five (5) regular scheduled work days of leave with pay, within a seven day period, where there has been a death in the "immediate family of the employee", as approved in writing by the Band Administrator or the Council, as applicable.

**AND**

Reasonable leave to a maximum of up to three (3) regular scheduled consecutive work days with pay for the purpose of travel and/or to administer the affairs of the estate, as approved by the Band Administrator or the Council, as applicable.

**Immediate Family Defined as:**

- |   |  |
|---|--|
| - spouse (including common-law)                   | - father-in-law or mother-in-law (including common-law)  |
| - father and mother (natural, step or common-law) | - grandchild   |
| - child, stepchild or ward                        | - any other relative of the employee who resides permanently in the employee's household or with whom the employee permanently resides |
| - brother or sister                               |  |
| - grandmother or grandfather                      |  |
| - uncle or aunt                                   |  |

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART E – LEAVE POLICIES**

**BEREAVEMENT LEAVE – *Continued***

**SPECIFIC POLICIES – *Continued***

2. Common-law partner means a person who has been cohabitating with an individual in a conjugal relationship (married state) for at least one (1) year, or who had been cohabitating with the individual for at least one (1) year before the person's death.

**Office Closure**

3. With authorization from the Council, the office of the employer may close to bereave the death of a Community member.
4. Employees scheduled to work on the day of the office closure shall be paid their regular rate of pay.

**Extension of Bereavement Leave**

5. Bereavement leave for the death of an immediate family member may be extended under exceptional circumstances as approved in advance by the Band Administrator or the Council, as applicable.
6. Additional bereavement leave shall be in writing and approved in writing, and be granted without pay.

**MATERNITY AND PARENTAL LEAVE**

**GENERAL POLICY**

- ?akisqnuq First Nation shall provide all eligible regular employees with maternity and parental leave. Such leave shall be without pay.

**SPECIFIC POLICIES**

**Entitlement to Maternity Leave**

1. A female employee, in a regular position, who has completed six (6) consecutive months of continuous employment with the ?akisqnuq First Nation when her leave begins, and who provides the ?akisqnuq First Nation with a written notice of leave at least four (4) weeks before the commencement of maternity leave and a certificate from a qualified medical practitioner confirming pregnancy shall be granted a maternity leave of absence.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**MATERNITY AND PARENTAL LEAVE – *Continued***

**SPECIFIC POLICIES – *Continued***

**Entitlement to Maternity Leave – *Continued***

2. An employee is entitled up to seventeen (17) weeks of maternity leave that may be taken any time during the period that begins eleven (11) weeks before the expected date of delivery and ends seventeen (17) weeks after the actual delivery date.

**Entitlement to Parental Leave**

3. A regular employee who has completed six (6) consecutive months of continuous employment with the ?akisqnuq First Nation and who assumes actual care and custody of a new-born or newly adopted child, is entitled to parental leave of absence upon providing the ?akisqnuq First Nation with a written notice of leave at least four (4) weeks before the commencement of parental leave.
4. Parental leave is available to either parent, natural or adopting, and may be shared by both parents in such a way, as the aggregate period of leave does not exceed the total entitlement. Where the employee is requesting parental leave related to the adoption of a child, the employee should provide the Band Administrator with appropriate documentation or a declaration.
5. Where both parents work for the ?akisqnuq First Nation, or where they both work for another employer under the jurisdiction of the *Canada Labour Code*, the parents are entitled to a combined leave of up to thirty-seven (37) weeks.

**Length of Parental Leave**

6. An employee is entitled to thirty-seven (37) weeks of parental leave, which may be taken any time, and in one continuous period, within the fifty-two (52) weeks following the child's birth or the time the child actually comes into the parent's custody.

**Benefits during Maternity and Parental Leave**

7. Coverage under the employer's Group Insurance Benefits Plan shall continue during the leave period providing the employee pays, within a reasonable time, any contributions she or he would normally have paid. The employer shall continue to pay his or her required share of benefit premiums so long as the employee pays their required premiums.



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**MATERNITY AND PARENTAL LEAVE – *Continued***

**SPECIFIC POLICIES – *Continued***

**Employment Status**

8. The ?akisqnuq First Nation shall not dismiss, suspend, lay-off, demote or discipline an employee because the employee is pregnant or has applied for leave of absence under this policy.
9. During approved leave, the employee shall be informed in writing of every employment, promotion, or training opportunity for which the employee is qualified, where the employee has requested, in writing, that such notifications be provided.

**Return to Employment**

10. Upon the employee's return to work from maternity or parental leave, the employee shall be reinstated into his or her former position, or be given a comparable position in the same location and with the same pay and benefits.

**Period of Maternity and Parental Leave**

11. The total period of the maternity and parental leave shall not exceed fifty-two (52) weeks.

**Other Employment While on Leave**

12. An employee on Maternity or Parental Leave shall not accept outside employment without the preauthorization of the Band Administrator, in writing.

**CULTURAL LEAVE**

**GENERAL POLICY**

- The ?akisqnuq First Nation may grant time off without pay to support employees observing, or participating, in traditional activities of the Ktunaxa and Kinbasket people.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**CULTURAL LEAVE** – *Continued*

**SPECIFIC POLICIES**

1. Employees requiring cultural leave must submit the request in writing to their Program Manager or the Band Administrator, as applicable.
2. The Program Manager shall present the written request of the employee to the Band Administrator.
3. The Program Manager shall review each request on a case by case basis, with the Band Administrator, or the Council, as applicable, having the final authority to approve the cultural leave.

**COURT LEAVE**

**GENERAL POLICY**

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

**SPECIFIC POLICIES**

1. Employees on approved court leave shall receive their regular rate of pay based on the employee's normal working hours.
2. Employees requesting court leave shall apply in writing to the Program Manager or the Band Administrator, as applicable. Approval shall be in writing.

**EDUCATION LEAVE**

**GENERAL POLICY**

- The ?akisqnuq First Nation encourages regular employees to upgrade their formal qualifications. Education leave shall be without pay and subject to the approval of the Council, or the Band Administrator, as provided in this policy.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**EDUCATION LEAVE – *Continued***

**SPECIFIC POLICIES**

**Requests for Education Leave**

1. Employees requesting an education leave shall make a written application to the Band Administrator outlining:
  - a. Course(s) or program of study;
  - b. Institution of study;
  - c. Duration of the course(s) or program of study;
  - d. Benefit to her / his current position and the employer; and
  - e. Certificate, Diploma or Degree to be achieved.
2. Education leave may be part-time or full-time, and shall be granted where the increased education will result in a direct benefit to the ?akisqnuq First Nation, and / or where the period of leave will not result in an operational hardship to the employer.
3. Prior to the actual leave, the employee shall provide his / her immediate supervisor with a written work report.
4. An employee on education leave for a period of less than five (5) months shall have the option of continuing her / his enrolment in the employer's Group Insurance Benefits Plan, excluding short term and long-term disability coverage, providing the employee continues to pay their portion of the benefit premiums.
5. The Band Administrator shall have the authority to approve an education leave for a period of three (3) months or less. Education leave for a period of greater than three (3) months must be approved by the Council. All approvals of education leave shall be in writing.
6. Failure of an employee to return to work upon the completion of the approved education leave shall result in employment termination. Any exception to Clause #6 must have written pre-authorization of the Band Administrator, or Council, as applicable.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**PERSONAL LEAVE**

**GENERAL POLICY**

- The ?akisqnuq First Nation recognizes that an employee may have a need to request a leave from work for personal reasons. Such requests for leave shall be in writing, reviewed on an individual request basis, and shall be without pay.

**SPECIFIC POLICIES**

1. Employees requesting a leave for personal reasons shall present their request in writing to the Program Manager or the Band Administrator, preferably at least two (2) weeks before the leave is to commence.
2. All employee requests for personal leave must be pre-authorized in writing by the Band Administrator.
3. The Council shall have the authority to approve personal leave for the Band Administrator.
4. A personal leave shall generally not exceed a period greater than three (3) months and shall be reviewed in accordance with the following:
  - The employee's stated reasons for the leave
  - Operational requirements and commitments
  - Availability of other leave(s) or earned time off (excluding sick leave)
5. All earned time off must be taken before personal leave is granted (Example: Vacation Leave and Overtime Earned).

**Continuation of Group Insurance Benefits**

6. An employee on personal leave may continue participation in the Group Insurance Benefits Plans, excluding short-term and long-term Disability, providing the employee pays 100% of all premiums.
7. An employee on personal leave shall not accept outside employment without the pre-authorization from the Band Administrator.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART E – LEAVE POLICIES**

**REHABILITATION LEAVE**

**GENERAL POLICY**

- The ?akisqnuq First Nation encourages and wants all employees to be healthy and free of substance abuse. Where it becomes apparent to the ?akisqnuq First Nation that an employee is in need of counseling or treatment, the ?akisqnuq First Nation shall act promptly, firmly and yet compassionately to support the employee.

**SPECIFIC POLICIES**

1. Employees are encouraged to voluntarily request counseling or leave to attend treatment. Where the employer deems it necessary, the employer may initiate such action as necessary in support of the employee.
2. Requests from the employee shall be in writing and approved by the Band Administrator, in writing.
3. A request for leave shall be supported by a certificate from a Doctor or a qualified Alcohol and Drug Counselor, and shall be obtained by the employee prior to the request for leave being presented to the Band Administrator.
4. A request for leave shall identify or include the treatment facility and the treatment plan.
5. Where rehabilitation leave is approved, it shall be with pay at the rate of 50% of the employee's regular rate of pay. All earned time off (sick leave, vacation leave and overtime) must be taken before rehabilitation leave pay is granted.
6. Where an employee refuses to attend a treatment program and where the employee's position and performance is affected by the condition of the employee, or the need for rehabilitation, the employee shall be subject to an appropriate level of discipline up to and including termination of employment in accordance with the "Discipline, Suspension and Dismissal Policy". Discipline shall be administered as a last resort, as the ?akisqnuq First Nation advocates for rehabilitation.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**CONFLICT OF INTEREST**

**GENERAL POLICY**

- Employees of the ?akisqnuq First Nation are to work at all times in the best interest of The ?akisqnuq First Nation. Employees shall not place themselves in a position, which may result in a perceived or actual conflict between the interests of the ?akisqnuq First Nation, and the interests of the employee or a member of the employee's immediate family.

**SPECIFIC POLICIES**

1. Employees shall not conduct personal business or the business of an organization other than the ?akisqnuq First Nation during normal working hours, without the preauthorization of the Program Manager or the Band Administrator, as applicable.
2. Employees shall not take other employment while working for the employer where such employment conflicts with the duties, responsibilities and required working hours of the employee, or where the employment conflicts with the interests and business of the ?akisqnuq First Nation.
3. Employees or members of the employee's immediate family shall not misuse for profit, political gain or personal gain, employer information, resources, monies, property or an opportunity belonging to the ?akisqnuq First Nation, where the employee has a knowledge of, or ought to have had a knowledge of, or is in possession of such knowledge because of the employee's employment with the ?akisqnuq First Nation.
4. Employees shall not take part in discussions or decisions where there is consideration of, or involves an immediate family member of the employee.
5. Employees shall not take part in discussions or decisions involving a business, or an organization in which the employee or a member of the employees' immediate family, has an interest in or is in some way involved.
6. Employees cannot use their access to ?akisqnuq First Nation information, resources or monies in such a manner as to place themselves, their family or personal friends at an advantage over other ?akisqnuq First Nation members.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**CONFLICT OF INTEREST – *Continued***

**SPECIFIC POLICIES**

**Declaration of a Conflict of Interest**

7. It is the responsibility of the employee to immediately discuss any potential or real conflict of interest with their Program Manager, or the Band Administrator, as applicable.
8. It is the responsibility of the Program Manager to immediately discuss any personal conflict of interest with the Band Administrator and the responsibility of the Band Administrator to discuss any personal conflict of interest with Council.
9. Failure of an employee to declare or bring forward a potential or real conflict of interest involving the employee or a member of the employee's immediate family, shall be viewed as a breach of appropriate conduct and therefore subject to discipline.
10. All potential or actual conflicts of interest shall be reviewed immediately and with due diligence, so as to determine an appropriate course of action to protect the integrity of both the employee and the employer, and where appropriate, to determine the necessary disciplinary course of action.
11. The Band Administrator or the Council, as applicable, shall have the authority to solicit information from the affected employee(s) before rendering a decision.
12. Where it is deemed to be necessary, in the review of a complaint of a Conflict of Interest, the employer shall have the option of bringing in an outside consultant to review the alleged Conflict of Interest and make a determination in writing, to the Band Administrator or Council, as applicable.

**CONFIDENTIALITY**

**GENERAL POLICY**

- All employees shall respect the confidentiality of information as received or gained as an employee of ?akisqnuq First Nation.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**CONFIDENTIALITY – *Continued***

**SPECIFIC POLICIES**

1. In the course of employment with the employer, employees will be party to confidential information about the organization and its business dealings. Confidential information includes all business activities and transactions, including recruitment discussions, funding proposals, employee disciplinary actions, correspondence, conversations, contractual and supplier agreements, financial information including budgets and information obtained about program clients/applicants.
2. All employees will keep strictly confidential all confidential information acquired during the course of their employment. Employees acknowledge the proprietary nature of any confidential material and information and will not use, copy, duplicate or disclose to third parties any of such items without express written consent from their supervisors. Employees will take reasonable precautions to prevent material in their possession or control that contains or refers to confidential information from being discovered, used or copied by third parties.
3. Information deemed confidential by the employer shall not be disclosed to other ?akisqnuq First Nation employees and members including family members, the general public, other First Nations Organizations, and to outside organizations or interest groups, without the preauthorization of the Band Administrator, or Council as applicable, or as required by law.
4. All employees shall be required to sign an Oath of Confidentiality upon commencement of employment.
5. Any breach of confidentiality will result in a thorough investigation and an appropriate level of disciplinary action, which may include termination of employment.
6. The employee's obligations of confidentiality will continue indefinitely and will not be suspended or withdrawn except by written authorization of the employer and employee.



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**PROFESSIONAL AND PERSONAL STANDARDS (CONDUCT OF WORK)**

**GENERAL POLICY**

- Employees of the ?akisqnuq First Nation shall conduct and present themselves in a professional and an appropriate manner at all times, including while performing work for the employer, representing the employer, participating in employer organized activities or events, and when dealing with outside organizations or persons.

**SPECIFIC POLICIES**

1. An employee's personal appearance and dress shall be appropriate to the employee's employment position, the image of the ?akisqnuq First Nation Office, and the nature of the employee's work assignments.
2. Employees shall use the facilities, property, and supplies which are owned or rented by the employer, with care and due diligence, and as authorized.
3. Employees shall not publicly criticize the employer and its policies, other employees, Council, and any other persons or organizations doing business with the employer.
4. Employees shall display a level of integrity and professionalism that always promotes the image and mandate of the employer.
5. Employees are to carry out the duties and responsibilities of their positions to the best of their ability, conscientiously, loyally and honestly, remembering that their primary responsibility is to the employer in serving the needs of the ?akisqnuq First Nation membership.
6. Employees are encouraged to use their initiative to find ways of doing their work more efficiently, effectively, and economically.
7. Employees are to follow instructions attentively, be cooperative with their supervisors and co-workers, and work as a team member with other ?akisqnuq First Nation employees.
8. Employees are expected to conduct themselves in a manner that brings credit to themselves, their program and the ?akisqnuq First Nation.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**PROFESSIONAL AND PERSONAL STANDARDS (CONDUCT OF WORK)**

**SPECIFIC POLICIES**

9. Employees will show respect for the authority and jurisdiction of the ?akisqnuq First Nation Administration and Council.
10. Employees are expected to perform their jobs in accordance with established policy and procedures.
11. Employees shall not accept any fees, gifts, or other tangibles offered in reward for duties performed by virtue of their position, notwithstanding traditional values or recognition.
12. Employees shall not use employer owned or leased equipment, vehicles and software for their personal use or pleasure, without the preauthorization of the Band Administrator, in writing.
13. Employees not presenting themselves or representing the employer in an appropriate manner shall be subject to disciplinary action.
14. No employee shall perform or be requested to perform a task that is illegal, unethical and /or morally inappropriate.
15. Employees will not participate in partisan political activity during the working day or at any time during which the employee is on official business, unless authorized in advance by the Council, in writing.

**HARASSMENT**

**GENERAL POLICY**

- The ?akisqnuq First Nation acknowledges the right of all employees to work in a safe and respectful environment, to employment free of harassment, to protection from harassment, to confidentiality in the review of harassment complaints, and to seek proper redress in respect of harassment. The ?akisqnuq First Nation Harassment Policy shall be administered in accordance with the *Canada Human Rights Act* and within the requirements of *Part III* of the *Canada Labour Code*.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**HARASSMENT – *Continued***

**Harassment (General Definition)**

- Harassment is any improper behaviour by a person, directed at or offensive to an employee, and which the harasser knew or ought to have reasonably known would be unwelcome. It includes objectionable conduct, comments or display made on a one-time or continuous basis that demeans, belittles, causes personal humiliation or embarrassment to an employee, or creates an offensive or intimidating working environment.

**Sexual Harassment**

- Sexual Harassment includes offensive or humiliating behaviour that is related to a person's sex, as well as behaviour of a sexual nature that creates an intimidation, unwelcome, hostile, or offensive work environment, or that could reasonable be thought to place sexual conditions on a person's job or employment opportunities.
- Acts of sexual harassment may include, but not limited to: questions and discussions about a person's sexual life; jokes of a sexual nature; displaying material of a sexual nature; touching a person in a sexual way; commenting on someone's sexual attractiveness or sexual unattractiveness; eyeing someone in a suggestive way; and writing sexual suggestive letters or notes.

**Abuse of Authority**

- Abuse of authority occurs when an employee improperly or unreasonably uses the power and/or authority associated with a position held, in order to endanger another employee's job, undermine the performance of that job, threaten the employee's economic livelihood or in any way interfere with or influence the employee's career goals. It also includes acts as intimidation, threats, humiliation and coercion.
- It does not include normal Managerial activities or responsibilities, such as performance counselling and discipline, so long as they are not being performed in a discriminatory manner.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**HARASSMENT – *Continued***

**SPECIFIC POLICIES**

1. The ?akisqnuq First Nation will not accept harassment in any form, and considers harassment to be a serious offence subject to discipline.
2. The policy applies to harassment committed within the course of employment and occurring at or away from the workplace, and during or outside normal working hours.
3. The employer will take such disciplinary measures as the employer deem appropriate against any employee(s) who subjects another employee(s) to harassment.
4. The employer will not disclose the name of a complainant or the circumstances related to the complaint to any person except where disclosure is necessary for the purpose of investigating the complaint or taking appropriate disciplinary measures.
5. Allegations of harassment will be dealt with in a fair, unbiased and timely manner.
6. The ?akisqnuq First Nation will develop, in addition to this Harassment Policy, detailed statements and procedures for the review of harassment allegations.
7. Employees will have an opportunity to provide comment into the development of the Harassment Policy and Procedure.
8. All existing and new employees shall be provided a copy of the Harassment Policy and Procedures and an orientation to its content.
9. This policy does not preclude an employee from filing a complaint of harassment under Section 8 of the *Canadian Human Rights Act*.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**EMPLOYEE PERFORMANCE APPRAISAL (VALUATION)**

**GENERAL POLICY**

- Employees of ?akisqnuq First Nation shall have regular and scheduled formal Performance Valuations for the purpose of providing performance recognition, fostering employee self-development, and identifying performance and personal areas for development.

**SPECIFIC POLICIES**

**Scheduling of the Employee Performance Valuation**

1. During the probationary period, the Band Administrator and Program Managers shall receive a written Performance Valuation at three (3) months of the probationary period. All other employees shall receive a written Performance Valuation at two (2) months of the probationary period.

**Scheduling of the Employee Performance Valuation**

2. In addition, all employees shall receive a written Performance Valuation immediately prior to the conclusion of their probationary period.
3. Employees shall receive an annual written Performance Valuation; scheduled twelve (12) months from the completion of the employee's probationary period and every twelve (12) months thereafter.
4. If at anytime the performance of the employee requires immediate improvement, a special written Performance Valuation may be administered.

**Administration of the Employee Performance Valuation**

5. The immediate supervisor of the employee shall be responsible for the development and presentation of the employee's Performance Valuation. Council shall be responsible for the valuation of the Band Administrator's performance.
6. Prior to the immediate supervisor presenting the completed valuation to the employee, the Manager of the evaluating supervisor shall review and sign the written Performance Valuation.
7. The employee Performance Valuation process shall include an employee self- appraisal, a supervisor appraisal, and where appropriate, peer, subordinate, committee and external organization appraisals.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**EMPLOYEE PERFORMANCE VALUATION**

SPECIFIC POLICIES

**Administration of the Employee Performance Valuation**

8. Employees shall sign their performance valuation as being read/received, be provided with a signed copy of their valuation, and have the signed original of the valuation placed within the employee's Personnel File.
9. Where an employee disagrees with the valuation, the employee shall have the opportunity to present their disagreement through the "Resolving of Disputes" Policy.
10. In the case of required training contracts, the continuation of employment would be determined upon successful completion of scheduled performance criteria and reviews as outlined in the training contract. The duration of the training contract shall be considered a probationary period.

*The ?akisqnuq First Nation comprehensive Employee Performance Valuation Program is defined in Appendix C.*

**DISCRIMINATION**

GENERAL POLICY

- The employees of the ?akisqnuq First Nation shall not promote, condone or practice acts of discrimination with respect to an employee's or person's age, race, colour, nationality, ancestry, religious affiliation, family or marital status, disability, sex, sexual orientation or any other form of discriminatory act. Any acts of discrimination will result in an appropriate level of discipline.

**ALCOHOL AND DRUGS**

GENERAL POLICY

- Employees of the ?akisqnuq First Nation will not consume or be under the influence of alcohol, illegal drugs, or other illegal substances, nor shall they be under the influence related to the excessive use of over-the-counter or prescribed drugs, during the performance of the duties and responsibilities, including the attendance at ?akisqnuq First Nation functions and events, when representing the ?akisqnuq First Nation. Employees not in compliance with this policy shall be subject to discipline.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**DISCIPLINE, SUSPENSION AND DISMISSAL**

**GENERAL POLICIES**

- For the purpose of this Policy, discipline shall be generally defined as an orderly, progressive and an immediate process for the purpose of improving an employee's performance or conduct, through corrective or punitive action.
- Discipline shall be administered for "just cause".
- The act or conduct giving rise to the need for discipline may occur during or outside of the scheduled workday, and shall determine the level and nature of the disciplinary action.
- The process may be implemented at the verbal, written, suspension or dismissal stage for breaches of performance or conduct that jeopardize the health and safety of another person, the well-being of the ?akisqnuq First Nation or are potentially criminal in nature.

**SPECIFIC POLICIES**

**Corrective Counselling**

1. Prior to disciplinary action, the employee's immediate supervisor shall make every reasonable effort to advise/counsel the employee. Counsel shall include explaining the nature and impact of the employee's questionable conduct and suggesting corrective measures.

**Disciplinary Procedures**

2. **Verbal Warning** – If after corrective counselling, an employee's performance or conduct does not improve to the level required, the employee's immediate supervisor shall provide the employee with one or more verbal warnings depending on the act(s) giving rise to the discipline. The verbal warning(s) shall be noted in the employee's Personnel File, with the detail of the warning not recorded.
3. **Written Warning(s)** – Where a verbal warning(s) does not result in a required level of performance or conduct, the employee's immediate supervisor, in consultation with the Program Manager or the Band Administrator, where applicable, shall issue a written warning(s). The written warning shall serve as a formal notice that a serious infraction has occurred, or that the directives outlined in a previous verbal warning were breached.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**DISCIPLINE, SUSPENSION AND DISMISSAL – *Continued***

**SPECIFIC POLICIES**

**Disciplinary Procedures**

If a breach of discipline continues, or where a future breach may result in suspension or dismissal, subsequent written warnings shall be provided by the Program Manager, Band Administrator, or the Council, as applicable, and upon consultation with the Band Administrator where the written warning is provided by the Program Manager.

If the employee's performance or conduct improves to a satisfactory level, the written warning shall be removed from the employee's Personnel File a minimum of six (6) months and a maximum of twenty-four (24) months from the date of improvement.

4. **Disciplinary Probation** – The Band Administrator, in consultation with the Program Manager, where applicable, shall have the authority to place an employee on disciplinary probation for just cause for a period of not more than three (3) months. Such action shall be in writing and must contain the specifics of the conduct for which the employee is being placed on probation. Also included must be the conditions and performance requirements, which must be met, for an employee to be removed from probation. A copy signed by both the employee and the Band Administrator shall be placed permanently in the employee's Personnel File, with a copy provided to the employee.
5. **Suspension** – When the breach of discipline continues and where there is just cause for immediate suspension, the Band Administrator in consultation with the Program Manager, as applicable, shall issue a notice of suspension to the employee. Depending upon the disciplinary act, the suspension may be with or without pay. Generally, suspensions shall be without pay.

The length of the suspension shall be consistent with the disciplinary act – giving rise to the suspension.

Notice of suspensions shall be reported to Council, in writing, within forty-eight (48) hours of the suspension, giving justification for the suspension.

6. **Dismissal** – Where all previous discipline and counselling efforts have failed to resolve a continuing breach or where the disciplinary act justifies immediate dismissal, the Band Administrator shall present a recommendation for employment termination to Council. Council shall have the authority to approve all employee dismissals. Upon approval of dismissal, the Band



?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**DISCIPLINE, SUSPENSION AND DISMISSAL – *Continued***

**SPECIFIC POLICIES**

**Disciplinary Procedures**

Administrator shall immediately notify the employee, in writing, of the dismissal.

A notice of employment termination shall be placed permanently in the employee's Personnel file.

Employees wanting **to appeal a disciplinary action** shall be required to present their appeal through the "Dispute Resolution Policy". Where an appeal is successful, the corresponding letter(s) shall be removed from the employee's Personnel File.

**Grounds for Discipline include, but not limited to:**

- Insubordination
- Excessive tardiness
- Excessive absenteeism
- Unsatisfactory job performance
- Drinking alcohol on the job
- Using illegal drugs on the job
- Under the influence of alcohol or illegal drugs on the job
- Improper use of confidential information
- Voluntary destruction of the employer's equipment or property
- Failure to adhere to the ?akisqnuq First Nation Personnel Policy (including breach of the Code of Conduct or confidentiality provisions)
- Failure to perform the duties and responsibilities of the position in a professional manner
- Complaint made in bad faith
- Theft
- Conflict of interest
- Falsification of records, reports, etc.
- Endangering the safety of other employees
- Defrauding the employer
- Harassment in the workplace (personal or sexual)

?akisqnuk First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART F – PERFORMANCE MANAGEMENT POLICIES**

**DISCIPLINE, SUSPENSION AND DISMISSAL – *Continued***

**SPECIFIC POLICIES**

**Grounds for Discipline include, but not limited to:**

- Taking personnel issues to Council or Band meetings instead of following the prescribed dispute process
- Use of threat of political influence or force
- Criminal Activity/Act and/or Conviction
- Fraud

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART G – PROFESSIONAL DEVELOPMENT POLICY**

**PROFESSIONAL STAFF DEVELOPMENT AND TRAINING**

**GENERAL POLICY**

- As employees are a valued resource, the ?akisqnuq First Nation recognizes the benefits to the employee and the employer of the formal assessment and development of the employee's abilities, skills and knowledge, and career interests. The employer views professional development and training to include attendance at seminars and workshops, as a shared responsibility between the employer and the employee.

**SPECIFIC POLICIES**

**Request for Professional - Staff Development and Training**

1. An employee requesting professional development and training shall make written application to the Program Manager or the Band Administrator, as applicable, thirty (30) days before the commencement of the professional development and training. Information describing the professional development and training, and the benefits to both the ?akisqnuq First Nation and the employee resulting from the employee's completion of the professional development and training, shall be included in the application.
2. The employer may request or require an employee to complete formal professional development and training.
3. The Program Manager, as applicable, shall have the responsibility for recommending professional development and training for Program employees.
4. The Band Administrator shall have the authority to approve professional development and training for all employees of the ?akisqnuq First Nation. The Council shall have the authority to approve professional development and training for the Band Administrator.

**Review of Applications for Professional Development and Training**

5. Applications for professional development and training shall be assessed in accordance with the following criteria:
  - availability of funds
  - relevance to the Employee's current position

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART G – PROFESSIONAL DEVELOPMENT POLICY**

**PROFESSIONAL STAFF DEVELOPMENT AND TRAINING – *Continued***

**Review of Applications for Professional Development and Training – *Continued***

- relevance to the growth of the Employee
- relevance to the current and future needs of the Employer
- ability to integrate training into the work schedule
- recommendations of immediate supervisor
- suitability of timing (e.g. time of year)
- motivation of the Employee
- previous training supplied to Employee by the Employer
- length of service with the Employer

**Attendance at Professional Development and Training**

6. Time spent attending professional development and training outside the normal workday and normal work week, where the employee's attendance is preauthorized and a requirement of the employer, shall be compensated in wages or time off in-lieu, at the rate of one (1) hours time off for each one (1) hour of attendance.
7. Where the ?akisqnuq First Nation has provided preauthorization for the professional development and training, the cost of approved travel, enrolment, and the reasonable cost of lodging and meals where required, shall be paid by the employer.

**Professional Development and Training Report**

8. Upon completion of the professional development and training, the employee shall provide a report to the Program Manager, or the Band Administrator, as applicable, describing the direct application of the professional development and training to their position and the ?akisqnuq First Nation, and the suitability of the professional development and training to other employees.

**Career and Personal Development**

9. Employees are encouraged and expected to take personal interest and responsibility in the development of their skills, knowledge and personal qualities, and the setting of career goals.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART H – OCCUPATIONAL HEALTH AND SAFETY  
POLICY**

**HEALTH AND SAFETY**

**GENERAL POLICY**

- The ?akisqnuq First Nation acknowledges the right of employees to work in a healthy and safe environment. The ?akisqnuq First Nation accepts their responsibility to ensure the development and management of a safe and healthy workplace, with the Band Administrator having overall responsibility for the development and management of the Health and Safety Program. The ?akisqnuq First Nation Occupational Health and Safety Program shall be developed and administered in accordance with Part II of the *Canada Labour Code*.

**SPECIFIC POLICIES**

**Duties of the Employer**

2. As defined within the *Canada Labour Code, Part II*, the duties of the employer shall include:
  - Ensuring compliance with the *Canada Labour Code, Part II*, and the standards set out in the *Canada Occupational Health and Safety Regulations*.
  - Ensuring that the design, installation, operation and maintenance of buildings, structures, equipment, vehicles, tools, machinery, HVAC systems etc, meet prescribed standards.
  - Ensuring that level of temperature, humidity, ventilation, lighting, sound and vibrations meet prescribed standards.
  - Ensuring that all hazardous substances, including controlled products, are labeled appropriately.
  - Providing employees with the information, instruction, training and supervision necessary to ensure their health and safety at work.
  - Providing employees with access to a copy of the *Canada Occupational Health and Safety Regulations*, and where necessary, the training on how to access them.
  - Providing for the training of employees in occupational health and safety and their responsibilities under the *Code*.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART H – OCCUPATIONAL HEALTH AND SAFETY  
POLICY**

**HEALTH AND SAFETY – *Continued***

**SPECIFIC POLICIES – *Continued***

**Duties of the Employer – *Continued***

- Issuing a response to employees who have reported to the employer any thing or circumstance likely to be hazardous to the health and safety of employees or other persons granted access to the workplace.
- Providing written responses to recommendations made by the health and safety representatives within 30 days after receiving the recommendations.
- Providing the resources necessary for the operation of the workplace committees.
- Providing to the policy and workplace committees, as applicable, and the health and safety representative a copy of any report relating to hazards in the workplace.
- Providing, within 30 days, the information requested by a policy committee, a workplace committee or a health and safety representative.
- Posting the Code, the employer's general policy on the health and safety of employees, information on the workplace health and safety committee and any other printed material as directed by a health and safety officer. Where the health and safety officer issues a direction, the employer shall post a notice of the direction, as may be specified by a health and safety officer.
- Investigating, recording, and reporting all accidents, occupational diseases, and other hazardous occurrences and keeping and maintaining accurate health and safety records.
- Adopting and implementing prescribed safety codes, safety standards and standards relating to fire safety and emergency measures and taking the necessary steps to prevent and protect against violence in the workplace.
- Ensuring that the activities of every person granted access to the workplace do not endanger the health and safety of employees.
- Ensuring that the health and safety representative conducts monthly inspections of all or part of the workplace so that the entire workplace is inspected at least once a year.
- Complying with every oral or written direction given to the employer by a health and safety officer or an appeals officer.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART H – OCCUPATIONAL HEALTH AND SAFETY  
POLICY**

**HEALTH AND SAFETY – Continued**

**SPECIFIC POLICIES – Continued**

**Duties of the Employer – Continued**

- Responding, in writing, to a health and safety officer's direction or report when requested to do so by the health and safety officer.

**Duties of the Employee**

**2. Duties of the Employee shall include:**

- Using all safety materials, equipment, devices and clothing that are provided by the employer and are intended to protect the employees.
- Following procedures that relate to the health and safety of employees.
- Following all instructions provided by the employer concerning the health and safety of employees.
- Cooperating with any person carrying out a duty or function required by the *Code*.
- Reporting to the employer any thing or circumstance that is likely to be hazardous to the employees or any other person in the workplace.
- Reporting to the employer, all work related accidents, occupational diseases or other hazardous occurrences that have caused injury to the employee or any other person.

**Selection of the Health and Safety Representative**

- 3. The employees of the ?akisqnuq First Nation who do not exercise managerial functions shall have the responsibility to select a person to the position of Health and Safety Representative.**

**Powers and Duties of the Health and Safety Representative**

- 4. The powers and duties of the Health and Safety Representative shall include:**
- Considering and expeditiously disposing of health and safety complaints.
  - Ensuring that adequate records of work accidents, health hazards and the disposition of health and safety complaints are kept, and regularly monitor the data.

?akisqnuk First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART H – OCCUPATIONAL HEALTH AND SAFETY  
POLICY**

**HEALTH AND SAFETY – Continued**

**SPECIFIC POLICIES – Continued**

**Powers and Duties of the Health and Safety Representative – Continued**

- Meeting with the employer as necessary to address health and safety issues.
- If there is no policy committee, participating in the development, implementation and monitoring of programs to prevent hazards in the workplace, which also provide for the education of employees in health and safety.
- Participating in all inquiries, investigations, studies, and inspections pertaining to the health and safety of employees.
- Cooperating with health and safety officers.
- Participating in the planning of the implementation of changes that may effect occupational health and safety, including work processes and procedures.
- Inspecting each month all or part of the workplace, so that every part of the workplace is inspected at least once each year.
- Participating in the development of health and safety policies and programs.
- Assisting the employer in investigating and assessing the exposure of employees to hazardous substances.
- Participating in the implementation and monitoring of a program for the provision of personal protective equipment, clothing, devices or materials and, where there is no policy committee, participating in the development of the program.
- Requesting from an employer any information that the representative considers necessary to identify existing or potential hazards in the workplace.

***The ?akisqnuk First Nation will be responsible for ensuring the development of a comprehensive Health and Safety Program.***



?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART I – GENERAL**

**POSITION DESCRIPTIONS**

**GENERAL POLICY**

- All regular full-time and part-time positions, and temporary positions with an employment period of greater than three (3) months, shall have an approved written position description in place before an employee is hired to perform the responsibilities of the position.

**SPECIFIC POLICIES**

1. The position description shall define the position title, reporting relationship, summary of position responsibilities, and the specific duties and responsibilities of the position, but does not imply that they are the only duties and responsibilities.
2. The defined position description and position qualifications are the prerequisites for the development and administration of the ?akisqnuq First Nation wage and salary program, recruitment and employee selection, employee performance valuation, the employee training and development plan and other human resource management plans and programs.
3. The development and review of Program position descriptions and position qualifications shall be the responsibility of the Program Managers, in consultation with the Band Administrator, as applicable.
4. The Band Administrator shall have the responsibility for the development and review of all position descriptions and position qualifications of positions with a direct reporting relationship to the Band Administrator, with Council having the responsibility for the Band Administrator position description and position qualifications.
5. Position descriptions shall be formally reviewed at least every three (3) years.
6. Position descriptions shall not be altered unless there are significant and permanent changes in responsibilities and / or authority.
7. All ?akisqnuq First Nation Position descriptions and position qualifications will be presented by the Band Administrator to Council for review and approval.
8. Employees shall receive a copy of their position description, and an orientation to their position responsibilities and authority immediately upon the commencement of their employment.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART I – GENERAL**

**EMPLOYEE PERSONNEL RECORDS**

**GENERAL POLICY**

- Appropriate personnel records shall be maintained on every employee. All information retained in the personnel record shall be the overall responsibility of the Band Administrator.

**SPECIFIC POLICIES**

1. One file will be kept on each employee of ?akisqnuq First Nation.
2. The Employee Personnel File will contain specific employee information including, but not limited to:
  - Employment Resume
  - Offer of Employment
  - Confidentiality Agreement
  - Certificate of Achievement and Education / Professional development and training
  - Employee Performance Valuations and Development Plans
  - Letters of Discipline
  - Letters of Lay-off
  - Letters of Employee Resignation
  - Letters of Appreciation and Promotion
  - Record of Employment (ROE)
  - New Hire – Payroll Documents
  - Group Insurance Benefits and Pension Enrolments
  - Letters of Wage / Salary Increases / Adjustments
  - Employer Approval of Requests for Leave
  - Medical Certification Letters / Documents
  - Workers Compensation Documents
  - Record of Employer Property
3. No documentation will be placed in an employee's file without the employee's knowledge.
4. Personnel records will be kept confidential and locked at all times in the Band Administrator's office, or the office of his / her designate.
5. Employees are entitled to review their file at any reasonable time during regular office hours. Employees can make arrangements to view their file by contacting the Band Administrator, or his / her designate, and shall only be allowed to view their Personnel record in the presence of a designated employee.

?akisqnuk First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART I – GENERAL**

**EMPLOYEE PERSONNEL RECORDS**

**SPECIFIC POLICIES**

6. Employee files are kept for a minimum of three (3) years in accordance with the Canada Labour Standards Regulations.
7. Personal employee information within the Personnel File shall not be released to anyone without the written consent of the employee, except where required by law. This does not include personnel information relating to the employee's qualifications, position, performance, or other employment information of a non-personal nature.
8. The Employee Personnel File shall not be the same document as the Employee Payroll Record.

**CONVICTION OF A CRIMINAL OFFENSE**

**GENERAL POLICY**

- An employee of the ?akisqnuk First Nation who is convicted of a criminal offence or who engages in criminal activity, where the offence or activity harms or compromises the reputation or position of the employer, or where the offence or activity interferes with an employee's ability to perform his/her duties and responsibilities, may be subject to the termination of her/his employment.

**TRAFFIC VIOLATIONS AND VEHICLE ACCIDENTS OR DAMAGE**

**GENERAL POLICY**

- An employee receiving a traffic violation while on ?akisqnuk First Nation business, whether the employee uses a ?akisqnuk First Nation vehicle, Rent a Vehicle, or his/her own personal vehicle, shall be solely responsible for the paying of any fines or traffic violations. Where a ?akisqnuk First Nation vehicle is involved in an accident, or damaged as a result of employee negligence, the employee responsible shall be personally required to cover all of the costs not covered by vehicle insurance for the repair of the ?akisqnuk First Nation vehicle.

?akisqnuq First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART I – GENERAL**

**SMOKING WITHIN THE OFFICES AND VEHICLES OF THE ?AKISQNUK FIRST NATION**

**GENERAL POLICY**

- For the health, safety and well being of all ?akisqnuq First Nation employees, clients, visitors and other personnel, all ?akisqnuq First Nation buildings, offices and vehicles are designated as Non Smoking. In addition, smoking is prohibited within three (3) meters of all entranceways to the buildings of the employer. Employees shall be responsible for ensuring that clients and visitors comply with this policy.

**DRIVER'S LICENCE**

**GENERAL POLICY**

- An employee who is required to have a current and specific Driver's Licence to perform their assigned duties and responsibilities, shall be required to maintain their Driver's Licence and provide proof of Driver's Licence to the Program Manager or the Band Administrator, as applicable. An employee failing to maintain their Driver's Licence may be subject to the suspension or termination of their employment with the ?akisqnuq First Nation.

**BUSINESS INSURANCE**

**GENERAL POLICY**

- An employee required to continually drive their personal vehicle in the performance of their assigned duties and responsibilities, shall have the cost of the business insurance only, reimbursed by the ?akisqnuq First Nation upon submission of their vehicle insurance statement, and as approved by the Band Administrator, upon recommendation of the Program Manager.

?akisqnuk First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART I – GENERAL**

**TRAVEL AND TRAVEL INSURANCE**

**GENERAL POLICY**

- Employees required to travel on employer business, shall obtain preauthorization from the Program Manager or the Band Administrator, as applicable. Where travel is preauthorized, the employee shall be reimbursed in accordance with the ?akisqnuk First Nation Travel Policy and Travel Rate Schedule. The employer shall make all employee travel arrangements. Where travel is by personal vehicle, the employee shall carry an appropriate level of vehicle insurance as determined by the Band Administrator, or designate.

**INTERNET AND ELECTRONIC MAIL**

**GENERAL POLICY**

- Personal use of the internet and electronic mail during scheduled working hours is prohibited. Personal e-mail may be received and responded to after the employee's scheduled work day, and during the employee's own time. Under no circumstances shall an employee access inappropriate internet sites.

All e-mails, personal or professional, sent to or from the Employer's computers are the property of the ?akisqnuk First Nation. The Employer reserves the right to inspect all e-mail messages at management's discretion.

**ENTRY INTO THE ?AKISQNUK FIRST NATION OFFICES AND FACILITIES**

**GENERAL POLICY**

- Unauthorized persons are not permitted entry into the offices and other facilities of the employer during and after office hours. The Band Administrator shall designate an employee to be responsible for managing the distribution and return of building keys.

For safety reasons, employees are required to inform their immediate supervisor before entering the employer's office after hours.

?akisqnuq First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART I – GENERAL**

**PERSONAL USE OF THE TELEPHONE AND FACSIMILE EQUIPMENT**

**GENERAL POLICY**

- The ?akisqnuq First Nation employees are prohibited at all times from using telephones or employer's cell phones for the purpose of making personal telephone calls, where the related costs are charged to the employer. Transmitting personal facsimiles are also prohibited.

**USE AND RETURN OF ?AKISQNUK FIRST NATION PROPERTY**

**GENERAL POLICY**

- The ?akisqnuq First Nation property assigned to or utilized by an employee, including computers, cameras, policy manuals, program materials, keys and vehicles, are the sole property of the employer to be used by the employee only, and just for Employer business. The Band Administrator shall ensure that all ?akisqnuq First Nation property assigned to an employee is recorded and signed for by the employee upon issuing, and upon return to the employer.

**COMPUTER SOFTWARE**

**GENERAL POLICY**

- No unauthorized software shall be loaded into ?akisqnuq First Nation computers, and no employer owned software shall be downloaded by an employee. Software is the property of the ?akisqnuq First Nation. An employee wishing to change and / or alter any system configuration must have written pre-authorization from the Program Manager or the Band Administrator, as applicable.

?akisqnuk First Nation  
**HUMAN RESOURCE POLICY MANUAL**

**PART I – GENERAL**

**CELL PHONE USE AND COMMUNICATIONS EQUIPMENT**

**GENERAL POLICY**

- Where employees are required to have a cell phone for the performance of their duties and responsibilities, the employer will pay the employee a cell phone subsidy as approved by the Band Administrator. The Council shall have the authority to approve a cell phone subsidy for the Band Administrator.

Where the employer determines that an employee requires communications equipment, the employer shall provide it to the employee at no cost.

**ACCEPTANCE OF GIFTS**

**GENERAL POLICY**

- Employees may only accept a gift where it has no more than a \$200.00 value or upon written approval from the Band Administrator.

**VOTING**

**GENERAL POLICY**

- ?akisqnuk First Nation respects the right of all employees to have time off from work for voting in Federal, Provincial, Civil and ?akisqnuk First Nation Elections.

**SPECIFIC POLICIES**

1. An employee who is entitled to vote shall be entitled to have four (4) consecutive hours free from employment during voting hours for the purpose of voting.
2. It shall be up to the employer to determine when any necessary time is to be taken off by an employee to vote.
3. Time off, as determined by the employer, may be at the beginning or end of an employee's shift / work day or unnecessary where the normal work day provides the employee with the necessary time free from employment.

?akisqnuk First Nation  
HUMAN RESOURCE POLICY MANUAL

**PART I – GENERAL**

**VOTING – *Continued***

**SPECIFIC POLICIES**

4. Where the employer approves time off for an employee to vote during the employee's scheduled work day, the employer shall not take any deduction from an employee's pay for the time off to vote.



# ?AKISQNUK FIRST NATION

## Supporting Information Documents and Forms

### EMPLOYER – EMPLOYEE RELATIONSHIP

- ◆ [Determining the...] Employer – Employee Relationship

### RECRUITMENT & PERSONNEL SELECTION

- ◆ Recruitment Procedure
- ◆ Applicant / Candidate Recording Form
- ◆ Interview Process
- ◆ Effective Interviewing and Selection Techniques
- ◆ Interview Appraisal Form
- ◆ Subjects of an Offer of Employment

### EMPLOYEE ORIENTATION

- ◆ Employee Orientation Checklist

### EMPLOYEE EXIT INTERVIEW

- ◆ Employee Exit Interview Form

### WAGE AND SALARY ADMINISTRATION

- ◆ Employee Rewards and Compensation

### COMPASSIONATE CARE LEAVE

- ◆ Definition of “family member”

### HARASSMENT

- ◆ (Comprehensive) Harassment Policy and Procedures

## ?AKISQNUK FIRST NATION

### **Supporting Information Documents and Forms – *Continued***

#### **EMPLOYEE PERFORMANCE MANAGEMENT**

- ◆ Employee Performance Management Program
- ◆ Employee Performance Expectations / Standards Form
- ◆ Employee Performance Valuation Forms
- ◆ Employee Personal and Professional Development Forms
- ◆ Continuous Organizational Work Plan
- ◆ Continuous Employee Work Plan

#### **POSITION DESCRIPTIONS**

- ◆ Position Description
- ◆ Position Description Template
- ◆ Position Qualification Template

#### **EMPLOYEE PERSONNEL RECORDS**

- ◆ Administration of Employee / Personnel Records