



APPLICATION

2. This By-Law shall apply within the Category 1A lands of the Cree Nation of Eastmain.

SCOPE AND PURPOSE

3. This By-Law aims at preventing and correcting a worrisome situation that has recently developed in Eastmain whereby non-resident workers employed by Contractors operating temporarily in Eastmain have displayed problematic and antisocial behaviour infringing upon the safety and general wellbeing of the population. The purpose of this By-Law is therefore to regulate and control the access and residence of such workers by imposing on the Contractors as well as on the Eastmain Givers of Work the obligation to ensure that the Contractors, as employers, screen their employees at source, exclude those of dubious morality and monitor their behaviour while in Eastmain, the whole under the pains of the bylaw.

OVERSEEING AUTHORITY

4. The person appointed by Council to act as Director General of the Cree Nation of Eastmain shall have the power and authority to oversee the implementation and the administration of this By-Law, subject to the terms hereof.

DUTIES OF THE DIRECTOR GENERAL

5. For the purposes of this By-Law, the Director General shall have the power to suspend or revoke any and all operating permits held by a Giver of Work and to bring to the attention of Council any situation where one or more workers should be expelled from the community of Eastmain.

6. In order to carry out his duties pursuant to this By-Law, the Director shall have the power to inspect the work place of the Contractor and living quarters of its employees at any time, with or without the assistance of the police. He shall also apprise himself of any available information on the employees of the Contractors before they arrive in Eastmain and during their stay.



PERMITS

7. All Givers of Work in Eastmain shall hold a valid operating permit issued by the Cree Nation of Eastmain. All Givers of Work in Eastmain shall ensure that the Contractors they hire hold valid operating permits and licenses issued by competent authorities as well as sufficient civil liability and automobile insurance coverage.

IDENTIFICATION

8. All Givers of Work shall require and obtain from their Contractors at least ten (10) days before they arrive in Eastmain a list of the personnel they intend to bring along to temporarily reside in Eastmain. The list shall contain, at a minimum, the name, date of birth, driver's license number, and trade or specialty competence card number of each employee. This list shall be remitted to the Director General for information, control and follow-up purposes. The list must be updated from time to time by each Contractor as personnel comes and goes or is being replaced.

VERIFICATION

9. The Director, on behalf of the Cree Nation of Eastmain, shall carry out such verifications as he can achieve before the employees arrive on site, as well as at any time during their stay. He shall inform the Giver of Work, who shall in turn inform the Contractor, of the name of the employees that may not be brought up to work and reside in Eastmain.

MONTHLY REPORTS

8. Each Giver of Work shall file with the Director General a monthly report showing, by name and by date, the movement of all personnel of all Contractors in and out of the community of Eastmain. The report shall be filed within ten (10) days of the end of any month. The report shall also contain descriptions of incidents and accidents involving the Contractors' employees, whether injuries ensue or not, whether the police or public security was called in or not, and whether they took place at a work site, residence or elsewhere on Eastmain Category IA Lands.



SANCTIONS

9. Should any of the following event occur, the Council may prohibit a Contractor employee from residing in Eastmain or have him/her expelled, by all necessary means, including the assistance of the police:

- (a) The verification of the advance list of employees mentioned in section 8 hereof reveals that one or more employees or contemplated employees have a criminal record;
- (b) The verification of the updated list of employees reveals that one or more employees have a criminal record;
- (c) The review of the facts surrounding an incident or an accident, disclosed or not in a Monthly Report, reveals a serious character or behaviour flaw in the conduct or morality of an employee of a Contractor;
- (d) An employee of a Contractor commits an act which warrants the intervention of the police;

10. Depending on the seriousness of the incident or accident and the passivity of the Giver of Work in the enforcement of this By-Law, the Director may decide to suspend the permit of the Giver of Work(s) for a certain period of time not to exceed thirty (30) days.

OFFENSES

11. Every person who is required by this By-Law to do something or to refrain from doing something under this By-Law and who nevertheless carries out something prohibited or refuses to cease to carry out something mandated by this By-Law or engages in any activity requiring a permit without holding a valid permit is guilty of an offense and is liable upon summary conviction to a fine not exceeding two thousand dollars (\$2,000.00) for each day during which such activity is carried on.

12. Any Giver of Work or Contractor who contravenes a provision of this By-Law is guilty of an offense and, in addition to having his permit revoked, is liable upon summary conviction to a fine not exceeding two thousand dollars (\$2,000.00).



COMING INTO FORCE

13. This By-Law shall come into force on the day on which it is publicly posted.

IN WITNESS THEREOF, WE HAVE SIGNED, IN EASTMAIN, QUÉBEC, THIS 4TH DAY OF DECEMBER, 2015 AND POSTED THIS 18TH DAY OF DECEMBER 2015.

Chief Kenneth Cheezo,
Chairman

Doris Gilpin,
Secretary

