The Pictou Landing First nations Human Resources Policy and Procedures Manual, was approved by Chief and Council, September 15, 2003, and is in effect from September 15, 2003 forward. No portion of this policy is to be applied retroactively.
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POLICY:

The Band Office will make every effort to promote consistent attendance within the workplace and control absenteeism in order to keep expenses down and to ensure consistent supports and services are provided.

PROCEDURES:

1) Supervisors will review all absences taken by their staff on a monthly basis via their time sheet review.

2) When the situation arises and employees are having problems completing regular scheduled shifts or days of work, the Supervisor will discuss with the employee his/her attendance record. The Supervisor will ask for improvement and assist the employee if possible. A note will be placed on the employee’s personnel record to this effect.

3) Another review of the employee’s record will take place in two to six months, the exact time to be agreed upon by the employee and the Supervisor. Any improvement will be noted in the employee’s personnel record.

4) If there is no improvement, the CEO will become involved and the employee will again be called in to discuss the problem with regard to regular attendance at work.

5) The employee’s record will again be reviewed after a period of time, as established by the Supervisor, the CEO and the employee. Any improvement will be noted in the personnel record of the employee.

6) If no improvement is seen, a third meeting will be held with the employee and a request will be made for the employee to see their doctor to determine if they are fit to work and carry out their duties. A written report to this effect will be supplied.

7) If there is no reasonable expectation of improved attendance and the performance of the employee’s duties remain compromised, then the
Employee will receive a non-disciplinary discharge with fair notice as per the Employment Standards Act.

8) Due to the critical need for punctuality at the school tardiness will not be tolerated; consistent tardiness will be grounds for dismissal.

9) The Band Office will, on an annual basis, make some type of suitable acknowledgement of those employees who have completed the year with no absences.
POLICY:

The Band Office will create a number of different categories of staff positions.

PROCEDURES:

The following categories of staff positions will be created:

a) Permanent Full-Time Employee

Regularly works 24 hours or more per week, is paid directly or indirectly with Band resources, is under the overall direction of the CEO, and is eligible for group benefits.

b) Permanent Part-Time Employee

Regularly works less than 24 hours per week, is paid directly or indirectly with Band resources, is under the overall direction of the CEO and is not entitled to group benefits.

c) Contract Employee

Is hired for a specific, time limited period and is not entitled to group benefits.

d) Supply/Call In Employee

Works on an as-needed or call-in basis and does not have regularly scheduled hours. Employees in this category are not entitled to group benefits.
POLICY:

The Pictou Landing Band recognizes its responsibility to ensure that information about its employees, the people its supports and their families is kept in the strictest of confidence.

Band Office employees, volunteers and Council members will maintain strict confidentiality regarding all information pertinent to individuals and families served by the Band Office, as well as business, personnel and personal matters.

PROCEDURES:

1) Information will only be disclosed when required by federal and/or provincial statutes, or with written permission from the individual, or other person vested with authority.

2) All staff, volunteers and Council members are required to sign a Confidential Agreement (a copy of which is attached to this policy). With respect to employees, the Confidential Agreement becomes part of their personnel file.

3) Unless it is the responsibility of their duties, employees, volunteers or Council members will not discuss information concerning:

   • Individuals or families supported by the Band;

   • Personnel issues; or

   • The Band's financial business.
4) Employees, volunteers or Council members who have the authority to discuss such information as identified above will not do so:

• In public areas of the Band Buildings such as washrooms or waiting rooms;

• At home; or

• in public places outside the Band Buildings

5) Employees, volunteers or Council members will not leave confidential information in written form or displayed on computer terminals in locations where unauthorized persons may see it.

6) Where possible, employees, volunteers or Council members will avoid sending confidential information via facsimile.

7) Employees, volunteers and Council members shall ensure filing cabinets containing confidential information are locked at the end of each workday.

8) Violation of this policy is grounds for disciplinary action up to and including dismissal for employees and volunteers.

9) Council members will be required to agree to any requirements regarding confidentiality as set out by funding sources, such as government Ministries.
POLICY:

The Band Office recognizes the importance of protecting the Band while preserving the rights of employees and Council members to participate as private citizens in the life of the community.

PROCEDURES:

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

2) The Band Office's property, materials and services will be utilized only as requested or authorized by the employment contract.

3) Participation of the employee in other business, organizations or activities that compromise the employment relationship or disadvantages the Band Office will be considered conflict of interest.

4) Supervisors shall be responsible for identifying potential conflict of interest activities to employees. Where an employee persists in activities that may disadvantage the Band Office, the CEO is to be informed.

5) Employees must consult with their supervisor prior to engaging in any activities that may be seen as conflict of interest, such as, but not limited to:

   - Having a vested interest in an external business which may provide materials or service to the Band Office;

   - Being offered services or materials as a result of employment or position with the Band Office;

   - Making use of a position with the agency to solicit services or materials for personal gain;
COUNCIL MEMBERS:

1) Members of the Chief and Council shall disclose to the Council, prior to engaging in any activities that may be seen as conflict of interest, such as, but not limited to:

- Having a vested interest in an external business which may provide materials or service to the Band Office;
- Being offered services or materials as a result of employment or position with the Band Office;
- Making use of a position with the agency to solicit services or materials for personal gain;
- Utilizing Band Office equipment, services or materials for an external business;
- Pursuing personal gain over the well being or needs of people supported.

2) Non compliance of this policy and procedures and the By-Law pertaining to conflict of interest (article 9.9) on the part of the Council members shall constitute cause for removal from the Council.

3) Council members shall confirm in writing that they have received and read this policy and procedure at the first meeting of the Chief and Council that they attend following their election.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY: General
NUMBER: 1-40
SUBJECT: CRIMINAL REFERENCE CHECKS
APPROVED:

POLICY:

In an attempt to ensure the safety and well being of Band Office customers and resources Criminal Reference Checking will be a condition of employment or service for persons applying for positions involving either direct service of, and/or the care/custody of children or adults, or control over Band Office resources. (i.e. Cash etc)

PROCEDURES:

1) The Criminal Reference Check Policy is applicable to persons 18 years of age or over as part of the recruitment process for all positions as service providers, or other positions involving either direct service, the care/custody of children or adults, or control over Band Office resources.

2) Transfers of current employees cannot be initiated until the results of the Criminal Reference Check are known, evaluated, and the selection decision is confirmed.

3) Criminal Reference Checks are not required for employees making subsequent employment moves after their initial check, i.e. promotions, lateral transfers.

4) Criminal Reference Checks shall only be conducted for successful candidate(s).

5) The Criminal Reference Check shall consist solely of a check through the Canadian Police Information Computer (CPIC) system to secure information regarding outstanding criminal code charges as well as criminal code convictions for which a pardon has not been granted. No other information shall be solicited.

6) Applicants shall be advised of the Criminal Reference Check requirement by means of a written acknowledgement of application letter sent to all applicants.

7) The Criminal Reference Check is a condition of employment/appointment for successful candidate(s). Conditional job offers to the successful candidate(s) pending the outcome of the CPIC check, however, employment is NOT allowed to commence until AFTER the CPIC results are known and the
selection decision confirmed. Conditional job offers must be made in writing. Removal of the condition, for example, the results of the criminal reference check are satisfactory, must also be made in writing. When conditional offers are withdrawn due to unsatisfactory checks, correspondence should be prepared based on individual circumstances.

8) All information obtained through a criminal reference check is strictly confidential. Reports of positive checks are maintained in a safe and secure place. No other office is to retain information on positive criminal reference checks. In the event of subsequent inquiries regarding the selection decision, access to the CPIC report is limited to the CEO of the Band Office.

9) It will be the responsibility of the CEO and senior management to evaluate the mitigating circumstances surrounding a positive criminal reference check and make the final selection decision.
POLICY:

The Band Office is committed to employment equity by providing equal treatment and equal opportunities to all employees. Except where identified as a bona fide occupational requirement, discrimination is prohibited on the grounds of age, sex, race, color, religion, creed, national origin, citizenship, language, marital status, family status, pregnancy/childbirth, sexual orientation, mental or physical handicap, political belief or any other prohibited grounds of discrimination.

PROCEDURES:

1) The Band Office is committed to identifying and removing all barriers to employment and advancement is such barriers exist, especially with respect to "designated groups" women, aboriginal people, persons with disabilities and persons who are, because of their race and color, in a visible minority in Canada.

2) Decisions about employment will be made based on the essential skills, capabilities, knowledge and experience required in the job.

3) Decisions about promotions will be based on performance in the current position, as well as the essential skills, capability, knowledge and experience required.
CATEGORY: General
NUMBER: 1-70
SUBJECT: JOB DESCRIPTIONS
APPROVED:

POLICY:

The Band Office shall develop and maintain up to date job descriptions for each permanent position.

PROCEDURES:

1) A job description for each permanent position shall be developed using a job analysis approach and shared with applicants for jobs.

2) Each job description will be reviewed and updated every three years or as required.

3) Revised job descriptions will be shared with incumbents of the position.

4) Copies of job descriptions will be appended to this policy and will follow the established format.

5) Job descriptions will be subject to the approval of the CEO.
POLICY:

The Band Office shall ensure that its employees receive their pay in a timely and efficient manner.

PROCEDURES:

1) The Band Office has a weekly, direct bank deposit payroll system.

2) Pay notices will be distributed in confidential envelopes to employees.
CATEGORY: General
NUMBER: 1-80
SUBJECT: PAY EQUITY PAGE
APPROVED:

POLICY:

The Band Office is committed to attaining and maintaining fair salaries to all employees, based on the value of work performed regardless of gender.

PROCEDURES:

1) A Pay Equity Plan has been implemented by the Band Office in accordance with the Pay Equity Act and shall be monitored on a continuing basis.
POLICY:

Pictou Landing First Nations shall maintain confidential, updated and orderly personnel files for each of its employees.

PROCEDURES:

1) Personnel files are maintained in the central office. These files are maintained in a secure environment and are held in strict confidence.

2) The CEO, Directors, and Supervisors can access individual employee files for subordinate employees.

3) An employee wishing to review his/her file may do so in the presence of his/her Supervisor.

4) Documents from personnel files may not be removed from the premises.

5) Information may not be added to an employee's file without the employee's knowledge.

6) Contents of an active personnel file include but are not restricted to:

   • Job application
   • Letter of offer of employment
   • Employment reference checks
   • Criminal reference check
   • Performance reviews
   • Payroll/salary information
   • Signed orientation checklist
   • Letters of commendation
Pictou Landing First Nations Human Resource Policy and Procedures

- Records of disciplinary action
- Yearly attendance sheets

7) Inactive personnel files may also include:

- Letter of resignation
- Reference letters

8) Personnel files are retained in accordance with government requirements.
CATEGORY: General
NUMBER: 1-110
SUBJECT: Blank, Reserved for Future Use
APPROVED:

POLICY:

PROCEDURES:
CATEGORY: General
NUMBER: 1-111
SUBJECT: ACCESS TO EMPLOYEES
APPROVED:

POLICY:

In order to maintain the operations of the Band Office, all employees, who are not on vacation, will advise the Band Office of their location, if they are not in the office, and estimated time of return to the office. Employees with cell phones or pagers, provided by the Band, will leave their phones and pagers turned on, and will be available to the Band, while away, during regular working hours.

PROCEDURE:

1) If an employee does not come into the Band Office at the beginning of the workday, they will call to advise the Office of their location and estimated time of arrival.

2) The Band Office Receptionist will record the employee’s location, where they can be reached and their estimated time of arrival.

3) When employees leave the Band Office for meetings, etc., they will advise the Receptionist of their destination, estimated time of return, and how they can be reached, if required.

4) Employees who are out of the office will maintain contact with their supervisor, and be accessible by cell phone when one is provided.
Hiring Policies

Employment Contract
Employment of Relatives
Filling of Temporarily Vacant Positions
Hiring Process
Recruitment
Secondment
Selection
POLICY:

All employees shall sign an Employment contract outlining the conditions of employment.

PROCEDURES:

1) Once a verbal offer of employment has been made and verbal acceptance has been received, a written offer of employment is prepared which includes:

- Position title
- Job description
- Salary
- Benefit package information
- Vacation entitlement
- Starting date
- Hours of work
- Probationary period
- Requirement for the new employee to complete a criminal reference check,
- Mandatory for School staff, health care providers and any position where care or the responsibility for children are involved. (i.e. Coaches, Daycare)
- Requirement to complete an oath of confidentiality
- Specific conditions which may apply
2) Forward two copies of the offer of employment to the potential employee. The potential employee shall be requested to sign and return one copy while retaining the other for personal files, as an indication of acceptance of the terms of employment.

3) Upon obtaining results of criminal reference check, the procedures outlined in Policy #1-40 (Criminal Reference Check) will apply.

4) Upon receipt of written acceptance from applicant, the Band Office will respond in writing to all unsuccessful applicants who were interviewed.
POLICY:

The Band Office will hire immediate relatives of current employees or Council members subject to certain restrictions to reduce the potential for conflict of interest.

PROCEDURES:

1) Immediate relatives include spouse, common law spouse, sibling, parent or child.

2) The immediate relative will not work on the same team as the current employee.

2) The immediate relative and the current employee will not work in a supervisory relationship with each other.

4) This policy does not apply to temporary employment lasting less than six months (e.g. summer work placement).
CATEGORY: Hiring
NUMBER: 2-50
SUBJECT: FILLING TEMPORARILY VACANT POSITIONS
APPROVED:

POLICY:

All Permanent Full Time and Permanent Part Time employees will be given the opportunity to apply for temporarily vacant positions as they arise.

PROCEDURES:

1) The Band Office’s recruitment and selection policies shall apply.

2) Temporarily vacant positions are defined as those arising from leaves of absence greater than a period of ten (10) weeks, i.e. pregnancy leave and parental leave.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY: Hiring
NUMBER: 2-10
SUBJECT: HIRING PROCESS
APPROVED:

POLICY:

The success of the Band Office in attempting to achieve the Community vision depends on having the right staff, properly trained and motivated, applying their skills and talents to all assigned responsibilities outlined in job descriptions.

The Band Office will follow consistent hiring guidelines in order to maximize the chances for success in fulfilling its mission by hiring the most qualified and competent applicants for all employment vacancies.

PROCEDURES:

1) To be eligible for employment with Pictou Landing First Nations, applicants must:

   • Meet the stated requirements for the position being sought;

   • Be willing to work in accordance with the Band Office's vision, philosophy, goals, objectives, policies and procedures; and

   • Be legally entitled to work in Canada, and be able to provide a valid SIN#.

2) Pictou Landing First Nations is an equal opportunity employer and adheres to the Canadian Human Rights Act.

3) Pictou Landing First Nations is committed to providing a recruitment, selection and hiring process that is fair and consistent. The process is designed to identify the needs of each vacant position and assist in locating the best-qualified applicant for the position.

4) Throughout the recruitment, selection and hiring process, applications and applicants' information will remain confidential.
CATEGORY: Hiring
NUMBER: 2-20
SUBJECT: RECRUITMENT
APPROVED:

POLICY:

The Band Office will endeavor to recruit the most competent individuals to fill all positions.

PROCEDURE:

1) Approval to recruit for vacant or newly created positions will be granted by the CEO. Please refer to policy 2-50 Filling of Temporarily Vacant Positions.

2) Vacant and newly created positions must first be posted internally for a period of ten (10) calendar days in order that current Permanent Full Time and Permanent Part Time employees have an opportunity to apply. Late applications will be received and may be considered, until the Selection Team meets and chooses a candidate, in an effort to ensure that the most suitable applicants are considered for available positions. The posting shall include:

- Job title
- Essential requirements for education and experience
- Knowledge and skills required
- Key areas of responsibility
- Starting/ending date where applicable
- Hours of work
- Compensation rate
- Closing date of competition
- Respondent

The following statement regarding acknowledgement of applications: "We thank all candidates for their interest, however, only those selected for an interview will be contacted." will appear on all postings, both internally and externally.
2) If a suitable applicant cannot be found through the internal process, recruitment can then take place externally, i.e. newspaper ads and other media forms. External advertising shall include internal posting requirements as well as a brief description of the Pictou Landing Community.

3) When time restraints dictate, positions can be posted internally and externally concurrently.

4) All applications will be date stamped upon receipt.

5) All internal applications will be acknowledged.
POLICY:

Secondment is permitted to provide employees a means for career development, to provide or obtain expertise for a specific purpose and for a predetermined period, and to provide for a mechanism to facilitate an exchange of information.

PROCEDURES:

1) Secondment is the movement of an individual for a specific period of time into another job. Such a move may be within the Band Office or to an outside organization.

2) During the period of secondment the individual remains an employee of Pictou Landing First Nations and the incumbent of his/her present position.

3) The employee is subject to all normal benefits and compensation policies and procedures except where special salary arrangements may be involved and must be prepared to meet all conditions of employment of the organization to which he/she is seconded. (I.e. bonding requirements, oath of secrecy, etc.)

4) The interview team will be asked to sign an oath of confidentiality, in regards to all information obtained during in the interview process.

5) Secondments may not be made without the agreement of the individual concerned.

6) A secondment shall not normally exceed one year in duration and will be reviewed on a regular basis by the parties concerned to ensure that all are agreeable to its continuation.

7) The CEO of the Band Office must approve secondment.

8) The position of the seconded employee will remain available to him/her for as long as they are on assignment. It may be filled on a temporary basis until such time that the secondee returns or terminates their position.
POLICY:

The Band Office will conduct a screening process that is fair and equitable.

PROCEDURES:

1) It is the responsibility of each applicant to demonstrate that s/he meets the requirements of the position. A minimum of two and a maximum of six applicants will be interviewed for any one position. Candidates selected for an interview will be made aware of the requirement to conduct a Criminal Reference Checks.

2) Every applicant will receive an acknowledgement of receipt of his or her application.

3) Each interview team will consist of a minimum of three persons. The composition of this team will depend on the position being filled. For a Front Line position and a Management position the HR Manager in conjunction with the CEO will choose the interview team. For the CEO position the Chief and Council will choose the interview team. Decisions and conclusions reached by the interview team must remain confidential.

4) One person on the team will be appointed as Chair. One person on the team will be appointed as Recorder.

5) Applicants who meet the basic requirements of the position will be invited to an interview where they will be evaluated on their response to a preset list of topics and educational and experiential criteria.

6) Second interviews will be held when several candidates demonstrate equal abilities.

7) Once a final candidate has been determined and prior to any offer of employment, approval must be obtained from the CEO, except if the position being filled is that of the CEO, in which case the Chief and Council must give approval.

8) Following receipt of approval to hire, a verbal offer can be made to the candidate.
Employment Information Policies

Communicable Diseases
Compensation Time
Employee's Authorization for
Credit Checks
Employee and Volunteer Vehicles
Health and Safety
Personal Property Loss
Provision of External Employment References
Smoking
Travel and Expense Claims
POLICY:

The Band Office is committed to maintaining a healthy work environment, providing quality service to those it serves and supports and respecting their rights and those of Band Office employees.

PROCEDURES:

1) People served or supported who have communicable diseases have the right to receive services without discrimination based on illness or perceived illness.

2) Band Office employees will:
   - Assist people served or supported to partake in work or leisure activities as long as their condition permits;
   - Ensure they receive the same benefits accorded to their peers; and
   - Ensure complete confidentiality.

3) Employees with communicable diseases have the right to:
   - Continue working as long as their condition permits;
   - Receive the same benefit coverage as is accorded other employees; and
   - Be accorded complete confidentiality.

4) Other people served or supported and employees have the right to a safe and healthy working environment.

5) Discriminatory acts against a person served or supported or employed with a communicable disease are unacceptable and shall be subject to disciplinary action.
6) Unless an employee can demonstrate that there is an unacceptable level of risk to him/herself, outright refusal to work with someone served or supported because of a communicable disease shall be subject to disciplinary action.

7) With any known infectious and potentially serious disease, employees shall take all responsible steps to prevent transmission of illness to others.

8) The Band Office will undertake to make reasonable accommodations to the work schedule or duties of an employee with a communicable disease when the employee’s condition so requires.

9) Information sheets on communicable diseases will be given to employees in the orientation kit.
CATEGORY: Employment Information
NUMBER: 3-40
SUBJECT: COMPENSATION TIME
APPROVED:

POLICY:

Employees may be required to work beyond regular hours. If this occurs, compensatory time may be granted on an hour for hour basis for the additional hours worked beyond those established for the position.

PROCEDURE:

1) All staff is expected to operate on flexible working hours to conform to consumer needs. These staff would only request compensatory time for hours worked that would be above that flexible arrangement.

2) Compensatory time must be authorized by the supervisor prior to being worked.

3) Compensatory time is to be recorded on a comp. Time sheet by the individual staff member. A maximum of 1 day per month may be accumulated. This sheet should be attached to the individual staff member's time sheet and submitted to the supervisor for approval.

4) Recovery of earned compensatory time is to be approved by the supervisor. A request for leave form must be completed for compensatory time use. No more than 2 days can be used one occasion.

5) Compensatory time should be used within 2 months following the month in which it is earned and shall constitute part of the hours of a regular workweek.

6) Work completed at home or time spent in professional development outside the Band Office is not eligible for compensatory time unless approved in advance.
CATEGORY: Employment Information
NUMBER: 3-70
SUBJECT: EMPLOYEE’S AUTHORIZATION FOR CREDIT CHECK
APPROVED:

POLICY:

The Band Office will supply information for a credit check only on the written authorization of the employee.

PROCEDURES:

1) If an employee applies for a loan, mortgage, credit card, rental accommodation, etc., the employee should anticipate a credit check would be conducted.

2) The employee must provide the Administrative Coordinator with written authorization in order for the Band Office to supply the required information. The written authorization shall state the name of the inquirer and company, the information, which will be solicited, and the period of time for which the authorization will be needed.
POLICY:

Pictou Landing First Nations will authorize employees and volunteers to use their own vehicles for Band Office business.

PROCEDURES:

1) Mileage reimbursement will be according to the Band Office’s Travel Expenses policy.

2) The Band Office insurance does not cover employee/volunteer vehicles. It is the employees’ and volunteers’ responsibility to provide and pay their own vehicle insurance.

3) Employees and volunteers are required to carry $1,000,000 third party liability on their vehicle insurance to cover use of their vehicles for work purposes. A copy of their insurance should be kept on file.

4) The Band Office does not pay for business insurance or the deductible if employees/volunteers are involved in an accident.

5) If employees or volunteers are required by the Band Office to transport individuals and an individual causes damage to their vehicle, consideration may be given to reimbursement for a portion of the deductible. An accident/incident report must be completed and submitted to the CEO, who will assess the damage and recommend the amount of reimbursement.
POLICY:

Every person supported or served by the Band Office and every employee is entitled to a safe environment. To that end, the Band Office assumes responsibility to ensure that those environments under its control are maintained as safe places within the meaning and spirit of the law. In addition, the Band Office expects employees to practice safe work habits at all times.

PROCEDURES:

1) The Band Office encourages the active participation of all employees and volunteers in the prevention of accidents and the promotion of health and safety in the workplace.

2) A Joint Health and Safety Committee established under the Occupational Health and Safety Act meets on a regular basis.

The Committee:

- Acts as an advisory body to help identify, evaluate, and recommend resolution of matters pertaining to health and safety to appropriate senior management;
- Encourages adequate education and training to help minimize health and safety risks;
- Ensures certified members provide regular workplace inspections and report the results of such inspections to the Joint Health and Safety Committee and senior management;
- Recommends practices that will effectively manage health and safety risks.

2) Supervisors are responsible for ensuring that machinery and equipment are safe and that employees work in compliance with established safe work
practices. Employees must receive adequate training in their specific work tasks to protect their health and safety.

4) Every employee must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures established by the Band Office.
CATEGORY: Employment Information
NUMBER: 3-20
SUBJECT: PERSONAL PROPERTY LOSS:
APPROVED:

POLICY:

The Band Office is not responsible for loss or damage to property belonging to staff. Staffs are advised not to leave or bring personal property (especially valuables or large sums of money) onto the premises.
CATEGORY: Employment Information
NUMBER: 3-30
SUBJECT: PROVISION OF EXTERNAL EMPLOYMENT REFERENCES

APPROVED:

POLICY:

The Band Office may provide employment references for an employee or former employee.

PROCEDURES:

3) The employee must provide the Band Office with written permission to provide a reference.

3) Only the individual’s supervisor will supply employment references.

4) Upon providing a verbal reference, the supervisor will record the date, time, name of person and organization requesting the reference. A copy of this documentation will be retained in the employee’s personnel file.

5) If a letter of reference is provided, it must be co-signed by the CEO, and a copy will be retained in the employee's personnel file.
POLICY:

To promote the health of all employees and people served or supported by the Band Office, there shall be no smoking in the workplace.

PROCEDURES:

Smoking is prohibited under the following circumstances:

- Anywhere within Band Office buildings.
- Within the homes of people served or supported by the Band Office.
- In Band Office vehicles.
- In employee vehicles while being used to transport people served or supported by the Band Office.
- In the presence of people served or supported by the Band Office, employees, volunteers, in enclosed areas or structures in the community during work hours.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY: Employment Information
NUMBER: 3-10
SUBJECT: TRAVEL AND EXPENSE CLAIMS
APPROVED:

POLICY:

Pictou Landing First Nations will reimburse employees and volunteers for authorized travel expenses incurred while on Band Office business.

PROCEDURES:

1) Employees and volunteers are to receive approval from their supervisor prior to making expenditures on behalf of the Band Office.

2) Approval for travel out of the Community for business purposes is to be received 5 working days in advance of the scheduled travel and must be supported and approved by the Director. A travel itinerary outlining travel purpose, schedule and destinations must be provided to the Director for all departments’ subordinates or to the CEO for Director’s travel requests. Reimbursed travel must be substantiated as necessary and within the Director’s travel budget.

3) Travel within the Maritimes will be reimbursed monthly (the first Monday every month). A maximum of $500 (per month) may be advanced for travel, and must be lower than what the claim would actually be.

4) While away from the office, employees must maintain contact with the office and be accessible by cell phone if one is provided.

5) When employees are away on Band business that is funded by the Band, a Trip Report, outlining the nature and benefits of the travel, must be filed with the CEO, within three (3) days of return to the office. Any future funding requests for travel will not be processed until all previous Trip Reports have been completed and submitted.

6) Reporting of travel expenses is made on the Pictou Landing First Nations Expense Form (sample appended as Addendum 2) and must be signed by the employee and his/her supervisor to indicate approval of expenses.

7) Receipts, where applicable, are to be submitted with the Pictou Landing First Nations Expense Form.
8) The Pictou Landing First Nations Expense Form is submitted to the Financial Manager within 5 working days of returning from a Band funded trip.

9) Cash advances for travel outside of the Maritimes will be handled on a case-by-case basis.

GENERAL GUIDELINES:

1) Mileage

a) Actual kilometer readings are to be used, as the basis for mileage reimbursement, for destinations not covered in Addendum 1, otherwise the distances in Addendum 1 will apply. There is no minimum allowance for short trips.

b) Mileage rates are set and reviewed at the discretion of the Chief and Council within the context of the current Band Office budget. (See Addendum I for current rates.) Mileage claims are calculated from the employee’s or volunteers scheduled place of employment.

c) If an employee or volunteer has a work related stop on the way to the scheduled place of employment, mileage may be claimed from the location of the stop to the scheduled place of employment (one way).

d) If an employee or volunteer has a work related stop that is in a direction away from the scheduled place of employment, mileage is claimed starting at the employee’s or volunteer’s home.

e) If an employee or volunteer has a work related stop on the way home, mileage may be claimed from the scheduled place of employment to the location of the stop (one way).

f) If an employee or volunteer has a work related stop that is in a direction away from home, mileage is claimed from the scheduled place of employment to the location of the stop and back to the scheduled place of employment.

2) Meals

a) Reimbursement of costs is made for meals incurred while on Band Office business away from the work site.

b) Meal rates are set and reviewed at the discretion of the Chief and Council within the context of the current Band Office budget. (See Addendum I for current rates.)
3. Accommodations

a) Reimbursement is made for costs associated with lodging for employees and volunteers who are directed to perform Band Office business out of town.

b) Employees and volunteers are expected to obtain the best rates possible for such accommodation. Addendum 1 provides a guideline for acceptable rates.

Note: Receipts are required for all accommodations, while on out of town Band related business. If receipts are not submitted, the amount claimed, as “accommodations” will be deducted from the employee’s next pay.

4) Expenses Not Eligible for Reimbursement

The Band Office believes that employees and volunteers are responsible for their own behaviour and for their personal expenses. Therefore, reimbursement will not be made for parking tickets, speeding tickets, alcoholic beverages, movie rentals and any other expenses deemed to be of a personal nature.

5) Other Expenses

The Band Office recognizes that employees and volunteers may incur other travel expenses, not listed above while on Band Office business. Reimbursement for such expenses will be at the discretion of management and must have management approval prior to the expense being incurred.

6) US exchange will be paid as incurred.
ADDENDUM I

MILEAGE RATES

The mileage rate, approved by the Chief and Council of Pictou Landing First Nations effective September 15, 2003, is set at $0.365 per kilometer.

Table of Distances:

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<thead>
<tr>
<th>FROM</th>
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<th>Return KMs</th>
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MEAL AND LODGING ALLOWANCES

MEALS

On days when a staff person is required to report for duty at a place other than the main office, the mileage shall be calculated from the staff member’s home to the point of duty or from the main office, which-ever is the lesser.

Meal Allowances

- Breakfast: $10.05
- Lunch: 10.35
- Dinner: 27.80
- Per Full Day: $48.20

The cost of breakfast will only be claimed by those required to travel prior to 6:30 a.m.
The cost of dinner may only be claimed when the employee is traveling on Band business and not expected to return to his/her residence before 6:30 p.m.

LODGING

Private Accommodations $13.50
- Incidental $6.00 per calendar day

Hotel Based on actual receipts to a maximum of $150.00, plus GST, per night
- incidentals $6.00 per calendar day

TELEPHONE/ INTERNET

Calls included on the hotel bill that are work related should be initialed and will be reimbursed at cost. Staff while on travel status may include one short phone call home per day as an allowable expense. Reasonable work related Internet or e-mail access would be reimbursed (those using internet services are responsible for understanding and controlling the internet access expense).

INCIDENTALS

Incidentals are paid for each calendar day where lodging is reimbursed. For example, one night = two days incidentals claimed.

BRIDGE TOLLS/PARKING/TAXIS

Bridge and highway tolls are reimbursed at cost. All reasonable expenses for taxis and parking will be reimbursed upon presentation of receipts.

Local Travel (Within Pictou County)

Local travel will be reimbursed as follows:
- New Glasgow at $10 per trip
- Stellarton, Westville at $15 per trip
- Pictou at $25 per trip

Where more than 1 stop/destination is required, the greatest destination may be claimed.
Early and Continued Employment Policies

Job Sharing
Long Term Absences
Orientation
Performance Appraisal
Probationary Period
Professional Development and Training
POLICY:

Pictou Landing First Nations supports the concept of job sharing to enable skilled and experienced staff members the flexibility to continue their employment with the Band Office.

PROCEDURES:

1) Positions eligible for job sharing are the existing full-time positions.

2) Participation by employees in job sharing projects shall be on a voluntary basis.

3) Opportunities for job sharing must be initiated through proposals submitted by interested staff members and will not be subject to job posting provisions.

4) The CEO will determine the appropriateness of job sharing proposals.

5) Each job-sharing proposal will be for a period not exceeding a year with a six-month review. If this process should in any way affect our customers negatively the job sharing agreement will be terminated. The agreement will be subject to cancellation by the Employer by giving (30) calendar days notice to job sharers.

6) Should the agreement not be extended or be terminated, then the position will revert to its original status with the option to the person previously held the position to take the full-time position. Where the person previously holding the position accepts the full-time position, the other job sharer shall be laid off. Where the person previously holding the position does not accept the full-time position, the position shall be posted.

7) Should one sharer wish to terminate the agreement during its term, the other sharer must be given (30) thirty-calendar day’s notice. The Band Office will honor the un-expired job sharing period of the remaining sharer in either a full-time or job sharing capacity, at the discretion of the CEO, it being understood that the responsibility for finding a job sharing partner shall rest with the employee and not with the Band Office.
8) Job sharing proposals must not exceed the salary and benefit allowance for the position.

9) Job share employees will be eligible for inclusion in benefits if they meet the qualifications as set out by the insurance company. If they do not meet the necessary qualifications, they will receive a percentage in lieu of benefits.

10) Job sharing agreements may be extended for an additional term by re-submitting a proposal three months prior to the expiry date of the existing agreement.
POLICY:

The Pictou Landing First Nations Band Office shall endeavor to be fair to its employees on long-term absences because of injury or illness, while at the same time, protecting the interests of the Band.

PROCEDURES:

1) An employee who is absent from work for sickness or injury and is unable to perform his/her job responsibilities for a continuous period of two years shall have their name removed from the file of active employees. Employees will be notified of this change in their status via a letter from the CEO.

2) When an employee's name is removed from the file of active employees, his/her position shall be declared vacant. Recruitment can then occur following policy 2-20.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY:      Early and Continued Employment  
NUMBER:         4-10  
SUBJECT:         ORIENTATION  
APPROVED:

POLICY:

Pictou Landing First Nations recognizes that a complete and proper orientation of all new staff members is essential to ensure individuals are supported in a manner that reflects its goal and vision and to enable staff to perform to their potential and to provide the level of service required.

PROCEDURES:

1) All new staff are to be given an orientation both to the Band Office, and to their specific service area. It is expected that the complete orientation process should take no longer than one month.

2) The purpose of orientation is:
   
   ● To familiarize new staff with the goal, vision and philosophy of the Band Office as well as specific operating policies and procedures;
   
   ● To assist new staff to become comfortable in their new environment; and,

   ● To provide new staff with specifics regarding the operation of Pictou Landing First Nations service areas so that they may meet required standards of performance.

3) Staff is encouraged to ask questions and request additional information at any time throughout their orientation period and ongoing employment.

4) The Supervisor is responsible for ensuring that each new staff receives an orientation, which includes all items on the Orientation Checklist (sample follows). The checklist is initiated by the Human Resource Manager who forwards it to the appropriate Supervisor. The checklist is retained in the employee's personnel file once all areas have been reviewed and initialed by the employee.
PICTOU LANDING FIRST NATIONS
ORIENTATION CHECKLIST

Employee's Name:
Classification:
Start Date:

The following information as listed below has been discussed and/or provided to me:

GENERAL INFORMATION - HUMAN RESOURCES

- Offer of Employment
- Oath of Confidentiality
- Criminal Reference Check Form
- TD1
- Banking Information
- Insurance
- Driver's license # + Yrs. Experience
  - Emergency Contacts
- Benefits Summary
- Employment Disclosure
- Vacation - 4% paid regularly/4% accum. /accum. days
- Change of Information Status

GENERAL INFORMATION – Pictou Landing

- Vision Statement
- Organizational Chart and Reporting Relationships
- Chief and Council/By-laws/Committees
- Open Meetings - description
- Relationship with Community and other related Agencies

- Tour of Band Office

GENERAL INFORMATION - REPORTING RESPONSIBILITIES

- Serious Occurrences

- Incident Reporting

- Inquiries Process

- Missing Person

- Medical
  - Fire

- Aggression

- Media

- General documentation procedures

- Emergency Contact #s

GENERAL INFORMATION-POLICIES, PROCEDURES, GUIDELINES

- Confidentiality of Information
  - Individuals
  - Co-workers

- Release of Information

- Personnel Policies

- Hours of Work/Time Sheet
  - Performance Appraisal

- Staff Training

Revised: Oct 13, 2003
- Request for Leave
- Sickness
- Worker's Compensation
- Travel/Band Office Vehicles
- Health and Safety

GENERAL INFORMATION - SPECIFIC WORK AREA

- Tour
- Review of Job Description
- Introduction to Co-Workers and Individuals
- Designate Office Space (if required)
- Review Manuals
- Orientation to assigned role, specific procedures, Processes, forms and reports
- Clerical Support - how to access
- Personal Property
- Smoking
- First Aid Box
- Fire Evacuation Plan - fire extinguishers, exits, alarms, Blankets, etc.
- Staff Meetings/Agendas
- Petty Cash
- Keys
- Building Close Up/Alarm System
- Coffee and Lunch Breaks
- Change of Information Status
- First Aid/CPR (expiry date)
- CPI (expiry date)

In addition to the above, I have been given an opportunity to read and understand the Personnel Policies and Procedures of Pictou Landing First Nations.

Employee _____________________________________ Date
__________________________________________
POLICY:

Performance excellence is expected of Pictou Landing First Nations staff. Such performance is an essential ingredient toward the achievement of our Goal and Vision. The Band Office expects staff to strive to develop the knowledge and skills required to support individuals to reach their chosen objectives.

The Performance Appraisal process will be used to evaluate staff work performance, provide feedback and set targets for improvement as necessary.

PROCEDURES:

1) Performance appraisal is a continuous process conducted to provide the employee with:

- Opportunities for communication,
- feedback,
- coaching,
- Support,
- Guidance towards meeting expected performance standards, and;
- Training needs identification.

2) Performance appraisal compels Pictou Landing First Nations:

- To ensure that employees know job performance expectations,
- To provide positive feedback and critic performance,
- To provide sufficient direction and training so that employees are able to perform their jobs, and
To develop a plan of action/goals for improvement as required.

3) Performance appraisal has three components:

a) A formal opportunity for the employee and the supervisor to assess whether the employee has satisfied the normal requirements of the position and any previously established goals/objectives;

b) Ongoing performance is discussed and,

c) Job performance is formally evaluated and documented.

4) All employees are to have a formal performance review:

a) Prior to completion of probationary period. If necessary to extend the probationary period, another performance review is required prior to the end of the extended period.

b) Annually, or whenever a supervisor in consultation with the CEO feels a performance review is warranted either by commendable or deficient performance.
CATEGORY: Early and Continued Employment
NUMBER: 4-20
SUBJECT: PROBATIONARY PERIOD
APPROVED:

POLICY:

Newly hired employees as well as employees who are internally promoted or transferred to a new job title must serve a probationary period of six (6) months.

PROCEDURES:

1) The probationary period is the last step in the recruitment process. The purpose of a probationary period is to:

   - Provide employees with the opportunity to become oriented to the new position and environment;
   - Provide employees with adequate opportunity to determine whether they are suitable for the new position and wish to continue employment; and
   - Provide the Band Office with adequate opportunity to assess the ability and overall suitability of employees who are new to a position.

2) During the six-month probationary period, the Band Office may terminate employment of new hires without any notice or pay in lieu of notice. Existing employees promoted or transferred to a new job title will be given the opportunity to return to the position they previously held.

3) New permanent full-time employees cannot use sick leave credits until they have completed their six-month probationary period.

4) Any leave of absence taken during the probationary period extends completion of the probationary period by a corresponding amount of time.

5) The employee’s immediate supervisor prior to expiry of the probationary period must complete a performance review. Upon completion of the performance appraisal, the supervisor decides (in consultation with the CEO) to:

   - Change the employee from probationary to regular status,
• Extend the probationary period up to three months beyond the original probationary period, or

• Terminate employment.

6) The supervisor advises the employee in writing of the change of status. A copy of the notice is forwarded to the employee and the payroll department/personnel file.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY: Early and Continued Employment
NUMBER: 4-60
SUBJECT: PROFESSIONAL DEVELOPMENT AND TRAINING

POLICY:

The Band Office is committed to working with its employees to ensure that they are knowledgeable and well equipped to carry out their responsibilities, and as such is committed to ongoing professional development and training.

PROCEDURES:

1) The Band Office shall assess the global training within the organization on an annual basis. The identified training needs shall be developed into a Training Plan taking into account the following consideration:

   - Legislated and/or compulsory training courses;
   - Specific job related training as required to achieve the vision and goals of the Band Office;
   - Professional development as requested by individual employees;
   - Extended period of time for study.

3) The Band Office encourages the professional development of employees through attendance and participation in approved meetings, seminars, and in-house training programs and outside courses, which are directly related to the employee's job and will help the employee to improve job performance.

4) Employees who attend training events should be prepared to share information learned and to present it in a verbal or written report as requested by the supervisor.
5) Legislated and/or compulsory training courses:

- The Band Office may, at its discretion, determine that certain professional development and training is compulsory, and shall send employees to such at the expense of the Band Office.

6) Specific job related training as required to achieve the vision and goals of the Band Office and annual Training Plan.

- The Band Office may, at its discretion, offer employees the opportunity to attend professional development or training events for the purpose of professional development and improved job performance.

- An employee wishing to attend such professional development or training events shall submit a written request to his/her supervisor.

7) Professional development as requested by individual employees

- An employee desiring to attend a professional development or training event during working hours shall submit a written request to his/her supervisor.

- If the employee's attendance is approved (in consideration of the annual Training Plan), the employee shall be compensated for time lost from regular working hours at the regular rate of salary. If the training is held outside the hours of work, no compensation shall be offered for time spent in training.

- Upon successful completion of an approved course, the Band Office may, at its option, reimburse employees up to 100% of course tuition fee upon the presentation of a receipt for fees paid.

7) Extended period of time for study:

8) Discretionary leave may be granted at the discretion of the Supervisor and the CEO. Discretionary leave will only be considered after 2 years of consecutive employment for an extended period of time for study, with or without pay.

9) Employees obtaining Degrees or certifications that are funded by the band office are required to committee to a reasonable period of employment, after completion of the degree. This negotiated agreement must be completed prior to beginning the course.
Benefits Policies

Employee and Family Assistance
Substance Abuse
Group Benefits
Job Security
Seniority
POLICY:

The Band Office recognizes that personal difficulties (including physical, mental, emotional, marital, family, substance abuse, or financial problems) may have serious effect on the work performance, personal life, and health of employees and Council members, as well as work colleagues and/or family members. Because of this, an Employee Assistance Program is available to promote and maintain the well being of all employees while respecting confidentiality at all times.

PROCEDURES:

1) Services provided by the Employee Assistance Program (EAP) are available to employees, Council members, and their immediate families (as defined by the Band Office benefits programs).

2) The program is entirely voluntary and can be accessed only by the employee, Council member, or member of the immediate family.

3) Free and confidential counseling is provided by the ________________

New Benefit requires decision from Band.
POLICY:

The Band agrees to encourage Employees afflicted with alcoholism, or who are addicted to drugs, or who abuse the use of drugs to immediately commence a rehabilitation program at an appropriate treatment center, hospital or clinic. If an Employee who has an alcoholism or drug abuse problem clearly indicates he/she is making a conscientious effort to solve the problem, all appropriate resources within the Band and the Community will be made available to assist him. If however, the Employee refuses to co-operate in efforts at rehabilitation, the Band will not tolerate continued sub-standard work performance, and appropriate disciplinary action, in accordance with established policies, will be taken.

(Need to clarify frequency and duration.)
POLICY:

The Band Office will maintain a comprehensive Group Benefits package for all of its permanent full-time employees.

PROCEDURES:

1) Group Benefits will include: Group Life and Dependent Insurance, Extended Health Care Insurance, Dental Insurance, Long Term Disability Insurance and a Pension Plan. Full details of the plans are available from the Administrative Coordinators.

2) All permanent, full-time employees are required to participate in Long Term Disability, Extended Health Care and Dental Insurance plans, following the completion of six months of active employment, the Probationary Period. If an employee or their spouse/children are ensured for Dependent Life, Extended Health Care and/or Dental Insurance under another group policy, they may refuse to be insured for such benefits under the Band Office’s policy provided that they can provide evidence of such other group policy. In those cases where an employee denies a Group Benefit, they must sign the appropriate waiver document, and/or provide a signed letter stating that they have refused the benefit(s).

3) All eligibility requirements, benefits available and employee and Band cost sharing requirements shall be governed by the applicable insurance carrier’s contracts, which are renegotiated from time to time. Employees will be notified, in writing, one month prior to any changes being put into effect.

4) The Band Office contributes to a pension plan for employees at the rate of 8.1% of the employee’s annual earnings, for Native employees and at the rate of 5.5% of the employee’s annual earnings, for non-Native employees.

5) Employees continue to be eligible for Band Office subsidy when on authorized leave of absence for reasons of maternity and paid sick leave. Employees on an authorized unpaid leave of absence are eligible for Band Office subsidy for ten working days only. The employee shall assume responsibility for full payment of group benefits on the 7th day of any unpaid leave of absence.
6) The Band Office will continue to provide benefit entitlement for a twenty-four (24) month period during which an employee receives Long Term Disability Benefits under the Band Office’s Insurance Plan. During this period the Band Office will continue to provide its subsidy based on the following: 1 month of subsidy for every year of service up to a maximum of 18 months (seniority lists will be used to determine years of service). The employee will be responsible for full payment of group benefits for the portion of the 24 months, which is not eligible for Band Office subsidy.

7) Coverage under the Band Office’s Group Benefit Plan ceases when an employee terminates his/her employment, however, some conversion privileges exist and reference should be made to plan booklets.
POLICY:

Reduction in the Pictou Landing First Nations work force may occur due to reduced funding, program changes, organizational restructuring or other change. It is the policy of Pictou Landing First Nations to deal in a fair and equitable manner with staff declared surplus.

There shall be no lay-off of any permanent employee whose position is rendered surplus provided that the employee agrees to be displaced to another position in accordance with the procedure set forth hereinafter.

PROCEDURE:

1) In the event that it is necessary to lay off employees due to reorganization or retrenchment, the positions to be rendered surplus will be determined on the basis of changes to specific funding streams or programs, or as individualized funding determines.

2) A surplus employee who held a permanent position shall have the right to displace another permanent employee of less seniority in the same classification, or in another classification of lesser responsibility. Pay rates will be determined by classification.

3) Permanent full-time employees have the right to displace either another full-time or part-time employee.

4) Permanent part-time employees have the right to displace another part-time employee.

5) The displaced employee shall have the same displacement rights to assume another position.

6) The surplus employee will displace the least senior employee in his/her classification.
7) If the above option is not available, the surplus employee will displace the least senior employee in the next lower classifications in descending order. This surplus employee must hold the necessary qualifications for the position.

8) If the above option is not available, a permanent employee can displace a temporary employee in an equal or lower classification providing they hold the necessary qualifications for the position.

9) If the above option is not available, employment is terminated.

10) The organizational chart defines classifications.

11) The CEO will give notice of a position being rendered surplus in writing.

12) An employee whose position is declared surplus must inform the CEO in writing of his/her decision to displace another employee within seven calendar days of the date of notice.

13) A surplus employee must elect, at the time of termination, to be placed on the recall list.
POLICY:

An employee who has completed his probation period shall have his name placed on the seniority list with seniority effective as of the last date of hiring.

PROCEDURES:

1) Seniority is defined as an employee's length of service in a permanent position retroactive to the last dates of hiring.

2) An employee shall retain and accrue seniority for regular scheduled hours when:

   - Actually at work, in a permanent part-time or full-time position, for the Employer
   - Absent on vacation or on paid holidays
   - Absent due to illness for a period not exceeding 4 months
   - Absent on Worker's Compensation for a maximum of 12 months
   - Absent on pregnancy or parental leave

3) An employee shall retain but shall not continue to accrue seniority when:

   - Absent due to illness for a period exceeding 4 months but less than one year
   - Absent on an unpaid leave of absence
   - Absent on a lay off for a period of 6 months
   - Absent on Long Term Disability
4) Seniority lists will be posted every six months in the various work sites. If an employee is not satisfied with the position of his name on the seniority list he shall have the right to grieve this using the complaint procedure.

5) Seniority shall be lost and an employee shall be deemed to have terminated employment with the employer when he/she:

- Voluntarily quits his employment with the Employer
- Is discharged for just cause
- Fails to return to work upon the termination of an authorized leave of absence
- Accepts gainful employment while on a leave of absence without first obtaining the consent of the Employer
- Is absent without leave for three consecutive days without sufficient cause or without notifying the Employer
- Fails to return to work within five working days after receipt of a registered letter of recall from the Employer following a layoff, unless absent for a reason satisfactory to the Employer.

6) Seniority shall only be accrued by employees in a contract position if the contract position becomes permanent and the employee has worked on a contract basis in the position for a period exceeding 12 months.

7) Employees with unbroken service who elect to move from a permanent position into a contract position shall have their seniority held in reserve for them until such a time as they return to a permanent position.

8) For the purposes of calculating Vacation entitlement, years of service shall include employment with Pictou Landing, other First Nations organizations responsible to First Nation people or private institutions that are primarily charged with the responsibility of providing benefits, entitlements and services to First Nations people.
Problem Resolution Policies

Complaint Procedure
Discipline
Harassment
POLICY:

The Band Office will provide an acceptable and effective means for employees to bring concerns and complaints regarding their terms and conditions of employment to the attention of Band Office management.

PROCEDURES:

1) It is understood that an employee has no complaint until they have first discussed their complaint with their immediate Supervisor and allowed the supervisor an opportunity to endeavor to settle the complaint. Any employee who feels that the action taken by the immediate supervisor is unsatisfactory may pursue the complaint.

2) A written complaint shall:
   a) State the name of the complainant;
   b) Outline the alleged violation (specify date), the nature of the complaint;
   c) Outline the remedy sought; and
   d) Be signed by the complainant.

3) Step One:

   The employee shall submit a written complaint within five (5) calendar days after the circumstance, giving rise to the complaint has occurred or originated, to their immediate Supervisor. The immediate supervisor shall deliver their decision in writing within three (3) calendar days following the day on which the complaint was presented.

4) Step Two

   If the complaint is not resolved at Step One, the employee may submit the complaint to the CEO, within five (5) calendar days following receipt of the
Step One decision. The CEO shall convene a meeting of all parties concerned to review the complaint within ten (10) calendar days of receipt of the complaint. A decision in writing shall be rendered within five (5) calendar days from the date on which the complaint meeting was convened.

5) Step Three

Failing satisfactory settlement at Step Two, the employee shall submit the written complaint to the President of the Chief and Council of the Band Office, within five (5) calendar days following receipt of the decision under Step Two. The CEO shall be provided with a copy of any correspondence and other documentation included as part of this submission.

A Grievance Committee appointed within the Chief and Council shall meet. This meeting shall take place no later than fifteen (15) working days from the date the written complaint was received by the President. A decision on the process to be used to resolve the complaint shall be rendered by the Committee within five (5) working days from the date on which the meeting was convened.

6) Working days are defined as Monday to Friday, excluding statutory holidays.

7) The time limits specified in the complaint procedure may be extended only by written mutual agreement of the parties.

8) If at any step the position to which the complainant submits their complaint is vacant or non-existent, the complainant shall take their complaint to the next step.

NOTE: In the event that the CEO is the immediate supervisor of the complainant, Step 2 shall be omitted and the complaint shall proceed to Step 3.
POLICY:

The Band Office does not condone inappropriate behaviour on the part of its employees, either by act or omission, and will work to correct such behaviours and make favorable change.

PROCEDURES:

1) Prior to any disciplinary action, it is expected that the supervisor will have given specific performance expectations (oral and written) to the employee.

2) Disciplinary action will include the following, reflecting a progressive discipline. Progressive discipline does not preclude the employer from initiating disciplinary action at any step in the progression, nor from repeating disciplinary action at any stage of the progression.

A) Verbal Warning - a verbal statement of warning to an employee by a supervisor.

B) Written Warning - a meeting held between the employee, the supervisor and whomever else is appropriate, to discuss an infraction of the employer's performance standards during which a written notice setting forth the infraction and a statement of the consequences is given to the employee.

C) Decision Making Leave - a leave with regular pay for the purpose of serious consideration of employment commitment. Decision making leave can be for a maximum of two consecutive calendar days at the discretion of the CEO.

D) Suspension - the temporary termination of an employee's work, and wages and benefits, as a disciplinary measure. Suspension may be for up to five working days at the discretion of the CEO.

E) Dismissal - the permanent termination from work of an employee for disciplinary reasons or for just cause.
3) It is the responsibility of the Supervisor to make a full, fair and objective investigation of incidents relating to the violation of performance standards. It is expected that the supervisor will discuss the incident with the staff member whose input is encouraged and welcomed.

4) Prior to any disciplinary action, the Supervisor will make written recommendation to the CEO, or designate, including all relevant documentation.

5) The employee’s past record of employment shall be reviewed prior to a disciplinary decision being made.

6) The CEO has the final responsibility for all disciplinary decisions.

7) The CEO shall be responsible for directing the disciplinary action and ensuring the employee understands the reasons for discipline.

8) Documentation of disciplinary action shall be placed on an employee's personnel file.
CATEGORY: Problem Resolution
NUMBER: 8-60
SUBJECT: HARASSMENT
APPROVED:

POLICY:
Pictou Landing First Nations believes that all employees share the responsibility for ensuring that co-workers and customers are treated with mutual respect and dignity, and are free from any and all forms of harassment. This Band Office will not tolerate any form of harassment by an employee against another employee or customer.

PROCEDURES:

1) Any employee who believes they have been subjected to personal harassment should confront the harasser personally or in writing informing them that the behaviour is unwelcome and that it must stop. If possible, the employee should get another person to witness this action.

2) Any employee subjected to personal harassment should promptly report their complaint using the Complaint Procedure (8-30). If the immediate supervisor is the subject of the complaint, the employee should report the situation to the individual at the next level of authority above their immediate supervisor.

3) Any employee who is witness to, or aware of, harassment committed by an employee against a customer should report the harassment, in accordance with the serious occurrence reporting procedure.

4) The CEO, or his or her designate, will ensure that an immediate and thorough investigation of the complaint is undertaken.

5) If an employee's complaint of harassment is substantiated, disciplinary or corrective action will be taken by the employer against the harasser, up to and including termination of employment.

6) If an employee's complaint is found to be "trivial, frivolous, vexatious, or made in bad faith", disciplinary or corrective action will be taken against the complainant.
DEFINITIONS:

Harassment

Harassment, in general terms, is behaviour that consists of words and/or actions that cause insult or humiliation to another person on the basis of race, ancestry, place of origin, color, ethnic origin, citizenship, creed, age, appearance, record of offences, marital status, family status, disability or handicap, or sex or sexual orientation. Harassment is defined by the Human Rights Code as "a course of vexatious comment or conduct that is or ought reasonably to be known as unwelcome.

Sexual Harassment

This is a form of discrimination based on sex, which is prohibited by the Canadian Human Rights Act. It is any sexually oriented behaviour that: endangers an individual's continued employment, or negatively affects her or his work performance, or undermines her or his personal dignity.

This includes coercive sexual harassment and an abusive work environment. Sexual harassment may occur as a single incident or it may be a series of incidents, innuendoes or threats, which diminish a person's self worth, dignity and self-respect.

Coercive Sexual Harassment

This is any sexual solicitation or advance made by a person who is in a position to grant or deny a benefit to another, when the person making the advance or solicitation knows or ought reasonable to know that such behaviour is unwelcome, or threatening or instituting a reprisal against a person who rejects a sexual advance, when the harasser is in a position to grant or deny a benefit to the person who rejects the sexual advance.

Abusive Work Environment

The situation where an employee is subjected to sexually oriented remarks or behaviour that creates an intimidating, hostile or offensive environment. Elements of an abusive work environment can include:

- Displays or pornographic or offensive pictures to which an employee objects or to which visitors are exposed;
- Unwelcome invitations or requests of a sexual nature;
- Leering or similar gestures;
Verbal abuse or threats;
Practical jokes which may cause awkwardness or embarrassment;
Unwelcome remarks, jokes, innuendo or taunting about a person's body or sex;
Condescension, paternalism or patronizing behaviour, relating to a person's sex, which undermines self-respect;
Unwelcome, unnecessary physical contact such as touching, patting, and pinching.

NOTE: Notwithstanding this policy, any individual has the right to have his or her complaint heard by the Canadian Human Rights Commission.
Holidays, Vacations and Leaves Policies

Bereavement Leave
Leaves of Absence
Parental Leave
Pregnancy Leave
Sick Leave
Special Leave
Storm Days
Medical and Dental Appointments
Statutory Holidays
Vacations
CATEGORY:       Holidays, Vacations and Leaves
NUMBER:          6-40
SUBJECT:          BEREAVEMENT LEAVE
APPROVED:

POLICY:

The Band Office will grant employees leave for bereavement reasons.

PROCEDURES:

1) A permanent full-time employee and a permanent part-time employee will be granted a leave of absence up to a maximum of five (5) calendar days without loss of regular pay immediately following the death of any member of the employee’s immediate family. Immediate family shall include current spouse, son, daughter, sister, brother, father, mother, mother-in-law and father-in-law of the employee. In the case of permanent part-time employees, their pay entitlement while on bereavement leave will be calculated by averaging their pay for the previous four weeks.

2) An additional leave of five (5) calendar days without loss of regular pay immediately following the above leave, may be granted at the discretion of the CEO.

3) A permanent full-time employee will be granted a leave of absence up to a maximum of two (2) calendar days without loss of regular pay to prepare for and attend the funeral following the death of the employee’s grandmother, grandfather, granddaughter, grandson, grandmother-in-law, grandfather-in-law, brother-in-law, sister-in-law.
POLICY:

Leave of absence without pay may be granted at the discretion of the CEO to an employee upon written request for valid personal reasons.

PROCEDURES:

1) If any employee works for pay elsewhere during such leaves of absence without prior written permission from the Band Office, he or she shall be deemed to have resigned his/her employment with the Band Office.

2) The employee shall assume responsibility for full payment of all benefits subsidized by the employer beginning with the next pay period after their leave begins,

3) These leaves will not normally be granted during the summer and Christmas, New Year seasons.

4) The employer shall guarantee the employee employment upon return to work, subject to conditions specified in the Personnel Policies entitled "Termination of Employment" and "Job Security", and subject to the conditions established by the employer in granting a leave of absence.

5) These leaves will not be approved beyond one year in duration.

6) Court Leave:

   A full-time employee who is required to serve on a jury or who is subpoenaed as a Crown Witness or as a witness on any matter arising out of his employment, will be paid the difference between the amount paid for the services (excluding mileage and travel expenses) as a Juror or a Crown Witness, provided he reports for work on any days he is not required to so serve and presents to the employer satisfactory certification showing the period of service and the amount paid for such services. Such leave is not a break in services for calculation of sick credits or other benefits.
This provision does not apply to part-time employees unless they are prescheduled to work on the days that they are required to attend in court.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY: Holidays, Vacations and Leaves
NUMBER: 6-70
SUBJECT: PARENTAL LEAVE
APPROVED:

POLICY:

An employee who has been employed by the Band Office for at least 13 weeks and who is the parent of a child is entitled to a leave of absence without pay following the birth of the child or the coming of the child into the custody, care and control of a parent for the first time in accordance with the Employment Standards Act.

PROCEDURES:

1) Parent includes a person with whom a child is placed for adoption and a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own.

2) If an employee becomes a new parent, they can take a parental leave of:
   ● Up to 35 weeks if they also took a pregnancy leave; or
   ● Up to 37 weeks if they did not take a pregnancy leave.

3) To allow the Band Office sufficient time to arrange replacement staffing, an employee who is planning a parental leave is requested to advise the Band Office as far in advance as possible.

4) At least four weeks prior to the commencement of the leave, an employee is to give written notification of their requested leave together with the expected date of return.

5) The Band Office continues to pay its share of the premiums for the employee’s subsidized benefits for the duration of the leave, unless the employee elects, in writing, not to continue to pay their contribution. The employee is required to provide payment of their contribution on a monthly basis.

6) While on parental leave:
   ● Seniority continues to accrue for the duration of the leave based on the employee's regular hours of work.
• An employee’s anniversary date remains the same.

• No vacation dollars are accrued.

7) At least two weeks prior to the end of the originally approved leave, the employee is to provide written notification to the Band Office reconfirming their intention to return to work.

8) Subject to changes in status, which would have occurred had the employee not been on parental leave, the employee will be reinstated to comparable duties at the same rate of pay.
CATEGORY: Holidays, Vacations and Leaves
NUMBER: 6-60
SUBJECT: PREGNANCY LEAVE
APPROVED:

POLICY:

A pregnant employee who started employment with the Band Office at least 13 weeks before the expected birth date is entitled to a leave of absence without pay in accordance with the Employment Standards Act.

PROCEDURES:

1) Pregnancy leave is for a maximum of 17 weeks.

2) To allow the Band Office sufficient time to arrange replacement staffing, an employee who is planning a pregnancy leave is requested to advise the Band Office as far in advance as possible.

3) At least two weeks prior to the commencement of the leave, an employee is to give written notification of their requested leave with the expected date of return. At this time the employee may be requested to provide the Band Office with a doctor’s certificate verifying pregnancy and expected date of delivery.

4) The Band Office continues to pay its share of the premiums for the employee’s subsidized benefits for the duration of the leave, unless the employee elects, in writing, not to continue to pay their contribution. The employee is required to provide payment of their contribution on a monthly basis.

5) While on pregnancy leave:

- Seniority continues to accrue for the duration of the leave based on the employee’s
- Regular hours of work.
- An employee’s anniversary date remains the same.
- No vacation dollars are accrued.
6) At least two weeks prior to the end of the originally approved leave, the employee is to provide written notification to the Band Office reconfirming their intention to return to work.

7) Subject to changes in status, which would have occurred had the employee not been on pregnancy leave, the employee will be reinstated to comparable duties at the same rate of pay.
POLICY:

The Band Office will provide sick leave credits for the sole and exclusive purpose of protecting employees against loss of income during periods of legitimate illness. Additionally, it serves to protect the health and well being of other employees while in the workplace.

PROCEDURES:

1) At the beginning of each fiscal year (April 1) full-time employees are allocated with 105 hours of sick time credits to be paid at 100% of their normal earnings. New full-time employees will be allocated sick time credits from their first month of work, at a rate of 8.75 hours per month, again paid out at 100% of their normal earnings. New full-time employees cannot use sick time credits during their first month of employment. Teachers will be allocated sick time credits at a rate of 8.75 hours per month, for 10 months, again paid out at 100% of their normal earnings.

2) Sick time can be taken as required, but after three consecutive days of absence due to illness, a medical certificate can be requested. It is the employee's responsibility to supply the Band Office with appropriate documentation. Any costs for documentation shall be the employee's responsibility. The Band Office can also request proof of fitness to return to work.

3) Employees must report their absence, due to illness, to their Supervisor at the earliest opportunity, but no later than 30 minutes into their workday. Shift employees must report their absence to their supervisor prior to their scheduled shift. Failure to report absence due to illness within 30 minutes of the beginning of the workday will result in the absent time being charged as time off without pay, or vacation days, at the supervisor's discretion.

4) Sick time cannot be carried over from one fiscal year to the next.

5) A statutory or other declared holiday falling within the sick leave period shall not be charged against the sick leave.
6) It is the responsibility of the Supervisor to ensure an employee is not paid if he has used up his sick time credits. As well, it is the Supervisor's responsibility to ensure that the use of sick time credits is reported to the payroll department.

7) When an employee's illness continues beyond their sick time credits, the sequence shall be as follows:

- The employee uses up all sick time credits;

The employee is placed on a Leave of Absence without pay, is issued a Record of Employment, and may apply for Unemployment Insurance Sick Benefits.
- The employee would make application for long-term disability coverage through the benefit plan of the Band Office.

8) In the case of longer absences, the employee must keep his/her supervisor informed at two (2) week intervals of his/her progress and expected date of return to work. Employees are expected to notify their supervisor as early as possible of their expected date of return to work.

9) If an employee works for pay elsewhere during a sick leave without prior written permission from the Band Office, he or she shall be deemed to have resigned their employment with the Band Office.

10) All on the job accidents must be reported to an employee's immediate supervisor as soon as possible following the occurrence. An accident report and claim form must be filed with the Worker's Safety and Insurance Council within twenty-four (24) hours. The Band Office must pay an injured employee's full wages for the day of the accident, but does not continue to pay the employee while he/she is awaiting a Workplace Safety and Insurance Council award. The Band Office will advance payment to an employee and WSIB will be directed to reimburse the employer.
CATEGORY: Holidays, Vacations and Leaves  
NUMBER: 6-80  
SUBJECT: SPECIAL LEAVE  
APPROVED:  

POLICY:  

The Band Office recognizes that from time to time personal and family circumstances may require employees to be absent from work.  

PROCEDURES:  

1) At the discretion of the CEO, full-time employees may be granted up to a maximum of (3) three paid days per year to be used for the purposes of family illness or other obligations of a serious nature.  

2) These leaves will be applied for through the supervisor with stated reasons and details.  

3) These leaves shall not be carried forward from year to year.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY: Holidays, Vacations and Leaves
NUMBER: 
SUBJECT: Storm Days
APPROVED

POLICY:

The office shall remain open, if possible, during adverse weather conditions. Employees are expected to make all practical efforts to report for work, or be available during normal office hours.

PROCEDURE:

1) In the event that an Employee cannot report for work, they shall inform the office as soon as possible. The Employee will ensure that they remain at an easily reached telephone for the remainder of normal working hours.

2) When the office is closed due to adverse weather conditions, full time employees will be paid, and permanent part-time employees scheduled to work will be paid for the hours they were scheduled to work.

3) When the office remains open during adverse weather conditions, employees not at work may be required to take a vacation day, at the discretion of the CEO.
Pictou Landing First Nations Human Resource Policy and Procedures

CATEGORY:      Holidays, Vacations and Leaves
NUMBER:       
SUBJECT:          Medical and Dental Appointments
APPROVED

POLICY:

A supervisor may, subject to operational requirements, grant an Employee time off for medical or dental appointments.

PROCEDURE:

1) Whenever possible, Employees should arrange medical and dental appointments on their non-working day, or outside normal working hours.

2) The Employee should request time off when needed as far in advance as possible.

3) The employee’s pay will be deducted when a medical or dental appointment exceeds 2 hours. If appointments are expected to exceed 2 hours, employees can schedule a vacation or sick day, at their discretion.

4) It is at the discretion of the Supervisor to require proof of a medical or dental appointment.

5) Employee’s wishing to give blood to a designated donor service may be excused from work for two (2) hours.
CATEGORY: Holidays, Vacations and Leaves
NUMBER: 6-20
SUBJECT: STATUTORY HOLIDAYS
APPROVED:

POLICY:

Employees who qualify for statutory holiday pay shall receive holidays with pay as per the following procedures.

PROCEDURES:

1) Permanent full-time employees who qualify for statutory holiday pay, shall receive the following statutory holidays with pay:

- New Year's Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- Civic Holiday (1st Monday in August)
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day
- Mi'kmaq Holidays as set out by Chief and Council

2) Part-time employees who qualify for statutory holiday pay, shall receive the following statutory holidays with "averaged" holiday pay:

- New Year's Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- Civic Holiday (1st Monday in August)
- Labour Day
- Thanksgiving Day
- Remembrance Day

- Christmas Day
- Boxing Day
Mi'kmaq Holidays as set out by Chief and Council

3) Contract employees, and supply/call in employees who qualify for statutory holiday pay, shall receive the following statutory holidays with holiday pay as specified in Employment Standards Act:

New Year’s Day
Good Friday
Victoria Day
Canada Day
Labour Day
Thanksgiving Day
Christmas Day
Boxing Day

4) In order to qualify for statutory holiday pay, an employee must fulfil the conditions specified in the Employment Standards Act.

5) When a statutory holiday falls on a Saturday or Sunday the Band Office will observe the holiday on the following Monday or on a day which is in keeping with the general practice of the community.

6) If one of the above named holidays occurs during an employee’s vacation period it is not counted as a vacation day.

7) An employee on a leave of absence without pay, on Workplace Safety and Insurance Council (WSIB) benefits, or on Long Term Disability at the time of the holiday, is not eligible for statutory holiday pay.

8) An employee has the right to request a substitution of a statutory holiday in order to observe religious holidays of his/her faith.

9) A statutory holiday in lieu of a paid holiday must be taken within 30 days of the designated paid holiday, unless the supervisor has granted prior approval.
CATEGORY: Holidays, Vacations and Leaves
NUMBER: 6-20
SUBJECT: VACATIONS
APPROVED:

POLICY:

Pictou Landing First Nations recognizes the necessity for employees to have vacation, with pay, from the workplace for the purpose of rest and relaxation.

PROCEDURES:

1) All employees receive paid vacation. The amount earned and method of payment differs for permanent full-time, contract and part-time positions.

2) The vacation entitlement for permanent full-time staff with:
   a) Between 1 and 5 years employment is 10 days
   b) Between 6 and 10 years employment is 15 days
   c) Between 11 and 25 years employment is 20 days
   d) Over 25 years employment is 30 days

3) The vacation entitlement for the permanent full-time CEO shall be as determined by the Chief and Council, and will not be less than the Permanent full time staff receive.

4) The vacation entitlement for part-time contract employees with:
   a) Less than 12 months employment is 4%
   b) Between 1 and 5 years employment is 4%
   c) Between 6 and 10 years employment is 6%
   d) Between 11 and 25 years employment is 8% and
   e) Over 25 years is 10%
5) For the purpose of calculating vacation entitlement for permanent part-time and contract employees, one year of service shall be 1950 hours.

6) The vacation entitlement for call-in/supply employees shall be 4% of gross earnings.

7) The Band Office reserves the right to determine the time when an employee shall take vacation. Subject to this, the Band Office will endeavor to meet the wishes of individual employees. Conflicts between employees shall be resolved on the basis of seniority.

8) The Band Office shall have the right to limit employee vacation leave to fifteen consecutive working days in the months of July and August each year, and to ten days in the last two weeks of July or the first two weeks of August, when necessary, to afford other employees the opportunity for vacation during the summer months and the prime summer vacation period.

9) Requests for vacation shall be in writing to an employee's supervisor, at least twenty-one (21) days in advance of the leave.

14) Payment for unused vacation dollars will not be made except upon termination of employment.

15) Part-time and contract employees will have their vacation benefit paid each regular pay period.

16) Once an employee has commenced vacation, they cannot claim for sick leave, compassionate leave, or other circumstances occurring within their vacation period. Sick leave can only be substituted for vacation leave where it can be established that an illness of injury necessitated admission to the hospital. Following discharge from the hospital, if certified by a doctor, sick leave may be further substituted for up to five additional prescheduled vacation days. The affected vacation days may be rescheduled to a later date.

17) New permanent full-time employees accrue vacation dollars from the date on which they are hired.

18) Vacation entitlement changes occur on an employee's anniversary date.

19) If at April 1st of any year, a permanent full-time employee has accrued less than 10 days of paid vacation, the Band Office will authorize the appropriate number of days of unpaid leave to ensure 10 days of vacation during that fiscal year. Staffs who have earned vacation will be given precedent when
booking these days. A minimum of five days of unpaid leave must be used consecutively.
Change of Status, Termination and Retirement Policies

Resignation
Retirement
Termination
POLICY:

The Band Office has the expectation that employees resigning as staff of the Band Office shall do so in a manner that allows for the smooth operation of the services and supports of the Band Office.

PROCEDURES:

1) An employee resigning from the Band Office staff shall so advise the supervisor concerned in writing.

2) A reasonable period of notice shall be expected, taking into account the responsibility involved in the position, as follows:
   a) 3 months for the CEO
   b) 4 weeks for management staff
   c) 2 weeks for all other staff

3) All employees who resign will be given the option of an exit interview.
CATEGORY: Change of Status, Termination and Retirement

NUMBER: 7-20

SUBJECT: RETIREMENT

APPROVED:

POLICY:

The normal date of retirement for all regular Band Office employees shall be the end of the month in which the employee reaches their 65th birthday.

PROCEDURES:

1. Nine months notice shall be given to employees of retirement age in order for them to prepare for the Canada Pension Plan benefits.

2. An employee may request an extension to the date of retirement in writing to the CEO sixty (60) days prior to their sixty-fifth (65th) birthday. No extension of employment shall exceed one year.
CATEGORY: Change of Status, Termination and Retirement
NUMBER: 7-10
SUBJECT: TERMINATION OF EMPLOYMENT
APPROVED:

POLICY:

In certain circumstances, the employment of an employee may need to be terminated and such action shall be undertaken in accordance with the following procedures.

PROCEDURES:

General

Notice or pay in lieu of notice shall be provided consistent with the Canada Labour Standards Regulation.

Probationary Period

During the six month probationary period termination of employment by either the Band Office or the employee may be made without notice.

Reorganization

In the event of reduction in the work force due to reduced funding, program changes, organizational restructuring, or other changes, the policy pertaining to Job Security (5-30) shall be followed.

Just Cause

The Band Office may terminate an employee without notice or payment in lieu thereof for just cause. Such terminations shall involve the CEO.

Notice of Termination

1) Employees will be notified of their termination as per the Canada Labour Standards Regulation.
2) If the Band Office terminates an employee without notice, the Band Office may provide pay in lieu of notice and maintain benefits. Full vacation pay entitlement will be paid to the employee.

3) The Band Office is not required to give notice to the employee if:

- The employee was hired for a specified term or task that is a prearranged period of time or a specified unit of work that does not exceed 12 months.

- An employee is only "temporarily laid off" as per the Canada Labour Standards Regulation.

- An employee is being terminated for cause.

- The work agreement is impossible or frustrated by a fortuitous or unforeseeable event of circumstances, as in fire or flood, but not insolvency or bankruptcy.

- An employee has refused reasonable alternative work.