

INDEPENDENT LIVING NOVA SCOTIA ASSOCIATION
HALIFAX REGIONAL MUNICIPALITY

Human Resources Policy
Approved by Board of Directors, Oct. 22, 2008

Revised and approved by board of directors:

Supersedes personnel policy, MRCIL, not dated, c. 1995, and ILRC Human Resources Policy, 2006

Relates to Board Policy 4.3.2

Interpretation: Provisions of this policy may extend, but do not conflict with, relevant federal and provincial legislation such as Canada's Employment Equity Act, and the Nova Scotia Labour Standards Code. If any provisions of this policy are found to conflict with federal or provincial legislation, that legislation shall have pre-eminence.

1. Mission and goals

See Board Policy Manual, sections 1.1 and 1.2.

2. Governance

Since 2002, Independent Living Nova Scotia Association (ILNSA) has followed the policy governance model. The board of directors adopts policies and monitors their implementation. The board hires an executive director who, in turn, hires employees to fulfill the organization's mission by achieving its goals.

3. Staff complement

3.1 Executive Director

As noted in policy 3.3.1, the board hires an executive director (ED) who is accountable to the board "for actions of the staff in the performance of their duties." The board sets the salary of the ED, and reviews his/her performance. See policies 3.3, 3.4, 3.5 for more information.

3.2 Other positions

Staffing at ILNSA depends in large part upon funds available from projects and grants.

3.3 Job descriptions

The ED sets and maintains job descriptions for all employees at ILNSA. Employees receive a job description when they are hired. The ED reviews job descriptions with employees as part of their regular performance reviews. See performance management program attached as Schedule A.

3.4 Salary levels

The ED sets a salary level for each position, based on approved funding for that position. A position continues only while funding is available for the position.

4. Hiring

4.1 General principles

ILNSA is an equal opportunity employer. Candidates for all positions are considered on merit. General criteria for hiring and promotion include education and training, experience, performance skills, life experience with a disability and knowledge of disability issues.

4.2 Hiring of ED

The Board of Directors recruits candidates and hires the ED. The board is responsible for setting the job description, determining selection criteria, posting and advertising the position, selecting candidates for interviews, conducting interviews, and offering the position to the preferred candidate.

4.3 Hiring for other positions

The ED is responsible for recruiting and hiring of all paid staff. When available, program and project co-ordinators recruit and interview candidates for other positions within their programs or projects, and bring a recommendation for hiring to the ED. The ED reports the hiring of employees to the Board of Directors.

4.4 Terms of employment

The ED provides each new employee with an offer of employment. The offer contains this information: position title, job description, salary, start date and end date if applicable, and information on benefits. The new employee also receives a copy of the Human Resources policy and employee orientation handbook. The employee shows acceptance of employment by signing the offer.

4.5 Internal postings

New positions are posted internally before being advertised publicly.

4.6 Hiring conflict

No member of the Board of Directors or staff shall participate in the hiring of any direct relative. In this context, direct relative includes partner/spouse, siblings, uncles, aunts, cousins, nieces/nephews, parents, children and in-laws. If a direct relative of a board or staff member applies for a position, the board or staff member affected will declare a conflict of interest and withdraw from the hiring process.

4.7 Criminal Record Search

Potential employees will be required to submit a completed criminal record search before they are hired. This requirement will be noted in the job posting. If a potential employee has a criminal record, it will be left to the discretion of the Executive Director to determine whether or not the person will be hired.

5. Privacy and confidentiality

5.1 Policy

See Privacy Policy (Board Policy Manual A4.2.1).

5.2 Oath of confidentiality

Employees sign an oath of confidentiality before they are hired.

5.2 Files

All employee files and records are confidential. Employees may see their own employment files.

5.3 Organizational confidentiality

The Board of Directors is responsible for issuing public statements on behalf of ILNSA, through delegation to the board chairperson(s), ED or other spokesperson(s). Staff members shall confer with the ED before making public statements on behalf of the organization.

6. Conflict of interest

6.1 Employee conflicts

Employees may not engage in any practices which could be interpreted as a conflict of interest to ILNSA and its consumers. Such conflicts include financial practices such as purchasing materials or services from oneself or a direct relative.

6.2 Consulting

While working for ILNSA employees may not take on independent consulting work that competes with or conflicts with programs at ILNSA.

7. Employee definitions

7.1 Exclusions

For the purposes of these definitions, paid participants in ILNSA programs are not considered employees.

7.2 Permanent employees are those employees who are working for a duration of ten (10) months or more, including those working on the basis of grants or projects, and who have been explicitly hired on this basis. Permanent employees can be either full-time or part-time.

7.3 Short-term employees are hired for less than ten (10) months.

7.4 Full-time employees are permanent employees who are scheduled to work or who regularly work 24 hours a week or more.

7.5 Part-time employees are permanent employees who are scheduled to work or who regularly work less than 24 hours a week.

7.6 Supervisors: program or project co-ordinators who may directly supervise other employees who work in their programs or projects.

7.7 Volunteers are not paid for their contribution to ILNSA.
See Volunteer Policy (Board Policy Manual, A1.2.2b).

8. Probationary period

All employees are on probation for the first three months of employment. At the end of the probationary period, the ED or supervisor will conduct an initial employee performance review. If the employee's performance is unsatisfactory, the employee's probationary period may be extended, or his/her employment may be terminated.

9. Work hours

9.1 Flexible work hours

Most employees of ILNSA work flexible hours. Flexible working hours enable the employees to meet the demands of their job which may include attending meetings and events outside regular business hours.

9.2 Work outside regular business hours

Work outside regular business hours should be approved in advance by the ED or immediate supervisor.

9.3 Lieu time

Employees may take paid equal time off in lieu of time worked outside regular business hours. Employees may need to negotiate lieu time with their colleagues to make sure essential services continue.

9.4 Statutory Holidays

Statutory holidays are provided in accordance with the Nova Scotia Labour Standards Code. See www.gov.ns.ca/legislature/legc/statutes/labourst.htm. The Executive Director may grant staff additional paid days off when ILNSA locations are closed in accordance with the policies of the location owners.

10. The work environment

10.1 Emergency evacuation

Emergency evacuation procedures are posted at ILNSA locations, and can be provided in alternate formats. Employees should report any potential dangers to the ED, the occupational health and safety representative and/or to building management or security.

10.2 Occupational health and safety

See Occupational Health and Safety Policy (Board Policy Manual A4.3.2).

10.3 Smoking

Smoking is not permitted in ILNS workplaces in accordance with provincial law. See Smoke-free Places Regulations: www.gov.ns.ca/just/regulations/regs/sfpregs.htm.

10.4 Profane language

Employees may not use language that is profane or disrespectful to others while engaged in their

work for ILNSA.

10. 5 Storm days

ILNSA may close if weather conditions make work or travel unsafe. Employees are paid for storm days.

10.6 Alcohol and drugs

Employees may not be under the influence of alcohol or prohibited drugs during ILNSA work time.

10. 7 Scents

ILNSA provides scent-free workplaces.

10.8 Gambling and pornography

Employees may not use ILNSA computers or other property for gambling or viewing pornography. Violation of this policy will be treated as a serious occurrence with applicable penalties, which may include dismissal.

10.9 Dress code

Employees of ILNSA normally dress in the style described as “business casual”. Employees are expected to dress appropriately for ILNSA events, whether formal or informal.

11. Benefits

11.1 Mandatory federal and provincial benefits

ILNSA will participate in all mandatory federal and provincial employee benefit plans such as Canada Pension, Employment Insurance, and Workers’ Compensation.

11.2 Employee benefits

Permanent full-time employees shall participate in the employee benefit plan. The mandatory components of the plan are Life Insurance and Accidental Death and Dismemberment, and Extended Health and Dental Insurance. ILNSA pays the full cost of these mandatory benefits. If they have similar coverage through their spouses’ benefit plans, employees may opt out of the Extended Health and Dental Insurance, and shall sign a waiver to this effect to be placed in their personnel files. ILNSA also provides a Registered Retirement Savings Plan (RRSP), and matches the employee’s RRSP contribution of up to \$500/year.

12. Vacations

12.1 Vacation entitlement

Employees accrue (build up) and take their vacations each employment year. The employment year begins on their hiring date; each new year begins on the anniversary of their hiring. Vacation time cannot be carried from one year to the next without permission from the ED. Employees should give the ED their vacation requests at least two weeks in advance. The ED is responsible for approving vacation requests.

12.2 Permanent employees

Permanent employees accrue vacation at the following rates:

0 - 5 years of employment: 1.25 days/completed month of work

5 + years of employment: 1.66 days/completed month of work

Permanent employees cannot waive their vacation days.

12.3 Short-term and part-time employees

Short-term and part-time employees accrue vacation pay at the rate of 4% of their regular pay. Vacation pay will be paid out at the time employment is terminated, or may be added to each regular pay. If short-term and part-time employees wish to take vacation time, they can apply to the ED for special leave without pay.

13. Sick leave

13.1 Sick leave is time off scheduled work because of an employee's illness or injury which causes an employee to be unable to perform his or her regular job duties. It also includes unavoidable absence because of medical and dental appointments, or absence because of exposure to a contagious disease which may jeopardize the health of others.

13.2 Employees should not attempt to come to work when they are sick.

13.3 Employees earn sick days at the rate of 1.5 days/month worked. Statutory holidays are considered "worked time" for this calculation.

13.4 If an illness goes beyond the amount of sick time earned, vacation time may be used without a loss in pay.

13.5 When absent from work because of illness, the employee must notify the ED or supervisor by phone on the first day of absence due to illness. If absent more than three consecutive days, employees may be required to provide the Centre with a note of illness from a doctor in order to receive sick leave. Being absent from the Centre for more than three days without notifying the Centre will result in disciplinary action.

13.6 Upon termination of employment, employees will not be paid for unused sick time. Unused sick time may not be used to extend vacations, and cannot be carried over to the following employment year.

13.7 Medical appointments

Employees should make every attempt to schedule medical appointments outside their work hours. If this is not possible, employees should notify the ED or supervisor, providing as much notice as possible. Medical appointments longer than ½ day are considered sick leave.

14. Leaves of absence

14.1 Pregnancy and parental leave

Pregnancy and parental leaves are provided according to the Nova Scotia Labour Standards Code. See www.gov.ns.ca/legislature/legc/statutes/labourst.htm

14.2 Bereavement leave

Up to one week leave with pay may be allowed in the case of the death or serious illness of a member of the employee's immediate family. Arrangement for this leave will be made with the ED. Immediate family includes partner/spouse, children, parents, or siblings. In other situations, the Centre follows provisions of the Nova Scotia Labour Standards Code.

14.3 Personal leave

Regular employees may take up to three paid days/year for personal reasons. Employees should apply in writing to the ED for these personal leave days. Personal leave is pro-rated for short-term and part-time employees. Unused personal leave time may not be used to extend vacations, and cannot be carried over to the following employment year.

14.4 Occupational health and safety representative

The occupational health and safety representative may take paid time off work to deal with his/her responsibilities as determined by the organization's Occupational Health and Safety Policy and Occupational Health and Safety Program.

14.5 Educational leave

Educational leave without pay may be granted by the ED. ILNSA may pay tuition or registration fees for suitable educational or training opportunities when those opportunities will directly benefit the current or future planned programs of the organization.

14.6 Court leave

Employees can take unpaid leave if they must serve on a jury, or the court says that they must appear as a witness. Employees must give the ED as much notice as they can that they will take court leave.

14.7 Other unpaid leave

Leaves of absence without pay may be granted by the ED if circumstances warrant, and as provided for in the NS Labour Standards Code; for example, because of family crisis or disability-related training such as getting a new service dog. The ED will consider the employee's work record, the needs of the Centre, and the availability of other staff. Requests for unpaid leave should be made to the ED in writing and should indicate the reason for absence. If the employee does not return on the date specified, his/her employment may be terminated.

15. Transportation and job expenses

Employees will be reimbursed for bus and taxi expenses incurred in the performance of their jobs when approved by the ED or supervisor. Mileage for job-related travel by car shall be paid at a rate determined annually by the ED. Mileage incurred to and from the workplace shall not be paid, except for travel to work at odd times and places outside the Centre.

16. Wage and salary administration

16.1 Employees are paid every two weeks by cheque or direct bank deposit.

17. Employee performance review

17.1 See the performance management program attached as Schedule A.

17.2 The employee performance review is attached as Schedule B.

17.3 The Board of Directors conducts an annual performance review of the ED.

18. Sexual harassment

18.1 Definitions

As defined in the Canada Labour Code, sexual harassment is “any conduct, comment, gesture or contact of a sexual nature

(a) that is likely to cause offence or humiliation to any employee; or

(b) that might, on reasonable grounds, be perceived by the employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.”

For the purposes of this policy, this section includes volunteers and program participants well as paid employees.

See <http://laws.justice.gc.ca/en/1-2/18066.html>.

18.2 Employer’s obligation

ILNSA recognizes that every employee is entitled to employment free of sexual harassment. The employer will make every reasonable effort to ensure that no employee is subjected to sexual harassment, and will take such disciplinary measures as deemed appropriate against the perpetrator. The ILRC will not disclose the name of the complainant or the circumstances related to the complaint to any person except where disclosure is necessary for the purpose of investigating the complaint or taking necessary disciplinary measures.

18.3 Complaints of sexual harassment

Any employee who believes she/he is being sexually harassed should raise her/his concern with the ED. If the incident involves the ED, the complaint should be addressed to the board chairperson(s). The ED/chairperson is responsible for documenting and investigating the incident or situation and must advise the Board of directors of the situation. The ED/chairperson must deal with the complaint in an expedient manner. The alleged victim will be given information about and access to all reasonable remedies and professional support, when such support is deemed fitting by the alleged victim and/or the ED/chairperson.

18.4 Resolution of complaint

If the allegation of sexual harassment has been substantiated, the perpetrator will be subject to disciplinary action which could include dismissal. Complainants are advised that the Canadian Human Rights Act enables persons to seek redress under that Act in respect of sexual harassment. See <http://laws.justice.gc.ca/en/H-6/31435.html>.

18.5 Counselling (this section approved on an interim basis):

ILNSA will offer counselling through the Family Service Association to employees who have been subjected to sexual and other forms of harassment, to abuse, and to violence or threats of

violence in the workplace. Costs of counselling will be covered by ILNSA in accordance with a memorandum of agreement signed with the Family Service Association.

19. Other forms of harassment or abuse

19.1 General

ILNSA recognizes that all employees can expect to be treated fairly in the workplace in an environment free of discrimination, harassment or abuse. ILNSA does not tolerate any behaviour which denies individuals their dignity and respect by being offensive, embarrassing or humiliating. Harassment or abuse of another employee, volunteer or consumer while they are carrying out their duties or participating in a program, constitutes a violation of this policy and will be treated as a serious occurrence with applicable penalties, which may include dismissal. This policy also applies to volunteers and program participants, as well as to paid employees.

19.2 Complaints of harassment or abuse

Complaints are dealt with in the same manner as complaints of sexual harassment. See 18.3 above.

20. Grievances

See Grievance Policy , Board Policy Manual 4.2.7.

21. Disability-related accommodations

21.1 Employee responsibility

Employees are responsible for advising the ED or their supervisor of their disability-related accommodation needs at the time of hiring, or as soon as their needs change.

21.2 Obligation

ILNSA will take all reasonable steps to provide disability-related accommodations so that all employees can perform their duties, without causing ILNSA undue hardship. ILNSA will make sure disability-related accommodations are included in all project budgets.

21.3 Disability-related accommodations may include, but are not restricted to, these provisions:

- modifications to work stations, entrances, exits and wash rooms
- restructuring of job descriptions
- providing materials in alternate formats
- flexible work hours and locations
- note-takers and interpreters for the Deaf or for persons who do not communicate orally

22. Discipline

22.1 Progressive discipline

The first and second serious breaches of this policy will result in written reprimands placed in the employee's file. The third breach will result in suspension, and the fourth in dismissal.

22.2 Immediate dismissal

Immediate dismissal may be applied if the employee's actions are perceived to be so dangerous, harmful or inappropriate that the employee must leave employment at once. Grounds for

immediate dismissal may include, but are not limited to

- gross misconduct or inappropriate behaviour
- theft of property or misuse of funds, equipment or materials
- illegal, violent or unsafe acts
- abuse or mistreatment of colleagues, volunteers or consumers
- falsification of qualifications

23. Termination and resignation

23.1 Termination for cause.

See 22.2 above.

23.2 Termination because of project closure or loss of funds

The ED may terminate an employee's position because of project closure, or if ILNSA loses project funding for that position. In accordance with the Nova Scotia Labour Standards Code, the ED will give the employee two weeks' written notice of termination.

Schedule A: Performance Management Program; Schedule B: Employee Performance Review