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SECTION 1.0

INTRODUCTION

SECTION 1.0 – INTRODUCTION

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SECTION 1.0 – INTRODUCTION

1.1 Scope and Purpose

The Personnel Policy and Procedures Manual is a reference guide for staff and management to ensure understanding of the KDFN Government's philosophy and approach to the human resource management. The Personnel Policy and Procedure Manual applies to all KDFN employees.

Policies and procedures protect the rights of all employees, and ensure that everyone is treated equally, consistently and fairly - collectively, the policies speak to the kind of workplace we have at KDFN, and how we treat our valued employees.

Each policy is designed to provide staff and management with the information they need to understand KDFN's approach to various human resources issues. A policy will typically contain information about its purpose, how it affects staff, and the roles and responsibilities of everyone (Human Resources, managers, directors, staff) in working within it.

The policies detail KDFN's position on and approach to a particular human resources issue. These positions are based on Canadian labour law and generally accepted practices standard in most Canadian workplaces. A procedure talks speaks to *how* a particular policy will be implemented.

1.2 Development and Approval

In accordance with the Constitution, every policy and procedure is approved by Council. Normally this is done based on options recommendations provided by the Executive Director and Human Resources.

1.3 Amendment

Where a conflict is identified between the Personnel Policy and Procedures and a law of KDFN, the law will prevail. The *Canadian Human Rights Code* takes precedent over all KDFN statutes and policies.

The Personnel Policy and Procedures is in compliance with the *Canada Labour Code* and *Canada Labour Standards Regulations*, identifying legal requirements. Changes to the *Canada Labour Code* that result in making any portion of the KDFN's policies non-compliant, KDFN will abide by the provisions of the *Canada Labour Code* until the Personnel Policy and Procedures have been amended.

Policies and procedures will, at times, require changes or additions to be made to better reflect the needs of KDFN. Policy is a guideline, and is not intended to address every possible situation.

SECTION 1.0 – INTRODUCTION

1.4 Interpretation and Application

The management and interpretation of the Personnel Policy and Procedures Manual is the responsibility of the Executive Director and Human Resources unit.

KDFN directors, managers and supervisors are responsible for ensuring departmental staff conduct themselves consistent with the Personnel Policies and Procedures and consult with Human Resources when its interpretation or application is unclear.

1.5 Dispute Resolution

The Personnel Policy and Procedures will be clear and binding until revised. In cases of disputes, the supervisor is the first, department director is the second and the Human Resources Manager is the third and final level of interpreters of the provisions contained in this manual unless a provision is derived from a law other than a law enacted by KDFN. In cases where the dispute has not be satisfactorily resolved through the steps outlined, an appeal may be made to the Judicial Council.

1.6 Safekeeping

The original copy of the Personnel Policy and Procedures, as approved by the Council, and all subsequent amendments and revisions will be kept, for safekeeping, in the KDFN Register of Laws.

1.7 Distribution and Access

The Personnel Policy and Procedures is available to all staff. Copies will be provided upon hire and additional copies are available in the Human Resources unit.

New or changes to existing policies will be provided to all staff and policy manuals will be updated accordingly.

1.8 KDFN's Philosophy Statement

KDFN is committed to providing working conditions, wages and benefits that are competitive. KDFN believes that clear communication is the most effective tool in good governance. KDFN is committed to providing citizens with programs and services that meet the needs of the community and providing its employees with a safe and healthy work environment in which to develop, implement and deliver programs and services to citizens.

SECTION 1.0 – INTRODUCTION

1.9 Executive Director(s) and Senior Management – Philosophy Statement

The Executive Director(s) and senior management team are committed to achieving their goals and objectives through the development and delivery of programs and services that meet the needs of the citizens and ensuring employees have a safe and healthy workplace, clear direction and the support required to achieve those goals.

The Executive Director(s) and senior management team are committed to ensuring employees are treated fairly and ensuring the Personnel Policy and Procedures Manual will be consistently applied to ensure fairness and transparency.

Policy Effective Date:
Policy Last Amended:

SECTION 2.0

DEFINITIONS AND ABBREVIATIONS

SECTION 2.0 – DEFINITIONS AND ABBREVIATIONS

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SECTION 2.0 – DEFINITIONS AND ABBREVIATIONS

2.1 General Definitions

The definitions in this section are general definitions that apply to the Personnel Policy and Procedures. Specific definitions that apply to a specific policy are set out at the beginning of that policy.

In this policy:

"Chief" has the same meaning as assigned to it by paragraph 67(1)(c) of the Constitution;

"Citizen" has the same meaning as assigned to it by paragraph 67(1)(g) of the Constitution;

"Constitution" means the Constitution of the Kwanlin Dün First Nation;

"Council" has the same meaning as assigned to it by paragraph 67(1)(k) the Constitution;

"Councilor" means the member elected to the Council pursuant to subparagraph 39(1)(a)(ii) of the Constitution;

"Executive Director" means an employee who leads and directs the activities of the organization and supervises the departmental directors;

"Department Director" means an employee whose primary responsibilities are to oversee a department or division and has financial and supervisory responsibilities, including the authority to recommend to Human Resources the hiring or release of employees supervised. Department directors typically have knowledge of the legal and regulatory measures, specific to their area of responsibility, that affect KDFN and are responsible for keeping the Executive Director and Human Resources unit updated and involved in matters of importance to KDFN;

"Manager" means an employee that manages a unit within a department, has supervisory responsibilities and may have financial management responsibilities;

"Supervisor" means an employee who has the responsibility and is the designated authority to monitor, evaluate and support one or more employees on a regular or on-going basis;

"Employee" means any person with a valid employment contract with KDFN recognized under the laws of general application. For greater certainty, throughout the Personnel Policy and Procedures the term "employee" will mean both management and non-management entities unless indicated otherwise;

"Employer" means Kwanlin Dun First Nation Government;

SECTION 2.0 – DEFINITIONS AND ABBREVIATIONS

2.1 General Definitions continued

"Final Agreement" has the same meaning as assigned to it by paragraph 67(1)(o) of the Constitution;

"General Assembly" has the same meaning as assigned to it by paragraph 67(1)(n) of the Constitution;

"Human Resources and Occupational Health & Safety Unit" means the Human Resources and Occupational Health & Safety unit established by KDFN;

"Immediate family", in accordance with the *Canada Labour Code*, means an employees':

a. spouse or common-law partner,
b. father and mother and the spouse or common-law partner of the father or mother,
c. children and the children of the employee's spouse or common-law partner,
d. grandchildren,
e. brothers and sisters,
f. grandfather and grandmother,
g. father and mother of the spouse or common-law partner of the employee and the spouse or common-law partner of the father or mother,
h. any relative of the employee who resides permanently with the employee or with whom the employee permanently resides, and
i. children under the care and custody of an employee.

"Common-law partner" means a person who has been cohabiting with an individual in a conjugal relationship for at least one year, or who had cohabiting with the individual for at least one year immediately before the individual's death;

"Laws of general application" has the same meaning as assigned to it by the Final Agreement;

"Legal and regulatory measures" means the treaties, laws, regulations, procedures, resolutions, motions, policies and any other measures entered into or made by KDFN;

SECTION 2.0 – DEFINITIONS AND ABBREVIATIONS

2.2 Abbreviations

In this policy:

"KDFN" means the Kwanlin Dün First Nation Government;

"OH&S" means Occupational Health and Safety; and

"YWCHSB" means the Yukon Workers Compensation Health and Safety Board.

Policy Effective Date:
Policy Last Amended:

SECTION 3.0

GENERAL POLICIES

SECTION 3.0 – GENERAL POLICIES

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SECTION 3.0 – GENERAL POLICIES

3.1 Human Resources and OH&S Unit

Scope: KDFN employees and its contractors and agents.

Purpose: Define the role of the Human Resources and Occupational Health & Safety Unit.

Policy: Any and all matters with respect to job creation, definition and classification; recruitment, evaluation, selection, retention and orientation of human resources; occupational health and safety; employee conduct and performance management; complaint and investigative processes; extension of probationary periods; policy violations and progressive discipline application; resignation and termination, including layoff; must be coordinated through Human Resources.

Human Resources also participates in:

a) the training and development of employees;
b) succession planning, coaching employees and providing an advisory role to employees;
c) assisting departments in the formulation of learning and development plans for employees;
d) the formulation of personnel policies, procedures and best practices;
e) overseeing organizational leadership and culture;
f) the interpretation of, and ensuring compliance with, the Personnel Policy and Procedures along with employment, labour and human rights related laws of general application; and
g) ensuring compliance with Federal Occupational Health & Safety legislation and management of KDFN's OH&S program, policies, procedures and training.

Procedure: The specific roles and responsibilities of Human Resources are detailed and prescribed throughout the Personnel Policy and Procedures.

Directors, managers and supervisors are required to deal with human resource related matters in a manner consistent with the mandate of the Human Resources unit and in strict compliance with the Personnel Policy and Procedures, as amended from time to time.

If there is any ambiguity with regard to the meaning or interpretation of the Personnel Policy and Procedures, employees should contact the Human Resources unit or the Executive Director(s) for clarification.

Related Policies: Personnel Policy and Procedures Manual

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.2 Citizens – Exercising Rights While Employees

Scope: All citizens employed by KDFN

Purpose: Define expectations of citizens who work for the KDFN Government

Policy: Citizens who are employees will exercise their rights as citizens in accordance with the principles set out in this policy.

KDFN expects citizens who are employees to be loyal to their employer, conduct themselves in a way that best represents KDFN, act in a professional manner and be respectful to all people.

KDFN employees have privileged access to the Council and other decision makers and will use that access with care and respect and in accordance with established chains of command.

General Assemblies provide opportunities for all citizens to participate in the KDFN governance. KDFN employees are encouraged to participate in a positive and solution driven manner in General Assembly discussions with respect to program areas they may or may not be familiar with.

KDFN employees have the opportunity to use internal processes to resolve concerns but will not use General Assemblies to advance objectives in their respective program areas. KDFN employees will support the position of KDFN in respective program areas and answer questions directed at them with respect to their employment in a manner that demonstrates loyalty, respect and professionalism at all times.

Procedure: Unfounded or malicious accusations or comments against Council, or KDFN in general, by KDFN employees will be considered a breach of KDFN's Code of Conduct and will be dealt with in accordance with policy 7.2 Discipline or through legal action.

Related Policies:
3.4 Code of Conduct
7.2 Discipline
7.3 Dispute and Complaint Resolution
10.1 End of Employment

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.3 Employees and Elections for Council

Scope: All employees and Council elections and by-elections.

Purpose:
1. Define the expected conduct of employees during Council election periods.
2. Establish the terms and conditions for KDFN employed citizens who are candidates in Council elections.

Policy: The fundamental foundation of KDFN is that its employees are politically neutral and provide advice and serve the KDFN government of the day.

Employees have the same rights of free speech and independence in the management of their private affairs as every other member of the public. However, they also have a duty not to compromise KDFN by public criticism of, or comment on, KDFN policy during Council election periods.

KDFN employees who are eligible, pursuant to Part Five, Nomination of Candidates, of the *Election Act* (Kwanlin Dün First Nation), have the right to stand for office in Council elections.

During working hours, the KDFN government and its employees shall maintain impartiality during the election period and not support any candidate running for office.

A breach of this section shall result in disciplinary action up to immediate release.

Procedure:

1. Conduct of Employees during Council Election Periods

Employees shall ensure that their participation in political matters, such as electioneering on behalf of a candidate running for office, does not bring them into conflict with their duties as employees to act in a politically neutral manner. This includes the receipt and distribution of political material, posting of electioneering material on workplace noticeboards, and the use of workplace equipment, supplies and materials or KDFN human resources.

The involvement of employees in political matters during Council election periods shall not occur during working hours or in any way affect the performance of the employee during working hours.

SECTION 3.0 – GENERAL POLICIES

3.3 Employees and Elections for Council continued

2. Terms and Conditions for KDFN Employed Citizens Running in Council Elections

Leave:

- take leave without pay from their positions as of the date of the closing of nominations and, as a courtesy, provide as much notice to their supervisor of their intention to run, as possible;
- may make application to Finance for a payout of accumulated vacation leave in accordance with established payroll deadlines prior to the required period of leave without pay;
- continue the leave without pay until after the official declaration by the chief returning officer of the result of the election; and
- if elected, take an unpaid leave of absence from their employment with KDFN for the term of office.

Resignation:

In accordance with a Council Resolution dated the 11th day of March 2011, if a KDFN employed citizen is elected for a third consecutive term, the employee shall resign their employment with KDFN.

Access to KDFN Resources:

All candidates running for office shall not make use of KDFN Government workplace equipment, supplies and materials, KDFN human resources, any other workplace privileges or make known privileged information obtained during their employment in support of their campaign.

For greater certainty, access to KDFN resources, during and outside of working hours, includes the resources of all KDFN companies and affiliates.

Municipal, Territorial or Federal Elections

This policy shall also apply to employees and municipal, territorial or federal elections and KDFN employees who stand for office in municipal, territorial or federal elections.

SECTION 3.0 – GENERAL POLICIES

3.3 Employees and Elections for Council continued

Related Policies:
3.5 Confidentiality
3.6 Conflict of Interest
7.2 Discipline

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.4 Code of Conduct

Scope: All employees and KDFN contractors and agents.

Purpose: Define KDFN's expectation that all employees treat each other with respect, compassion and support, while at the same time representing the KDFN government to its citizens, other First Nations and the general public with professionalism, integrity and in a manner consistent with KFDN values.

Definitions: ***"*Code of Conduct & Ethics*"*** means set of guidelines issued by KDFN to its employees and management to govern their actions in the workplace in accordance with its values and ethical standards.

Policy: Employees are expected to represent the KDFN and its citizens proudly, professionally, ethically and in a manner that reflects positively on this unique self-governing First Nation. These principles also apply to how KDFN employees are expected to treat each other in the workplace: with respect, professionalism, teamwork and supporting each other as a team in ensuring KDFN effectively supports the needs of its Citizens.

It is the responsibility of all employees to act in accordance with the KFDN Code of Conduct & Ethics. This Code covers a wide range of topics, including respect, confidentiality, political activity, conflict of interest, Elders, First Nation culture and workplace safety.

This policy applies to all KDFN employees (including part-time, casual and auxiliary employees) and contractors.

Procedure: All current KDFN employees (including part-time, casual and auxiliary-on-call) will be required to read and sign the Code of Conduct & Ethics. A copy will be provided to the employee and a signed copy attached to the employee's personnel file.

All new hires (including part-time, casual and auxiliary-on-call) will be required to read, sign and agree to abide by the Code of Conduct & Ethics as a condition of their employment.

Reporting Violations:

Employees are first encouraged to talk with a co-worker whom they believe may be acting in a way contrary to the Code of Conduct & Ethics (towards them or another person). If the situation is not resolved, they are directed to bring the matter to the attention of their supervisor, who will report the concern to Human Resources and participate in the resulting investigation. If the concern or issue is with their supervisor, they should bring the matter to the attention of Human Resources directly.

SECTION 3.0 – GENERAL POLICIES

3.4 Code of Conduct continued

Similarly, employees are encouraged to speak with Human Resources if they believe they are being asked to do something that may conflict with this Policy or the Code of Conduct & Ethics.

Any employee who, in good faith, makes a complaint or disclosure about an alleged breach of this Code of Conduct & Ethics will be safe from any negative consequences by KDFN.

Due Process and Consequences

Contraventions of the KDFN Code of Conduct & Ethics will be investigated by the Human Resources Manager and will be brought to the attention of the Executive Director.

The Executive Director is ultimately responsible for interpretation, application and enforcement of this policy.

Consequences may, depending on the severity, include a simple verbal warning to a formal written warning placed in the employee's personnel file. A serious violation of the Code of Conduct & Ethics may result in the employee's suspension or termination of employment, as will situations where a particular employee incurs numerous written warnings over a period of time.

Alcohol and Illegal Substances

The consumption of alcohol or illegal substances is strictly prohibited on KDFN property, as well as reporting to work under the influence. If the Human Resources Manager or Executive Director has reasonable suspicion to believe that an employee's use of drugs and/or alcohol may adversely affect the employee's job performance, or the safety of the employee or others in the workplace, the Executive Director may request Human Resources to initiate an alcohol or drug screening at Whitehorse General Hospital. A reasonable suspicion may be based on objective symptoms such as the employee's appearance, behavior or speech. No employees under the influence of drugs or alcohol will be allowed to remain on KDFN property.

The Media

Only designated employees is allowed to comment publicly, whether through media interviews or letters to the press, on KDFN government issues. This is to protect both the employee and the integrity of KDFN. Typically, only the Chief and Executive Director have the authority to speak on behalf of KDFN, unless this responsibility is delegated in specific situations.

SECTION 3.0 – GENERAL POLICIES

3.4 Code of Conduct continued

Roles and Responsibilities:

Employees: It is the responsibility of all employees to:

- act in accordance with the KFDN Code of Conduct;
- treat everyone with respect and dignity, regardless of their race, ancestry, place of origin, colour, ethnic origin, religion, gender, sexual orientation, marital status, family status, record of offences, age or disability;
- perform their duties with professionalism, skill, honesty, care and diligence, using their authority in a fair and equitable manner;
- not engage in inappropriate and unprofessional conduct in the workplace. Examples include insulting or negative comments that can affect the workplace, offensive pictures or jokes, and demonstrating little or no respect for others or their personal belongings. Employees are expected to be reasonable and fair in their expectations of each other, and resolve any conflict in a mature and professional manner;
- not attempt, threaten or cause damage to any property in the workplace; and
- refrain from committing or condoning any unethical or illegal act or instructing another employee or contractor to do so.

Directors and Managers: It is the responsibility of directors and managers to:

- set an example for all employees;
- ensure that their employees are aware of, and act in compliance with, this Code of Conduct & Ethics and related policy;
- forward concerns that are brought to their attention to Human Resources, who is responsible for investigating complaints and keeping the Executive Director informed.

Exceptional Circumstances

This policy cannot anticipate every possible event or situation. Employees are expected to use their best judgment, and to ask for guidance before taking action. In situations where the individual circumstances of a case are such that the provisions of this or any policy cannot be applied or to do so would result in an unfair or an unintended result, the Executive Director will decide the case based on its individual merits and justice. Such a decision will be considered for that specific case only and will not be precedent setting.

SECTION 3.0 – GENERAL POLICIES

3.4 Code of Conduct continued

Related Policies:

3.5 Confidentiality
3.6 Conflict of Interest
6.4 Substance Use
6.5 Harassment and Discrimination
6.6 Sexual Harassment
6.7 Public Interaction
6.8 Non-Retaliation
7.2 Discipline
7.3 Dispute and Conflict Resolution

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.5 Confidentiality

Scope: All employees and KDFN contractors and agents

Purpose: Establish the mandatory and strict requirement for maintaining confidentiality as a condition of employment.

Policy: All information regarding KDFN or acquired through employment with KDFN is considered confidential, unless it has been released to the public in published form or approved for release by the Council.

Procedure: As a condition of employment, all new employees will be advised of the requirement to maintain confidentiality with respect to information acquired through their employment.

All employees will be required sign an Oath of Confidentiality upon the commencement of employment and on an annual basis thereafter.

A breach of this policy by current or former employees will result in disciplinary action, immediate release or possible legal action.

Freedom of Information and Protection of Privacy Act (FIPPA)

Employees will adhere to all applicable legislation, including the Freedom of Information, Protection of Privacy Act, when dealing with personal information. The laws of general application dealing with the collection, use and disclosure of personal information must be considered by those employees who come in contact with personal information of other employees, citizens or the general public.

Related Policies:
3.4 Code of Conduct
3.6 Conflict of Interest
7.2 Discipline
7.3 Dispute and Conflict Resolution

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.6 Conflict of Interest

Scope: All employees and KDFN contractors and agents

Purpose: Define Conflict of Interest, real and perceived

Policy: All employees will arrange their private affairs to avoid actual, potential or perceived conflict of interest between their personal interests and employment related responsibilities.

Procedure: Conflicts of interest, whether actual or perceived can arise from outside employment, financial, political, family or other interests. Perceived conflicts of interest can be just as damaging as real conflicts of interests and employees will withdraw themselves from the situation if they, or others, believe it is reasonable or likely to be perceived as a conflict of interest.

All employees will be required sign a Conflict of Interest Declaration upon the commencement of employment and on an annual basis thereafter.

No actual or perceived conflicts of interest should arise between an employee's private affairs and their duties as an employee.

Employees will arrange their private affairs in a manner that prevents such conflicts and fully disclose to their supervisor any actual or potential conflicts of interests between their duties and their private affairs. As soon as an employee becomes aware of an actual or potential conflict of interest, the employee will notify their supervisor. Supervisors will gather all necessary details and will consult with the Human Resources unit to determine if a conflict of interest, real or perceived, exists with their employment with KDFN.

Employees will not place themselves in positions where they may be under obligation to any person who might benefit from special considerations or to have monetary interests that could conflict in any manner with the discharge of their duties as employees.

Employees will not place themselves in a position where they could derive direct or indirect benefit or interest from KDFN contracts over which they can influence decisions.

Employees will hold no outside office or employment that could place on them demands inconsistent with their official duties of KDFN or calls into question their capacity to perform these duties in an objective manner. Employees must seek permission before accepting outside employment to ensure it does not put them in a conflict of interest position.

SECTION 3.0 – GENERAL POLICIES

3.6 Conflict of Interest continued

Employees will not give, in the performance of their duties, preferential treatment to relatives or friends or to organizations in which they or their relatives or friends have an interest—financial or otherwise.

Private businesses owned whole or in part by employees may perform work or provide services for KDFN only where the employee's ownership of the business is disclosed and the employee has had no involvement with the contracting process.

Employees may receive gifts on behalf of KDFN. Gifts valued under $50 may be kept by the employee. Gifts valued at $50 or more will be presented to the Council. Employees will report any gift received in writing to the Executive Director.

Potential Conflicts of interest, real or perceived, will be assessed on a case by case basis. In the event that an employee is deemed to be in a conflict situation with their employment, the employee will consult with the Human Resources unit to review options for resolution.

Contravention of this policy will be dealt with in accordance with policy 7.2 Discipline or by legal action.

Related Policies:
3.4 Code of Conduct
3.5 Confidentiality
7.2 Discipline
7.3 Dispute and Conflict Resolution

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.7 General Assembly Attendance

Scope: KDFN employees

Purpose: Define compensation for attendance at General Assemblies

Policy: Department directors will attend General Assemblies.

All other employees may attend General Assemblies, but only those employees who are instructed to attend, and who qualify under policy 8.2 Overtime, will be compensated for their attendance.

KDFN will maintain essential services during General Assemblies. Department directors have discretion in scheduling employees.

Procedure: The Council and department directors will instruct employees to attend General Assemblies as required and in advance of the meetings.

Related Policies: 8.2 Overtime

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.8 Committee Participation

Scope: KDFN Employees

Purpose: Determine compensation for employees who participate on committees on behalf of KDFN.

Policy: Where participation on a committee is integral to an employee's duties, they will continue to receive their wage and no honoraria. Overtime may be paid if applicable and in accordance with policy 8.2 Overtime.

Procedure: Employees who attend meetings outside their working hours or who take leave, paid or unpaid, to attend a committee may keep their honoraria or other compensation received for their attendance.

Where an employee receives honoraria for participating, during normal KDFN business hours, on a committee, they will return to KDFN their honoraria if the honoraria is less than the salary earned for the equivalent time spent on that committee. In cases where the employee's salary earned for the equivalent time spent on that committee is less than the honoraria, they may retain the honoraria in lieu of their salary.

Related Policies: 8.2 Overtime

Policy Effective Date:
Policy Last Amended:

SECTION 3.0 – GENERAL POLICIES

3.9 Personnel Appeals Committee

Scope: KDFN employees and citizens

Purpose: Define the mandate, role and responsibilities of the Personnel Appeals Committee

Policy: KDFN will establish the Personnel Appeals Committee responsible for making an informed and final determination with respect to appeals that have not been resolved following the completion of the first stage of the appeals process.

Procedure:

1. Responsibilities:

The Personnel Appeals Committee will:

a) provide a ruling with respect to hiring appeals based on the merits of the cases presented and in accordance with policy 4.13 Hiring Appeals;
b) provide a ruling with respect to classification appeals based on the merits of the cases presented and in accordance with policy 10.7 Job Classification;
c) provide a ruling with respect to appeals based on the merits of the cases presented and in accordance with policy 4.3 Hiring Relatives; and
d) determine level and nature of redress required based on the outcome of appeals process.

2. Membership:

The membership of the Personnel Committee will consist of:

a) Manager of Human Resources – or designate
b) Elder representative
c) Department Director (from a different department)
d) Executive Director – or designate

3. Quorum

The quorum of the Personnel Appeals Committee requires three members of the committee. Decisions made by this committee would ideally be made by consensus and in accordance with established Human Resources policies and practices.

4. Elder Representative

Similar to participation on selection committees, Elder representatives will be assigned to participate on the Personnel Appeals Committee on a case by case

SECTION 3.0 – GENERAL POLICIES

3.9 Personnel Appeals Committee continued

basis. In the event of an appeal of the hiring process, a different Elder representative will hear the appeal than the Elder representative who participated in the hiring process under appeal.

5. Requirements

All members of the Personnel Appeals Committee will be required to adhere to policies 3.4 Code of Conduct, 3.5 Confidentiality and 3.6 Conflict of Interest.

All members of the Personnel Appeals Committee will sign the Oath of Confidentiality, Conflict of Interest Declaration and Code of Conduct & Ethics.

The Personnel Appeals Committee will establish terms of reference, consistent with the appeals process mandate.

Related Policies:
4.3 Hiring of Relatives
4.12 Hiring Appeals
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 4.0

HIRING

SECTION 4.0 – HIRING

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SECTION 4.0 – HIRING

4.1 Hiring Preference

Scope: All hiring competitions

Purpose: Provide employment opportunities for citizens and members of the Kwanlin Dün

Policy: Without regard to sex, marital status, religion, age or people living with disabilities, KDFN will give preferences when hiring:

KDFN citizens/members and their immediate family members

Procedure: The hiring preference will be applied in the following manner:

1. Upon the closing date of posted competitions, the list of candidates will be reviewed against the list of KDFN members/beneficiaries. It is critical that KDFN applicants and immediate family of KDFN applicants self-declare their eligibility for consideration under the preference policy;
2. KDFN applicants or members of their immediate family will be screened first to determine qualifications against established criteria.
3. If one or more KDFN applicants have the required qualifications, the competition will proceed to interviews.
4. In the event that no KDFN applicant possesses the qualifications determined essential, a review and assessment will be undertaken to determine if any of the KDFN applicants have sufficient qualifications to be considered for an underfill or developmental position to acquire the necessary skills to perform job functions at the full working level; and
5. If there are no KDFN applicants or KDFN applicants with a level of qualifications deemed essential, the recruitment process will proceed without the application of preference to any candidate.
6. Every effort will be made to staff casual, auxiliary and entry level positions with KDFN citizens/members. When those efforts are not successful, the HR Unit will advise the Executive Director, provide options and recommendations for resolution.

Related Policies:
3.9 Personnel Appeals Committee
4.6 Screening and Interviews
4.7 Selection Criteria
4.13 Hiring Appeals
5.3 Underfill/Training Opportunities
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.2 Hiring Authority

Scope: All hiring competitions

Purpose: Establish required authorization for all new hires

Policy: Establish the authorities and parameters for hiring employees.

Procedure: Before any hiring proceeds, there will be sufficient money in the budget to cover wages, benefits and other costs associated with the position.

Directors have the right to participate, as part of the selection committee, in the evaluation and selection of the most meritorious candidate for vacant positions within their departments, new positions that have been identified in the budget, and positions that have been created and funded from outside funding sources.

The Executive Director, or designate, is expected to participate, as part of the selection committee, for vacant department director positions or when new director positions have been identified in the budget. Where possible, Director positions will be hired on a term basis to allow for mentorship and potential promotion for KDFN employees into senior positions.

If funding for a position has not been identified in a budget, the department director responsible will obtain approval for a budget increase before any hiring can take place.

Any hiring, promotions and transfers will be done in accordance with section 4.0.

Department directors, or their designates, are responsible for the completion of staffing requisitions, including verification of available funds, position details, suggested or preferred recruitment method and forwarding completed requisitions to Human Resources to initiate the hiring process.

Prior to proceeding to general recruitment, department directors are responsible for reviewing and assessing the responsibilities assigned to the vacant position to determine if modifications to the existing job description are required and ensuring changes are made before the vacancy is posted.

Prior to proceeding to general recruitment, department directors are responsible for reviewing the job responsibilities assigned to identify potential opportunities for mentorship, on-the-job training, temporary assignments, cross-training and/or under fill options for KDFN citizens.

SECTION 4.0 – HIRING

4.2 Hiring Authority continued

It is important for department directors to identify staffing needs as early as possible and communicate with Human Resources so that modifications to an existing or creation of a new job description can be completed in advance of posting job opportunities for recruitment.

Related Policies: Section 4.0 Hiring

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.3 Hiring of Relatives

Scope: All hires, transfers, promotions and demotions.

Purpose: Minimize conflicts that may arise from hiring relatives.

Policy: KDFN will not hire immediate family members of employees into any department that would require a direct reporting relationship with another family member.

Procedure: Employees who become married to other employees, or enter into a common-law relationship with another employee, are permitted to continue their employment. If the relationship results in a direct reporting relationship, other reporting arrangements will be made for the duration of that individual's employment. Should one of them leave their position, this policy section will apply to any transfer, promotion, demotion or re-hiring.

For greater certainty, in the event that an employee marries or enters into a common-law relationship with another employee, the relationship places them in conflict with this policy section, and other acceptable arrangements cannot be made, the matter will be referred to the Personnel Appeals Committee for resolution.

KDFN recognizes that because of the value of extended family relationships among citizens, implementation of this policy section will require good judgment and discretion on the part of the Selection Committee. In particular, extended family relationships that mirror immediate family relationships should also be considered under this policy section.

"Immediate family" means immediate family consistent with policy section 2.1 Definitions.

Related Policies: 3.6 Conflict Of Interest

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.4 Hiring Practices

Scope: All hiring competitions

Purpose: Establish general hiring practices

Policy: KDFN will establish hiring practices that are consistent and equitably applied for all competitions/applicants and that meet the goals and objectives of the KDFN Government and is consistent with best human resources practices and human rights legislation.

Procedure:

1. Employment Equity

Except for the provisions pursuant to policy section 4.1 Hiring Preference, KDFN hiring practices will operate on non-discriminatory principles. Specifically, employment opportunities will be open to all applicants based on their knowledge, skills, abilities and personal suitability.

The Council may direct that additional preference be given to a group protected under human rights legislation, such as women, visible minorities or people with disabilities, provided said disability does not prevent or interfere with an individuals' ability to perform the full scope of a position's job requirements. This direction may be applied to a specified employment competition or for a specified period of time.

2. Recruitment

Every effort will be made to post employment opportunities in locations that all citizens and members of the community have reasonable access to. KDFN may use additional methods of recruitment as is considered necessary to ensure that there is an adequate pool of candidates.

In keeping with the Policy 4.10 Promotions, Transfers, Temporary Assignments, and Demotions, employment competitions may be posted internally for a period of one week prior to going out to general competition.

Employment competitions that are open to citizens and the general public will be posted for a minimum of one week (five working days).

3. Applications for Employment

Candidates may submit current résumés in person, via email or through the KDFN website.

SECTION 4.0 – HIRING

4.4 Hiring Practices continued

4. Eligibility Lists

Eligibility lists may be established from competitions for positions that may arise in the future. If an eligibility list is going to be established for a position, a notice of that fact will be included in the job posting, and said eligibility list will be in effect for the period of one year from the date of creation. Eligibility lists identify qualified candidates who have been through a competitive process, in order of placement. In the event that an identical position becomes vacant during the eligibility period, a direct appointment can be made without competition, subject to satisfactory reference checks.

A competition can be held specifically to establish eligibility lists for positions subject to high turnover (e.g. custodial workers, adult care workers).

5. Direct Hires

Department directors may recommend candidates for direct appointment, without competition, to casual positions that do not exceed two months in duration. Candidates proposed for direct hire will have all of competencies for the position as set out in the job description. In some circumstances, dependent on the nature of the position or rationale provided, the Executive Director may authorize an extension of the appointment beyond two months. The Human Resources Manager may deny a request for a direct hire when the vacancy provides employment opportunities for other KDFN citizens/members.

6. Posting and Advertising

Job advertisements, detailing essential qualifications as reflected in the job description, will be prepared by Human Resources and reviewed and approved by the director of the relevant department prior to posting.

Related Policies:
4.1 Hiring Preferences
4.10 Promotions and Lateral Transfers
5.1 Employment Categories
5.3 Underfill
10.6 Job Descriptions

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.5 Selection Committees

Scope: All hiring competitions

Purpose: Define the participants, authority and responsibilities of Selection Committees.

Policy: To ensure a Selection Committee is established for each employment competition.

Procedure:

1. Screening, Interviews and Selection

Selection Committee members will be responsible for fairly and objectively assessing, screening, interviewing and identifying qualified candidates for all vacancies staffed through employment competitions.

2. Authority

For Positions **"Serving at the Pleasure of Council"**:

Council may choose to manage the selection process directly, request the assistance of Human Resources in a facilitation/advisory capacity, or identify participants on selection committees, to manage the process and provide results and recommendations with respect to appointment.

For Positions in the **KDFN Executive**:

Positions are staffed through the normal competitive process. The Executive Director participates as a member of the selection committee, along with the Human Resources Manager and an elder representative. The Executive Director will ensure Council is advised of the successful candidate prior to the extension of an offer of employment.

For all other KDFN Positions:

The selection committee's decision will be final and an offer of employment may be extended, subject to satisfactory reference checks, based on that decision.

3. Membership

Depending on the nature and reporting relationship of the vacant position, the membership of selection committees will be as follows:

SECTION 4.0 – HIRING

4.5 Selection Committees continued

a) Positions within the Executive Branch:

i) Chief
ii) Councilors
iii) Human Resources representative (facilitator/advisor)

OR

i) Human Resources representative (chair)
ii) 1-2 participants as identified by Council
iii) Elder representative

b) Positions at Director (Level 9)

i) Human Resources Manager or designate (chair)
ii) Executive Director or designate
iii) Elder representative
iv) Expert in requisite field (optional)

c) All other KDFN positions (Levels 1-8)

i) Human Resources representative (chair)
ii) 1-2 Department representatives
iii) Elder representative

All decisions made by Selection Committees will be by consensus.

In the event that consensus cannot be reached, the Human Resources representative will provide a briefing for review by the Human Resources Manager or the Executive Director, along with a recommendation for resolution.

The role of the Human Resources representative is to manage and provide expertise with respect to the recruitment process and chair selection committees to ensure fairness, consistency, transparency and compliance with relevant policies, legislation and accepted human resources principles and practices.

To ensure the integrity of the hiring process at KDFN, it is important that all members of Selection Committee(s) be free from conflict. Proposed members of any Selection Committee will review the names of all applicants to ensure that they are not closely related or connected to any applicant in a way that would result in a conflict of interest, real or perceived. Such connections could include family relationships, close friendships, business relationships, or any other

SECTION 4.0 – HIRING

4.5 Selection Committees continued

relationship that could influence a Selection Committee member, in either a positive or negative fashion.

The Selection Committees members may establish terms of reference at various stages of the recruitment process specific to the vacancy and in accordance with established policy.

Related Policies:

3.5 Confidentiality
3.6 Conflict of Interest
4.1 Hiring Preference
4.2 Hiring Authority
4.3 Hiring of Relatives
4.6 Screening and Interviews
4.7 Selection Criteria
4.12 Hiring Appeals
5.3 Underfill/Training Opportunities

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.6 Screening, Interviews and Ranking

Scope: All hiring competitions

Purpose: Define the guidelines and procedures for screening, testing, interviewing and ranking the qualifications of all candidates.

Policy: KDFN will have an established recruitment process to ensure fairness, consistency and compliance with relevant policies, practices and legislated requirements.

Vacancies may be posted internally, restricted to existing KDFN personnel, for a period of five working days, prior to going out to general recruitment.

Procedure:

1. Screening Applicants

Screening will be scheduled for completion as soon following competition closing dates as committee members can convene. KDFN policy 4.1 Hiring Preference will apply to all KDFN competitions

All applicants to competitions will have their qualifications and experience objectively evaluated against established criteria in order to identify a short list of candidates having the requisite essential qualifications required for further consideration.

Qualifications for all candidates, as detailed in supporting documentation (resumes), will be reviewed and assessed by every member of the selection committee.

Policy 4.1 Hiring Preference, must always be considered when screening applicants.

2. Testing and Interviewing Candidates

Interviews and tests will be scheduled for completion as soon following the establishment of a short list of qualified candidates as can be arranged.

Prior to proceeding to the next step in the recruitment process, the Human Resources representative, in consultation with departmental representatives, will approve the content of job specific pre/post interview tests and interview questions that are designed and developed to assess the knowledge, abilities and personal suitability requirements specific to the vacancy.

Every effort will be made to interview all citizens that meet the minimum requirements for the position; however, the Selection Committee may elect to

SECTION 4.0 – HIRING

4.6 Screening, Interviews and Ranking continued

interview only those candidates with qualifications and experience that most closely reflect the established essential requirements for the vacancy.

Candidates that are not screened in for further consideration will be advised of the outcome of the screening process in writing (regret letter).

Upon completion of the testing and interview process, the Selection Committee will review the results in order to rate candidate performance to identify the top ranked candidates and to identify those candidates that do not to possess the qualifications required to meet the needs of the vacant position.

Once an offer is extended to the top ranked candidate, contingent upon satisfactory references, and said offer has been accepted, the remaining candidates will be advised of the outcome of the competition in writing.

All notes, scores, test results and other relevant documentation that the selection is based on will form part of the competition file and will be retained by Human Resources.

Preferably, interviews should be in-person, where possible. In the event that an in-person interview is not possible, interviews may be conducted via conference call or video conferencing. In exceptional circumstances, and only with the approval of the Executive Director, travel costs may be provided to outside candidates to attend an in-person interview.

Related Policies:

3.5 Confidentiality
3.6 Conflict of Interest
4.1 Hiring Preference
4.2 Hiring Authority
4.3 Hiring of Relatives
4.7 Selection Criteria
4.12 Hiring Appeals
5.3 Underfill/Training Opportunities

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.7 Selection Criteria

Scope: All hiring competitions

Purpose: Establish the sources and uses of criteria for the evaluation of applicants.

Policy: KDFN will establish selection criteria that is consistent and equitable in the treatment of all applicants and that meet the goals and human resources requirements of the KDFN public service.

Procedure: An up-to-date job description will be prepared prior to the commencement of any recruitment.

The determination of the minimum levels of knowledge, skills, abilities and personal suitability requirements for a position is based on the job description.

When a specific level of education is identified in a job description, unless it is expressly stated as being a bona fide occupational requirement (e.g. Registered Nurse, Journeyman Electrician), an equivalent combination of education, training and experience will be given equal consideration.

Subject to the KDFN hiring preference and satisfactory reference checks, the candidate who is assessed as having the best combination of knowledge, skills, abilities and personal suitability will be offered the position.

Establishing selection criteria will be the responsibility of Human Resources in consultation with the hiring department.

Related Policies:
3.4 Confidentiality
3.5 Conflict of Interest
4.1 Hiring Preference
4.5 Selection Committees
4.6 Screening, Interviews and Ranking
5.3 Underfill/Training Opportunities
10.6 Job Descriptions
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.8 Reference Checks

Scope: All hiring competitions

Purpose: Establish candidate suitability by evaluating candidates' employment history and performance against job specific criteria.

Policy: Human Resources will conduct thorough and comprehensive reference checks prior to extending offers of employment.

Procedure: At least two, and preferably three, employment references will be completed for any candidate who may be offered a regular, term or casual position following completion of the interview process.

References for any applicant may be checked at any time during the hiring process at the discretion of Human Resources or the Selection Committee. Candidates will be advised in advance that references will be contacted and will be asked to provide references from current/previous direct supervisors and, when appropriate, peers/co-workers/subordinates.

Reference checks will be completed by Human Resources as expediently as possible.

If a prospective employee has worked for KDFN in the past, their work history with KDFN will be considered even if a reference from KDFN has not been provided by the prospective employee.

In the event that the Selection Committee members wish to review the results of reference checks prior to determining the top ranked candidate and extending an offer, Human Resources, with the candidates' permission, will provide results to the Selection Committee.

Reference checks can be used to confirm information in résumés, information provided by a candidate through the interview process, the depth and breadth of a candidate's knowledge, skills, abilities and personal suitability, and/or to clarify issues or concerns that may have arisen during the interview process.

Related Policies:
4.1 Hiring Preference
4.6 Screening, Interviews and Ranking
4.7 Selection Criteria
10.6 Job Descriptions

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.9 Offers of Employment

Scope: All offers of employment

Purpose: Identify signatories required for, and content of, letters offering employment and provide options when offers of employment are rejected.

Policy: KDFN will establish the authorities for approving offers of employment.

Procedure: The employment relationship with the new employee will be governed by the letter of offer. It is important to ensure all terms and conditions of employment with KDFN are clearly defined in the offer letter and further explained to the new employee to ensure complete understanding and acceptance.

1. Authority to Offer Employment

The authority to offer employment is provided, as follows:

a) For positions in the Executive Branch: The authority to offer employment rests with Council and formal letters of offer are signed and approved by the Chief.

b) For Departmental Director positions: The Executive Director is responsible for informing Council of the top ranked candidate and seeking approval prior to an offer being extended. Formal letters of offer are signed and approved by the Executive Director or his/her designate.

c) For all other positions in KDFN: The formal letter of offer is signed and approved by the Manager of Human Resources, based on the decision of the Selection Committee. The Manager ensures that the Executive Director is kept informed on all offers of employment through regular updates provided in monthly reports.

2. Content of the Letter of Offer

All offers of employment will include:

a) position number, position title, classification level;
b) starting wage and official start date;
c) term of the position, if required;
d) reporting relationship;
e) training/under fill provisions, if applicable, including reference to training plan and length of training period;

SECTION 4.0 – HIRING

4.9 Offers of Employment continued

f) probationary period;
g) conditions of employment;
h) other specific terms of employment deemed appropriate to the position; and
i) specifics of any relocation expenses provided, if any, and the requirement for repayment, to KDFN, of those expenses, whole or in part, if employment is terminated by the employee within an established time period;

3. Relocation Expenses

In exceptional circumstances, and specific to positions that have proven difficult to staff, the Executive Director may authorize reasonable expenses for the relocation costs of the top-ranked candidate.

In the event that relocation costs are provided, the successful candidate must commit to a minimum period of continuous employment. An employee who terminates their employment prior to meeting the negotiated time commitment will reimburse KDFN, whole or in part, for the relocation expenses provided.

4. Rejected Offers

In the event that the top-ranked candidate declines the offer of employment, an offer will be extended to the second-ranked, qualified candidate. That process will continue until an offer is accepted or the list of qualified candidates is exhausted. If no qualified candidate accepts an offer of employment, the recruitment process will be re-initiated.

In the event that the top-ranked candidate terminates their employment, or has their employment terminated, within the first year and an eligibility list has been established, an offer of employment can be extended to the next most highly ranked candidate, subject to references, without the requirement to rerun the competition. If an eligibility list does not exist, or offers to other qualified candidates are also declined, the recruitment process will be re-initiated.

4. Unsuccessful Candidates

Candidates that are interviewed but not offered the position will be advised, in writing, of the outcome of the competition when the position has been offered to and accepted by the successful candidate.

SECTION 4.0 – HIRING

4.9 Offers of Employment continued

Unsuccessful candidates are encouraged to request a post-interview meeting with the Human Resources representative in order to review their performance in the interview, test scores and ranking. The Human Resources representative will offer information and advice that may assist the candidate in achieving successful outcomes in the future.

Related Policies:

4.2 Hiring Authority
4.3 Hiring of Relatives
4.6 Screening, Interviews and Ranking
4.7 Selection Criteria
4.8 Reference Checks
4.12 Hiring Appeals
5.3 Underfill/Training Opportunities
10.6 Job Descriptions
10.5 Personnel Files

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.10 Promotions, Transfers, Temporary Assignments and Demotions

Scope: All employment opportunities

Purpose: Provides KDFN employees with the opportunity to advance, transfer or take on a temporary employment assignment within KDFN.

Policy: Provide a means to offer employees opportunities to advance their careers through promotions, temporary assignments and lateral transfers within the KDFN public service.

Procedure:

1. Promotions

Vacancies that may represent a promotional opportunity for one or more existing employee will be posted internally for five working days, restricted to current KDFN employees. Current KDFN employees are welcome to submit resumes on any open competition.

Employees who have been temporarily assigned to or have been acting in a position having a higher classification level for six (6) months or more and have all the requisite qualifications, may be directly appointed to the position without competition, at the discretion of the Executive Director.

Internal competitions will follow the policies and procedures for all other employment competitions at KDFN.

If the duties of the position an employee has been promoted into are substantially different from their previous position, they will be required to serve a new probationary period. If the duties of the position an employee is being promoted into are not substantially different from the previous position or the employee has been successfully performing the duties of the higher position on an acting basis or through a temporary assignment, the requirement for a new probationary period may be waived at the discretion of the Executive Director.

An employee who is promoted into a position with a higher classification will receive an 8% increase in salary or the minimum of the new scale, whichever is higher.

2. Lateral Transfers

Lateral transfers allow for cross training and skills development in new program areas. Lateral transfers should be encouraged and facilitated provided the employee involved has the necessary qualifications to be successful. Employees can exchange positions for a specified period of time or may be permanently transferred to a new position.

SECTION 4.0 – HIRING

4.10 Promotions, Transfers, Temporary Assignments and Demotions continued

Lateral transfers will be recommended by department directors, in consultation with Human Resources, and approved by the Executive Director.

An employee who has accepted a permanent lateral transfer may elect to return to their previous position within the first six months provided that their previous position has been not been filled.

If the duties of the position an employee has been transferred to are substantially different from their previous position, they may be required to serve an additional probationary period.

3. Temporary Assignments

Occasions may arise when the duties of a position must be temporarily reassigned. Existing KDFN employees may apply for, be offered and accept a Temporary Assignment within their home department or in another department for a specific period of time with the understanding that, upon completion of the assignment, they will return to their substantive position. Temporary Assignments should be for a minimum of six months in duration and depending on the circumstances, and with the approval of the Executive Director, assignments can be extended. Temporary assignments should not exceed two years in duration.

An employee who accepts a temporary assignment performing the duties of a position with a higher classification will receive an 8% increase in salary or the minimum of the new scale, whichever is higher.

KDFN employees, with the recommendation of Human Resources and approval of the Executive Director, may accept a temporary assignment in another organization with the right to return to their substantive position with KDFN at the completion of the assignment, provided the duration of the assignment does not exceed twenty-four (24) months. Temporary assignments in excess of two years must be approved by the Executive Director.

A temporary assignment may be cancelled, and the employee returned to their substantive position, if required by KDFN.

4. Voluntary Demotion

An employee may request a transfer to a position that is classified at a lower classification level with approval from Human Resources. An employee who voluntarily accepts a position that is at a lower classification will have their salary adjusted accordingly.

SECTION 4.0 – HIRING

4.10 Promotions, Transfers, Temporary Assignments and Demotions continued

5. Involuntary Demotion

Occasions may arise, for organizational or financial purposes, where a position is eliminated or the duties changed in a manner resulting in a position being classified at a lower level. In cases where the change in position status requires an existing employee to accept an involuntary demotion, the employee's wage will not be affected. The employee will continue to be entitled to cost of living adjustments. The employee will be entitled to merit increases to the maximum allowable under the new salary scale.

Related Policies:
4.7 Selection Criteria
4.8 Reference Checks
4.9 Offers of Employment
8.1 Wage Scale
8.4 Acting Pay
10.6 Job Descriptions
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.11 Employment and Training Opportunities

Scope: KDFN citizens

Purpose: Development of training opportunities through external employment and training programs and funding sources.

Policy: KDFN will access a variety of programs and other sources to provide job placements, training positions and training and development for KDFN citizens.

Procedure: Identify employment, training and funding programs to access in developing training positions, job placements, and training and development opportunities to provide employment and job readiness skills, build capacity and provide development opportunities.

Hiring of trainees will be conducted in accordance with the specific program requirements. KDFN hiring practices and procedures will be followed in developing and providing these opportunities.

Trainees placed at KDFN are subject to the Personnel Policy and Procedures Manual.

Training plans will be developed in accordance with specific program requirements. The term of training positions will be dependent on funding and program allowances.

The salary and benefits offered to trainees will be subject to the specific program requirements, current qualifications, funding and the status/term of the position.

Related Policies:
4.1 Hiring Preference
4.7 Selection Criteria

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.12 Hiring Appeals

Scope: KDFN citizens and employees

Purpose: Provide KDFN citizens (as defined by the Constitution) and employees with a process for appealing decisions made by Selection Committee(s) through the hiring process

Policy: Citizens and employees who have applied, or been interviewed, for a position and are not successful, have the opportunity to appeal the decision.

Procedure:

1. Appeal Steps

a) An applicant may appeal to the Human Resources Manager or designate within five business days of being notified of the results of the employment competition (screening or final appointment). The appeal will be in writing and will state the reasons why the applicant believes the hiring process failed to adequately assess their qualifications or suitability for the position. Upon receipt of an appeal the Human Resources Manager or designate will notify the members of the Selection Committee and, if applicable, the top-ranked candidate, that an appeal has been filed.

b) The Human Resources Manager or designate will review the screening or interview process for the employment competition and the concerns of the appellant and provide a response within five business days of receiving the appeal.

c) If the Human Resources Manager or designate finds that the hiring process was flawed, the hiring process, whole or in part, will be re-initiated. All involved candidates will be advised. If the screening process was deemed to be flawed, the entire competition will be reposted and new resumes collected. If the interview process is deemed flawed, the interviews will be redone using different interview questions and tests or, dependent on the circumstances, with a different selection committee.

d) If the appellant disagrees with the decision made by the Human Resources Manager or designate, they will have five business days to file an appeal to the Personnel Appeals Committee for final review. Upon notification of a request for further appeal, the appropriate documentation will be provided to the Committee, including the decision under appeal. The decision of the Personnel Appeals Committee will be final.

SECTION 4.0 – HIRING

4.12 Hiring Appeals continued

Related Policies:

3.5 Confidentiality
3.6 Conflict of Interest
3.9 Personnel Appeal Committee
4.1 Hiring Preference
4.5 Selection Committees
4.6 Screening, Interviews and Ranking
4.7 Selection Criteria

Policy Effective Date:
Policy Last Amended:

SECTION 4.0 – HIRING

4.13 New Employee Orientation

Scope: All new employees

Purpose: Provide employees with information they need to become familiar with and succeed at KDFN.

Policy: New employees will be provided with a comprehensive orientation package regarding employment with KDFN, an orientation by their supervisor to the specifics of the department and orientation to the Occupational Health & Safety program, preferably before work commences.

Procedure: In addition to the orientation package, supervisors will use a pre-approved checklist of orientation criteria provided by Human Resources. The checklist, containing department specific criteria, will be completed and signed by the supervisor and the new employee.

The orientation will include, but is not limited to:

a) introduction to co-workers and key contacts;
b) tour of the KDFN offices;
c) instruction on the use of equipment such as phone systems, photocopiers, fax machines, etc.;
d) protocol for passwords for voicemail, computers, file management, etc.;
e) copy of phone directory, internal department policy and other required documents;
f) copy of Personnel Policy and Procedures, Code of Conduct and other documentation specific to employment at KDFN;
g) discussion of job duties, responsibilities and priorities; and
h) information on mandatory workshops, depending on nature of the position (e.g. Cross-Cultural Training; Lateral Violence & Bullying; Leadership for Safety Excellence, specifically required safety training).

New employees will be provided with the Personnel Policy and Procedures Manual as part of their employment documentation. New employees will be required to familiarize themselves with and abide by the Personnel Policy and Procedures for the duration of their employment.

Related Policies: Personnel Policy and Procedures Manual

Policy Effective Date:
Policy Last Amended:

SECTION 5.0

EMPLOYMENT CATEGORIES AND CONDITIONS

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

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SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.1 Employment Categories

Scope: All employees

Purpose: Establish consistent categories of employment

Policy: All positions will fall under one of the identified employment categories.

Procedure: Employment categories will be clearly stated in letters of offer of employment.

Changes in employment categories will be clearly stated in revised letters of offer of employment.

All positions will fall under one of the following employment categories:

1. Regular Employees

Regular employees are hired on an indeterminate basis and work regular hours, either full-time or part-time.

2. Term Employees

Term employees are hired with a fixed end-date. The duration of term positions must be a minimum of six months or longer from the date of hire. Term employees work regular hours, either full-time or part-time.

Employees in casual positions who have their work terms extended to one year or more from the date of hire without a break in service will be reclassified to a term employee retroactively to their start date and will qualify for the KDFN benefit package without a waiting period.

3. Casual Employees

Casual employees are hired with a fixed end date that is less than six months from the date of hire.

Casual positions are created to fill a specific need for a short period of time.

4. Auxiliary-on-Call Employees

Auxiliary/On-Call employees are hired to meet a need that is sporadic in nature with no guarantee of hours (e.g. replacing regular staff during absences; assisting during peak work periods). Auxiliary on-call status/need will be reviewed on an annual basis. The review will not result in automatic renewal.

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.1 Employment Categories continued

The hours worked by Auxiliary-on-call employees are monitored by Human Resources to ensure the use of said support positions is not abused. In the case of excessive use of auxiliary personnel, Human Resources will address the issue with the appropriate department director. If necessary, the director will be required to address the need through a more appropriate employment category.

5. Student/Training Positions

Student/training positions are normally staffed through specific employment programs and are governed by the terms of the funder. Other training or underfill positions are staffed for a term coinciding with the length of the approved training plan.

Related Policies: Section 4.0 – Hiring
5.3 Underfill/Training Positions

Policy Effective Date:
Policy Last Amended:

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.2 Probationary Periods

Scope: All employees

Purpose: Establish a probationary period to determine the employee's suitability for employment.

Policy: All new employees will be required to serve a probationary period.

Procedure:

1. Executive Director and Senior Management

The Executive Director, department directors (level 9) and senior managers (level 8) will serve a probationary period of six months, which can be extended for a further period of time not to exceed an additional six months. The decision to extend the probationary period for department directors and senior managers rests with the Executive Director or in the case of some managers, the department director. In the case of the Executive Director, the decision to extend the probationary period is made by Council

During a probationary period, the Executive Director, Executive Council Officer or a department director may be dismissed without notice if they fail to meet acceptable standards of performance or conduct.

Before the end of the probationary period, a performance evaluation will be conducted.

2. All other Employees

New employees, or employees hired into a new position, will serve a probationary period of six continuous months, which may be extended for a further period of time not to exceed an additional three months.

During a probationary period, an employee may be dismissed without notice if they fail to meet acceptable standards of performance or conduct.

Before the end of an employee's probationary period a performance evaluation will be conducted.

The purpose of a probationary period is to assess an employee's suitability for employment. Factors to be considered include work performance, attitude, attendance, compliance and interaction with co-workers and citizens.

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.3 Probationary Periods continued

In cases where an employee is absent from the workplace for a period in excess of 30 days during the probationary period, probation will be extended for a period of time equal to the absence.

Despite the fact that an employee can be dismissed without cause or notice during their probationary period, all performance and conduct issues will be documented and kept on the employee's staff relations file.

Related Policies:
5.1 Employment Categories
6.1 Hours of Work
6.2 Attendance, Punctuality and Unauthorized Leave
7.1 Performance Evaluation

Policy Effective Date:
Policy Last Amended:

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.3 Underfill/Training Positions

Scope: All employment competitions

Purpose: Promote employment and provide training opportunities to citizens and employees

Policy: KDFN may fill a position with a candidate who does not possess the minimum qualification requirements with the ultimate goal of providing training to address shortfalls and result in having a fully qualified regular employee within a specified period of time.

Offers of underfill positions will only be considered where there are sufficient resources to deliver appropriate training, mentorship and support to the incumbent over the specified period to achieve desired results.

Procedure: The Human Resources Manager, with the support of the Executive Director, can identify potential under fill opportunities to a department director providing that:

a) underfill opportunities are advertised in accordance with the policy requirements in Section 4 Hiring;
b) underfill positions have a training plan developed prior to the date of hire;
c) the training plan is developed specific to the needs of the incumbent to achieve the full working level of the position within a set timeframe not to exceed 24 months; and
d) a trainer or mentor is identified to deliver the training required to assist the employee in achieving the full qualifications for the position

Employees in under fill positions will be paid according to the percentage of job qualifications they possess. For example, an incumbent with the minimum 80 per cent of qualifications will be paid an equal percentage of the starting wage.

Related Policies:
4.1 Hiring Preference
4.7 Selection Criteria
8.1 Wage Scale
9.14 Training and Development
10.6 Job Descriptions
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.4 Acting Pay

Scope: All employees

Purpose: Ensure that all required duties are carried out in a timely manner during employees' absences. Promote advancement for employees.

Policy: The Executive Director will appoint employees to act in senior positions during periods of absence.

Procedure:

1. Acting Assignments

The Human Resource Department will be notified in writing of acting assignments (completion of acting pay form). If the acting assignment is long enough to require acting pay, Human Resources will ensure a copy of the acting pay form is provided to the Payroll department.

Absences of any length may require an acting assignment, but acting assignments may not be necessary for all absences.

Department directors and managers may recommend, to the Executive Director, an employee to act in their position during their absence or unavailability. When determining the employee to appoint to an acting assignment, the following should be taken into consideration:

a) knowledge, skills and abilities of the employee;
b) interest expressed by the employee; and
c) succession plans, professional development, etc.

It is recommended that only one employee be appointed during a period of absence.

2. Special Acting Assignments

Situations may arise, from time to time, where an employee is required to take on additional duties that warrant further compensation. The additional duties may be a temporary requirement or represent a portion of duties assigned to another position.

Department directors and managers may recommend, to the Executive Director, that the additional duties assignment to an employee be evaluation and classified to determine if additional compensation is warranted.

SECTION 5.0 – EMPLOYMENT CATEGORIES AND CONDITIONS

5.4 Acting Pay continued

Special Acting Assignments are meant to address a temporary need. If the need is ongoing, the additional duties should be incorporated in an updated job description for the position. The new position description will be classified to determine appropriate level and compensation.

Related Policies:
8.1 Wage Scale
10.6 Job Descriptions
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 6.0

WORKING CONDITIONS

SECTION 6.0 – WORKING CONDITIONS

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SECTION 6.0 – WORKING CONDITIONS

6.1 Hours of Work

Scope: All employees

Purpose: Establish and standardize hours of work

Policy: KDFN will establish regular hours of work in accordance with operational requirements and the *Canada Labour Code*

Procedure:

1. Normal Work Day Hours and Breaks

The normal working day is 7 hours, from 8:30 a.m. to 4:30 p.m., from Monday to Friday with two paid 15 minute breaks, one in the morning and one in the afternoon. The normal work week is 35 hours.

Employees may take their 15 minute breaks in increments, but the total time taken will not exceed 30 minutes.

Taking breaks during the day is important to keep employees fresh and productive. Supervisors will encourage all employees to take their breaks as scheduled. If employees are abusing their allotted breaks, disciplinary action may be taken.

It is not acceptable for employees to voluntarily skip their allowed breaks in order to shorten the work day.

2. Flexible Work Arrangements

Employees may make alternative arrangements with their department directors or supervisors. Subject to operational requirements, and with the understanding that services must be available during core business hours, employees within a department or work unit may request consideration for alternate work arrangements. For example, two employees providing the same service may request staggered shifts or a compressed work week with alternate days off.

Operational requirements include KDFN delivery of essential services, facilities or activities that are or will be, at any time, necessary for the safety, security or benefit of the public or a segment of the public.

Employees who deliver KDFN essential services will not be eligible for alternative arrangements for hours of work.

SECTION 6.0 – WORKING CONDITIONS

6.1 Hours of Work continued

For greater certainty, essential services delivered by KDFN include, or at times may include

a) Dusk'a Family Learning Centre (supervision of children)
b) Health Centre (scheduled doctor / medical appointments)
c) Citizenship Registrar (public service)
d) Social Assistance (emergency services)
e) Community Services (water delivery / no heat calls)
f) Occasional Special Events (employees required to work over lunch)

and other essential services that may be delivered by KDFN from time to time.

Where an employee is required to work over the lunch period between 12:00 noon and 1:00 p.m., as directed or approved by their supervisor, every effort will be made to re-schedule their lunch period to an alternative time within that same work day, such as 11:00 a.m. to 12:00 noon, or 1:00 p.m. to 2:00 p.m.

Note: This policy section has been amended as prescribed by Council Resolution No. 2012–13, dated the 10th day of May 2012.

Related Policies: 8.5 Christmas Office Closures
10.6 Job Descriptions

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.2 Attendance, Punctuality and Unauthorized Leave

Scope: All employees

Purpose: Establish a professional workplace, maintain a productive work environment and ensure that employees are compensated for hours worked.

Policy: Chronic and unauthorized absences and lateness will not be tolerated.

Procedure:

1. Attendance

Attendance will be recorded employees on a time sheet or, in the case of regular and term employees, absences will be recorded on the appropriate leave form, which must be submitted on a bi-weekly basis. The immediate supervisor must review the time sheet or leave form and sign as authorizing payment for recorded hours worked and leave taken.

During working hours, no employee will leave their work premises without notifying their supervisor. Unauthorized departures will be noted and pay will be deducted for the time spent away from work.

Any employee who fails to record their attendance or leave may be denied payment of salary for the work period that is incorrectly recorded. Any employee who fails to submit a time sheet or leave form by the establish payroll cut-off may be denied payment until the following pay period.

An employee who knowingly falsifies their attendance record or leave form, which constitutes a breach of trust, will be subject to disciplinary action, up to and including dismissal.

2. Punctuality

Unless agreed to in advance with the supervisor for legitimate reasons such as childcare, lateness will not be tolerated.

Repeated violations of this policy will result in disciplinary action, up to and including dismissal.

3. Unauthorized Leave

Legitimate leave becomes unauthorized leave unless approved in advance with the exception of sick leave. Unauthorized leave disqualifies the employee for any entitlement to pay or leave benefits.

SECTION 6.0 – WORKING CONDITIONS

6.2 Attendance, Punctuality and Unauthorized Leave continued

Employees who are absent from duty without leave will notify their supervisor of the reason for the absence within the first two hours of their regularly scheduled shift. Failure to do so may result in loss of pay and possibly disciplinary action.

Should an employee be absent from duty for a period of three days or more without authorization (except for reasons considered by the Executive Director to be beyond the employee's control), the department director or a duly authorized person must notify the Human Resources Manager in writing that the employee appears to have abandoned their position.

Before determining that the employee has abandoned their position, the Human Resources Manager will make every reasonable effort to determine the reason for the employee's absence and whether they intend to return to work. All efforts made to contact an employee must be documented.

The declaration that an employee has abandoned their position will contain all relevant information, including all efforts made to contact the employee, and a statement of the period of time they were absent from work without authorization.

Related Policies:
7.2 Discipline
8.6 Pay Day
9.6 Sick Leave
10.1 End of Employment

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.3 Health and Safety

Scope: All employees

Purpose: Ensure the health and safety of employees in the course of their employment.

Policy: KDFN takes its obligations for health and safety as prescribed in the *Canada Labour Code* seriously and expects employees to fulfill their obligations and assist and cooperate in ensuring the health and safety of their co-workers.

Supervisors and managers receiving employee complaints about health and safety will work to resolve complaints as soon as possible, in consultation with the Occupational Health and Safety Specialist.

Procedure:

1. Health and Safety Committees and Representatives

The Canada Labour Code requires that for all workplaces with 20 or more employees there will be a Health and Safety Committee consisting of one non-managerial employee selected by non-managerial employees at that workplace and one employee selected by the Executive Director. For all other workplaces controlled by KDFN, there will be a non-managerial employee selected by the non-managerial employees at that workplace to be the Health and Safety representative. Meetings will be chaired by the Occupational Health and Safety Specialist.

In consultation with the Occupational Health & Safety Specialist, the duties of Health and Safety Committees and representatives are prescribed by the Canada Labour Code and include:

a) receiving, considering and dealing with complaints related to health and safety;
b) keeping detailed records of complaints, the manner in which they were resolved and ensuring the effective documentation and storage of safety records;
c) developing, establishing and maintaining programs, measures and procedures for the protection or improvement of health and safety throughout the organization; and
d) providing opportunities, such as training, workshops, events, etc. to increase the physical and mental health of employees.

SECTION 6.0 – WORKING CONDITIONS

6.3 Health and Safety continued

2. Yukon Workers Compensation Act

All employees are covered by YWCHSB. Employees who suffer a work related injury or disability must report that injury or disability to their supervisor as soon as practical. Injured employees and their supervisors will make all required reports to and comply with the direction of the YWCHSB.

Employer reports must be submitted to the YWCHSB within three days of the injury or disability being brought to the attention of the supervisor.

Return to work from a work related injury or illness requires that a return to work plan be prepared in consultation with the employee's physician, the YWCHSB and following the *Workers Compensation Act* (Yukon).

The form and content of all reports are governed by the *Workers Compensation Act* (Yukon) and the YWCHSB.

3. Scent Free Workplace

Employees with allergies or sensitivities to perfumed and other scented products are protected under the *Occupational Health and Safety Act.* KDFN employees should refrain from using scented products that may impact the health of others.

4. Smoke Free Workplace

In compliance with the *Smoke Free Places Act* (Yukon), smokers outside KDFN workplaces will stay 5 metres away from doorways, air intakes and open windows.

5. Benefits

Employees' pension, extended health and disability plans will continue during their leave due to work related injury or illness. The employee may be required to pay their share of premiums for benefit plans depending on the length of the absence.

Related Policies:

6.4 Substance Use
6.12 Return to Work
9.2 Statutory Benefits
10.6 Job Descriptions

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.4 Substance Use

Scope: All employees

Purpose:

1. Ensure the health and safety of employees and the general public by providing a work environment free of substance use.

2. Define the level of assistance available to employees with substance use issues.

Policy: KDFN has zero tolerance for substance use in the workplace. KDFN recognizes alcoholism and drug dependency as chronic illnesses that interfere with job performance. Dealing with substance use is the responsibility of KDFN management and employees.

Definitions: In this policy:

"substance use" means the use of drugs, legal and illicit, and alcohol; and

"undue hardship" means that undue hardship to KDFN occurs when accommodating the needs of an employee with substance use issues would alter the quality of the public service KDFN provides to its citizens, substantially affect the fiscal viability of KDFN or produce a substantive health and safety risk that outweighs the benefits of accommodating that employee. Undue hardship may also occur when an employee continues to repeatedly relapse despite participating in KDFN-supported rehabilitation programs.

Procedure: Identification of an employee's substance use issues will be based upon evidence of unsatisfactory job performance, chronic absenteeism, near misses and other indicators and only become a concern to KDFN when it interferes with their job performance, or represents a health or safety risk for the employee, co-workers or the general public.

Notwithstanding the above, no employee will be allowed to work while under the influence of alcohol or drugs and any violation of this policy may lead to disciplinary action or termination.

KDFN acknowledges that as an employer it has a duty to accommodate employees with substance use issues, including individualized or personalized accommodation measures.

Substance use issues will not result in automatic loss of employment or reassignment or impose inflexible reinstatement conditions without regard for personal circumstances. Reassignment, however, may be a condition imposed if

it is determined that being substance free is a bona fide occupational requirement for a particular position.

SECTION 6.0 – WORKING CONDITIONS

6.4 Substance Use continued

In cases where the employee is not prepared to participate in a meaningful way in any of the accommodation processes or measures offered, KDFN may have reason to establish undue hardship. KDFN expects that, at some point, the employee must take responsibility for their own behaviour, especially if it is related to substance use issues.

1. Alcohol and Drug Testing

KDFN respects every employee's human and privacy rights and therefore will not subject employees to random testing.

KDFN should concentrate on observable performance problems rather than attempt to diagnose a definite substance use issue. If these performance problems are determined to be alcohol or drug related, the employee should be encouraged to undertake assessment and treatment regardless of what, if any, disciplinary action, except for discharge, is initiated. An employee in this situation will be provided with a variety of treatment options and assistance on a case by case basis.

KDFN may identify positions in which the use of alcohol or drugs would pose a significant safety risk to the employee, co-workers and/or the general public. If it is determined that being substance free is a bona fide occupational requirement of a position, KDFN may require an employee to undergo alcohol and drug testing. Refusal to be tested or to be and remain substance free is grounds for disciplinary action or dismissal.

In the limited circumstances where testing is justified, employees who test positive and are determined to be dependent on alcohol or drugs, must be accommodated to the point of undue hardship.

For those positions in which alcohol or drug testing is required, KDFN will identify who will conduct the drug testing and the nature of the test. The results of tests will be disclosed only to those employees entitled to review an employee's personnel file.

Before initiating any action, supervisors must be certain of the facts surrounding the situation and consult with Human Resources.

2. Duty to Accommodate

The extent to which KDFN is required to accommodate an employee with substance use issues depends on a variety of factors, including:

SECTION 6.0 – WORKING CONDITIONS

6.4 Substance Use continued

- health and safety concerns
- past efforts to accommodate
- the response to previous treatment or corrective programs and prognosis
- the nature of and seriousness of the violation
- the costs and other impacts of the required accommodation
- the size of the KDFN operation
- the availability of other, non-safety sensitive positions

In most cases, KDFN should refer employees to a substance use professional to determine whether, in fact, they are alcohol or drug dependent. If they are dependent, KDFN should accommodate them by providing the necessary support to permit them to undergo treatment or a rehabilitation program. KDFN may be justified in temporarily removing an employee who is an active user or has a recent history of substance use issues from a safety-sensitive position.

Once the employee has successfully completed a rehabilitation program, they should be returned to their position. Follow-up testing, conducted at reasonable intervals, may be a condition of continued employment where safety is of fundamental importance. If follow-up testing reveals continuing substance use, further action by KDFN, up to dismissal, may be justified. However, given the nature of alcohol and drug dependence, there is a significant risk of relapse. In some circumstances, KDFN may be expected to accommodate, to the point of undue hardship, those employees who continue to inappropriately use alcohol or drugs.

If a substance use professional determines that an employee is not dependent on alcohol or drugs, the employee should be returned to their position.

There are limits on KDFN's duty to accommodate, especially where an employee deliberately misleads KDFN. Denial of the extent of alcohol or drug use is often a symptom of addiction. However, accommodation is contingent on an employee's responsibility to take matters into their own hands and ask for help as accommodation is a multi-party inquiry that requires the employee's active participation. An employee's failure to disclose a disability may negate the duty to accommodate, particularly where the employee repeatedly denies using alcohol or drugs.

SECTION 6.0 – WORKING CONDITIONS

6.4 Substance Use continued

If KDFN has reasonable cause to believe that an employee is using alcohol or drugs, or when an employee tests positive, and the employee refuses to acknowledge their use of alcohol or drugs or seeks treatment, this fact does not in and of itself constitute undue hardship and does not justify immediate dismissal. Before terminating an employee, KDFN has to demonstrate that it has warned the employee through progressive discipline, and that the employee is unable to perform the essential requirements of the position.

Employees who chose not to address their substance use issues will be disciplined and may be dismissed if substance use continues to impact their work.

It should be noted that prescribed drugs (whether taken for the reason they were prescribed for or not) can have the same effect on individuals as illicit drugs. An employee who takes a prescribed drug is required to supply KDFN with a doctor's note to that extent.

Illicit drugs confiscated on KDFN property will be turned over to local law enforcement authorities.

Related Policies:
7.2 Discipline
9.15 Employee Assistance Plan
10.1 End of Employment
10.5 Personnel File
10.6 Job Description

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination

Scope: All employees

Purpose:

1. Provide a work environment that is free from both harassment and discrimination and where employees are treated with dignity and respect.

2. Provide a fair and equitable means of achieving the resolution of harassment and/or discrimination based conflicts among and/or between employees,

3. This policy also creates awareness of legal requirements and the process for resolving incidents.

Policy: KDFN will promote a positive and professional environment where all employees and elected or appointed officials are entitled to a workplace and working conditions that are free of harassment and discrimination. Any behaviour that denies any person their dignity and is offensive, embarrassing or humiliating will not be tolerated. Intentional harassment is against the law and is a major violation of KDFN policy.

KDFN will investigate all cases of alleged harassment and/or discrimination complaints and will provide an effective remedy when an allegation is determined to be valid. All complaints of, and investigations into, harassment and/or discrimination will be held in the strictest of confidence amongst the parties.

For greater certainty, nothing in this policy section will limit or otherwise preclude any employee access to any of their rights under any of the laws of KDFN or the Government of Canada, which includes the *Canada Human Rights Act* and the *Canada Occupational Health and Safety Regulations*.

Definitions: In this policy section:

"abuse of authority" means any act, behaviour or practice carried out by a person with authority, such as an elected or appointed official, a manager, supervisor, or department director who uses their vested authority with its implicit power to undermine, sabotage or otherwise interfere with the career of an employee. This includes humiliation, intimidation, threats and coercion and is not part of any normal management activities, such as performance reviews or progressive discipline. For greater certainty, abuse of authority constitutes another form of personal harassment;

"complainant" means a person who reports an alleged instance of harassment or discrimination;

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

"complaint" means an allegation of harassment or discrimination made in good faith, either formally or informally, to the Human Resources Manager, the Executive Director, department director, manager or supervisor or other appropriate elected or appointed official in accordance with this policy;

"complaint in bad faith" means an allegation of harassment or discrimination made, either formally or informally, to the Human Resources Manager, the Executive Director, department director, manager or supervisor or other appropriate elected or appointed official in accordance with this policy section that is known by the complainant to be false;

"discrimination" means any act, behaviour or practice, intentional or unintentional, that has either the purpose or effect of imposing burdens, obligations, disadvantages or preferences only on individuals or groups based on race, colour, place of origin, ethnic or linguistic background, ancestry, gender, age, marital or family status, religious beliefs or activity, mental and physical disability, political belief or activity or sexual orientation;

"harassment" means any act, behaviour or practice that demeans, humiliates or embarrasses a person. It is any behaviour that a reasonable person should have known would be unwelcome. It includes actions, comments or displays. It may be a single incident or continue over time.

Harassment is a lack of respect. When done responsibly, progressive discipline and proper supervision does not constitute harassment. An employee can challenge such a discipline or supervision in accordance with policy section 7.3, Dispute and Complaint Resolution. For greater certainty, harassment includes personal harassment and sexual harassment;

"personal harassment", means any objectionable or otherwise unwelcome conduct or comment directed towards a specific person or group. It serves no legitimate work purpose and has the effect of creating a hostile or offensive work environment.

Personal harassment is also known as bullying and is abusive and demeaning. By a reasonable standard, it causes insecurity, discomfort, offence or humiliation to that person or group. Personal harassment has the purpose or effect of interfering with a person's work performance or creating an intimidating, hostile or offensive work environment. It includes, but is not limited to, the following:

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

a) words, gestures, actions or practical jokes, the consequence of which is to humiliate, ridicule, insult or degrade;
b) threats, coercion, bullying or intimidating;
c) actual or threatened physical assault; and
d) persistent rudeness, taunting, patronizing behaviour, ostracism or other conduct which adversely affects working conditions or work performance;

"respondent" means a person who is accused of harassment or discrimination;

"sexual harassment" — refer to policy section 6.6, Sexual Harassment; and

"without prejudice" is a legal term that describes a rule of evidence that will not allow what might otherwise be an admission of evidence in subsequent proceedings. In any negotiations, communications or proceedings that are undertaken on a without prejudice basis to achieve an informal resolution of a dispute cannot be used later in a formal investigation.

Procedure: Note: This procedure will also apply to policy section 6.6, Sexual Harassment.

1. Rights and Responsibilities

a) Employee Responsibilities

Employees will treat each other with respect and dignity and will communicate their concerns, either formally or informally, if they or someone else they know is experiencing harassment or discrimination.

Normally, employees will report any incidents of harassment or discrimination they either experience or witness to the Human Resources Manager and will cooperate with any resulting investigation. However, unless a party to the complaint has specific consent to share or contribute information to the complaint process, strict confidentiality must be maintained.

b) Department Director, Manager and Supervisor Responsibilities

Each department director, manager or supervisor, including the Executive Director, Chief and Councillors, will foster a safe and healthy work environment that is free of both harassment and discrimination.

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

The positions identified above will set an example of appropriate workplace behaviour and will deal with situations of harassment or discrimination in accordance with this policy section immediately upon becoming aware of them, regardless of whether or not there has been a formal complaint made.

c) KDFN Responsibilities

As an employer, KDFN will be aware of what is happening in the workplace to ensure that all employees have knowledge of their rights and responsibilities and, where applicable, are trained to implement this policy section.

KDFN will treat all incidents of harassment and/or discrimination very seriously. KDFN will act on all complaints and will resolve them quickly, confidentially and fairly. KDFN will discipline anyone who

i) retaliates in any way against anyone who has complained of harassment or discrimination; or
ii) has provided false evidence or misinformation in a harassment or discrimination investigation; or
iii) has been found guilty of harassment or discrimination.

KDFN will discipline the Executive Director and any department director, manager or supervisor who does not act promptly and appropriately to address known harassment or discrimination. The nature and severity of the discipline will be commensurate with the nature and severity of the harassment or discrimination.

Third Party Harassment – KDFN recognizes that its employees may be subject to workplace harassment by clients and others who conduct business with KDFN, or members of the public who may unfairly criticize or direct negative or unwarranted comments to KDFN employees in such a manner that constitutes harassment. KDFN acknowledges its responsibility to support and assist the employee subjected to such harassment. The support and assistance may include:

i) Posting the harassment policy statement in locations visible to third parties;
ii) Requiring certain contractors and their workers to accept and meet

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

the terms of the harassment policy and removing workers who participate in harassment from the workplace; or

iii) Notifying, in writing, the third party who has been found to participate in harassment that he/she may not enter the workplace without being escorted, or subject to other limitations regarding their interaction with employees.

a) Complainant Rights and Responsibilities

Complainants who allege they have been harassed or discriminated against are responsible, if possible, to inform the respondent that the act, comment, behaviour, gesture or practice is unwelcome. Complainants will seek immediate assistance if required from a person in authority.

Complainants have the right to file a complaint and have the complaint investigated without fear of embarrassment or reprisal. The filing of a complaint will involve a written description of the harassment or discrimination. Complainants must be aware that a copy of the written allegations will be provided to the respondent. Complainants also have the right to ensure that the complaint does not form part of their personnel files.

Complainants will cooperate with those responsible for investigating a complaint. Complainants have the right to be accompanied by a person of their choice, who is not a witness to the complaint, during interviews or meetings related to their complaint. Complainants have the right to be kept informed about the status of the investigation throughout the process.

Complainants reserve the right to take their complaints to the Yukon Human Rights Commission and/or the Canadian Human Rights Commission.

KDFN will not disclose any information pertaining to the complainant or to the circumstances related to the complaint to any person except where such disclosure is necessary for the purpose of an investigation, the resolution of the complaint or where required by law.

b) Respondent Rights and Responsibilities

Respondents who have been accused of harassment have the right to be informed immediately that a complaint has been made against them, be presented with a written statement of the allegations, and to be given the opportunity to respond to those allegations. Respondent also have the right

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

to be accompanied by a person of their choice, who is not a witness to the complaint, during interviews or meetings related to the complaint.

Respondents have the right to be kept informed throughout the process.

Respondents will not threaten or retaliate against anyone involved in a complaint.

KDFN will not disclose any information on the respondent or the circumstances related to the complaint to any person except where disclosure is necessary for investigation or resolution of the complaint or where required by law.

2. Prevention

KDFN will annually take proactive and educational steps to prevent harassment and discrimination in the workplace. These steps include informing employees of:

a) what constitutes harassment and discrimination and methods for creating a workplace free from harassment;
b) their responsibilities in creating and maintaining a workplace free from harassment and discrimination;
c) the process for making complaints about harassment and/or discrimination; and
d) the established Code of Conduct & Ethics that applies to all employees at the time of hire and on an annual basis thereafter.

3. Training and Instruction

Human Resources will be responsible for ensuring that employees are provided training and instruction on general workplace security practices.

4. Resolution

When an employee feels that they are being harassed or discriminated against, they will take the following steps:

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

a) Complaints or inquiries concerning the harassment or discrimination of an employee will be made to the departmental director and Human Resources Manager.

Complaints regarding the departmental director will be made to the Executive Director and Human Resources Manager.

Complaints regarding the Human Resources Manager will be made to the Executive Director and, in this case, they will fulfill the obligations of the investigating officer in subsequent parts of this policy section.

Complaints regarding the Executive Director will be made to the Judicial Council and, in this case, an external investigator will be used to fulfill the obligations of the investigating officer in subsequent parts of this policy section.

Complaints regarding Council will be made to the Executive Director and Human Resources Manager and, in this case, an external investigator will be used to fulfill the obligations of the investigating officer in subsequent parts of this policy section.

b) All complaints or inquiries must be taken seriously and treated confidentially and all parties will be informed of their rights and responsibilities.

c) Within five business days of receipt of notice of any complaint, the Human Resources Manager, or other investigating officer, will provide a copy or summary of the complaint to the respondent with a request to provide a written response to the complaint.

d) Within five business days of receipt of a copy or summary of the complaint, the respondent will provide to the Human Resources Manager, or other investigating officer, a written response to the complaint.

e) Within five business days of receipt of the response by the respondent, the Human Resources Manager will determine if further action must be taken to appropriately address the complaint. If so, the Human Resources Manager, or other investigating officer, can, with both party's consent, try to facilitate, without prejudice, communication between the parties so that a resolution to the complaint can be reached. This process involves:

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

i) if possible or necessary, separating the parties in their workplace;
ii) discussing separately with both parties the options open to them;
iii) ensuring separately that both parties are willing to participate in the process; and
iv) facilitating communication between the parties so that they can reconcile differences and agree on a solution.

f) Complainants and/or respondents who believe that a matter has not been addressed using the steps above may request a formal investigation, preferably in writing, to the Human Resources Manager. If the original complaint meets the definition of harassment or discrimination, the Human Resources Manager will then, within ten business days:

i) investigate all complaints or inquiries concerning the harassment or discrimination of a person. This will involve interviewing all parties and witnesses;
ii) prepare a report of findings and recommendations related to the complaint and the circumstances surrounding the complaint and submit the report to the Executive Director; and
iii) inform all parties in writing of the results of the investigation without undue delay.

g) Where the Executive Director determines the conduct referred to in the complaint is in contravention to this policy section, the Executive Director may take disciplinary action in accordance with normal progressive discipline, which may include dismissal.

h) For greater certainty, if disciplinary action is taken, the Executive Director will notify the Council of such action immediately upon that action being undertaken.

i) The respondent, if found to be in contravention of this policy section, will have the opportunity to appeal the findings of the Executive Director.

j) The Executive Director may, in isolation of any disciplinary measures specified, take corrective action to protect the complainant and return him or her to a productive work environment.

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

k) Retaliation of any kind against any employee who has filed a complaint, participated in a harassment or discrimination investigation or been found guilty of harassment or discrimination will not be tolerated and may result in disciplinary action, up to and including dismissal.

l) All complaints will be treated as serious matters. Any employee who is found to have made a complaint in bad faith will be subject to disciplinary action, up to and including dismissal.

m) If, for some reason, the employee is unable to report the harassing behaviour to someone at KDFN, they may go directly to the Yukon Human Rights Commission. If the harassing behaviour falls under workplace violence (for a case of sexual or physical assault) the employee may go directly to the RCMP.

5. Appeal Process

a) Within ten business days of learning the results of an investigation, the complainant or the respondent may appeal a decision by submitting a letter of appeal to an authority that is one level higher than the authority responsible for making the original decision.

In the case of an appeal of a decision made by the Human Resources Manager, a letter of appeal will be directed to the Executive Director.
In the case of an appeal of a decision made by the Executive Director, the appeal will be directed to the Judicial Council.

b) Any letter of appeal will specify the decision that was made, the reason for appealing that decision, any perceived conflict with this policy section that may exist and a proposed resolution.

c) Within ten business days of receipt of a letter of appeal, the Human Resources Manager, the Executive Director, or Judicial Council, will render a decision to accept, vary or reject the decision under appeal and notify the appellant forthwith.

d) The decisions of the Judicial Council are final and binding.

SECTION 6.0 – WORKING CONDITIONS

6.5 Harassment and Discrimination continued

6. Mediation

It may also be appropriate to attempt to resolve a complaint through mediation before going through a resolution process, if the complainant and the respondent agree and the case facts suggest medication may be an appropriate resolution approach. A mutually agreed upon mediator from within or outside KDFN may help settle the complaint.

Either party has the right to refuse mediation. If mediation does become part of the process, each person has the right to be accompanied and assisted during mediation sessions by an individual of their choice. Other informal methods of resolving the situation may be used if both parties agree, such as a circle or any other traditional method of resolving disputes.

Related Policies:

6.6 Sexual Harassment
6.8 Non-Retaliation (Disclosure of Wrongdoing)
7.2 Discipline
7.3 Dispute and Complaint Resolution
9.15 Employee Assistance Plan
10.1 End of Employment

Canada Human Rights Act
Canada Occupational Health and Safety Regulations
Part XX, Violence Prevention In The Workplace
Constitution of the Kwanlin Dün First Nation
Schedule 4, Code of Conduct, section 3, Abuse of Office

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.6 Sexual Harassment

Scope: All employees

Purpose:

1. Provide a work environment that is free from sexual harassment and where employees are treated with dignity and respect.

2. Provide a fair and equitable means of achieving the resolution of sexual harassment.

3. This policy also creates awareness of legal requirements and the process for resolving incidents.

Policy: KDFN will promote a positive and professional environment where all employees are entitled to a workplace and working conditions that are free of sexual harassment. Any behaviour that denies any person their dignity and is offensive, embarrassing or humiliating will not be tolerated. Intentional sexual harassment is against the law and is a major violation of KDFN policy.

KDFN will investigate all cases of alleged sexual harassment and provide an effective remedy when an allegation is determined to be valid. All complaints of sexual harassment will be held in the strictest of confidence amongst the parties.

For greater certainty, nothing in this policy section will limit or otherwise preclude any employee access to any of their rights under any of the laws of KDFN or the Government of Canada, which includes the *Canada Human Rights Act* and the *Canada Labour Code*.

Definitions: **"sexual harassment"** means any act, behaviour, comment, gesture, practice or contact of a sexual nature that might reasonably be expected to cause offence or humiliation or that might reasonably be perceived as placing a condition of a sexual nature on employment or an any opportunity for training or promotion. Sexual harassment includes, but is not limited to, the following:

a) unwanted touching;
b) unwelcome sexual flirtations, obscene or degrading comments or gestures;
c) offensive jokes of a sexual nature;
d) leering, staring or whistling;
e) displaying or circulating pictures or other material of a sexual nature;
f) unwelcome questions or remarks about a person's sex life, appearance or clothing

SECTION 6.0 – WORKING CONDITIONS

6.6 Sexual Harassment continued

Procedure: The procedure for policy section 6.5 Harassment and Discrimination, will also apply to this policy section.

Related Policies:
6.5 Harassment and Discrimination
6.8 Non-Retaliation (Disclosure of Wrongdoing)
7.2 Discipline
7.3 Dispute and Complaint Resolution
9.15 Employee Assistance Plan
10.1 End of Employment

Canada Labour Code
Division XV.1 - Sexual Harassment
Constitution of the Kwanlin Dün First Nation
Schedule 4, Code of Conduct, section 3, Abuse of Office

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.7 Public Interaction

Scope: All employees

Purpose:

1. Facilitate the delivery of KDFN programs and services to the public and protect employees in the course of exercising their duties and responsibilities.

2. Provide a work environment that is free from both harassment and discrimination and where employees are treated with dignity and respect.

Policy: Employees will be abide an established Code of Conduct & Ethics with respect the manner in which they treat co-workers, citizens and other members of the public.

KDFN will promote a positive and professional environment where all employees are entitled to a workplace and working conditions that are free of harassment, including third party harassment, sexual harassment, and discrimination. Any behaviour that denies any person their dignity and is offensive, embarrassing or humiliating will not be tolerated. Intentional harassment is against the law and is a major violation of KDFN policy.

Definitions: **"harassment"** and **"discrimination"** has the same meaning as assigned to it under the definitions part in policy section 6.5, Harassment and Discrimination;

"intoxicated" means the state of a person being affected by alcohol or drugs;

"sexual harassment" has the same meaning as assigned to it under the definitions part in policy section 6.6, Sexual Harassment; and

"third party harassment" has the same meaning as assigned to it under policy 6.5 Harassment and Discrimination

Procedure: KDFN will investigate all cases of alleged harassment, third party harassment and/or discrimination complaints and will provide an effective remedy when an allegation is determined to be valid. All complaints of harassment and/or discrimination will be held in the strictest of confidence amongst the parties.

SECTION 6.0 – WORKING CONDITIONS

6.7 Public Interaction continued

Related Policies:

6.5 Harassment and Discrimination
6.6 Sexual Harassment
6.8 Non-Retaliation (Disclosure of Wrongdoing)
7.2 Discipline
7.3 Dispute and Complaint Resolution
9.15 Employee Assistance Plan
10.1 End of Employment

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing)

Scope: All employees.

Purpose:

1. Provide an effective process that allows employees to bring concerns or information about illegal activities or other wrongdoing to the attention of the appropriate authority for review and resolution without fear of reprisal.

2. Ensure that participants in a disclosure and resolution process be treated fairly and appropriately and to ensure that this process favours transparency and accountability.

Policy:

1. Protected Disclosure

KDFN is committed to open, ethical, accountable and transparent government. It is in the public interest to maintain and enhance confidence in KDFN and its employees by providing for the disclosure of wrongdoing with respect to KDFN operations. The KDFN Code of Conduct requires employees to observe high standards of business and personal ethics in the course their duties and responsibilities.

KDFN's internal controls and operating procedures are intended to detect and to prevent or deter improper activities; however, at times these systems may not provide perfect safeguards against improper conduct. Employees owe a duty of loyalty to KDFN, which includes a responsibility to bring to the attention of KDFN instances of wrongdoing.

KDFN is committed to complying with the laws and policies to which it is subject and to protecting the funds, assets and resources of KDFN.

Accordingly, it is KDFN policy to ensure that when an employee has reasonable grounds to believe that another employee has committed or is about to commit a wrongdoing, as defined in this policy section:

a) the employee may disclose this information through a clearly defined process;
b) the matter shall be reviewed, and if warranted, investigated by the proper authority;
c) the discloser will be protected from reprisals;
d) the subject of the disclosure shall be provided an opportunity to respond to the allegations;
e) that all parties to an investigation will be treated fairly;

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing) continued

f) that confidentiality will be maintained to the greatest extent possible; and
g) if wrongdoing is found, that remedial and disciplinary action will be taken.

2. Anonymous Disclosure

Employees are encouraged to put their names to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously shall be explored appropriately, but consideration shall be given to:

a) the seriousness of the issue raised
b) the credibility of the concern; and
c) the likelihood of confirming the allegation from attributable sources

3. Improper Disclosure

Improper disclosures shall be viewed as employee misconduct and shall be met with appropriate disciplinary action, up to and including termination of employment with cause, where warranted.

4. Responsibilities of Employees

Employees who participate in or are involved in any way in any process under this policy section shall:

a) use of KDFN information responsibly and in good faith in accordance with their duty of loyalty;
b) follow the internal process established to raise incidences of wrongdoing in the workplace;
c) respect the reputation of individuals by not making trivial or vexatious disclosures in bad faith;
d) keeping information relating to any process under this policy section strictly confidential; and
e) refrain from discussing any disclosure or the fact of the employees involvement, except to the extent required for the purposes of any investigation and resolution.

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing) continued

5. Responsibilities of Supervisors, Managers and/Department Directors

All supervisors who participate in or are involved in any way in any process under this policy section shall:

a) inform employees of this policy section;
b) ensure that employees understand the requirement to use KDFN information responsibly;
c) ensure that employees are aware of the processes available to them if they wish to disclose information concerning wrongdoing under this policy section;
d) promote openness in their interaction with employees;
e) act promptly when information concerning wrongdoing is brought to their attention; and
f) protect from reprisal employees who disclose wrongdoing in good faith.

Definitions: In this policy section

"discloser" means an employee who, in good faith, reports wrongdoing to the appropriate authority in an attempt to have the activity brought to an end and who is commonly referred to as a "whistleblower";

"improper disclosure" means a disclosure that is made in bad faith, which includes but is not limited to:

a) providing false information;
b) making disclosures that the discloser knows are baseless; or
c) previously examined and determined by appropriate authority;

"protected disclosure" means a disclosure that is made in good faith by an employee in accordance with this policy section;

"reprisal" means any harassment, intimidation, dismissal, suspension, demotion, discipline, or threat of dismissal, suspension, demotion or discipline of an employee as a direct result of the employee, in good faith, having disclosed a perceived wrongdoing;

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing) continued

"subject" means the person whom the discloser believes has committed or is about to commit a wrongdoing that is covered by this policy section;

"wrongdoing" for the purpose of this policy section, means any act or omission in or relating to KDFN that is more than trivial in nature and that is:

a) a contravention of any KDFN law or policy;
b) a misuse of KDFN funds or assets;
c) gross mismanagement and waste;
d) a serious breach of policy section 3.2, the Code of Conduct; or
e) knowingly directing or counseling a person to commit a wrongdoing referred to in any of the paragraphs (a) to (d).

"waste" means gross mismanagement of KDFN resources in a willful, intentional or negligent manner and that contravenes any KDFN law or policy;

Procedure:

1. Acting in Good Faith

Anyone filing a complaint or allegation of wrongdoing shall be acting in good faith and have reasonable grounds before filing such a complaint or allegation.

2. Timing

The earlier a concern is expressed, the easier it is to take action.

3. Confidentiality

Confidentiality shall be maintained to the extent possible and consistent with the procedural requirements of this policy section. A disclosure file shall be created when the disclosure and resolution process is initiated. The disclosure file shall be maintained separately from the personnel files of the discloser or the subject and shall normally be under the control of the Manager of Human Resources. Information collected may be subject to considerations such as privacy legislation and the rules governing court or other legal proceedings.

4. Reprisal Protection

No employee or public officer shall take any action in reprisal or retaliation against an employee for making, or who is suspected of making, a complaint or allegation of wrongdoing in good faith.

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing) continued

Any employee who has reasonable grounds to believe that a reprisal has been taken against him or her may file a complaint with the Executive Director. For greater certainty, the employee shall retain the right to initiate a dispute and complaint resolution process for the investigation of the alleged reprisal.

Where a supervisor is informed of or becomes aware of reprisals against an employee as a result of a report of wrongdoing, he or she shall inform the Executive Director and the Manager of the Human Resources Department.

The Executive Director shall recommend to the Manager of Human Resources the appropriate actions to stop, reverse or remedy a reprisal against an employee.

5. Disclosure and Resolution Process

Employees who become aware that a wrongdoing has been committed or will be committed should first attempt to raise the matter through the usual reporting relationship. If that has not been successful or was not possible, employees may communicate their concerns to the Executive Director.

Where the disclosure has been made to a supervisor, he or she shall inform the Executive Director.

The Executive Director and the Manager of the Human Resources Department shall be available to provide information about this policy section, provide informal advice to employees who are considering making a disclosure and explain the parameters of confidentiality employees can expect when they make a disclosure.

The disclosure and resolution process shall be followed when an employee decides to make a disclosure. Each step should be completed promptly. All steps should normally be completed within six months or less. However, the nature of certain disclosures might require very prompt, sometimes immediate, action.

In cases of disclosures that carry the potential to cause immediate and serious harm to the operations and assets of KDFN, the authority to whom the disclosure was made shall inform the Council of the disclosure.

Disclosers and subjects have the right to be represented or accompanied by another person of their choice, including legal counsel at their own cost.

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing) continued

Step 1 – Disclosure of Wrongdoing

a) the nature of the wrongdoing;
b) the name of the person alleged to have, or will, commit the wrongdoing;
c) the date and description of the wrongdoing; or
d) other pertinent information.

Step 2 – Screening and Review of Disclosure

The Executive Director and the Manager of the Human Resources Department shall review the disclosure to determine if there are sufficient grounds for further action. The disclosure may be rejected if it is determined that it is:

a) trivial and malicious;
b) fails to allege or give adequate information of a wrongful act; or
c) if it is determined that the disclosure was not made in good faith or on a basis of reasonable belief.

The Executive Director and the Manager of Human Resources may also decline to review a disclosure if it is determined that the matter could be dealt with more appropriately by means provided for under another KDFN procedure or a law in force in Canada.

The Executive Director shall inform the employee in writing of whether or not the matter will proceed further. If the Executive Director decides that the matter will proceed further, he or she shall decide, from the nature and particulars of the wrongdoing, what the most appropriate next steps are, which include an attempt at resolution and, or, investigation.

Step 3 – Attempt at Resolution

It is expected that most situations will be addressed by discussing the matter with the discloser and subject by identifying avenues of resolution and taking the appropriate action.

Step 4 – Investigation

If the matter cannot be resolved, the Executive Director may initiate an investigation. The Executive Director may decide to investigate the matter immediately following the preliminary review of the disclosure.

SECTION 6.0 – WORKING CONDITIONS

6.8 Non-Retaliation (Disclosure of Wrongdoing) continued

Step 5 – Decision

The Executive Director, or authorized investigator, shall prepare a report, including recommendations and a decision.

The Executive Director shall inform the parties, and Council, in writing of the outcome of the investigation. Corrective measures shall be taken, when required.

Related Policies:
3.4 Code of Conduct
6.3 Health and Safety
6.5 Harassment and Discrimination
6.6 Sexual Harassment

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.9 Information and Communications Technology

Scope: All employees

Purpose: This policy section does not cover every acceptable and unacceptable scenario. They draw on common sense and basic public service principles for authorized users and supervisors to determine appropriate computer use activities in the work place.

This policy section applies to all departments, including employees, contractors, appointees, trainees and other personnel using KDFN computers and electronic networks during normal working hours and all other times.

This policy section applies to all authorized users who access computer resources and services from KDFN computers and networks. They also cover authorized users while they are using their own equipment (including home computers), or equipment belonging to a third party, to access the KDFN network for work purposes.

The nature of some specific KDFN job functions may require accessing information that would not conform to the guidelines (e.g. criminal investigations, law enforcement) and are therefore exempt.

1. Describe the key principles for the appropriate use of computers and electronic networks.
2. Define the roles and responsibilities of users, their supervisors, and other key stakeholders.
3. Provide examples of acceptable and unacceptable use.

Policy:

1. Computers and Electronic Networks

For KDFN computers and electronic networks are important assets used to improve the delivery of services to citizens. KDFN will provide access to these computer resources so that employees and other people authorized to use these resources can:

a) conduct KDFN business through efficient internal and external communications with other individuals, organizations and the public;
b) conduct research, gather and share information relevant to their duties; and
c) take up opportunities to improve technical skills and acquire knowledge.

SECTION 6.0 – WORKING CONDITIONS

6.9 Information and Communications Technology continued

Most people use these assets in a responsible manner. As with any innovative tool, however, there is the possibility that it can also be used in a manner for which it was not intended. People who are authorized to use these resources will not hinder the productivity or job performance of employees, damage the ethical and professional behaviour of the KDFN service, impair the security and integrity of the KDFN's information holdings and network resources or jeopardize the legal position of the KDFN.

2. Principles of Use for Computers and Electronic Networks

The following principles will help authorized users determine what appropriate use of computer resources is. Principles of Use for Computers, lists examples, but the underlying premise is that any activity must be able to survive scrutiny through the publics' eyes without bringing KDFN into disrepute.

Principle 1

Users have a responsibility to protect ICT investments and KDFN information.

Authorized users will not compromise the security, confidentiality and performance of the KDFN telecommunications and network infrastructure and information.

Principle 2

Users are accountable to the public. Authorized users will not use computer resources to conduct activities that will bring KDFN into disrepute or be detrimental to its ethics, professionalism, integrity, standards of etiquette or productivity.

Principle 3

Users are committed to upholding all legal and policy obligations. Authorized users are obligated to ensure that the use of computer resources does not violate the *Criminal Code* (Canada), other federal laws or regulations, Yukon laws, including the *Human Rights Act* (Yukon), or KDFN legal and regulatory measures.

SECTION 6.0 – WORKING CONDITIONS

6.9 Information and Communications Technology continued

Principle 4

Users may occasionally use KDFN computers and electronic networks for acceptable personal or educational activities. In this electronic and information age, some incidental and occasional personal use of computer resources is permitted if the use is reasonable in duration and does not result in increased costs for KDFN and is consistent with these principles and this policy section. Personal or educational use of KDFN computers, e-mail and internet services will not negatively affect the professional image of KDFN, detract from the work duties and productivity of employees, or be used for private business operations or personal financial gain.

3. Privacy of Information

KDFN owns information and records stored or transmitted on its equipment and information systems. Authorized users need to be aware that they do not have a right of privacy in their use of electronic networks and corporate computers. Authorized personnel will investigate and monitor an individual's activities only if it is suspected that one or more of the four principles are not being followed. Activities using computers and electronic networks that would contravene this policy section are not permitted.

Any disclosure of information collected or accessed through either general or specific monitoring will be in accordance with the requirements of this policy section and the *Privacy Act* (Canada) and Freedom of Information and Protection of Privacy Act (FIPPA). Some job functions in specific program areas such as health, justice and education will protect the client relationship. Privacy and confidentiality in these situations will not be compromised.

Definitions: In this policy section

"ICT" means Information and Communication Technology and includes any information service, system, or soft and hardware that enables computer access in a stand-alone, single user mode (as in a laptop), or by multiple users connected to a server or other shareable resource, or a service or system that provides access to the Internet, and such systems operated or services offered by KDFN. For greater certainty, information service includes smart phones and tablets;

Procedure:

1. Roles and Responsibilities

Authorized Users:

SECTION 6.0 – WORKING CONDITIONS

6.9 Information and Communications Technology continued

Authorized users will be responsible for:

a) reading, understanding and complying with this policy section;
b) reading, signing, and adhering to the terms of the KDFN Computer Use Policy;
c) ensuring their use of computers and electronic networks is consistent with activities identified in this policy section;
d) taking reasonable security measures to protect the use of their passwords for accessing computer accounts and systems;
e) ensuring that sensitive, confidential or personal information residing on personal computers, laptops and servers is secure and safeguarded at all times;
f) taking precautions to avoid transferring computer viruses onto the network;
g) respecting intellectual property rights at all times when using computer resources;
h) advising their supervisor or ICT employees of any circumstances, incidents or events that may impact the availability or performance of the electronic network; and
i) when in doubt, ask their supervisor or ICT employees to clarify whether a contemplated use of the computers and electronic network is unlawful or unacceptable in the context of this policy section.

Supervisors:

The role of the user's supervisor is to:

a) determine who within their department requires access to computers and electronic networks, have approved users read and sign the KDFN Computer Use Policy, and then authorize this form with their signature as the user's supervisor;
b) ensure that all authorized users have read and are continually aware of these guidelines and conform to appropriate computer use;
c) clarify any questions whether or not a specific activity on a KDFN computer or network would be an offence against a law, a contravention of this policy section;
d) formally advise ICT employees of requests for KDFN account modifications or to permanently revoke or temporally suspend a user's access to electronic networks, systems and services upon termination or for investigative or disciplinary purposes;

SECTION 6.0 – WORKING CONDITIONS

6.9 Information and Communications Technology continued

e) manage employees' activities and determine what constitutes a reasonable amount of time spent by employees using computer resources for KDFN business and personal use; and
f) investigate or cause to be investigated suspected security breaches, inappropriate or illegal use of KDFN computer resources and advise ICT employees of any suspected activities by authorized users.

ICT Employees

The role of ICT employees as the central body implementing and managing KDFN electronic networks and services, including security, is responsible for:

a) ensuring that the most recent release of its corporate antivirus software products are available;
b) managing electronic network user accounts, including identification, authentication and authorization access for KDFN users and contractors;
c) monitoring the performance and capacity of electronic networks and systems;
d) analyzing network statistics, detecting operational problems in the electronic networks and taking steps to identify the source of the problem which, if authorized by the user's supervisor, could involve monitoring and analyzing an individual's use of computer resources; and
e) advising department directors and the appropriate authorities of suspected unacceptable or illegal activities on a KDFN computer or electronic network.

2. Consequences of Non-Compliance

Not complying with this policy section guidelines may result in disciplinary action including oral or written reprimand, limitation or withdrawal of access to computer and network services, suspension or termination of employment. The nature of the disciplinary action will depend on the circumstances and seriousness of the breach of compliance. Suspected illegal use of a computer or electronic network may be reported to the law enforcement authorities. In such cases KDFN may take disciplinary measures even where a formal criminal charge or civil lawsuit is not pursued.

SECTION 6.0 – WORKING CONDITIONS

6.9 Information and Communications Technology continued

Related Policies: 7.2 Discipline

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.10 Vehicles and Drivers

Scope: All employees

Purpose:

1. Assist in the safe, careful and professional operation of KDFN and privately owned vehicles and to keep insurance coverage at a reasonable cost.

2. Compensate employees for the local use of their own vehicles on KDFN business.

Policy:

1. Vehicle and Equipment Operations

Only properly licensed or trained employees with approved abstracts and authorization from their supervisor may operate a KDFN owned vehicle.

Employees operating KDFN owned vehicles/equipment will do so only for the explicit purpose of conducting KDFN business. Under no circumstances will employees operate KDFN owned vehicles/equipment for personal use before or after normal business hours without authorization from the department director.

Employees will not transport, without authorization, third-party passengers except:

a) for the purpose of transport in the case of an emergency; and
b) where such transport is required to conduct KDFN business.

Where it is not practical to operate a KDFN owned vehicle, or where a KDFN owned vehicle is not available, authorized employees may, at their own discretion, operate the vehicle owned by the respective employee. Authorized drivers of privately owned vehicles will obtain business insurance coverage from their insurer.

Department vehicles will be reserved for the exclusive use by the respective department and the use of such vehicles by employees not of that department will be authorized by the director of that department. The respective department will be responsible for such vehicles, including maintenance. For greater certainty, exclusive use by the respective department will extend to ATVs, boats and snowmobiles. (Occupational Health & Safety Manual).

Tickets related to traffic or parking violations while operating a vehicle for the purpose conducting KDFN business will be the responsibility of the driver and not that of KDFN. Employees who receive more than two tickets for traffic violations a year should have their driver's status revoked.

KDFN owned vehicles are not for personal use.

SECTION 6.0 – WORKING CONDITIONS

6.10 Vehicles and Drivers continued

2. Vehicle Allowance

Vehicle allowances are for travel during the course of KDFN business purposes only and not for daily travel to and from work or for personal travel.

Employees will be authorized by their supervisor to travel with their own vehicles and claim a travel allowance. This authorization may be for specific travel or a general authorization for the position.

Any personal vehicle used for KDFN business will be insured for business use and have at least $1,000,000 coverage for liability and property damage. Proof of such coverage will be supplied to the Finance Department before any allowance is paid. Use of personal vehicles for KDFN business purposes without proper insurance will be at the employees own risk.

Travel outside the Whitehorse area, within 50 kilometre radius, will be approved in accordance with policy section 7.1 Travel, KDFN Finance Policy and Procedure Manual.

Mileage

The monthly allowance will be based on current Treasury Board of Canada mileage rates for actual kilometres driven to a maximum of $250 per month.

Definitions: In this policy section

"business conducted for KDFN" means business conducted for KDFN inside and outside the Yukon Territory;

"driver" means all employees who are authorized to operate vehicles for the purpose of business conducted for KDFN;

"driver's abstract" means an original, certified driver's abstract obtained from the Yukon Government Motor Vehicles branch;

"kilometres" means the distance actually travelled on KDFN business;

"privately owned vehicle" means a motor vehicle that is owned by an employee; and

"vehicle" means all KDFN and privately owned motor vehicles the operations of which for the purpose of business conducted for KDFN is insured against the risk of third party liability for personal injury and property damage.

SECTION 6.0 – WORKING CONDITIONS

6.10 Vehicles and Drivers continued

Procedure:

1. Qualifications/Expectations for Drivers

Vehicles will be operated only by employees whose licenses and driver abstracts have been approved by the department director and Human Resources. KDFN will maintain a list of licensed employees and amend same from time to time in regard to the operation of specific vehicles or classes of vehicles, the continuing qualification of the drivers, the expiry date of each driver's license and obtain updated driver abstracts.

Upon delivery of receipts, KDFN will reimburse employees for the cost of their driver abstracts and, in the case of employees authorized to operate their privately owned vehicles for the purpose of business conducted for KDFN requiring extended insurance, KDFN will reimburse employees for the business insurance coverage to a maximum of $250.

Employees on the KDFN list of drivers will immediately notify their department director, Human Resources or Community Services Director of any changes to their driver abstracts or of any other circumstances or restrictions that may disqualify them as a driver.

Employees operating KDFN owned vehicles are expected to do so in a responsible manner, adhering to the rules of the road. This includes, but is not limited to, seat belt use, adherence to posted speed limits, adherence to distracted driving restrictions (e.g. cell phone use), etc.

2. Gas Purchases

All gas purchases for Government owned vehicles will be made by Purchase Order. The Purchase Order will contain the following information:

a) vehicle license plate number; and
b) department; and
c) appropriate coding and authorizing signature.

3. Vehicle Allowance

Mileage: All logs and claims will be submitted to the Finance Department by the third week of each month and not later than 30 days from the date the claim should first have been submitted.

SECTION 6.0 – WORKING CONDITIONS

6.10 Vehicles and Drivers continued

Related Policies: 7.2 Discipline

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.11 Dress Code

Scope: All employees working in an office environment. It is understood that employees working in safety sensitive departments must comply with the personal protective equipment policy.

Purpose: Set standards for employees' dress both in the workplace office environment and otherwise.

Policy: Employees will adhere to a dress code to project a professional, business-like appearance.

Procedure: Regardless of the employee's interaction with citizens, clients and the public and private sector, each employee projects the reputation of KDFN's public service.

KDFN has chosen to offer a casual dress environment for employees. Employees will use good judgment and show courtesy to their co-workers by dressing in a manner that is presentable and appropriate. At all times employees are asked to be cognizant that regardless of their interaction with citizens, clients and the public and private sector, KDFN is still a place of governance and business.

Should employees be asked to attend meetings or represent KDFN at special events, either in the KDFN offices or otherwise, they should dress in appropriate attire.

Any questions related to the content of this policy section or its interpretation will be directed to department directors or the Executive Director.

Examples of inappropriate clothing:

- Clothing that is torn or dirty
- Clothing with inappropriate logos, slogans or graphics
- Clothing that attracts undue attention to a person's body

Related Policies:

Policy Effective Date:
Policy Last Amended:

SECTION 6.0 – WORKING CONDITIONS

6.12 Return to Work

Scope: All employees

Purpose: Ensure injured/ill workers are treated fairly and consistently and are provided with options for the return to safe and suitable employment, following the required recovery period through a return to work plan.

Policy: Kwanlin Dün First Nation will cooperate with employees in returning injured/ill workers to safe and suitable employment as per the options identified by the organization and Yukon Workers Compensation Health and Safety Board for the worker injured on the job in accordance to the Board's Rehabilitation Policies.

Kwanlin Dün First Nation will develop a return to work plan with workers by having an authorized representative contact the worker as soon as possible after the injury. The plan will be based on the individual needs of each worker based on information provided by their physician. If an employee is unable to return to their pre-injury position as a result of a work related injury/illness, the organization will consider alternate options. Injured/ill employees are required to participate and cooperate in the development and implementation of the Return-To-Work plan.

Procedure:

1. Modified Work Plan

Occupational rehabilitation studies and programs have shown that employees who are engaged in some form of structured modified work program recover more quickly.

If required, KDFN will develop a Modified Work Plan for the employee in an effort to help the employee return to work in a timely manner. The plan should include the following information:

- Specific job duties to be performed
- Hours of work
- Length of modification

The plan must be signed by the employee, department director and Human Resources and a copy forwarded to the appropriate governing body.

SECTION 6.0 – WORKING CONDITIONS

6.12 Return to Work continued

The Modified Work Plan is developed in cooperation with the injured employee, their physician, the organization, and WCB. If the employee prefers not to participate in the modified work program, the organization and the employee must document the reasons given and report that information to WCB.

Personal information received or collected will be held in the strictest of confidence and will only be released if required by law or with the specific approval of the employee.

2. Responsibility

Directors:

- Support the employee in providing modified work
- Assist in the identification of innovative modified work assignments
- Follow up on the plan as necessary

Supervisors:

Ensure assigned work duties of injured employee comply with the stated work restrictions listed in the Modified Work Plan. This should be done with the assistance of Human Resources and OH&S Specialist.

Injured/Ill Worker

- Participate in the rehabilitation program
- Accept the modified work that has been approved by their physician

3. Return to Work Plan

KDFN will provide a copy of the clearance to WCB. The supervisor must continue to monitor the employee's progress to ensure the recovery period and gradual return has been successful.

KDFN will make all *reasonable efforts* to accommodate employees injured on the job and assist them in returning to work. In the event that the employee cannot return to their previous position, KDFN will make all *reasonable efforts* to find suitable employment in accordance with restrictions resulting from the injury or illness.

SECTION 6.0 – WORKING CONDITIONS

6.12 Return to Work continued

Related Policies: 6.3 Health and Safety

Policy Effective Date:
Policy Last Amended:

SECTION 7.0

PERFORMANCE MANAGEMENT

SECTION 7.0 – PERFORMANCE MANAGEMENT

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SECTION 7.0 – PERFORMANCE MANAGEMENT

7.1 Performance Evaluations

Scope: All employees

Purpose: KDFN is committed to building a skilled, knowledgeable, collaborative and respectful organization that thrives on innovation and quality customer service provided to Citizens. KDFN is also committed to supporting the growth and development of employees through effective performance management. The purpose of KDFN's performance management process is to align employee performance with KDFN's strategic plan, departmental goals and objectives, job descriptions and the KDFN Code of Conduct.

It is important that KDFN employees have an opportunity to work together with their supervisor to plan, monitor and review an employee's work objectives, employer expectations and overall contribution to the organization. This policy sets out the performance appraisal and performance plan process and guidelines for all KDFN employees.

Policy: KDFN employees are expected complete a performance appraisal and performance plan each year, prior to their anniversary date. Completed appraisals will be signed off by the employee, the supervisor and Human Resources, and will form the basis for eligibility for annual merit increases to an employee's salary.

Definitions: **"anniversary date"** The date in which an employee started work at KDFN. For employees hired between the 1st to the 15th of a month, the anniversary date will be the first of that month. For employees hired between the 16th to the end of the month, the anniversary date will be the first of the following month;

"Performance Appraisal and Plan" A planning and evaluation tool designed to let employees and supervisors work together to discuss successes, areas for improvement in their work and options to assist the employee grow their career at KDFN.

"Performance Management" A process by which managers and employees work together to plan, monitor and review an employee's work objectives, employer expectations and overall contribution to the organization. The main goal is to promote and improve employee effectiveness, and involves providing on-going coaching and feedback to ensure that employees are meeting their objectives and working towards career goals. At KDFN, this process is comprised of a cycle with three inter-related phases:

"***Performance planning***" The supervisor and employee establish performance expectations, goals and objectives in alignment with the level of the position.

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.1 Performance Evaluations continued

"***performance feedback and coaching***" As the employee works throughout the review period to accomplish the established performance expectations, the supervisor observes performance and provides ongoing feedback and coaching.

"***performance assessment***" The supervisor and employee complete an annual evaluations no less than 30 days prior to the employee's anniversary date.

Procedure: **Application**

This policy applies to all KDFN staff (including part-time, casual and auxiliary employees). There is one form for employees and one for management.

Responsibility

It is the responsibility of each supervisor to ensure that employees have a performance appraisal and performance plan developed each year, in advance of respective anniversary dates.

Probationary Employees

Probationary employees will be required to complete an appraisal in advance of the completion of their probationary period. In the event that an employee's probationary period is being extended, employees will be advised a minimum of 30 days in advance of the expected end date, provided with feedback as to improvement required, and new completion date. Following successful completion of the probationary period, the next performance appraisal will take place in advance of their anniversary date. In the event, due to an extension of the probationary period, the probationary appraisal is completed within 90 days of the employee anniversary date, the next appraisal will be completed in advance of the anniversary date in approximately one year's time.

Absence of Supervisor

Typically, an appraisal is completed with the individual who supervised the employee over the previous year. Should that supervisor no longer be in that position, the employee's current supervisor will complete the appraisal, provided they have supervised the employee for a minimum of six continuous months. If the former supervisor is available within KDFN, the current supervisor should seek their input. In some circumstances, the employee's performance appraisal will be postponed until the new supervisor has sufficient time to adequately assess the employee's performance. Ideally, supervisors will complete preliminary appraisals of all employees prior to their departure in order to provide the necessary feedback to the new supervisor.

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.1 Performance Evaluations continued

1. Human Resources will send an email to the employee and their supervisor 90 days prior to the employee's anniversary date, noting that an appraisal is required to be completed no later than 30 days in advance of the anniversary date. The email from Human Resources will contain the APPRAISAL form (one for employees, one for supervisors).

2. The employee will complete the APPRAISAL and email the form to their supervisor for review and to provide comments.

3. The supervisor will email the appraisal back to the employee with their comments included, and will schedule a meeting to discuss it. During the meeting, the employee and supervisor will discuss the draft evaluation, including all comments, including any areas of disagreement with respect to the employee's performance.

Following the meeting, both the employee and supervisor will sign and date the appraisal, and forward a hard copy to the Director of Human Resources. The completed appraisal must be provided to Human Resources no later than 21 days prior to the employee's anniversary date (see Merit Increases).

Merit Increases

Each employee may receive an annual merit increase (up to the maximum of their salary range) to recognize and reward good performance over the previous year. Increases will be applied automatically, unless the supervisor indicates on the appraisal in the space provided that the employee is not eligible for the merit increase. APPRAISALs are required to be completed and sent to Human Resources a minimum of 21 days prior to the employee's anniversary date to ensure the appropriate instruction is provided to the Department of Finance.

Disagreement

An employee and supervisor must, at the completion of the appraisal and performance development process, sign the appraisal. This is to acknowledge that both the employee and supervisor worked together to complete the appraisal, and that the employee's performance warranted - or did not warrant - a merit increase. In the rare case where an employee refuses to sign the appraisals, it will be forward to Human Resources and the Executive Director for resolution.

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.1 Performance Evaluations continued

Rolls and Responsibilities

Employees: It is the responsibility of staff to complete an appraisal each year, including the identification of a development plan.

Supervisors/Manages/Directors: It is the responsibility of supervisors to ensure that each of their staff completes an appraisal within established deadlines, and that they work with their employee during the performance management process.

Human Resources: It is the responsibility of Human Resources to email the appraisal to employees and respective supervisors a minimum of 90 days prior to the employees' anniversary date, and to monitor the process to ensure that it is done fairly and within established deadlines.

Exceptional Circumstances

This policy cannot anticipate every possible event or situation. Employees are expected to use their best judgment, and to ask for guidance before taking action. In situations where the individual circumstances of a case are such that the provisions of this or any policy cannot be applied or to do so would result in an unfair or an unintended result, the Executive Director will decide the case based on its individual merits and justice. Such a decision will be considered for that specific case only and will not be precedent setting

Related Policies:
7.3 Dispute and Complaint Resolution
10.6 Job Descriptions
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.2 Discipline

Scope: All employees

Purpose: Correct unsatisfactory performance or behaviour, promote a healthy positive climate of self-discipline and consistent and effective group standards, and ensure that employees are treated fairly and consistently.

Policy: Employee misconduct or incompetence will be subject to progressive disciplinary action aimed at improving employee performance.

Procedure:

1. Disciplinary Action

There are three general grounds for disciplinary action:

a) Incompetence

Incompetence occurs when an employee does not have the abilities or skills to perform the assigned duties and responsibilities associated with the position.

b) Negligence

Negligent employees may have the required skills but fail to perform at an acceptable or satisfactory level.

c) Misconduct

Misconduct means that policies have been ignored, such as irregular attendance, tardiness, poor attitude towards work or other employees, safety violations and insubordination, all of which may cause a direct or immediate impact on the service delivery, safety or negatively affect the attitudes of other employees, citizens or reputation of KDFN.

Employees are expected to be aware of and, where required as part of their work, understand the legal and regulatory measures enacted and approved by KDFN.

The attributes of discipline involve the provision of an initial warning and responding to concerns in an immediate and consistent manner. Concerns addressed must relate directly to the requirements of the workplace and should not be deemed as a personal attack. The ultimate goal is to correct the problem and retain the employee.

The objectives of disciplinary action will be positive in that they will be corrective and educational rather than negative and punishing.

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.2 Discipline continued

Disciplinary action will be consistent and fair and apply to everyone. In similar conditions and circumstances, consistent disciplinary action should be taken.

Generally, discipline will be progressive in nature, moving in steps from a minor reprimand for the first offence to discharge as the final action.

Some offenses are considered so serious that they are not dealt with by way of progressive discipline, (e.g. fighting, verbal or physical threats, theft, fraud, forgery, breach of confidentiality, breach of the public trust, serious safety violations that could lead to injury/death or significant financial loss). An employee who commits these offences or similar offences may be dismissed immediately. Employees who commit serious offences may also be suspended without pay, by the Executive Director, for a period of time commensurate with the nature of the offence.

Disciplinary documentation will be placed on an employee's personnel file in a sealed envelope. After two years without further disciplinary action, employees may request that disciplinary documentation be removed from their personnel file. This will allow the employee to have a clean employment record.

Supervisors, managers or departmental directors dealing with disciplinary issues must involve and work in cooperation with Human Resources prior to taking any action. Any and all documentation related to staff relations and/or disciplinary action will be maintained in Human Resources only where access is restricted and essential confidentiality can be assured.

Employees are entitled to dispute any disciplinary action through the process set out in policy section 7.3 Dispute and Complaint Resolution.

2. Steps – Progressive Disciplinary Process

Verbal Reprimand

A verbal reprimand is given to the employee followed by written confirmation to be placed on the employee's personnel file that documents a full accounting of the reprimand.

Written Reprimand

The written reprimand will be specific and:

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.2 Discipline continued

a) include the date(s), time(s) and location(s) of incident(s);
b) describe the nature of the undesirable performance or behaviour and how it relates to job and organizational performance;
c) identify the section in the Personnel Policy and Procedures and/or Occupational Health & Safety Manual that relate to the incident(s);
d) document any and all discussion and information related to the incident(s), including employee and supervisor responses, and where possible including specific words and actions; and
e) identify, if any, witnesses to the incident

Suspension

In the event that an employee fails to respond to previous measures taken to improve job performance or conduct, the next step in the disciplinary process should be a suspension without pay. The length of suspension will be commensurate with the seriousness of the infraction. Suspensions can range from one day to a maximum of 10 working days. As with every step in the progressive disciplinary process, clear documentation is to be provided to support the action taken as a final attempt to correct incompetence, negligence or misconduct.

Dismissal (Discharge) for Cause

Dismissal should be considered only where an employee fails to respond to all previous measures taken to improve their job performance or conduct.

Personnel files will contain well-documented records of disciplinary history and performance evaluations of employees, including comments of supervisors, a record of disciplinary action taken, the remedial efforts made by an employee and correspondence between supervisor and the employee with regard to work performance and misconduct.

The Executive Director will review all disciplinary action taken up to this step before initiating a dismissal.

In the case of a discharge, a termination letter will be given to the employee signed by the Executive Director. A termination letter for the Executive Director will be signed by the Chief.

All documentation will be recorded promptly, objectively, and based on observations and not impressions. This notification will be sent to the employee and a copy placed in their personnel file.

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.2 Discipline continued

Related Policies:

6.4 Substance Use
6.5 Harassment and Discrimination
6.6 Sexual Harassment
7.1 Performance Evaluation
7.3 Dispute and Complaint Resolution
10.1 End of Employment
10.6 Job Descriptions

Policy Effective Date:
Policy Last Amended:

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.3 Dispute and Complaint Resolution

Scope: All employees

Purpose: Provide an effective and acceptable means for employees to bring problems and complaints with regard to their well-being at work to the attention of KDFN and to ensure that employees are treated fairly, consistently and with respect.

Policy: Employees with concerns related to their position and work will have the right to access a dispute and complaint resolution process.

Procedure: Disputes and complaints will be based on breaches of the employee's rights and benefits as defined in the Personnel Policy and Procedure Manual, Occupational Health & Safety Manual, department policies and applicable legislation.

Employees are encouraged to attempt to resolve disputes and complaints informally with their supervisors or co-workers.

Employees will deal with disputes and complaints through this process unless another resolution process is identified (e.g. hiring and classification appeals). A formal dispute or complaint must be made in writing.

Formal Complaint Procedure

Step One:

Formal complaints will be presented to the employee's supervisor personally and in writing within five working days of the event prompting the complaint.

The supervisor will make every effort to resolve the formal complaint at this stage. The response of the supervisor, including efforts made at resolution, will be documented in writing. A copy will be provided to the employee, department director and Human Resources within ten working days from the receipt of the complaint. In the event the complainant is supervised by the director, the employee proceeds to Step Three.

Step Two:

If the employee's supervisor is unable to settle the formal complaint to the employee's satisfaction, it will be submitted to the department director within five working days of receiving a response from the supervisor. The director's response, including efforts made at resolution, will be documented in writing. A copy will be provided to the employee, Human Resources and the Executive Director within ten working days from the receipt of the complaint.

SECTION 7.0 – PERFORMANCE MANAGEMENT

7.3 Dispute and Complaint Resolution continued

Stage Three:

If the formal complaint is not satisfactorily resolved at stage two, the employee may send the complaint to the Manager of Human Resources for resolution within ten working days from the receipt of the response at stage two. The formal complaint will include the responses from the first stage(s) and the reasons the employee deems the responses unsatisfactory.

The Human Resources Manager will review all documentation, information and statements specific to the complaint and provide a written response within fifteen working days.

Stage Four:

If the formal complaint is not satisfactorily resolved through the first three stages, the employee may send the complaint to the Judicial Council within five working days of receipt of the response at Stage Three.

The Judicial Council, in its absolute discretion, can review documentation and decisions and render a decision or consider the complaint through a hearing and accept written and/or verbal submissions from all involved parties. The decision of the Judicial Council is final and binding.

Related Policies: Personnel Policy and Procedures

Policy Effective Date:
Policy Last Amended:

SECTION 8.0

PAY

SECTION 8.0 – PAY

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SECTION 8.0 – PAY

8.1 Wage Scale

Scope: All employees

Purpose: Ensure that employees are paid fairly and consistently.

Policy: KDFN will establish a wage scale system for all employees.

Procedure: KDFN has a ten level classification system. For each classification level there is a corresponding range of pay and for each level of pay a set minimum and maximum amounts of pay.

An employee's starting salary will be determined by the classification level of their position and qualifications.

Hourly wages for employees will be calculated in accordance with the following formula:

Annual Salary ÷ 52 Weeks ÷ 35 Hours = Hourly Wage

Related Policies:

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.2 Overtime

Scope: All employees except department directors

Purpose: Compensate employees for time at work above their regular working hours and to manage and minimize the use of overtime.

Policy: Overtime will only occur in exceptional circumstances.

Proper work schedule planning should minimize the occurrence of overtime hours.

Procedure: Overtime hours will be pre-approved in writing by the employee's supervisor. Hours worked over an employee's regular hours without prior approval of their supervisor may not be eligible for overtime compensation.

Employees will record overtime hours worked on their time sheet. The supervisor will authorize the overtime by signing the timesheet and forwarding it to the Finance Department for processing.

When an employee has worked overtime, they will, unless otherwise requested in writing by him or her, be credited time off in lieu of overtime pay.

Requests to utilize accrued lieu time will be made as far in advance as possible, on the designated form, and approved by the employee's supervisor and authorized by the department director.

For employees whose regular work hours per week are 35 hours or less, overtime compensation will be:

a)	0 to 35 hour per week	regular pay only
b)	36 to 40 hours per week	time in lieu at a ratio of 1 to 1
c)	41 to 48 hours per week	time in lieu at a ratio of 1.5 to 1

For employees whose regular work hours are 40 hours per week, overtime compensation will be:

a)	0 to 40 hour per week	regular pay only
b)	41 to 48 hours per week	time in lieu at a ratio of 1.5 to 1

In addition, employees will be compensated with time in lieu at a ratio of 1.5 to 1 for time worked over eight hours in any day.

SECTION 8.0 – PAY

8.2 Overtime continued

Employees, except department directors, will not work more than 48 hours in any one week. Additional overtime may be worked if the requirements in the *Canada Labour Code* are met.

Employees, except department directors, will be given at least one full day of rest per week. Standard days off will be Saturday and Sunday unless specifically scheduled otherwise.

An employee required to work on a general or KDFN holiday will be paid for hours worked on that holiday at the rate of time-and-one-half.

Casual and auxiliary/on-call employees will not be credited time in lieu of overtime but receive overtime pay every pay period.

In unique or unusual circumstances, a general pre-approval of overtime can be used for those employees who are required to respond to emergencies on a regular basis. Supervisors should regularly review the amount of overtime accumulated under a general pre-approval to ensure it is still warranted, based on operational requirements.

Related Policies:
8.3 Director's Leave
9.3 General and KDFN Holidays

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.3 Director's Leave

Scope: All department directors

Purpose: Compensate department directors for time at work above their regular hours

Policy: Department directors will be compensated for any and all overtime they may work at the rate of ten working days per year accumulated at 5/6th day per month

Procedure: Requests to take director's leave will be made as far in advance as possible, on the designated form, and approved by the Executive Director.

Related Policies: 8.2 Overtime

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.4 Acting Pay

Scope: All employees in acting positions

Purpose: Compensate employees for acting in another position

Policy: Employees will be compensated for acting in positions of a higher classification

Procedure: If an employee is appointed to an acting position for three or more consecutive days, the employee will be entitled to receive

a) 5 per cent pay increase to substantive salary; or
b) the minimum salary of the acting position

whichever is higher, for the duration of the employee's acting assignment.

Related Policies:
5.4 Acting Assignment
8.1 Wage Scale
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.5 Christmas Office Closures

Scope: All regular employees and casuals and auxiliaries in specific **full time** assignments at time of closure other than those designated as providing essential services.

Purpose: Regulate pay during Christmas office closures

Policy: In cases where the Council authorizes an office closure over the Christmas season and during normal working hours, employees will receive pay for the duration of the closure.

Procedure: Council may authorize an office closure over the Christmas season to allow employees to spend time with family. A closure is not automatic or guaranteed but is considered and approved on an annual basis.

Upon notification of an approved Christmas closure, the Executive Director will give advance notice and inform all employees of the time and length of the office closure.

Those employees providing essential services will be compensated with time in lieu for time worked during the closure.

Related Policies:

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.6 Pay Day

Scope: All employees

Purpose: Set regular pay days for employees

Policy: KDFN pays its employees bi-weekly on Fridays with a one week delay and in accordance with the rate of pay specified in letters of offer of employment.

Procedure: Time sheets will be filled out by the all auxiliary-on-call and casual employees and approved by their supervisor by the specific deadline. The supervisor is responsible for ensuring that employee's attendance is accurately recorded. Approved time sheets will be submitted to the Finance Department by no later than 4:30 p.m. on the Friday before pay day.

Permanent and term employees will be auto-paid for seventy hours, or for part time employees, standard part-time hours. A timesheet must be completed when recording preauthorized overtime hours worked or, in the case of part-time employees, extra hours worked, or when recording leave without pay.

Related Policies: 6.2 Attendance, Punctuality and Unauthorized Leave
8.2 Overtime

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.7 Pay Advances

Scope: All employees

Purpose: Establish when employees may request an advance.

Policy: Employees may only request a pay advance if they are traveling on business at the request of KDFN.

Procedure: An advance will not exceed wages earned and not previously advanced to an employee to the date the advance is made.

Related Policies: 8.6 Pay Day

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.8 Pay Deductions

Scope: All employees

Purpose: Identify mandatory pay deductions that are applied to regular paycheques

Policy: All employees will be subject to mandatory pay deductions in accordance with this policy.

Procedure:

1. Statutory Pay Deductions

KDFN will make all statutory payroll deductions, including CPP, EI and federal and territorial income tax payments, in accordance with the applicable legislation.

2. Benefit Deductions

KDFN will make all benefit payroll deductions in accordance with the requirements of the respective benefit policy or benefit provider.

3. Garnishment Order Deductions

KDFN will make all garnishment order payroll deductions in accordance with any garnishment order it receives.

4. Voluntary Deductions

An employee may authorize in writing a voluntary deduction from their payroll.

Related Policies:
8.9 KDFN Debt Recovery Process
9.2 Statutory Benefits
9.4 Group Benefits

Policy Effective Date:
Policy Last Amended:

SECTION 8.0 – PAY

8.9 KDFN Debt Recovery Program

Scope: All employees.

Purpose: Ensure that required fees are paid on a timely basis so that KDFN services, maintenance and repair can be properly sustained and allow KDFN to meet its financial obligations as a program and service provider to the KDFN community.

Policy: All new employees, as a condition of their employment, will sign and agree to regular payroll deductions to ensure that their financial obligations to KDFN are met.

Procedure: Upon commencement, and as a condition of their employment, employees are required to sign a Pre-Hire Payroll Deduction Authorization form and agree to begin, or continue, payment arrangements, including a arrears reduction payment plan, to ensure that their monthly financial obligations to KDFN are met.

The Finance Department will calculate the amount owed and to be deducted from the employee wages based on 25 per cent of the gross salary or a percentage that takes personal and family circumstances into account.

Existing employees will voluntarily enter into payment arrangements to ensure that regular payments are made for services provided and that a repayment plan can be arranged to satisfy any arrears. Employees who refuse to voluntarily enter into an agreement for debt reduction may be subject to legal action (e.g. small claims action).

Employees who resign or are released from their employment and, following a break in their service, return to KDFN, will be treated as new employees and will be required, as a condition of employment, to sign and agree to a debt reduction payment plan.

Note: This policy section has been amended in accordance with Council Resolution No. 2011–02, dated the 16th day of December 2011.

Related Policies:
8.5 Pay Day
8.8 Pay Deductions

Policy Effective Date:
Policy Last Amended:

SECTION 9.0

BENEFITS

SECTION 9.0 – BENEFITS

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SECTION 9.0 – BENEFITS

9.1 Schedule of Benefits

Scope: All employees

Purpose: Identify the benefits offered to employees

Policy: Employees should refer to the individual policies to determine their eligibility under this section.

1. Statutory Benefits

   a) Canada Pension Plan
   b) Employment Insurance
   c) Workers' Compensation

2. General and KDFN Holidays

3. Group Benefits

   a) Short-Term Disability Insurance
   b) Long-Term Disability Insurance
   c) Critical Illness Insurance
   d) Life Insurance, Dependent Life Insurance, and Accidental Death and Dismemberment Insurance
   e) Medical and Dental Insurance
   f) Registered Pension Plan

4. Vacation Leave

5. Sick Leave

6. Special Leave

7. Maternity and Parental Leave

8. Court Leave

9. Bereavement Leave

10. Leave Without Pay

11. Training and Development Leave

12. Vehicle Allowance

SECTION 9.0 – BENEFITS

9.1 Schedule of Benefits continued

13. Northern Residence Allowance

Related Policies:
8.6 Pay Day
8.8 Pay Deductions

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.2 Statutory Benefits

Scope: All employees

Purpose: Identify mandatory benefits deductions

Policy: *This policy section is for information purposes only*. The relevant federal or territorial statue should be consulted when administering these benefits.

Procedure:

1. Employer/Employee Shared Benefits

Canada Pension Plan

Employees between 18 and 65 years of age are required to participate in the Canada Pension Plan. KDFN matches the employee's mandatory contribution.

Employment Insurance

All employees are required to participate in the Employment Insurance program. Employment Insurance covers persons:

a) 65 years of age and over;

b) who work less than the specified hours per week; or
c) who earn less than a set minimum salary per week.

2. Employer Paid Statutory Benefits

Workers' Compensation

KDFN pays 100 per cent of the premiums for employees.

Related Policies:
6.3 Health and Safety
8.5 Pay Day
8.7 Pay Deductions

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.3 General and KDFN Holidays

Scope: All employees

Purpose: Identify the holidays observed by KDFN

Policy: KDFN provides the following holidays:

1. New Year's Day
2. Heritage Day
3. Good Friday
4. Victoria Day
5. Canada Day
6. Discovery Day
7. Labour Day
8. Thanksgiving Day
9. Remembrance Day
10. Christmas Day
11. Boxing Day

KDFN Holidays

1. Easter Monday
2. Aboriginal Day

Procedures: In the event that a holiday falls on a weekend, the holiday will be observed on the next regular working day.

Employees will be entitled to compensation for holidays in accordance with federal labour law and KDFN policy.

Related Policies: 8.2 Overtime

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.4 Group Benefits

Scope: All eligible employees (refer to Group Benefit Plan)

Purpose: Determine the eligibility requirements and content of group benefits provided by KDFN

Policy: *This policy is for information purposes only.*

In general, regular and term employees whose term of employment is a minimum of one year in duration and who work a minimum of 20 hours per week will be eligible for the majority of the group benefits. Only permanent employees working a minimum of 20 hours per week are eligible for the RBC Critical Illness benefit.

Eligibility for benefit programs follows a standard three month waiting period from the date of hire.

In general the following group benefits are provided:

1. Taxable Benefits paid by KDFN

a) Life Insurance
b) Dependent Life Insurance
c) Accidental Death and Dismemberment
d) Critical Illness Insurance (a plan that provides a person with a lump sum payment upon diagnosis of one of the listed critical illnesses)

2. Non-taxable Benefits paid by KDFN

a) Short and Long Term Disability
b) Medical and Dental

3. Employer / Employee Shared Benefits

a) Registered Pension Plan

Procedure: The employee is responsible for completing all benefit enrollment forms within the specific time period in order to be eligible to access allowable benefits and for keeping personal information up to date.

Specific policies and additional information can be obtained from the Finance Department

SECTION 9.0 – BENEFITS

9.4 Group Benefits continued

Related Policies:
5.1 Employment Categories
8.8 Pay Deductions

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.5 Vacation Leave

Scope: All eligible employees

Purpose: Establish the accrual and use of vacation leave

Policy: Employees are eligible to the following vacation leave credits:

Employment Category	Years of Employment	Vacation Leave Credits
Regular, Full Time	First five years of continuous employment	1.5 days per month (18 days per year)
	Sixth and subsequent years of continuous employment	2 days per month (24 days per year)
Regular Part Time		Pro-rated based on hours of work
All other employees	First five years of continuous employment	Vacation pay calculated at 4 per cent of gross wages
	Sixth and subsequent years of continuous employment	Vacation pay calculated at 6 per cent of gross wages

Procedure: Permanent employees earn vacation leave credits on the basis of continuous employment with KDFN.

Employees may only use vacation leave accrued unless otherwise specified in this policy.

Employees in permanent and term positions a minimum of one year in duration are encouraged to refrain from taking vacation leave during the first three months of employment.

Permanent and term employees with a minimum of one year continuous service will have vacation leave credits advanced at the beginning of each fiscal year.

Requests for vacation leave will be made in advance on the designated form, approved by the supervisor, and forwarded to Human Resources.

Requests for vacation leave will be made as far in advance as possible to an employee's supervisor.

SECTION 9.0 – BENEFITS

9.5 Vacation Leave continued

Generally, an employee cannot carry over more than **two years of** vacation leave credits (36 / 48 vacation days). At the end of the fiscal year, employees with vacation leave totaling more than two years accruals, will be paid out for the excess leave on the final pay of the calendar year. The building-up of vacation leave credits beyond 2 years accruals is permitted only in exceptional circumstances (e.g. planned and approved prolonged vacation).

For the purpose of calculating vacation leave credits, when an employee is hired between the 1st and 15th day of the month, the earning of leave credits will commence as of the first day of that month, and when an employee hired on the 16th day of the month or later, the earning of leave credits will commence as of the 1st day of the following month.

Employees should be encouraged to take vacation leave on a regular basis as this is considered necessary for continued good health and job performance.

If an employee resigns their position having taken, but not yet earned, vacation leave accruals, those hours recovered from their final pay.

Related Policies: 5.1 Employment Categories

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.6 Sick Leave

Scope: All eligible employees

Purpose: Establish the accrual and use of sick leave

Policy: Employees are eligible to the following sick leave credits:

Employment Category		Sick Leave Credits
Regular Full Time Term Full-Time		1.25 days per months (15 days per year)
Regular Part-Time Term Part-Time		Pro-rated based on stipulated hours of work
All other employees		No entitlement to sick leave credits

Procedure: Employees earn sick leave credits on the basis of continuous employment.

Sick leave is granted only to the extent of credits earned.

Sick leave credits earned but not used are carried forward into subsequent years of employment.

It is the employee's responsibility to ensure that the supervisor is notified within the first two hours of their shift.

When an employee's absence is in excess of five consecutive working days, they may be encouraged to submit a short-term disability claim.

Upon the employee's return to work, a leave form shall be completed and signed by the supervisor, and forwarded to Human Resources.

The employer may, at any time, request a medical certificate for an absence as a condition of granting leave.

The employer may also request medical certification of an employee's ability to return to work following an absence in excess of five days. Similarly, the employer may request a medical certificate for all sick leave use for the balance of the fiscal year following the use of five sick days in a fiscal year.

Sick leave credits will not be paid out in cash equivalent and are not paid out when an employee ceases to be employed.

SECTION 9.0 – BENEFITS

9.6 Sick Leave continued

Related Policies:
6.2 Attendance, Punctuality and Unauthorized Leave
8.6 Pay Day
9.4 Group Benefits

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.7 Special Leave

Scope: All employees

Purpose: Establish the accrual and use of special leave

Policy: Employees are eligible to the following special leave credits:

Employment Category		Special Leave Credits
Regular Full Time Term Full-Time		0.5 days per month (6.0 days per year)
Regular Part-Time Term Part-Time		Pro-rated based on stipulated hours of work
All other employees		No entitlement to special leave credits

Procedure: Employees earn special leave credits on the basis of continuous employment.

Special leave credits earned but not used are carried forward to the next and subsequent years of employment up to a maximum of thirty days (84 hours).

Special leave credits will not be paid out in cash equivalent and are not paid out when an employee ceases to be employed.

Special leave credits are not intended to supplement sick or vacation leave.

Special leave credits may be used to the extent earned with the approval of the supervisor as follows:

a) Illness of an immediate family member — up to a maximum of five days. A medical certificate may be requested at the supervisor's discretion;
b) Death of immediate family member — up to a maximum of five days and up to an additional three days for travel if the death has occurred outside the Yukon. This leave is used in combination with bereavement leave. Special leave may be advanced in the event of a death in the family when there are insufficient leave credits to cover request. Advanced leave will be deducted from future earned special leave. If the employee resigns or is dismissed, the amount of unearned special leave will be recovered from their final pay.
c) Birth of an employee's child — up to two days
d) Funerals and potlatches — up to one-half day for attendance at a funeral or potlatch. Additional travel time, if required, may be granted to the employee. Up to five days can be used for preparation for a potlatch.
e) Bank appointments
f) Legal appointments

SECTION 9.0 – BENEFITS

9.7 Special Leave continued

g) Medical or dental appointments
h) Cultural pursuits of to 5 days per year
j) With prior approval by the supervisor as far in advance as possible, participation as an athlete, coach or mission staff in a sporting event such as the Arctic Winter Games, the North American Indigenous Games, or the Canada Winter Games — to a maximum of five days

Requests for special leave will be made as far in advance as possible, on the designated form, approved by the supervisor, and forwarded to Human Resources. Exceptions may be made in emergency situations or unforeseen circumstances at the discretion of the supervisor, and in consultation with Human Resources.

In some circumstances the potential use of special leave may be more than an employee has accrued. Employees in this situation should consult with their supervisor and Human Resources to determine what alternatives may be available.

Related Policies: 9.8 Maternity and Parental Leave
9.11 Bereavement Leave

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.8 Maternity and Parental Leave

Scope: All employees who have completed a minimum of six months continuous employment

Purpose: Support employees with newly born or expected children. Support healthy family development.

Policy: KDFN will grant unpaid maternity and/or parental leave in accordance with the *Canada Labour Code*.

Procedure:

1. Maternity Leave

Every employee who becomes pregnant shall notify the Employer of her pregnancy at least fifteen (15) weeks prior to the expected date of termination of her pregnancy and shall be granted leave of absence without pay for a total period not to exceed seventeen (17) weeks.

Following the maternity leave period, the employee is entitled to an additional 35 weeks unpaid absence for a total of 52 weeks.

2. Parental Leave

Natural or adoptive parents will be entitled to combined parental leave of 35 weeks. This unpaid leave may be taken anytime within the 52 weeks following a child's birth or the time the child comes into the parent's custody. In the event that both parents are employees, parental leave can be shared but must not exceed a total of 35 weeks

The employee will notify KDFN within the two-month period following the commencement of parental leave as to the date upon which they intends to return to work. Before returning to work, the employee will provide KDFN with at least one month's notice of their intended date of return.

All notifications and applications for parental leave will be in writing.

All requests will be made on the designated form. All requests will be approved by the supervisor and provided to the Finance Department before an employee can take maternity or parental leave. Exceptions may be made in emergency situations at the discretion of the supervisor.

Related Policies: 9.13 Leave Without Pay

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.9 Time Off for Voting

Scope: All employees

Purpose: Encourage employees to fulfill their civic responsibilities.

Policy: KDFN is aware of the importance of the civic responsibilities of its employees and will make available adequate, paid leave to allow its employees to cast their vote in civic elections.

For greater certainty, elections include by-elections.

Procedure:

1. Federal Elections

In compliance with the *Elections Canada Act*, employees who qualify as electors to vote in a federal election will be entitled to three consecutive hours, while the polls are open, during which they may vote.

2. Territorial Elections

In compliance with the *Yukon Elections Act*, employees who qualify as electors to vote in a territorial election will be entitled to four consecutive hours, while the polls are open, during which they may vote.

3. Municipal Elections

In the event of a municipal election, employees who qualify as electors will be entitled to three consecutive hours, while the polls are open, during which time they may vote.

4. KDFN Elections

In the event of a KDFN election, employees who qualify as electors will be entitled to four consecutive hours, while the polls are open, during which time they may vote.

Related Policies: 3.3 Employees and Elections for Council

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.10 Court Leave

Scope: All employees

Purpose: Encourage employees to fulfill their civic responsibilities.

Policy: Leave of absence with pay will be given to every employee who is required to serve on a jury or who is subpoenaed to attend as a witness in proceedings held:

a) under the authority of a Court of Justice;
b) before a court, Judge, Justice, Magistrate or Coroner;
c) before a person or body of persons authorized by law to make an inquiry and compel the attendance of witnesses before it; and
d) in special circumstances where the employee is required to attend court in support of a family member for up to two days.

Procedure: Remuneration received from the judicial system will be subject to policy section 10.4 Third-Party Honouraria Or Other Remuneration.

Pay will not be granted for voluntary court appearances, such as acting in the capacity of a character witness.

Pay will not be granted for defendants accused of a crime.

Requests for leave will be made on the designated form.

A copy of any remuneration received from the judicial system will be provided to the Finance Department as soon as possible.

Related Policies: 10.4 Third Party Honouraria or Other Remuneration

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.11 Bereavement Leave

Scope: All regular and term employees

Purpose: Allow employees Bereavement Leave, in combination with Special Leave, on the death of an immediate family member

Policy: With the death of an immediate family member, an employee who has been employed with KDFN for three or more consecutive months may take leave with pay immediately following the death. KDFN understands that the death of a family member can have a significant impact on the family and time needed to grieve varies based on individual circumstances. KDFN will allow employees to take leave required and the time allowed will be assessed on a case by case basis.

For an employee with less than three months of continuous service, the granting of leave with pay and the duration of the leave will be made at the discretion of the Executive Director(s) or Human Resources Manager.

Procedure: Requests for leave will be made on the designated form.

Exceptions may be made in emergency situations at the discretion of the Executive Director(s) or Human Resources Manager.

Related Policies: 9.7 Special Leave
9.13 Leave Without Pay

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.12 Compassionate Care Leave

Scope: All employees

Purpose: Allow employees leave in the case of a serious medical condition of an immediate family member.

Policy: Employees are entitled to up to eight weeks of compassionate care leave without pay to provide care and support to a terminally ill immediate family member.

If more than one family member is an employee, the compassion care leave may be shared among them. The total amount of compassionate care leave granted will not exceed eight weeks.

If the family member is still gravely ill at the end of twenty-six weeks, the employee is entitled to a further period of up to eight weeks of compassionate care leave.

Procedure: A certificate from a qualified medical practitioner may be required stating that the family member has a serious medical condition with a significant risk of death within twenty-six weeks.

Another certificate from a qualified medical practitioner is required when an employee is entitled to a further period of up to eight weeks of compassionate care leave.

Employees retain their employment status and right to return to their substantive position following the period of leave.

Employees may qualify for Employment Insurance for the period of compassionate leave. Upon request of the employee, a Record of Earnings will be provided for the purpose of making application for Employment Insurance through Service Canada.

Related Policies: 9.13 Leave Without Pay

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.13 Leave Without Pay

Scope: All employees

Purpose: Allow for leave in special circumstances that are not covered by other policies.

Policy: Leave without pay may be granted at the discretion of the supervisor. Requests for leave without pay of thirty consecutive days or more may be granted at the discretion of the Executive Director.

Procedure: Requests for leaves without out pay will be made in writing to the employee's supervisor. Requests will set out the dates of and the reason for the leave.

With the exception of Maternity Leave, for leaves lasting longer than one month, benefit accruals, such as group benefits, will be suspended during the leave and will resume upon return to active employment.

After an absence of more than one year, KDFN will not guarantee the content or nature of an employee's position.

Employees are expected to provide KDFN with at least two months' notice if they will not be returning to work.

Related Policies:
9.8 Maternity and Parental Leave
9.12 Compassionate Care Leave

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.14 Training, Education and Professional Development

Scope: All regular employees

Purpose: Provide all employees with employment related training, education and professional development opportunities to enhance their performance in present jobs and to prepare for career and professional advancement.

Policy: KDFN will do everything practical and reasonable to support and encourage the training, education and professional development of its employees.

Employees that do not attend or complete training and education paid for by KDFN will be required to repay the costs of tuition and materials.

Requests for training and educational leave will be consistent with the goals of KDFN.

Procedure: **Training and Professional Development and Education Assistance**

1. Seminars, Conferences and Workshops

Where the supervisor has recommended and the department director has approved an employee's attendance, the employee will be entitled to receive their regular salary.

2. Courses, including Correspondence and Internet Courses, During Work Hours

Where the supervisor has recommended and the department director has approved, the employee may study or complete their courses during regular working hours without having to take leave.

3. Courses Outside of Work Hours

Where the supervisor has recommended and the department director has approved, the employee may be entitled to receive a portion or all of their tuition and textbook cost upon successful completion of the course. Employees taking courses related to their duties and responsibilities may be permitted class or study time at one-half day per week at the discretion of their supervisor. If the course is incomplete, this privilege will be cancelled.

SECTION 9.0 – BENEFITS

9.14 Training, Education and Professional Development continued

4. Education Leave

Where the department director has recommended an employee's leave in excess of 13 weeks, the Executive Director may authorize the payment of full or partial salary, and all or a portion of the costs involved, including travel, tuition, text books or any other costs.

The employee will not accrue sick leave, special leave or related leave benefits for the duration of the educational leave.

In the event that full or partial salary is not authorized, the employee may qualify for Employment Insurance for the period of education leave. Upon request of the employee, a Record of Earnings will be provided for the purpose of making application for Employment Insurance through Service Canada.

5. Return Service Commitment

An employee who receives financial or tuition assistance during a leave will be required to fulfill an employment commitment to KDFN upon completion of their training. The Executive Director will determine length of the return service commitment, commensurate with financial investment of KDFN.

6. Failure to Fulfill Return Service Commitment

a) Resignation

An employee who resigns before completing the return service commitment will be required to pay back the assistance granted, pro-rated on the basis of the length of the remaining service commitment.

b) Illness

An employee who resigns or retires due to illness during a period of a leave, or the period designated as the return service commitment, will not be required to repay the financial assistance granted to him or her provided that they obtains a physician's statement in writing.

7. Education and Training Requests

All requests for employees' training and education should be submitted to Human Resources using the designated form.

SECTION 9.0 – BENEFITS

9.14 Training, Education and Professional Development continued

The supervisor will provide a rationale for approving training and professional development including:

a) succession planning;
b) course location and content;
c) the length of education leave required; and
d) the amount of financial assistance required.

8. Selection Process

In selecting employees for education leave, supervisors must take into account:

a) the benefits to KDFN;
b) the present and future KDFN departmental or program requirements the present and future KDFN departmental or program requirements;
c) program changes that may require retraining of employees;
d) the importance of keeping employees abreast of new trends, techniques and technologies;
e) difficulties experienced in recruiting (e.g. nurses); and
f) the employee's qualifications, length of service and the potential for advancement

All employees approved for education leave supported by KDFN will submit a written report to the supervisor and provide a copy to Human Resource Department upon their return detailing the course content, knowledge acquired and potential and actual benefits to KDFN.

Related Policies: 9.13 Leave Without Pay

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.15 Employee Assistance Program

Scope: All employees and Council

Purpose: Increase employee health and well-being by assisting employees who have to deal with personal problems. The good physical, mental and emotional health of employees increases productivity and improves the quality of the work environment.

Policy: All employees who require support or assistance in dealing with personal or work related issues affecting their work may access the Employee Assistance Program.

Procedure: This is a confidential service offered to employees.

Employees may contact EAP to set up an initial assessment. A counseling plan will then be established with the employee, which may include the use of KDFN counselors, at the employee's request.

The Human Resource Unit is responsible for the administration of the Employee Assistance Program.

It is the responsibility of the employee to arrange time off with their supervisor if they plan to attend counseling services during working hours.

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.16 Northern Residence Travel Allowance

Scope: All employees

Purpose: Provide employees with the necessary assistance to access the Northern Residents Travel Benefits provided by the Canada Customs and Revenue Agency.

Policy: Each regular employee may claim a maximum of two trips per year per family.

Procedure: This amount claimed will be added to Box 32 of the employee's T4 and will be used as a tax credit when filing for income tax.

Employees will retain or produce receipts of travel costs for tax purposes

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.17 Severance Pay

Scope: All regular and term employees

Purpose: Provide a fair process of compensating departing employees

Policy: Employees who leave the employment with KDFN may be eligible for severance pay

Procedure: All employees will provide required notice of their intent to leave their employment with KDFN.

Severance pay will be paid in a lump sum on the employee's last pay cheque and is subject to statutory deductions.

Severance will be paid, as follows:

Reason for Termination		**Amount of Severance**
Retirement		One weeks' (5 days) pay for each year of completed service with the total payable not to exceed 30 weeks
KDFN Initiated Release		One weeks' (5 days) pay for each year of completed service with the total payable not to exceed 30 weeks
Resignation		None
Discharge for Cause		None

Related Policies: 10.1 End of Employment

Policy Effective Date:
Policy Last Amended:

SECTION 9.0 – BENEFITS

9.18 Death of an Employee

Scope: All employees

Purpose: Provide assistance to the family of the deceased employee.

Policy: KDFN will provide assistance to the family and designated person upon the death of an employee.

Procedure: If a deceased employee was covered under group insurance policy, the local agent for the insurance company will be notified immediately. KDFN will do all that is required to assist in ensuring that benefits due under the policy will be paid to the family as soon as possible.

A cheque for any pay, including vacation pay, due to the employee at the date of their death will be issued to the estate immediately.

KDFN will provide the equivalent of four week's pay to the person designated by the employee. This provision will be waived if the death was due to any criminal activity by the employee.

If the deceased employee is not survived by the person designated or if the employee has not designated a person to receive the pay, the payment will be made to the estate of the deceased employee.

Any outstanding claims for medical, dental or optical benefits will be processed immediately.

Upon request, the Finance Department will provide assistance to the widow, widower or other dependants in claiming survivor benefits under the Canada Pension Plan.

Related Policies: 9.17 Severance Pay
10.1 End of Employment

Policy Effective Date:
Policy Last Amended:

SECTION 10.0

PERSONNEL MANAGEMENT

SECTION 10.0 – PERFORMANCE MANAGEMENT

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SECTION 10.0 – PERFORMANCE MANAGEMENT

10.1 End of Employment

Scope: All employees except those who have not successfully completed their probationary period

Purpose: Provide benefits at the end of the employment relationship

Policy: KDFN will provide benefits to employees in accordance with the nature of ending the employment relationship.

Procedure: For the purpose of this policy, pay is the basic hourly or annual rate and does not include overtime or other premium pay.

1. KDFN Initiated Release

When KDFN releases a regular or prolonged term employee they will be given as much notice as possible with the minimum notice or pay in lieu of notice as follows:

Directors	Six Weeks' Notice (30 working days)
Managers	Four Weeks' Notice (20 working days)
Non-Managers	Two Weeks' Notice (10 working days)
Term Employees	Two Weeks' (10 working days) Notice of the end of the term
All Other Employees	A minimum of Two Weeks' (10 working days) Notice or pay in lieu of notice

Employees will receive severance benefits if entitled in accordance with policy 9.17 Severance Pay.

2. Resignation

Employees who resign their employment shall provide the same minimum notice as KDFN is required to give an employee in accordance with policy 10.1.1 KDFN Initiated Release.

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.1 End of Employment continued

Employees who resign will be paid to their last day worked and are not eligible for severance benefits as per the Canada Labour Code.

3. Discharge for Cause

Discharge is a permanent separation for cause. Cause may either be the result of the discipline process or as the result of a single serious incident.

Employees who are discharged for cause will not receive notice or severance benefits and will be entitled to all pay and benefits due to the employee to the date of their discharge.

4. Abandonment

This is defined as when an employee is absent from their employment for at least three consecutive days without any written or verbal notice to their supervisor.

Employees who abandon their positions will not receive notice or severance benefits and will be entitled to all pay and benefits due to the employee up to and including their last day worked.

5. Retirement

In Canada, there is no mandatory age of retirement. Many group benefits cease or change once an employee reaches the age of 65 and become eligible for pension payments.

Employees who retire after the age of 60 with at least five years of continuous service with KDFN are eligible for severance benefits in accordance with policy 9.17 Severance.

6. General Procedures

All notices will be in writing.

Supervisors receiving notice of a resignation or retirement will notify Human Resources immediately.

Supervisors declaring that an employee has abandoned their position will notify Human Resources of the last day worked by the employee.

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.1 End of Employment continued

Human Resources is responsible for ensuring that KDFN property is returned, computer access is terminated and all relevant documentation is completed.

The Department of Finance will prepare an employee's final pay.

In the cases of KDFN initiated release, resignation, discharge for cause and abandonment extended health care, dental and optical insurance is cancelled as of the last day worked by the employee.

Life insurance is cancelled as of the last day worked. An individual life insurance policy may be purchased, without medical examination, from the KDFN group carrier provided an application is made and the premium paid within 31 days of the last day worked by the employee.

Related Policies:
6.2 Attendance, Punctuality and Unauthorized Leave
9.4 Group Benefits
9.17 Severance Pay

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.2 Exit Interviews

Scope: All employees

Purpose: Determine why an employee has chosen to leave his or her employment and to allow for the identification and correction of problems at the KDFN workplace.

Policy: KDFN will offer departing employees an opportunity to participate in an exit interview

Procedure: Exit interviews will be conducted by Human Resources as soon as possible after learning the employee is leaving their employment.

Related Policies: 10.1 End of employment

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.3 Return of KDFN Property

Scope: All employees

Purpose: Ensure that all KDFN property, including safety equipment and intellectual property, is properly cared for and returned upon termination of an employee.

Policy: Upon termination of employment, all KDFN property will be returned to KDFN.

Procedure: Employees will be responsible for all KDFN property issued to them, created for KDFN by them, or in their possession or control.

Property of KDFN includes work materials, supplies, equipment, information, computers, keys and intellectual property. Intellectual property is defined as documentation, research, policy, reports, email and text message communication and similar information specific to employment with and for KDFN.

Where permitted by applicable laws, KDFN may withhold and recover from the employee's pay cheque the cost of any items that are not returned when required.

KDFN may take all action deemed appropriate to recover or protect its property.

Related Policies:
3.5 Confidentiality
3.6 Conflict of Interest
6.9 Information and Communication Technology
10.1 End of Employment

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.4 Third Party Honouraria and Other Remuneration

Scope: All employees

Purpose: Regulate the receipt by an employee of a honouraria or other remuneration from a third party

Policy: A honouraria or other remuneration received by an employee from a third party is not in addition to the employee's wage received from KDFN.

For greater certainty, where, during KDFN working hours, the involvement in a third-party activity is integral to their employment, or is the fulfillment of a civic responsibility, and, in either case, for which they receive an honouraria or other remuneration from the third party, the employee will:

a) provide the honouraria or other remuneration to KDFN if the honouraria or other remuneration is less than the wage they received for the length of time of the service provided to the third party;
b) forfeit the wage received for the length of time the service was provided and keep the honouraria or other remuneration if the amount of the honouraria or other remuneration exceeds that of the wage;

Under no circumstance will the employee keep both the honouraria or other remuneration and their wage.

If an employee takes leave without pay from their employment with KDFN, they may keep the honouraria or other remuneration provided for their participation.

Procedure: The employee will report the receipt of their honouraria or other remuneration to the Finance Department.

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.5 Personnel Files

Scope: All employees

Purpose: Protect the confidentiality of and maintain personnel files

Policy: KDFN will maintain consistent information about employees and preserve the confidentiality of employees' personal information.

Procedure:

1. Content of Personnel Files

Information contained in individual personnel files should include:

a) all application forms and resumes;
b) signed job descriptions;
c) signed oath of confidentiality and conflict of interest declaration;
d) drivers abstract, if applicable;
e) criminal records check, if applicable;
f) performance evaluations;
g) documentation of disciplinary action in sealed envelopes;
h) training and development records; and
i) any other data related to the employee's employment with KDFN.

The Finance Department will maintain a separate file for each employee for pay and benefit administration purposes. The confidentiality of the information in the Finance files will be protected and maintained.

Employees may review the content of their files upon request and in the presence of a member of the Human Resources unit.

Employees may make a request to Human Resources to have information placed on or, if consistent with the Personnel and Procedures, removed from their file.

2. Access to Personnel Files

An employee's personnel file will be accessible only to the:

a) Executive Director
b) supervisor or department director
c) Human Resources
d) employee

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.5 Personnel Files continued

Persons other than those listed above will have access to personnel files in a limited, job related capacity (i.e. training) or with the express written permission of the employee.

All requests for personal information with respect to KDFN employees will be directed to Human Resources.

Information contained in personnel files will be released only if an employee or former employee authorizes such disclosure in writing. Information that will require written authorization for release includes:

a) whether the person concerned is or was an employee;
b) length of their employment;
c) the employee's position; and
d) the employee's salary

Related Policies: 3.5 Confidentiality
7.2 Discipline

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.6 Job Descriptions

Scope: All positions

Purpose: Job descriptions are used for:

a) organization of work unit
b) delegation of responsibility and accountability
c) classification and associated wage scale
d) performance evaluation
e) training and development planning
f) Recruitment, selection and retention
g) Employee orientation

Policy: All employees will be provided with a written and up-to-date job description before their commencement of employment with KDFN.

Procedure: Job descriptions will be:

a) prepared for each position
b) reviewed and updated at the request of the employee or the department director
c) consistent with annual work plans
d) revised when a program changes or a department is reorganized; and
e) signed by the employee and supervisor

The supervisor or director will work with Human Resources to ensure that all positions have up-to-date job descriptions

Related Policies:
7.1 Performance Evaluations
9.14 Training, Education and Professional Development
10.7 Job Classification

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.7 Job Classification

Scope: All positions

Purpose: Ensure that each position is paid fairly and that there is consistency between positions

Policy: KDFN will establish a job classification system for all employees

Procedure: The job classification system will be linked to the wage scale and every regular and term position will be classified according to that model.

Human Resources will classify positions based on their job descriptions.

If there is a fundamental change in the job description, the supervisor or departmental director can request a classification review.

If an employee believes the job description associated with the position they occupy is no longer valid, they can request, in writing, that Human Resources conduct a classification review. The date the written request is received will become the "protected" date for change. For greater certainty, if the classification review results in an increase in classification level and salary, the change will be effective the date the review was requested.

If a position is reclassified at a higher level, the employee will receive an 8 per cent increase to their existing wage, or the minimum of the new range, whichever is higher.

If an employee, supervisor or department director believes the classification of a position to be incorrect, an appeal of the Classification Decision may be made to the Personnel Committee. The Committee will review all relevant documentation and may interview the employee, supervisor and/or department director in order to gather the information necessary to make an informed decision. The decision of the Personnel Appeals Committee will be final and binding.

Related Policies:
3.9 Personnel Committee
8.1 Wage Scale
10.6 Job Descriptions

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.8 Employee Data Changes

Scope: All employees

Purpose: Ensure employee information is current, correct and kept up-to-date.

Policy: KDFN will collect and maintain up-to-date personal information about employees as required by Human Resources and Pay and Benefits.

Procedure: Employees will promptly notify KDFN of any changes in their personal data such as mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, etc.

Policy Effective Date:
Policy Last Amended:

SECTION 10.0 – PERFORMANCE MANAGEMENT

10.9 Personnel Policy and Procedures Maintenance

Scope: Personnel Policy and Procedures

Purpose: Ensure that the Personnel Policy and Procedures is kept current and accurate.

Policy: KDFN will keep the Personnel Policy and Procedures current and aligned with operational requirements and territorial and federal legislation.

Procedure:

1. Formulation and Changes

Human Resources will be responsible for identifying any required amendments to existing policies and presenting the amended policy to the Council for approval.

Human Resources will inform all employees of the nature of any amendments to an existing policy.

All policies will be approved by the Council before they are implemented.

2. Maintenance and Distribution

After an amended policy has been approved by the Council, Human Resources will ensure that the policy is distributed to all employees.

All new employees will be provided with a copy of the Personnel Policy and Procedure Manual.

3. Record Keeping

All approvals and minutes of discussions by the Council with regard to the Personnel Policy and Procedure Manual will be kept in the Executive Council Office.

All historical copies of the Personnel Policy and Procedure Manual will be kept for reference purposes.

Suggestions or recommendations for new or amendments to existing policies will be forwarded to Human Resources.

Policy Effective Date:
Policy Last Amended: