



MISSISSAUGA FIRST NATION PERSONNEL POLICIES

Amendments Approved by Chief & Council
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Section One: Introduction

1.1 OVERVIEW AND PURPOSE

POLICY:

The Mississauga First Nation will maintain a Personnel Policy and Procedures to assist in the organizational operations and delivery of programs and services.

PURPOSE:

This personnel policy was amended in November 2016 and was approved by the Chief and Council of the Mississauga First Nation. The policies and procedures contained in this document and any revisions made to this policy, become effective and will be implemented upon the date of approval by the Chief and Council of the Mississauga First Nation, by motion and BCR following consultation with Program Managers.

The policies contained in this document are based on 22 standards consistent with and above the Canada Labour Code and the best practices as set out by the Human Resources Professionals Association (HRPA).

This policy is intended to:

- provide clear guidelines and to assist in implementing staff interaction in their daily workplace functions
- serve as a reference and implementation guide to managers, supervisors, employees, community members
- be endorsed and supported by Chief and Council

The Personnel Policy purpose is to promote and maintain a positive and harmonious relationship among the staff of the Mississauga First Nation. The document will also define terms of employment, code of conduct expected of employees and any Mississauga First Nation Manager in the execution of their duties.

Rules of Engagement:

The rules of engagement for employees who have a dual role as employee and council member are as follows:

- The personnel policies will be applied to all employees in the organization's operation, and
- the role of Council will be adhered under the Governance Manual and the Code of Conduct.

1.2

MISSION STATEMENT

Walking in Balance

"A socially and culturally healthy community where individuals have the opportunity to prosper and to achieve their full potential spiritually, emotionally, mentally, and physically through generous and unselfish support for one another, while pursuing balance and harmony within, with each other, and with Mother Earth."

1.3 NATURAL LAWS “BMAADZIWIN” – SEVEN GRANDFATHER TEACHINGS

THE PURPOSE OF THESE TEACHINGS IS TO GUIDE OUR INTERACTIONS IN THE SERVICE TO THE COMMUNITY OF MISSISSAUGA FIRST NATION.

LOVE – ZAAGIDWIN

To know love is to know peace. Love is a strong affection for another forming out of kinship or personal ties. Love is an attachment based upon devotion, admiration, tenderness, and kindness for all things around you. To love yourself is to live at peace with the Creator and in harmony with all creation.

RESPECT – MNAADWENDMOWIN

To honour all creation is to have respect. Show regard for the value of all persons or things through courteous consideration and appreciation. Honour our traditional roles and teachings. Honour our families, others, and ourselves. Don't hurt anything or anyone on the outside or the inside.

BRAVERY – AAKWA'DODE'EWIN

To face life with courage is to know bravery. Use personal strength to face difficulties, obstacles and challenges. Have courage. Make positive choices. Stand up for your convictions. Show courage in communicating and decision making.

HONESTY – GWEKWAADZIWIN

To walk through life with integrity is to know honesty. Be truthful and trustworthy. Tell the truth. Accept and act on truths through straightforward and appropriate communication.

HUMILITY – DBAADENDIZWIN

To accept yourself as a sacred part of creation is to know humility. Reflect on how you present yourself. Express or offer in spirit of deference and submission. Use a balance of equality with all life. Recognize the human need for balance in life.

WISDOM – NBWAAKAAWIN

To cherish knowledge is to know wisdom. Use sound judgment and the ability to discern inner qualities and relationships. Use good sense and form a good attitude and course of action. Listen and use the wisdom of elders, tribal leadership and spiritual leaders.

TRUTH – DEBWEWIN

To know of the heart is to know the truth. Faithfully apply the teachings of our Seven Grandfathers. Trust in the Creator. Be sincere in action, of character, and in utterance. Be faithful to fact and reality.

1.4 MANAGEMENT & EMPLOYEE RESPONSIBILITIES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-28	Amendment Date Approval:

POLICY:

The Mississauga First Nation will support the responsibilities of both management and employees and their roles that support the organization's goals and objectives through effective delivery of programs and services.

PROCEDURES:

1.4.1 Management

It is management's responsibility to provide leadership and supervision and to monitor employees as they strive to achieve the goals and objectives established by the Mississauga First Nation. Some activities performed by management include:

- a. Provide support and advice to employees.
- b. Determine and change from time to time the methods, processes, equipment employed.
- c. Recommend the hiring of employees when deemed necessary
- d. Determine the size and composition of the workforce, employee qualifications, and the assignment of work and duties.
- e. Communicate any organizational decisions regarding employment related issues such as, lay-off, termination and/or otherwise relieve employees from duties.
- f. Enforce rules governing employment and working conditions to be observed by employees.
- g. Determine hours, schedules, and assignments of work and work tasks.
- h. Enforce reasonable standards of performance.
- i. Provide supervision and monitor employee performance.
- j. Regularly evaluate and plan for long-term development through communication of organizational strategic directives.
- k. Ensure the health and safety of employees.
- l. Act as role models for employees.
- m. Provide recognition, respect, and express appreciation to employees.
- n. Provide opportunities for training and academic upgrading as required.
- o. Recognize and respect the knowledge and skills of individuals.

1.4.2 Employees

It is the employees' responsibility to understand and support the overall goals and operations of the Mississauga First Nation and to actively participate as a team member while

respecting and abiding by directions established by management. Some activities performed by employees include:

- a. Perform all responsibilities conscientiously, efficiently and consistently.
- b. Continually seek self-growth and enhancement of skills and knowledge.
- c. Contribute ideas and recommendations to improve operations.
- d. Abide by all policies and procedures.
- e. Function as a team member and establish professional relations with co-workers.
- f. Participate in long and short-term planning.
- g. Willingly participate in employee performance appraisals.
- h. Willingly participate in supervision sessions.
- i. Conduct oneself as a professional at all times.
- j. Act as role model for the organization and the community.
- k. Recognize and respect the authority given to individuals in management positions.

RELATED POLICIES:

- § 6.3 – Performance Appraisal
- § 7.5 – Professionalism and Code of Conduct
- Reporting and Accountability

1.5 AMENDMENTS TO PERSONNEL POLICY AND PROCEDURES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-28	Amendment Date Approval:

POLICY:

When changes to the Mississauga First Nation's Personnel Policy and Procedures shall be proposed, the Risk Management and Strategic Planning Director, Director of Operations and/or Program Managers will inform all employees in advance and will invite their comments and input on the proposed policy.

PROCEDURES:

- a) Management will be responsible for reviewing policies on an annual basis. If recommended changes are made they will be addressed with all staff. If no changes are required policies will remain as such.
- b) This consultation may be by memorandum or by a meeting with the staff. If input from the employees and program managers cannot be included because the recommendation would create liability and exposure to the First Nation the rationale for the changes will be made available to the Employees for communication purposes.
- c) When an agreement of the employees cannot be obtained to the changes, the Mississauga First Nation Chief and Council reserves the right to amend, revise, repeal or take whatever measures it deems necessary in its sole discretion in regard to the this policy.
- d) The revisions will be in consultation with the Band Lawyer or any lawyer duly retained by Chief and Council in this regard and incorporating the best practices from Human Resources Practitioner Association and current legislation that governs the Mississauga First Nation. When the Policy is amended there will be an implementation training and information session held for all employees wherein all employees and supervisors and managers will be provided a copy of the amended policy and will be required to sign an acknowledgement of receipt and training orientation notice.
- e) Employees will be promptly provided with a copy of this policy as amended.

RELATED POLICIES:

Section Two: Human Rights

2.0 HUMAN RIGHTS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation is committed to providing equal treatment with respect to employment according to the protected grounds as established under the Canadian Human Rights Act. Mississauga First Nation has adopted this policy to ensure that our employees are provided with meaningful employment that is ethical and fair, and is in compliance with all applicable employment, and human rights legislation.

2.1 DEFINITION

Discrimination means any form of unequal treatment based on a prohibited ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. Discrimination may take obvious forms, or it may occur in very subtle ways. In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy.

2.2 GUIDELINES

Mississauga First Nation Human Rights Policy is in place to ensure we provide a working environment for all employees that fosters openness and tolerance. This policy is intended to ensure that Mississauga First Nation's practices and the practices of all our employees are free from direct and indirect discrimination. Under the Canadian Human Rights Act, employers have the ultimate responsibility for ensuring a healthy and inclusive work environment, including preventing and addressing discrimination and harassment.

2.3 PROTECTED GROUNDS

The following is a list of the protected grounds under the Canadian Human Rights Act:

- Age
- Colour
- Conviction for an offence for which a pardon has been granted, or for which a record suspension has been ordered
- Disability
- Family status

- Marital status
- National or ethnic origin
- Race
- Religion
- Sex
- Sexual orientation

2.4 ACCESSIBILITY IN EMPLOYMENT

Mississauga First Nation is committed to providing accessibility across all stages of the employment cycle, by removing barriers and creating a workplace that is accessible to all job candidates and employees. Any applicant to Mississauga First Nation that communicates the need for accommodation shall be considered in a manner that is non-discriminatory, and respectful of our human rights obligations.

2.5 ACCOMMODATION

Mississauga First Nation will support the accommodation of employees and job applicants who require workplace accommodation under any of the grounds described in the Canadian Human Rights Act. We will work to achieve a workplace free of barriers by providing accommodation for the needs of those individuals covered by the Act, up to the point where it causes undue hardship for Mississauga First Nation. Every effort will be made such that the impact of accommodation will not discriminate against another group protected by the Act.

Mississauga First Nation shall provide accommodation as appropriate, using a consultative approach that involves the Mississauga First Nation, the individual, and as appropriate, any applicable union representatives, healthcare professionals, and other third parties that are required to assist in the accommodation process. Mississauga First Nation will work with the individual that requests accommodation in an effort to ensure that the measures taken are both effective and mutually agreeable. Mississauga First Nation encourages individuals to make any needs for accommodation known to their immediate supervisor, and to work with them in addressing the issue.

Accommodation may be temporary, or permanent, based on the requirements of the individual.

a. Accommodation Plans

Any employee requesting accommodation must make a request to their manager or immediate supervisor. The manager is responsible for ensuring that a written description of the accommodation plan is prepared for any employee.

Mississauga First Nation shall create an accommodation plan and attempt to determine methods of achieving the requirements for success in the position in alternative manners.

In the creation of an accommodation plan, Mississauga First Nation shall:

1. Identify the need for accommodation.
2. Determine objectives for performance in the role, and potential barriers.
3. Create a plan for achieving the objectives in an alternative manner.
4. Examine the options for accommodation, and select the most appropriate avenue for accommodation.
5. Implement the accommodation process.
6. Provide training as appropriate.
7. Review and revise based on feedback.

b. Investment in Materials

Where the accommodation required necessitates an investment in materials, equipment or increased budget for the position, requests for financing must be directed to the direct supervisor.

c. Job Redesign

In the event that the accommodation requires a substantial change in the position, involving duties or hours, the position may be redesigned.

d. Complaint

In the event that the employee requesting accommodation feels that their needs have not been met in a reasonable manner, they may file a written complaint. The complaint must be submitted to the Director of Operations or the Risk Management and Strategic Planning Director.

2.6 RELIGIOUS ACCOMMODATION

Mississauga First Nation is committed to respecting the religious beliefs and practices of all employees. Mississauga First Nation will strive to accommodate employees who must be absent from work for all or part of a regularly scheduled working day due to a bona fide religious obligation.

Mississauga First Nation employees who require religious accommodation are directed to provide as much advance notice as is possible, and we will strive to provide the required time off through the normal scheduling of work.

a. Dress Code

Mississauga First Nation shall strive to allow for religious accommodation where the accommodation does not conflict with established Health and Safety Policies, or where the work uniforms can be modified easily to permit the person concerned to wear the required item(s) of clothing. Clothing or gear with a health or safety rationale may constitute a reasonable occupational requirement.

b. Break Policy

Mississauga First Nation recognizes that some religions require the observation of prayer periods at specific times. While this requirement may create a conflict with standard hours of operations, Mississauga First Nation shall work to accommodate the employee's needs, short of undue hardship. Where possible, Mississauga First Nation shall allow for a modified schedule for breaks.

2.7 INABILITY TO ACCOMMODATE

In the event an employee cannot be accommodated in their current position it will be reasonable to accommodate an individual in another position. Management will attempt to place the employee in another available position. This may require the assistance of third parties with specialized expertise.

Where an employee is placed in an alternate position, Mississauga First Nation shall ensure that the employee:

- Has the requisite qualifications and skillsets necessary for success in the position;
- Is capable of performing the tasks associated with the position; and
- Agrees that the alternate work is acceptable.

In the event that the employee requesting accommodation feels that their needs have not been met in a reasonable manner, they may file a written complaint to management.

2.8 UNDUE HARDSHIP

Mississauga First Nation shall work to provide workplace accommodation up to the point of undue hardship. Undue hardship may occur where all options have been considered and it is established that no forms of appropriate accommodation exist, or where the creation of accommodation would cause excessive costs that create undue hardship for the organization, or where the accommodation would create a health and safety hazard.

Where the provision of accommodation is found to cause undue hardship on the organization, Mississauga First Nation shall work to find a fair and equitable compromise that meets the needs of the employee and the organization to the greatest extent possible.

2.9

REPORTING A HUMAN RIGHTS ISSUE

While Mississauga First Nation will ensure to adhere to following the Canadian Human Rights Act in all of its practices, it is essential that employees adhere to the Act as well. In the event that any employee feels they are being discriminated against or that they Mississauga First Nation is in violation of the Act, they may make a written complaint to the direct supervisor. The written complaint must include the following information:

- The date and time of each incident you wish to report;
- The name of the person(s) involved in the incident(s);
- The name of any person or persons who witnessed the incident(s); and
- A full description of what occurred.

a. Investigation

Once a written complaint has been received, Mississauga First Nation will complete a thorough investigation. If it is determined discrimination (or another violation of the Act) has occurred, appropriate disciplinary measures will be taken immediately.

b. Confidentiality

All records of direct and indirect discrimination and harassment, reports filed, and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.

RELATED POLICIES:

Section Three: Employment

3.1 JOB DESCRIPTIONS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation will maintain a clear and efficient structure and description of job responsibilities for its employees.

PROCEDURES:

1. Management will be responsible to ensure that job descriptions are maintained in a complete and accurate fashion.
2. Employees are to utilize their job description as an outline of their duties. The job description is not a complete or detailed listing of every duty the employee may be asked to perform.
3. Management may add similar or related duties after providing rationale for the changes, which will be reviewed with the affected employee prior to the revision.
4. Job descriptions will be reviewed with the employee during annual performance appraisals, with discussion of any areas which may need or require major modification.

RELATED POLICIES:

3.2

POSTING JOB VACANCIES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Recruitment involves actively seeking out individuals to apply for any available employment position through advertisements or other means. Job postings will be prepared in the process to advertise vacancies within the organization.

PROCEDURE:

1. The following applies for posting the following two kinds of job vacancies:
 - a. **New Position Posting**

New positions may also become available when the organization has identified the need for additional positions. The appropriate Program Manager or Director will advise Chief and Council by providing a new Job Posting by way of Briefing Note including budget and Job Description for their approval.

Approved Briefing Notes will be forwarded to the Human Resource Department to post the position for hire.
 - b. **Vacancy Posting**

Vacancy positions may become available because of retirement, resignation, termination, or leave (long-term or short-term). When a position becomes vacant it is to be posted at the chosen level.
2. It will be the responsibility of the Human Resources Department to post all job postings.
3. The Human Resource Department will recruit employees for the following:
 - a. 2-year contract (with possibility of full-time contract)
 - b. part-time contract
 - c. term
 - d. relief
 - e. labour services
 - f. volunteers
 - g. student placement
 - h. acting positions

4. The length of the job posting, deadlines and level of distribution will be determined by the Program Manager or Director.
5. As specified on Job Posting, each posting will be advertised as a two-year contract with possibility of extension based on available funding.
6. All job postings may state the hiring of "*a Mississauga First Nation member is preferred*" for Level I and Level II Distribution.
7. All job postings may state the hiring of "*Persons of First Nations ancestry is preferred*" for Level II and Level III Distribution.
8. All job postings may state that the applicant must provide at least three work related references.
9. The job posting shall include the requirement for a criminal record check or vulnerable screening check where applicable.
10. The job posting will list closing date for the receipt of applications together with the name, address, facsimile number, and email address of the Human Resources person who will accept the applications on behalf of Mississauga First Nation.
11. All job postings will state "*only those persons granted an interview will be notified*".
12. All job postings will identify that interviews will only be in person. Video conferencing will be permitted in circumstances approved by the Hiring Committee.
13. Levels of circulation for Job Postings may be as follows:

LEVEL I: Mississauga First Nation Band Members Only

The job posting shall be placed:

- On the Mississaugi webpage;
- Education Department
- A flyer or other mail, to all Band members both on and off reserve;
- Shall be posted on job boards in the Band offices.

LEVEL II: All First Nation, Metis and Inuit

The job posting shall be placed:

- Level I circulation list; and,
- North Shore Tribal Council with a request that it be posted in its offices;
- All member Nations of the North Shore Tribal Council requesting that it be posted in their offices and circulated among their members;
- Other local Native agencies and organizations with a request that it be posted in their offices and circulated among their members.

LEVEL III: Circulation aimed at the general public.

The job posting shall be placed:

- Level I circulation list; and,
- North Shore Tribal Council with a request that it be posted in its offices;
- The Sault Star, The Standard, and other local regional or national newspapers;
- the job posting shall be sent to Human Resources and Skills Development Canada for inclusion in its job bank; and other appropriate regional advertising services to publicize the job posting.

RELATED POLICIES:

- § 3.3 – Recruitment and Hiring

3.3

RECRUITMENT & HIRING

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Recruitment and hiring includes the selection of employees for both full-time and part-time, term, relief, students, labour services – seasonal, casual on-call, volunteers, placement and acting positions. This policy will support the integrity of the hiring process and that the process is conducted in a fair and impartial manner.

PROCEDURE:

1. The Mississauga First Nation is committed to hiring the best suited candidate for any position based on the objective criteria used to evaluate, screen and qualify applicants.
2. The Human Resources Department will work with the individual departments to ensure Job Descriptions are up-to-date and reflect current trends prior to posting.
3. The Program Manager or Director interested in recruitment will be responsible to ensure that budget approvals have been met through discussion with the Department head and/or Director of Operations prior to proceeding with the recruitment process.
4. The Mississauga First Nation is committed to providing positive First Nations role models to the community and to the training and professional development of First Nations peoples. Every effort will be made to recruit First Nations candidates for all employment positions that become available.
5. In addition to academic qualifications and professional background, life experience will also be considered when recruiting. A verification of credentials will be required.
6. All employment opportunities are open to, but not necessarily restricted to, Band members and other First Nations people and those with experiences in working with people of First Nations ancestry.
7. There will be occasions when the prerequisite skills or a particular license is required to perform a specialized function wherein it may be necessary to hire or retain the services of a non-First Nations person.
8. All employees will have knowledge of Anishnawbek culture and be cognizant of the expectations when working in the Mississauga First Nation workplace.

RELATED POLICIES:

- § 3.2 – Posting Job Vacancies
- § 3.4 – Anti-Nepotism

3.4

ANTI-NEPOTISM

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation recognizes that recruitment and selection of those individuals who may be related to Chief and Council or band employees may occur on occasion which may be subject to scrutiny from the community at large. This policy supports the anti-nepotism hiring and supervision practices.

PROCEDURE:

1. No potential employee shall be prohibited from employment with the Mississauga First Nation because a member of his or her family is an existing employee.
2. The Mississauga First Nation may hire individuals immediate family to existing employees provided that the new employee is not required to directly supervise or be supervised by an immediate family member.

3. Limitations

No person shall be hired by the Mississauga First Nation based solely on the fact that the individual is a member of the Chief's, Councillor's or another Band employee's Immediate or Extended Family. See appendix for definitions of *Immediate Family*¹ and *Extended Family*².

4. Special Circumstances

No person shall hold or be hired, promoted, demoted or transferred to a job, which requires them to directly supervise, or be supervised by, a member of their Immediate Family. An alternative source of adequate supervision that is non-disruptive of services to clients/families shall be confirmed by the Department Director to ensure that this does not occur. The reporting relationship shall be defined in the offer of employment, job description and the employee code of conduct and as contained in the Policies and Procedure as outlined in the workplace *Conflict Resolution and Complaints* procedure (§4.8 Grievance Policy).

RELATED POLICIES:

- § 3.3 – Recruitment and Hiring

¹ Page 139

² Page 138

3.5

SELECTION COMMITTEE COMPOSITION

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation supports the recruitment process that is conducted in a fair and equitable manner. This policy will support the manner which appointment of Selection Committee for all levels of employment positions within the organization.

PROCEDURE:

3.5.1 Appointment of the Selection Committee for Staff Positions

1. All hiring committees will participate in an orientation session to facilitate proper and consistent screening, as well as ensuring that Selection Committee is clear on the mandate for each specific position that they are acting in the capacity of the Hiring Committee for. This training will be provided by the Human Resources Department and disseminated to all Program Managers, staff, and community members who may from time to time participate on a hiring committee.
2. A Selection Committee shall be established for the purpose of conducting the function of screening, interviewing and recommending a successful candidate based on the criteria outlined in the job description and job posting.
3. The Human Resource Department and Program Manager or Director will select the Selection Committee members who will be responsible for screening, interviewing and recommending a candidate to Management for approval.
4. The Selection Committee for any staff position shall be comprised of a minimum of four members including, two Senior Program Managers/Directors and two other individuals who are trained in screening and hiring.
5. Four-person Hiring Committees are required for all permanent and casual positions within the First Nation except for positions defined in § 3.5.3.

3.5.2 Appointment of the Selection Committee for Management Positions

1. A Selection Committee shall be established for the purpose of conducting the function of screening, interviewing, and recommending a successful candidate based on the criteria outlined in the job description and job posting.
2. The Human Resources Department and Program Manager or Director will select the Selection Committee members who will be responsible for screening and interviewing for management positions.

3. The Selection Committee for any management employment position shall be comprised of a minimum of four members including one Council members, two Senior Program Manager and one other individual trained in screening and hiring.
4. Four-person Hiring Committees are required for all permanent and management positions within the First Nation.
5. All hiring committees will participate in an orientation session to facilitate proper and consistent screening, as well as insuring that the Selection Committee is clear on the mandate for each specific position, which they are acting in the capacity of the hiring committee. This training will be provided by the Human Resource Department and disseminated to all program managers and staff, and community members who may from time to time participate on a hiring committee.

3.5.3 Appointment of the Selection Committee for the Director of Operations or Risk Management and Strategic Planning Director

1. A Selection Committee shall be established for the purpose of conducting the function of screening, interviewing and recommending a successful candidate based on the criteria outlined in the job description and job posting.
2. The Human Resources Department and Chief & Council will select the Selection Committee members who will be responsible for screening and interviewing.
3. The Selection Committee for any employment position of Director of Operations or Risk Management and Strategic Planning Director, shall be comprised of the following for each position:

Director of Operations	Risk Management and Strategic Planning Director
<ul style="list-style-type: none"> • Two Council Reps • Risk Management and Strategic Planning Director 	<ul style="list-style-type: none"> • Two Council Reps • Director of Operations

RELATED POLICIES:

- § 3.6 – Conflict of Interest - Selection Committee
- § 3.11 – Recruitment and Selection
- § 3.7 – Oath of Confidentiality – Selection Committee

3.6 CONFLICT OF INTEREST – SELECTION COMMITTEE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation supports the disclosure of conflict of interest in all aspects for recruitment and selection process. Members of all Hiring Committees shall act in the best interests of the Mississauga First Nation and its members as a whole, and shall act in accordance with the First Nation's employment policies at all times.

PROCEDURE:

These procedures are intended to ensure that conflicts of interest are avoided and addressed in the hiring and interviewing processes of the Mississauga First Nation.

1. All Selection Committee members must sign a Conflict of Interest Form. In the event a signed Conflict of Interest Forms may delay the recruitment process the Human Resource department may send via email for confirmation (*See Conflict of Interest memo and email insert¹*).
2. The members of the Selection Committee shall not use their status or position on such committees to influence outcomes.
3. In fulfilling his/her responsibilities, each member of the Selection Committee must avoid any activity that compromises their judgement or causes them to show undue favouritism or malicious intent toward any applicant.
4. At any time during the hiring process, the responsibility of recognizing and avoiding a conflict of interest, or a perceived conflict of interest, lies with the individual Selection Committee members.
5. A Selection Committee member may inquire about a situation that they perceive to be, or appears to be, a conflict for another Selection Committee member.
6. In the event that a Selection Committee member does not acknowledge a conflict of interest, the remaining members have the authority to declare the conflict and have the individual removed from the Hiring Committee.
7. Any Selection Committee member who finds himself or herself in a situation that constitutes a conflict of interest must immediately withdraw from the Selection Committee and make full disclosure of the conflict to the rest of the Selection

¹ Page 151

Committee members. The screening, interviewing or hiring process will make recommendations on whether to continue or suspend until such time as a replacement Selection Committee member is recruited and appointed to the Hiring Committee.

RELATED POLICIES:

- § 3.11 – Recruitment and Selection
- Hiring Committee
- § 3.4 – Anti-Nepotism

3.7 OATH OF CONFIDENTIALITY – SELECTION COMMITTEE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation supports confidentiality in all aspects for recruitment and selection process. It is an essential part of recruitment to ensure that Selection Committee members commit to confidentiality in all aspects of recruitment when participating and following the recruitment and selection process to protect the privacy of all interested candidates.

PROCEDURE:

1. Each member of a Selection Committee shall sign an Oath of Confidentiality *prior to the start of the screening process set out below*.
2. This Oath of Confidentiality shall apply during **all stages** of the hiring process, right through to the final stage of a signed Offer of Employment and the official notification to all interview candidates.
3. The Oath of Confidentiality does not expire at the end of the hiring process or upon the notification of the interview candidates.
4. No Selection Committee member may disclose the outcome or results to the hiring process.
5. If a selection committee member breaks their Oath of Confidentiality during the selection process, a formal reprimand shall be issued; that employee is also ineligible for future selection committees. If the member is a council member, written notice shall be given to Council for their direction with a notice of decision given to the Human Resources Department.
6. The Human Resource department will ensure that all recommendations have received the proper Chief and Council endorsement prior to confirming employment offers and or rejection notices.

RELATED POLICIES:

- § 3.11 – Recruitment and Selection
- § 3.5 – Selection Committee Composition
- § 3.6 – Conflict of Interest – Selection Committee

3.8

SCREENING APPLICATIONS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

All applications for employment shall be screened by the Selection Committee to determine whether the applicants meet the qualifications and selection criteria set out in the job posting. Screening Applications is the first step to identifying candidate eligibility for interviews. The Selection Committee will screen applications based on the qualifications in the job posting(s) using a pre-determined evaluation or marking scheme.

PROCEDURE:

3.8.1 Full and Part-time Positions

The following procedure will be followed to ensure due diligence in the screening process for full and part-time positions:

1. The screening tool will be created in partnership with Human Resource Department and the Program Manager/Director who will be doing the recommending.
2. The screening tool will be reviewed and accepted by the Selection Committee **prior** to assessment of any applicants.
3. Within one week of the closing date for the submission of applications, Human Resources shall review the application(s) for employment submitted by the applicants. The removal of names for an application is known as *blind screening*.
4. Human Resources will prepare a package for the Selection Committee consisting of the following:
 - Copy of the job posting/job description
 - The Oath of Confidentiality
 - Copy of the screening tool
 - Copy of the conflict of interest email
 - Copy of each applicant's cover letter
 - Copy of each applicant's resume with his or her name removed
5. Once the package is prepared, Human Resources will inform the Selection Committee that they may review each of the application(s) submitted by the applicants. This can be done as a group or individually. The Conflict of Interest and the Oath of Confidentiality will be confirmed prior to any Selection Committee member screening applications.

6. No application that is received after the closing date and time will be considered.
7. Once each member of the Selection Committee has completed screening, the Human Resources Department will complete the Screening/Interview Tally sheet.
8. The Selection Committee shall interview candidates who have been identified as suitable and potential candidates.
9. If all applicants do not qualify for an interview on the basis of the screening tool or they do not meet the final screening from the criminal records or vulnerable sector check following the interview process, the job shall be reposted.
10. In the event that the Selection Committee receives only one application for employment for any one job posting and the applicant does not qualify for an interview on the basis of the screening tool, the job shall be reposted at the next recruitment level.
11. In the event that a second posting does not produce more applicants the position will be evaluated for broader distribution. If two applications were received, the screening shall still be completed and both applicants may be offered an interview.

3.8.2 Temporary Make Work or other Short-term Positions:

The following procedure will be followed to ensure due diligence in the screening process for temporary make work or other short term employment positions:

1. A Temporary Make Work Position is a short-term contract employment position (level I) so designated by the Risk Manager and Strategic Planning Director, Director of Operations or the Program Manager of the Mississauga First Nation, Nii-gaaniin, Naadmaadwiiuk, or other third party funding mechanism.
2. For temporary make work or other short-term employment positions, a screening process may be undertaken by the Selection Committee to assess the qualifications of applicants. The process will be followed in the same manner as the permanent Selection Committee mandate and screening.

3.8.3 Casual Positions

The following procedure will be followed to ensure due diligence in the screening process for casual positions:

1. A casual position is a brief, time restricted (1–10 days) service contract position, so designated by the Department Director, usually to perform a time-limited, specific task or to replace an absent employee.
2. A casual position shall not exceed twenty days as this will then be deemed a term position that must go for posting.

3. For casual employment positions, a recruitment, screening and/or interview process may not always be required.
4. Eligibility for employment for a Casual Position shall be determined by availability and the availability of trained replacement employees, experienced individuals and/or specific target groups.

RELATED POLICIES:

- Employment Types - Definitions located in Appendices.

3.9

INTERVIEW PROCESS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Prior to offering an employment position to any candidate, the Selection Committee shall interview selected candidates for the position in order to test the candidate's suitability.

PROCEDURE:

1. Each candidate being interviewed in any single employment competition shall be asked the same questions by the Hiring Committee.
2. The development of the questions that become the Interview Questionnaire must be done in collaboration with Department Director/Program Manager and Human Resources Department.
3. Skill-testing questions may be added to the interview process which will be pre-determined and prepared by the Department Director.
4. Each interview Questionnaire will identify the name of interviewee, date of the interview, the name of Selection Committee member, the job title being screened, start and end time of interview, and the total score of the questionnaire.
5. Each question of the Interview will be assigned a target score.
6. Each Selection Committee member will record responses of the interviewees in writing.
7. Each Selection Committee member will assign a score based on their interpretation of the preparedness and accuracy of each applicant.
8. **Ranking System:**
 - I. Band Members with the essential skills and qualifications may include, formal education at a college or university level, experience in working in the field, possession of a professional degree or license, possession of a valid driver's license or specific class of license, or any other skills or qualifications related to one's ability to effectively perform the duties and responsibilities of the employment position.
 - II. Non-Band Members with the essential skills and qualifications may include, formal education at a college or university level, experience in working in the field, possession of a professional degree or license, possession of a

valid driver's license or specific class of license, or any other skills or qualifications related to one's ability to effectively perform the duties and responsibilities of the employment position.

- III. Applicants with substantially all of the essential skills and qualifications to perform the job duties of the position for which he/she is being considered for hiring.
- 9. The following administrative questions which may be asked and not scored are:
 - a. Have you ever convicted of an offence for which you have not been pardoned?
 - b. According to our job posting, preference will be given to those of First Nations descent. Are you of First Nations descent?
 - c. Do you have a valid driver's license and access to/use of a vehicle?
 - d. If you are the successful applicant, when would you be available to start?
 - 10. After all interviews are complete, the Selection Committee shall rank each applicant in relation to the others that were interviewed for the same employment position to determine who shall be offered an employment position.
 - 11. The Selection Committee will not make a recommendation to Chief and Council. Instead they will complete the final interview results summary which shows the following:
 - a. Name of each candidate interviewed
 - b. Candidates' scores
 - c. Educational credentials
 - d. Reference checks summary
 - e. Upon reaching a final decision, the Selection Committee shall submit, in writing, the ranking to Council. All appointments must be authorized by a motion of council including all terms and conditions of the offer of employment (e.g. criminal reference checks/clear vulnerable sector checks).
 - f. Comments

RELATED POLICIES:

3.10 EMPLOYMENT REFERENCE CHECK PROCESS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Reference checks will be conducted in a discreet and confidential manner for all those for all candidates who have participated in a job interview in order to determine the best suitability for the position which they have applied.

PROCEDURE:

1. Each candidate interviewed for employment position shall be requested to provide three (3) employment references including: contact names, addresses, telephone numbers, and email addresses of three most recent employers.
2. Each candidate will be required to sign a "Consent to Disclose Personal Information" form¹.
3. Reference Check Questionnaires will be developed by the Human Resources Department which will be carefully structured to focus on the individual's qualifications and suitability for the prospective employment position.
4. Within one (1) week following the Interviews, the Reference Check will take place.
5. The Human Resources Department will conduct all reference checks and will record all comments. In the event that a reference is not available during this time, the reference will be noted in the file. Only those references that are contacted will be used to compile the Reference Check Summary.
6. A Reference Check Summary will be compiled identifying comments summary of those who were contacted highlighting key areas of accomplishments.

RELATED POLICIES:

¹ Sample in appendix, page 148

3.11 RECRUITMENT – SELECTION FOR EMPLOYMENT

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Refer to Human Resources Policy

3.12

RECOMMENDATION FOR HIRE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The recruitment approval process will ensure that the Selection Committee Memorandum is approved by a motion of Council prior to a letter of offer being issued to the successful candidate.

PROCEDURE:

1. Following the employment interview, a Memorandum will be signed by the Selection Committee but the decision for choosing the best candidate will rest with Chief and Council. Chief and Council will appoint the successful candidate along with providing a second option in the event that the first candidate declines.
2. The results of the reference checks will go on the Band Council Resolution (Memorandum) to Chief and Council, as well as any comments from the Hiring Committee.
3. The Human Resources department shall then ensure that an Offer of Employment letter is sent to the successful candidate. If that person accepts the offer of employment, the Human Resources department shall then send a Rejection letter to each of the other candidates that were interviewed for that employment position. A sample Offer of Employment letter and Rejection letter are attached to this document as appendices.
4. If the offer is not accepted, the Human Resources department shall repeat the review process to determine whether an offer of employment should be made to another candidate. If so, the Human Resources department follows the above procedure. If the Selection Committee determines that there is no other qualified candidate for the position, the recruitment process for that position begins again.
5. In the event that a candidate applies for a senior position such as a Program Manager or Director position for which he or she is not selected, Human Resources may retain the application information and results of the interview for consideration of an alternate position which may become available within 4 months of the initial interview. The candidate may be invited to attend an interview without them having to go through the hiring application process, if the candidate has indicated that they would be willing to consider alternative placements through consent to release within the First Nation based on the Hiring Committee's evaluation.

RELATED POLICIES:

3.13

ORIENTATION OF EMPLOYEES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

All newly hired positions of a continuing nature with the Mississauga First Nation will be expected to participate in an Orientation session for employees prior to commencing with their employment.

PROCEDURE:

1. The employee shall meet with the Human Resource Department to review and complete all required personnel file documentation including:
 - In Case of Emergency form
 - Contract and Offer of Employment Letter
 - Employee Data Sheet
 - Confidentiality Agreement
 - Employee Code of Conduct
 - Personnel Policy Acknowledgement Form
 - Financial Policy Acknowledge Form
 - Job Description
 - Work Place Injury/Incident Orientation
2. Employees will provide the following documentation for their personnel file and processing:
 - a. Social Insurance Number – original visual verification and recorded
 - b. Driver's License - original visual verification and recorded
 - c. Status card – original visual verification and recorded
 - d. Copy of all Educational Qualifications, Awards, and Certificates
 - e. Criminal Reference Check or Vulnerable Sector Check (see § 3.15)
3. All new hired employees will schedule to meet with the Information Technology Co-ordinator to register for a personal email account, receive IT Orientation on Internet usage and Mississauga First Nation IT policies.
4. All new hired employees shall be orientated by the Immediate Supervisor on all equipment they are expected to utilize prior to operating as a best standard of practice.
5. All employees will be orientated by the Immediate Supervisor on all reporting requirements including absenteeism, lateness, illness, and work injury.

6. All employees will be orientated on Workplace Health & Safety by the Human Resources Department.
7. **Health and Safety Orientation** will include:
 - a. Review of the Health and Safety Policy.
 - b. Reporting Incidents/Reporting Injury
 - c. Review of Injured Worker Package including: Modified Work Agreement and Return to Work Early.
 - d. HR Download Training on:
 - Workplace Hazard Identification
 - WHMIS 2015
 - Understanding Human Rights
 - OHS for Workers
 - Accessibility Ontario Disability Act (AODA)
 - e. JHSC Bulletin Board Information
 - f. JHSC Committee Membership List
 - g. Worker Health and Safety at Work Prevention Starts Here – Workbooks

RELATED POLICIES:

- § 3.15 – Criminal Records/Vulnerable Sector Check
- Workplace Injury/Incident
- § 6.1 – Employee Records
- Payroll/Finance

3.14

PROBATIONARY PERIOD

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

All newly hired positions of a continuing nature with the Mississauga First Nation will complete a 90-days probationary period as a standard of practice and to ensure that the newly-hired employee is best suited for the position which they were hired.

PROCEDURE:

1. The probationary period is to provide a reasonable assessment of the new employee's:
 - i) level of skill and knowledge relative to their position;
 - ii) ability to do the job they were hired for;
 - iii) from the new employee's perspective, to determine whether the Mississauga First Nation is a worthwhile place to stay and work on a continuing basis.
2. The employee shall be assessed at the end of the probationary period by their Immediate Supervisor and the report on the assessment shall be given to the Chief and Council to determine whether the employee will continue employment beyond the probationary period.
3. In the event that an employee does not perform the job duties as required prior to the 90-day period, notice need not be given to terminate employment.
4. In the event that an employee does not pass the probationary period of 90 days; two (2)-weeks written notice needs to be given before termination; otherwise, two-weeks' termination pay will be owed to the employee.

RELATED POLICIES:

- § 6.3 – Performance Appraisals

3.15 CRIMINAL RECORDS/VULNERABLE SECTOR CHECKS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation will ensure employee records are retained and on file for all those employees who work in the public sector or with children, youth, adults or Elderly population, including managerial and supervisory positions.

PROCEDURE:

1. A number of Mississauga First Nation positions require applicants to provide or submit to a Police Criminal Records Check.
2. The Human Resource Department will provide a Request Letter for a Police Criminal Records Check (CRC) and/or Vulnerable Sector Check (VSC) as verification requirement for employment as request of the Immediate Supervisor, and as condition of employment.
3. The Mississauga First Nation positions requiring applicants to obtain a Criminal Records Check are:
 - a) Program Management and Director positions
 - b) Director of Operations
 - c) Risk Management and Strategic Planning Director
 - d) Finance Department
 - e) Infrastructure
 - f) Lands & Resources
4. The Human Rights Act states that an individual, First Nation or organization cannot dismiss or refuse to employ an individual because they have been convicted of a criminal or summary conviction offence that is unrelated to the position the individual is employed in or is seeking.
5. In the event that a Criminal Records Check is positive, determination for continued employment will be based on the Immediate Supervisor's review and consideration on the type of offence, relative impact on the position, and length of time since the offence. Assessment of negative Criminal Records Check will be on a case by case basis.
6. The Mississauga First Nation department positions requiring applicants to obtain a Vulnerable Sector Check are:
 - a) Day Care

- b) Women's Shelter
 - c) Health and Social Services
 - d) Niigaaniin
 - e) Education
 - f) Those who operate Transportation Bus/Van Services, Elder Bus
 - g) Individuals who volunteer or work with vulnerable members of society such as children, youth and the elderly, also need to provide a clear Vulnerable Sector Check.
7. Condition of employment and volunteer work for those working in a vulnerable sector **must have a clear** Vulnerable Sector Check. A declaration of maintaining a clear Vulnerable Sector Check should be signed annually with renewal every three (3) years on the anniversary of the hire date.
 8. Employees, volunteers, work/training placements who are required to obtain a clean Vulnerable Sector Check **will not be allowed to work** directly with the vulnerable sector until the Vulnerable Sector Check has been received and reviewed by the Immediate Supervisor.
 9. Within one week of employment, the employee will be required to provide Human Resources a receipt of payment to validate that an application for either a Criminal Records Check or Vulnerable Sector Check record search is in progress with the Ontario Provincial Police.
 10. The responsible department for the employee will be responsible to reimburse cost of the Criminal Records Check and/or Vulnerable Sector Check. In the event that the Mississauga First Nation pays for the reimbursement of the Criminal Records Check and/or Vulnerable Sector Check, it will be retained on file as the property of the Mississauga First Nation.
 11. Employees, volunteers, or work/training placements who pay for the Criminal Records Check and/or Vulnerable Sector Check independently reserve the right to retain the original document. Mississauga First Nation will only retain a copy on file.
 12. After the Criminal Records Check and/or Vulnerable Records Check has been completed, applicants and employees are required to report any changes to their police records and/or any offences for which no conviction has yet occurred to the Immediate Supervisor. Failure to do so is grounds for immediate dismissal.
 13. Employees within the following departments will be expected to renew their Criminal Records Check/Vulnerable Records Check as follows:
 - a) Every three years for departments requiring Vulnerable Sector Checks, with and declaration annually of no new offences.

- b) Every three years for departments requiring Criminal Records Check

RELATED POLICIES:

- § 6.3 – Performance Appraisals
- § 3.3 –Recruitment and Hiring
- Financial Policy

3.16 SUMMER STUDENT EMPLOYMENT – RECRUITMENT

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

This policy applies to all currently registered Full-Time and Part Time Mississauga First Nation students, provided they are returning to school full time in September of the same year, and it includes Post-Secondary, Secondary and Adult Education students pursuing accredited courses.

The purpose this procedure is to outline how jobs are provided to Mississauga First Nation students during the summer months of May to August. Summer jobs are provided to students for the following reasons:

- To provide work experience
- To provide experience in the career of choice
- To provide assistance in the delivery of programs and services
- To provide an incentive for youth to stay in school
- To be part of community development

PROCEDURE:

1. There is limited funding for summer student employment and students will be required to apply for all positions by the posted date for each position they are interested in.
2. Not all students will receive a summer job with exceptions: All Post-Secondary will have priority followed by Grade 12, 11, 10 and finally Grade 9 in that order.
3. All Post-Secondary positions will be twelve (12) weeks in duration depending on funding.
4. At the beginning of each calendar year, meetings will commence to determine the number of Post-Secondary positions available.
5. Postings will go out with a target date of March with a deadline target date of March 31st. Tentative start date for Post-Secondary positions will be the beginning of June with a twelve (12)-week duration.
6. Postings for Secondary School students will go out with a target date in May with a deadline target date of May 31st. Tentative start date for Secondary School positions will be the beginning of July with eight (8) week duration.

7. Some positions will have certain criteria based on the approved funding source and they can include the student be Post-Secondary, full-time or within a certain age category.
8. Funding will be submitted through internal processes for all summer student positions.
9. Postings will be sent in the community flyer and on the Mississauga First Nation website.
10. Students interested in any position must apply with the following information:
 - a. Cover letter
 - b. Resume
 - c. Three references
 - d. Proof of enrolment in school (a letter from guidance or institution is acceptable)
 - e. Proof of continuation of enrolment in school (a letter from guidance or institution is acceptable)
 - f. Proof of acceptance into Post-Secondary program
 - g. Proof of sponsorship or funding for Post-Secondary program
 - h. Current year school report card/transcript/attendance
11. The preference for all employees will be band members of Mississauga First Nation and then community members. If unsuccessful in the recruitment process, then the Committee will direct the Human Resources Department to recruit externally.
12. All positions require a screening of applications and interview process to select candidates for the position in accordance with Section 2 Employment Policies if applicable.

RELATED POLICIES:

3.17

COMPENSATION

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

All Mississauga First Nation will ensure that compensation for employee work is adequately supported through wage and salary grid.

PROCEDURES:

3.17.1 Rates of Pay

1. Rates of pay for all Mississauga First Nation employees hired on a weekly, monthly or annual basis shall be fixed by motion of the Mississauga First Nation Chief and Council, in cooperation with the Risk Management and Strategic Planning Director/Director of Operations after a personnel review has been conducted.
2. No Mississauga First Nation employee shall be paid less than minimum wage.
3. All salaries of employees shall be paid in accordance with the terms and conditions established by the Hiring and Employment terms and condition in cooperation with the Risk Management and Strategic Planning Director/Director of Operations/Supervisors in accordance with the Salary Compensation Guide.

3.17.2 Payment of Salary

1. Payroll will be paid by direct deposit and released on biweekly (Thursdays) after the end of the pay period as approved by the Chief and Council.

3.17.3 Salary Increases

1. Salary increases shall be based on the availability of program administration dollars. All salary changes shall be subject to Council approval through Mississauga First Nation motion.
2. It shall be the responsibility of the Immediate Supervisor to make recommendation by way of Briefing Note to Chief and Council on any salary increases based on performance appraisals.
3. Increases in salary shall also be based on the cost of living index and an established salary compensation guide, which are contained on a grid to be reviewed by program managers/Supervisors and used in conjunction with available funds.
4. Job reclassification may warrant a salary increase as per supervisory recommendations.

5. After one (1) year of successful job performance assessment, an employee may receive an increase in salary depending on the availability of funds to pay the increased salary and terms of employment.

3.17.4 **Deductions from Salary**

1. Deductions are made from salaries for the following items: income tax, Canada Pension Plan, employment insurance, and any other statutory deduction and the Benefits package, and other deductions warranted by court order (garnishment) where applicable, along with other deductions as agreed in writing by the employee and the Mississauga First Nation.
2. Should an error occur when calculating payroll, overpayments of wages shall constitute a lawful deduction and shall receive priority.
3. Accident compensation for Mississauga First Nation employees shall arrange for any employee injured on duty, subject to other provisions of the *Workman's Compensation Act*, Canada Labour and the insurance benefits.
4. All full-time employees receive full health and dental coverage through insurance providers. All full-time employees must work a minimum of 24 hours per week for eligibility.
5. Full-time non-status employees shall receive either dental coverage or health coverage through the Mississauga First Nation depending on what the employee chooses.
6. All employees must contribute to the Canada Pension Plan (CPP). All employees over the age of 67 should work with the HR department to determine continued payment.
7. Should an employee enter into a disability claim, whether it be through insurance or WSIB, then the employee will be responsible for paying their portion of the insurance premium should they wish to continue their coverage.

RELATED POLICIES:

Section Four: Compensation and Benefits

4.1 TIME OFF FOR VOTING

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation will support employees requesting to take time for voting in federal, provincial, or First Nation elections or referendums.

PROCEDURES:

1. Employees are entitled to take one (1) hour off with pay to attend the polls to vote in a federal, provincial or First Nation election, provided the polls can only be reached during working hours.
2. The Risk Management & Strategic Planning Director/Director of Operations/Supervisor shall determine which hour the employees may take for voting.
3. In the event of the First Nation Nomination Meeting, all employees entitled to vote, at the discretion of the Risk Management & Strategic Planning Director/Director of Operations/Supervisor, shall be allowed two (2) hours off with pay to attend the meeting providing the meeting has been scheduled during the employee's working hours, and the time off will not interrupt services.

RELATED POLICIES:

- § 7.8 – Hours of Work
- Leave Request

4.2

OVERTIME

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation will compensate for prior approved overtime.

PROCEDURES:

1. No employee shall be required to work more than 40 hours per week.
2. Overtime shall not be recognized or paid unless previously approved by the Immediate Supervisor.
3. When overtime is approved it will be paid at time and a half or given time off at time and half.
4. Overtime will be considered will be considered as any hours actually worked in excess of eight (8) hours per day or forty (40) per week. Any time worked past one's regular work day but less than 8 hours per day will compensated at straight time or with equal time off, if previously approved. Only hours actually worked will be considered for overtime pay.
5. Travel time to and from meetings, workshops, seminars or for any other work-related purpose approved by the employee's Immediate Supervisors or otherwise required as part of the employee's role or job description is considered overtime. Travel should be done during regular work hours whenever possible.

RELATED POLICIES:

- § 7.8 – Hours of Work

4.3 ANNUAL VACATION LEAVE REQUESTS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation will compensate full- and part-time employees with Annual Vacation Leave based on their years of service.

PROCEDURES:

1. Requests for annual vacations for full-time and part-time permanent employees of the Mississauga First Nation must be submitted to the employer's Immediate Supervisor.
2. Annual Vacation Leave Request approvals must be approved by the Immediate Supervisor prior to taking leave. Approved original requests must be submitted to payroll for filing.
3. The approved Annual Vacation Leave Request must be accompanied with the reporting bi-Weekly and/or monthly Timesheet.
4. The requested Annual Leave period should be scheduled one (1) month before the first day of annual leave. Annual leave time must be taken.
5. No Annual Leave pay shall be paid out to Employees, except under extenuating circumstances¹.

RELATED POLICIES:

- § 7.8 – Hours of Work
- Leave Requests

¹ § 4.4 Annual Vacation Credits, #8

4.4

ANNUAL VACATION CREDITS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Vacation credits will be used to determine the length of vacation leave full and part-time employees may acquire on an annual basis.

PROCEDURES:

1. The years of employment will be based on the anniversary of employment hiring.
2. Vacation credits will be based on the anniversary hire date of employment for the 1st year of employment. During the 1st year of employment all vacation credits will be prorated, and must be used on or before end of the fiscal year, unless authorized otherwise by the Immediate Supervisor. Thereafter vacation credits will follow annual vacation credit schedule.
3. Vacation credits will be earned by **full-time permanent** employees based on the following schedule:

Less than 3 years of employment:	96 hours/annum or 08.00 hours/month
After 3 complete years:	128 hours/annum or 10.67 hours/month
After 5 complete years:	160 hours/annum or 13.33 hours/month
After 10 complete years:	192 hours/annum or 16.00 hours/month

4. All Mississauga First Nation **permanent part-time** employees will earn vacation credits based on [monthly pro-rated annual leave credits at $.0071 \times$ (the number of hours week \times (4 weeks) for full month. See the following schedule:

Less than 3 years of employment:	6.4	hours/month
After 3 complete years:	9.375	hours/month
After 5 complete years:	12.25	hours/month
After 10 complete years:	15.6	hours/month

5. Relief staff, temporary staff, non-permanent employees and/or any other designated by the Mississauga First Nation, shall not be entitled to earn vacation credits. Instead, these employees shall be paid 4% of their gross income as vacation pay or as indicated by the Canada Labour Code.
6. Each employee is paid their 4% vacation pay on each pay period. An employee who has worked for 12 consecutive months is entitled to two (2) weeks off without pay.

Even if the individual is a casual part-time employee, which would apply to the Women's Shelter (2 weeks off without pay). Also; if employees that are relief, temporary or other have more than 6 years of continuous service they are entitled to 6% vacation pay and 3 weeks in time off without pay.

7. Permanent full-time and part-time employees will be requested to fill in their preferred vacation time. If necessary, changes will be made with the approval of the Immediate Supervisor at least three (3) weeks in advance of requested change. In a case when two (2) employees request the same vacation period and it is not feasible for both employees to take vacation at the same time, a decision will be made by the Immediate Supervisor on who is entitled to the vacation based on seniority.
8. Unused vacation credits over 2 weeks for employees with under 6-years' experience and 3 weeks for employees with over 6-years' experience shall not be carried over to the next year, except under extenuating circumstances approved by Chief and Council. Minimum required by law of 2 (two) weeks (under 6-years) and 3 weeks (6-years and over). If the above minimums are not used by the beginning of the fiscal year then the time must be carried over and taken within the coming 10 months. If it is not taken by the 10th month, the time must then be paid out according to the requirements of law.
9. When a full-time employee is terminated, retires or is laid-off, they will be paid an amount equivalent to the vacation credits accumulated and unused, not to exceed provision.

RELATED POLICIES:

- § 4.3 – Annual Vacation Leave Requests

4.5

BEREAVEMENT LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

When a death occurs in an employee's immediate family, the Mississauga First Nation shall support their employees by allowing time off for the grieving process. For the purposes of this policy and the definition of immediate family as it applies to this policy only, the Mississauga First Nation shall recognize traditional burial.

PROCEDURES:

1. All employees are eligible for bereavement leave commencing the date that they begin employment.
2. A paid leave of absence of three work days and up to five work days at the discretion of the employee's Immediate Supervisor shall be granted in the case of a death of an employee's immediate family member.
3. Time off is considered to be addition to regular days off. For example, if a death occurs on a Friday, and the employee's regular days off are Saturday and Sunday, bereavement leave would commence Monday.
4. It is within the discretion of the employee's Immediate Supervisor to extend bereavement leave beyond three days. An extended bereavement leave shall be pre-approved by the employee's Immediate Supervisor in consultation with the Department Head, in writing.
5. The employee shall immediately notify their Immediate Supervisor of the request for time off and submit a Request for Leave Form prior to their leave or upon their immediate return if circumstances preclude a signature prior to the leave.
6. If the death of an immediate family member occurs while an employee is on another leave (such as annual vacation, sick leave, etc.) bereavement leave shall still apply.
7. Under special circumstances and at the discretion of the Immediate Supervisor, an employee may be approved to attend a funeral not covered by the definition of the immediate family provided above.

RELATED POLICIES:

4.6

CANDIDACY LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation supports senior employees to participate in the election process for the position of Chief and/or Councillor as a candidate.

PROCEDURES:

1. Only senior employees shall be allowed candidacy leave due to the Election Code regulations.
 - Director of Operations
 - Risk Management & Strategic Planning Director
 - Niigaaniin Program Manager
 - Education Director
 - Finance Manager
 - Infrastructure Director
 - Day Care Manager
 - Women's Shelter Program Manager
 - Housing & Property Manager
 - Long Term Care Manager
 - Health & Social Services Director
 - Lands and Resource Manager
2. This leave shall be without pay and only for the duration between the nomination meeting and up to 14 days following the election.
3. Should an individual be elected and accepted an office then the leave shall constitute a resignation or retirement.

RELATED POLICIES:

- Election Code

4.7

COMPASSIONATE LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

This policy is to provide Mississauga First Nation employees Compassionate Leave for the care of seriously ill immediate family¹ members. The Mississauga First Nation will grant employees Compassionate Leave in accordance with the *Canada Labour Code*.

PROCEDURES:

4.7.1 Compassionate Leave

1. Compassionate leave is paid leave for up to a maximum of 3 days.
2. All Mississauga First Nation employees shall be entitled to leave of absence with pay for reasons for serious illness in their immediate family, to participate in personal healing activities, or for any other reason deemed appropriate of Immediate Supervisor.
3. In these exceptional circumstances, employees may request a paid leave of absence.
4. Any such paid leave will be at the discretion of the Immediate Supervisor.

4.7.2 Compassionate Care Leave: (Non-paid)

1. Compassionate Care Leave is *unpaid*, job-protected leave of up to eight (8) weeks in a 26-week period. Although the leave is unpaid, an employee may be eligible for compassionate care benefits under the *Employment Insurance* program.
2. The employee must inform their Immediate Supervisor as soon as possible that they will be taking Compassionate Care Leave.
3. The employee may take the unpaid leave to provide care and support to a family member who has a serious medical condition with a significant risk of death occurring within a period of 26 weeks. This medical condition and risk of death must be confirmed in a certificate issued by a medical doctor.
4. Compassionate Care Unpaid Leave can last up to eight weeks within a specified 26-week period. The eight weeks do not have to be taken consecutively but one may only take a leave in periods of entire weeks.

RELATED POLICIES:

¹ "Immediate Family" is defined in the appendix, page 135.

4.8 EDUCATION AND ACADEMIC UPGRADING LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation recognizes that its employees may wish to complete or pursue academic credits, diplomas, or degrees as part of their professional development. Mississauga First Nation may grant approval for education or academic leave to an employee who applies for such leave so long as the course of study is relevant to that person's employment and so long as the application and the terms of the leave are consistent with this section of the Personnel Policy.

PROCEDURES:

4.8.1 Eligibility

An employee may have a minimum of three (3) consecutive years of employment with the Mississauga First Nation and be employed as a full-time employee to be eligible to apply for leave for education or academic upgrading.

4.8.2 Length of Leave

The period of time the leave will be granted will be identified as:

- **Intermittent:** Where part time studies occur via distance education, correspondence or evening courses. The employee will be eligible based on the training supports and if the training is relevant to their job description. This leave may be with pay.
- **Long term:** When more than 30 consecutive days is required and will be without pay. The employee will be eligible based on the training supports and if the training is relevant to their job description. This leave may be with pay at the discretion of the immediate supervisor.

4.8.3 Application Procedure for Leave

1. An employee must submit a request for leave in writing to their Immediate Supervisor a minimum of four (4) months prior to the commencement date of the program or course of study, unless negotiated as part of their employment contract. The written request shall include:
 - a) The commencement date of the program or course of study;
 - b) The duration of the leave requested;
 - c) The course description;

- d) A brief description on how the program or course of study relates to the employee's professional development; and
 - e) The specific date the employee intends to return to work.
- 2. In addition, the employee shall attach the letter of qualification or letter of acceptance, if available.
- 3. The employee's Immediate Supervisor shall review the written request and record, in writing, their recommendation regarding the request for leave.
- 4. The written request and the recommendation shall be forwarded to the Mississauga First Nation Council for final decision within one month of the employee's written request being submitted to their Immediate Supervisor.
- 5. The final decision of the Council shall be communicated to the employee a minimum of three (3) months prior to the commencement date of the program or course of study.
- 6. The duration of the leave for education or academic upgrading shall be at the discretion of the Council but consistent with the length of time established by the education institution for the completion of the program or course of study.

7. Determination & Relevant Factors

The following factors are relevant in the determination of the Immediate Supervisor's recommendation and the final decision of Mississauga First Nation Risk Management and Strategic Planning Director/Director of Operations/Supervisor on the employee's request for leave:

- a) Employee seniority;
 - b) Service benefits to the Mississauga First Nation;
 - c) Mississauga First Nation staffing considerations issues;
 - d) Employee job performance; and
 - e) How the program or course of study relates to the employee's professional development.
- 8. The employee's Immediate Supervisor and/or the Risk Management and Strategic Planning Director may request a personal interview with the employee to review the request for leave.

4.8.4 Terms and Conditions of Leave

- 1. Leave for education or academic upgrading, if granted, shall be granted as leave without pay. The employment position and the seniority of the employee who is granted leave pursuant to this policy are protected and available to the employee upon their return from leave.

2. The Mississauga First Nation requests that any employee who is granted education or academic upgrading leave return to work as an employee of the Mississauga First Nation for a minimum of one (1) year after the leave is completed. This employee's commitment to return to work shall be recorded in writing by the employee prior to the commencement of such leave. The employee shall submit proof of registration in the program or course of study within one week of commencement date of the program or course of study to their Immediate Supervisor.
3. If an employee wishes to have their academic credits, diplomas or degree considered by the Mississauga First Nation, they must submit a copy of their final transcript, diploma or degree to their Immediate Supervisor. The transcript, diploma or degree shall be placed in the employee's file.

4.8.5 Return to Work

1. The employee is expected to return to work from leave on the date established by their Immediate Supervisor.
2. If the employees are given 24-hours advance notice to report to work and if they are absent they will not be paid, unless alternate work arrangements have been made and approved by the Immediate Supervisor.

RELATED POLICIES:

- § 6.4 – Training & Development

4.9

JURY DUTY

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation supports employees who are required to fulfill mandatory civic duty such as jury duty or to offer subpoenaed testimony. The Mississauga First Nation shall allow leave with pay for these circumstances to all its employees.

PROCEDURES:

1. An employee who has received notification of court duty shall immediately complete a Leave Request form and advise their Immediate Supervisor when the court duty is scheduled and the expected duration, and attach a copy of the notification of jury duty or copy of subpoena.
2. An employee who is a plaintiff or defendant in a personal court proceeding is not considered as a witness and therefore vacation leave, overtime, or leave without pay must be used for the purpose of attending court.
3. The employee shall be entitled to leave with pay for jury duty.
4. If the jury duty falls on a scheduled day off, the employee shall not be entitled to additional time off.
5. If loss-of-wages payment for jury duty is received, the employee shall submit such payment to Mississauga First Nation Finance department, excepting travel expenses.

RELATED POLICIES:

4.10

LEAVE OF ABSENCE WITHOUT PAY

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation supports employees who are required to take leave for special circumstances which will be identified as leave of absence without pay.

PROCEDURES:

1. A leave of absence may be granted of up to a maximum of 6 months without pay, at the discretion of the Director of Operations.

RELATED POLICIES:

4.11

SICK LEAVE & SPECIAL CIRCUMSTANCES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

On occasion employees may become temporarily ill or sick and may be unable to attend work or perform their duties to the best of their abilities. The Mississauga First Nation support their employees to attend to their illnesses, conditions and return to work in a timely manner.

PROCEDURES:

1. This policy applies to all full-time employees.
2. Paid sick leave is not provided for casual employees and students.
3. Part-time employees are eligible for pro-rated sick leave credits¹ only and are not eligible for mental health leave credits.
4. Sick leave is to be used for the welfare of an employee and/or their family when illness prevents coming to work. Sick leave is also to be used for doctor and/or dentist appointments for the employee and/or their family members. Employees are to use their vacation days or mental health days for non-illness related time off.
5. Any illness causing absence must be reported as soon as possible to the Immediate Supervisor the first day of illness and every day thereafter from the time the employee is absent from work.
6. Any absence for three (3) consecutive days or more require a medical certificate or a traditional healer's note indicating the employee has been under the physician's or traditional healer's care.
7. Any employee that has been absent due to illness for three (3) consecutive or more work days must provide the Mississauga First Nation with confirmation from the treating physician of eligibility to return to regular duties.
8. Certificates of Illness completed by a physician or traditional healer for an employee must contain the following information:
 - i. The name of the Doctor or Traditional Healer
 - ii. The date of the visit
 - iii. A declaration that the employee was unfit for work
 - iv. The time frame that the employee is being advised to remain off work

¹ For more information on pro-rating see § 4.12, #19.

- v. The Doctor or Traditional Healer's signature.
- 9. Mississauga First Nation may request additional medical documentation identifying the prognosis, limitations & restrictions, and the treatment plan associated with the employee's illness.
- 10. Mississauga First Nation reserves the right to deny sick pay benefits until appropriate documentation has been submitted.
- 11. Sick day credits include 71 hours per year. Sick day credits are earned at 5.96 hours per month.
- 12. All full-time employees shall be eligible to carry over the previous years' unused sick day credits to a maximum of 71 hours. This is to be carried over only after the current year's credits have been exhausted and only in extreme cases of illness or injury as determined by the Immediate Supervisor in collaboration with the Risk Management and Strategic Planning Director.
- 13. Any employee who resigns or whose employment is terminated, shall not be entitled to payment for accumulated sick leave that has not been earned.
- 14. Leave of absence forms must be filled out and provided to the Immediate Supervisor on the day the employee returns to work.
- 15. Employees are responsible for their own health and wellness and are expected to utilize their allotment of sick days' time for the purposes for which it is intended.
- 16. Immediate Supervisors reserve the right to discuss the employee's utilization of sick days and to request supporting documentation should the circumstances warrant.
- 17. Immediate Supervisors are responsible to determine if a replacement is required for the employee who will not be reporting to work and to find the most fiscally responsible solution.
- 18. Sick leave will be considered abuse when an employee uses sick days for unauthorized purposes or misrepresents the actual reason for taking a sick day. Abuse also may occur when an employee establishes a pattern of sick leave usage over a period of time. Patterned use of sick leave may be subject to progressive discipline.
- 19. Part-time employees are eligible to earn monthly pro-rated sick credits at $0.04544 \times$ hours worked.
- 20. Any full time employee who does not utilize all their sick leave credits in a full fiscal year may be entitled to a cash award up to a maximum of \$500. If taken, article 1.10 will not apply. As of March 31 any employee who used less than six (6) days of sick leave credits for the full fiscal year may be eligible for cash awards as follows:

- 5 days used = \$250
- 4 days used = \$300
- 3 days used = \$350
- 2 days used = \$400
- 1 days used = \$450
- 0 days used = \$500

21. It is the responsibility of the Immediate Supervisor to monitor sick leave credits for all employees under their supervision. The Immediate Supervisor will prepare a cheque requisition and submit to the Director of Operations for approval.

RELATED POLICIES:

- § 7.1 – Attendance & Absenteeism
- § 6.3 – Performance Appraisals

4.12

MENTAL HEALTH LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation supports employees to work on their own personal well-being and mental health.

PROCEDURES:

1. Mental Health leave is a paid, job protected leave of up to
 - a. 4 days for 32 FTP = 25 hours per year
 - b. 4 days for 34.5 FTP = 28 hours per year
 - c. 4 days for 40 FTP = 32 hours per year
2. Mental health leave can be used for traditional counselling support and/or services.
3. Mental health leave can be used as personal time due to increased stress or change of living.
4. Employees requiring mental health leave must provide notice to their Immediate Supervisor that they require mental health time.

RELATED POLICIES:

4.13

MATERNITY LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation employees who are pregnant are eligible for maternity leave prior to and/or following the birth of their child.

PROCEDURES:

1. Every employee who has completed six (6) consecutive months of continuous employment with the Mississauga First Nation and who provides her employer with a certificate of a qualified medical practitioner certifying that she is pregnant is entitled to and shall be granted a leave of absence from employment up to one (1) year without pay.
2. This leave may begin not earlier than eleven (11) weeks prior to the estimated date of delivery.
3. Upon return to work, the employee shall be restored to her former position or a similar position at the rate of pay no less than her previous salary. In addition to maternity leave, the employee shall be entitled to take parental leave.

RELATED POLICIES:

4.14

PARENTAL & ADOPTION LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation supports employees who are new birth parents and/or granted adoption status may be granted Parental & Adoption Leave.

PROCEDURES:

1. Every employee who has completed six (6) consecutive months of continuous employment with the Mississauga First Nation is entitled to and shall be granted a leave of absence without pay from employment for the following:
 - a. Where an employee has or will have the actual care of a **newborn** or **newly adopted** child, the employee is entitled to and shall be granted a leave of absence from employment of up to thirty-seven (37) weeks in the fifty-two (52) week period beginning on the day on which the child is born or the day on which the child comes into the employee's care.
 - b. Where an employee commences legal proceedings under the laws of a province to adopt a child or obtains an order under the laws of a province for the **adoption of a child** or **cultural customary care agreement**, the employee is entitled to and shall be granted a leave of absence from employment of up to thirty-seven (37) weeks in the fifty-two (52) week period beginning on the day on which the child comes into the employee's care.
2. The aggregate amount of leave of absence from employment that may be taken by two employees under this section in respect of the birth or adoption of any one child shall not exceed thirty-seven (37) weeks.
3. Request for leave should be made at least one month prior to approval date to the Immediate Supervisor.
4. Upon return to work, the employee shall be restored to their former position or a similar position at the rate of pay no less than their previous salary.
5. Employees who are on parental leave will continue to accumulate seniority while on leave.
6. Pregnant employees have the right to take **maternity leave** of up to 17 weeks of unpaid time off work. In some cases the leave may be longer. Employers do not have to pay wages to someone who is on pregnancy leave.

7. New parents have the right to take maternity leave—unpaid time off work when a baby or child is born or first comes into their care. Birth mothers who took pregnancy leave are entitled to up to 18 weeks leave. Birth mothers who do not take pregnancy leave and all other new parents are entitled to up to 37 weeks parental leave. Parental leave is not part of pregnancy leave and so a birth mother may take both pregnancy and parental leave. In addition, the right to a parental leave is independent of the right to pregnancy leave. For example, a birth father could be on parental leave at the same time the birth mother is on either her pregnancy leave or parental leave. Employees on leave have the right to continue participation in certain benefit plans and continue to earn credit for length of employment, length of service, and seniority. In most cases, employees must be given their old job back at the end of their maternity or parental leave
8. An employer cannot penalize an employee **in any way** because the employee is or will be eligible to take a maternity or parental leave, or for taking or planning to take a maternity or parental leave.

RELATED POLICIES:

- Finance Policy

4.15 TRADITIONAL AND HOLISTIC HEALTH AND WELL-BEING LEAVE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation will allow employees time off, with pay, to attend and participate in traditional holistic practices that would lead to improved health and wellbeing. It is the MFN's belief that an employee who is spiritually, physically, mentally and socially balanced will be more productive and valuable to the organization. Examples of traditional holistic health practices include—but are not limited to—fasting, sweats, and doctoring. This policy is not meant to provide a leave to attend cultural events/activities.

PROCEDURE:

1. All employees must have completed one year's employment to be eligible for a traditional health and wellness leave of absence, and must have received prior written approval from their direct supervisor.
2. Employees are eligible for five days off, with pay, in a fiscal year for traditional holistic health and wellness leave.

PROCESS:

1. The employee shall normally apply in writing, at least four (4) weeks prior to leave outlining the reason(s). When making a decision, the Direct Supervisor must consider the following:
 - The employee's workload and its impact on co-workers;
 - Impact on the provision of services;
 - Needs of the employee;
 - Budgetary restraints;
 - The feasibility of filling the position if necessary.
2. Along with the request for a leave, the employee must submit the name of a medicine and/or spiritual person who has agreed to guide them through the traditional health practice. Once a decision is made the Direct Supervisor shall communicate it to the employee, in writing, two weeks prior to the desired leave. Within three days of the employees return, or as soon as possible, the employee shall submit a written confirmation provided by the medical and/or spiritual persons stating that the employee attended the traditional health practice and activity participated.

RELATED POLICIES:

4.16

UNSCHEDULED OFFICE CLOSURES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation supports the well-being of its employees and may close the office for bereavement, inclement weather or other special circumstances, as deemed necessary.

PROCEDURES:

1. The Director of Operations will be responsible to designate all office closures and communicate with all staff.
2. In case of a death of a Band Member and the funeral/service/ceremony is carried out of the Mississauga First Nation band all operations will be shut down for ½ day either a.m. or p.m. depending on the time of the funeral/service/ceremony.
3. No employee shall be entitled to time off in lieu for any office closures.
4. In the event that employee is on approved leave during the time of office closure they will not be entitled to recoup office closure time.

RELATED POLICIES:

Section Five: Internal Employee Relations

5.1 INSUBORDINATION

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

To ensure Mississauga First Nation's success, it is essential that management is able to assign work to employees effectively, and that such work is carried out in a timely and appropriate manner. Management will endeavour to treat employees in a fair, equitable, and respectful manner, and expects that employees act in a similar manner in return. This policy outlines the behaviours and actions that constitute insubordination and defines the manner in which employee insubordination in the workplace will be addressed.

PROCEDURE:

1. That the instructions or directions provided by direct supervisor to the employee are clear, specific, and both reasonable and lawful; and
2. All demands placed on the employee are within the scope of the employee's duties and responsibilities.

PROCESS:

1. All employees shall follow the instructions and directions issued by supervisors and managers so long as they meet the procedure established above.
2. Employees shall not refuse to accept direct supervisor's lawful instructions or directions that are reasonable and a part of their regular duties, with the exception of legitimate work refusals.
3. Employees shall not incite others to react negatively to a lawful, safe, and reasonable management instruction or direction or make critical comments directed at lawful and safe management decisions that cause disruptions in the workforce or create a substantial risk of disrupting the work of another.
4. Employees shall not use profane or obscene language towards any member of management or threaten physical violence or make attempts to carry out any threat.
5. Should a supervisor or manager provide an employee with an instruction or direction, and the employee has valid concerns; the employee shall discuss the matter with the supervisor or manager in an appropriate and respectful manner.

6. Employees are required to comply with instructions and directions from management; however, employees are not required to carry out orders that would jeopardize their health and safety or the health and safety of others, violate any federal, provincial, or local laws, or breach any of the rules, regulations, policies, or procedures of this company. Employee concerns should be addressed immediately with the employee's immediate supervisor or manager.
7. If an employee is not comfortable with his/her direct supervisor or manager regarding a management directive, the employee should direct his/her concerns to the Director of Operations and/or the Risk Management & Strategic Planning Director.

RELATED POLICIES:

5.2

TEMPORARY ACTING POSITIONS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation supports employees' rights to take authorized leaves but at the same time must ensure that daily operations are not jeopardized due to an employee's absence. Short-term, temporary vacant position will normally be filled by a qualified existing employee in an attempt to facilitate the least disruption to services and program delivery.

PROCEDURE:

5.2.1 Eligibility for Acting Position

1. All employees are eligible for compensation, creating fairness and transparency across the organization.
2. All employees will know in advance the entitlements of backfilling or taking on additional duties.
3. By making part of policy approval to compensate employee would not have to go to Chief and Council which would result in a timely compensation with minimal back pay. However, the final decision to fill a position and when it is filled is at the discretion of the respective Department Head, in consultation with the Director of Operations.

5.2.2 Reimbursement for Temporary Action Positions

1. All employees are eligible for compensation for temporarily acting in the position of an absent employee at the first step of that employees wage or within 3% of the closest wage rate comparable to the current earnings without requiring Chief and Council approval.
2. The employee must have been fulfilling the duties of the other employee' position for a minimum of 10 days to be eligible for retroactive pay to the first day of covering the duties of the absent employee. All current temporary acting assignments remain in effect under agreed terms until such time as the employee reverts back to home position. Any new temporary acting assignments are to follow the new compensation structure.

5.2.3 Time Period in Acting Position

An existing employee can act in the absent employee's absence up to six months. If the employee is expected to be absent longer than six months, the position will usually be advertised. The employee acting in the position may apply for the position if the employee on leave decides not to return to work.

RELATED POLICIES:

5.3

CORRECTIVE PROGRESSIVE ACTION

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Employees are expected to carry out their assigned responsibilities as instructed and to conduct themselves in a professional manner in accordance with the policies approved by Chief and Council. In order to support all employees on occasion there may need to address an employee job performance or enforce rules in the work place through corrective progressive action.

The system of progressive corrective action may be used to provide employee opportunity to change behaviour which the Immediate Supervisor perceives unsatisfactory.

PROCEDURE:

5.3.1 Discipline

1. It is the responsibility of the management to ensure that clear expectations are communicated with employees concerning job performance or any behavior that requires the employee's attention and immediate action.
2. If, upon review of employee conduct, a pattern of unacceptable behaviour is identified, it should be dealt with in a reasonable timeframe.
3. An employee may be subject to **disciplinary action** up to and including suspension without pay for any of, but not limited to, the following:
 - Chronic absenteeism without reasonable cause
 - Habitual lateness for work/meetings
 - Not satisfactorily performing his/her duties as outlined in his/her statement of duties
 - Unwillingness to work co-operatively with other employees leading to unsatisfactory or incomplete work by the employee or other employees
 - Conviction of an indictable offence
 - Failure to observe the policies, rules and regulations approved by the Mississauga First Nation Council
 - Reporting for work under the influence of or the use of alcoholic beverages or illegal drugs while on duty
 - Assault, including fighting on the job, physical abuse
 - Dishonesty
 - Willful damage to Mississauga First Nation property

- Theft, fraud or misappropriation of funds or other property of the Mississauga First Nation
- Violation of confidentiality
- Accessing files without proper authorization
- Insubordination, which does not result in a serious incidents
- Inadequate or unsatisfactory job performance
- Rudeness or disrespectful conduct towards other staff or the public
- Serious incidents may lead to immediate dismissal
- Any other actions, omissions, or behaviour deemed to be in contravention of the employee's duties and responsibilities by these policies or by Chief and Council

5.3.2 Progressive Discipline

1. Some cases of misconduct on the job are not serious enough to warrant immediate dismissal. In such cases, the employee will be subject to a system of **progressive, corrective discipline**. This provides the employee the opportunity to change behaviour, which the Supervisor perceives as unsatisfactory.
2. Progressive discipline may be used to improve employee job performance or enforce rules in the work place. Poor attendance, tardiness and insubordination are three common violations of work place rules, which will lead to a progressive discipline.
3. When an incident occurs which the Supervisor believes warrants disciplinary action, it is the Supervisor's responsibility to investigate the circumstances fully. During this investigation, the employee should be given every opportunity to provide his/her view of the incident. No disciplinary action should be started without full knowledge of the facts.
4. Progressive discipline requires that an employee be given warnings by his/her immediate supervisor regarding the actions or behaviour the Supervisor believes will require remedy. These warnings may be oral or written warnings. The employee's immediate supervisor must indicate what actions or behaviour the employee must change, the time frame within which the change must occur and the consequences for the employee's failure to remedy the actions or behaviour.¹
5. Except for serious offences, no full time employee shall be terminated without being given two (2) written warnings, counseling from the Risk Management & Stra-

¹ See appendix page 174, Verbal Warning Letter.

tegic Planning Director/Director of Operations/Supervisor regarding his/her actions and a reasonable time within which to improve his/her behaviour and one suspension without pay.

6. In situations, where an employee fails to comply with the oral or written warnings he/she will be suspended for two (2) working days without pay. This will be the final action taken prior to being dismissed.

5.3.3 Dismissal for Cause

1. The progressive dismissal process will be followed to the extent possible in the circumstances and subject to the right of the Mississauga First Nation to dismiss immediately for serious misconduct. Some employee conduct is grounds for immediate or instant dismissal rather than progressive discipline. These offences include gross misconduct such as, but not limited to:
 - Excessive absenteeism
 - Repeated instances of not satisfactorily performing his/her duties as outlined in his/her statement of duties
 - Failure to observe the policies, rules and regulations approved by the Mississauga First Nation Council
 - The use or possession of alcoholic beverages and/or drug use or possession while on duty
 - Assault, including fighting on the job or other forms of physical abuse
 - Dishonesty
 - Theft or fraudulent behaviour, including forgery
 - Breach of confidentiality
 - Misappropriation of funds
 - Willful damage to Mississauga First Nation property
 - Accessing files without proper authorization
 - Serious insubordination
 - Any form of sexual harassment or assault
 - Any serious actions or behaviour in the workplace which in fact or by analogy may violate the human rights of another employee, elected official or member of the public
 - Repeated instances of less serious offences
2. Where considered justified, the Immediate Supervisor may recommend the termination of employment of an employee. The recommendation shall be communicated to the Chief and Council in a report, which explains the justification or rationale including an opinion from legal counsel for the recommendation.

3. If the decision is to terminate the employment a final hearing shall be arranged by the Mississauga First Nation Chief and Council to allow the employee to offer a defense to the decision to terminate his/her employment. The hearing shall be held during a duly convened In-Camera Council meeting and all matters are to be kept confidential by all in attendance. The actual termination of employment of an employee can only be carried out by motion of the Mississauga First Nation Chief and Council. The Chief and Council shall act in good faith and without bias in reaching its decision on whether to terminate the employee's employment. The terms of dismissal shall not be inconsistent with any applicable federal or provincial legislation and/or Mississauga First Nation Policies.

5.3.4 Termination Pay

1. An employee who has been employed by the Mississauga First Nation for three (3) consecutive months or more of continuous employment must, except where termination is by way of dismissal for just cause, be given written notice of termination in accordance with the provisions of the *Canada Labour Code*.
2. If an employee is not given the required notice in writing of the termination of employment, the employer must pay termination pay in an amount equal to the wages that the employee would have been entitled to receive at his/her regular work week for the period of notice.
3. If an employee's employment is terminated for just cause, the employee shall receive only the current pay owing less any standard deduction. If an employee's appeal of termination of employment is upheld, the employee shall not suffer any loss of any pay as a result of suspension or termination of employment or as indicated by any court or tribunal decision.
4. The employer is not required to give notice to an employee if:
 - a. An employee is terminated for cause in accordance with the provisions of § 5.3.3. above;
 - b. An employee is only temporarily laid off as in the case of seasonal worker. In the event the employee is not called back after three (3) months, the employee must be treated as though his/her employment was terminated;
 - c. An employee who does not return from layoff will be considered as having quit.

5.3.5 Layoff

1. If the duties of an employee's job are no longer required or needed by reason of lack of funding, changes in programs, etc., the employee may be laid off. In such a

case, the employee must be given notice as set out in § 5.3.4. Employees who have been laid off shall be given serious consideration for the re-employment for that particular position or one of a similar nature if such an opening occurs.

5.3.6 Severance Pay

1. In accordance with the *Canada Labour Code*, severance pay for layoff of an employee who has completed twelve (12) consecutive months of continuous employment is calculated as one (1) week's pay per year of employment.
2. Part years must be recognized. For example, an employee with seven (7) years and six months employment would be entitled to seven and a half (7.5) weeks' severance pay. Severance pay is payable in addition to any right the employee may have to notice of termination or pay in lieu of notice.

RELATED POLICIES:

5.4

TERMINATION OF EMPLOYMENT

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation recognizes that termination from employment may be required on occasion. This policy supports the procedures when termination is required consistent with the *Canada Labour Code*.

PROCEDURES:

1. Termination of employment will take place when there is:
 - a. End of term contract.
 - b. End of employment *with cause* as a result of performance issues before or after probationary period.
 - c. End of employment *without cause* as a result of performance issues before or after probationary period.
 - d. Due to organization realignment.
 - e. Elimination of position.
 - f. Sleeping on the job.
2. The Immediate Supervisor will inform the Human Resource Department of any recommended changes to employment as soon as possible in writing.
3. The Human Resources Department will prepare an Employee Data Sheet for Payroll Department for processing.

RELATED POLICIES:

- § 3.14 – Probationary Period
- § 6.3 – Performance Appraisal
- § 5.3 – Corrective Progressive Action

5.5

NOTICE OF RESIGNATION

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation shall recognize that employees may request to resign from their employment position. This policy outlines the process for resignation notice.

PROCEDURES:

1. Resignation is defined as the situation where an employee decides to formerly withdraw from their employment for personal reasons.
2. An employee planning to resign should submit a written notice of his or her intentions to resign to their Immediate Supervisor at least 2 weeks prior to the resignation date.
3. Resignation to be approved/acknowledged by Chief and Council.
4. Resignation notices will be kept confidential until all formal documentation is received and on file.
5. All employees will be provided an exit interview survey for completion.

RELATED POLICIES:

5.6

RETIREMENT

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation shall recognize and assist its employees who have served for an extended period of time and who wish to retire from their services. The timing of retirement is a matter of individual choice and early retirement is a matter of mutual agreement between the Mississauga First Nation and the employee.

PROCEDURES:

1. Retirement is defined as the situation where an employee permanently withdraws from their employment in the work force.
2. There is no mandatory retirement age for Mississauga First Nation employees.
3. The normal retirement age for an employee is 65.
4. An employee planning to retire should submit a written notice of his or her intentions to retire to their Immediate Supervisor at least eight (8) weeks prior to their retirement date.
5. Retirement pay shall be paid in accordance to § **5.4.6 Severance Pay**.
6. All retirees will be provided an Exit Interview Survey for completion.

RELATED POLICIES:

- § 5.3.6 – Severance Pay
- § 5.7 – Employee Exit Survey

5.7

EMPLOYEE EXIT SURVEY

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation will conduct exit interviews/surveys with exiting employees in order to determine reasons why an employee is leaving employment. The mechanisms provided to employees will provide feedback on their experience working for Mississauga First Nation.

PROCEDURES:

1. Employee participation is voluntary.
2. Employees subject to exit surveys or interviews include those in the following situations:
 - Reassignments
 - Retirements
 - Expiry of term appointments & contracts
 - Layoffs
 - Dismissals
 - Transfers out of departments
3. Some exiting employees may prefer to participate in an exit interview so that they can provide verbal feedback. When this occurs, the employing department will designate an individual to conduct the interview who has no supervisory relationship to the employee or may request the Human Resources Department conduct the interview.
4. For exiting employees in **Non-Management** positions, surveys and interviews for exiting employees are administered by someone other than the employee's Immediate Supervisor.
5. For exiting employees in **Management** positions, the Human Resources Advisor shall be designated to administer exit surveys and interviews.
6. The interviewing person will ensure the security of information is maintained and will not share the findings of the interview with anyone.
7. Confidentiality is stressed and strictly observed to obtain honest and open information.
8. The intent of the exit survey/interview is clearly conveyed in a positive manner.

9. Exit surveys and interviews are completed in a private and neutral place.
10. The Human Resource Department will, upon request, provide advice and assistance with exit interviews.
11. The completed forms are submitted in a sealed envelope and maintained by the Human Resource Department.
12. Hard copies of the exit interviews and surveys are treated as confidential and are kept in a sealed envelope in a secure, locked place until the annual review of exit data.
13. Departments are to ask all terminating employees to complete an exit survey document or to participate in an exit interview. This Exit Survey is included in the appendix. When the employee submits a resignation, the department employee designated to administer the survey/interview will contact the exiting individual to determine whether they would prefer to complete the exit survey or to have their feedback recorded in an interview.
14. Before the survey/interview, exiting employees are given an explanation of the purpose of the process and provided with a copy of the exit survey/interview format.
15. During the interview, the interviewer will remain neutral, taking care not to display surprise, pass judgement, or justify management action in response to employee feedback.
16. The exit interview forms/surveys are reviewed by the Department Manager for their review. Upon completion the survey will be returned to the Human Resource Department. The Human Resource Department will then analyze and compile statistical summaries of all surveys.
17. Upon completion of the Exit survey summary the Human Resource Department will electronically file all surveys.
18. The report summaries will be used to assist in job analysis and identify training needs for employees and will be made available to department managers.
19. Those individuals who may be asked to conduct exit interviews may be contacted to provide feedback on their experience, and provide recommendations on relevant training needs.
20. In instances where findings show immediate serious problems, the interviewer will report such findings to the Risk Management and Strategic Planning Director/Director of Operations.

RELATED POLICIES:

5.8

GRIEVANCE PROCEDURES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The purpose of this Policy and Procedure is to provide a mechanism for employees to submit legitimate complaints or grievances related to his/her employment free of discrimination, retaliation or harassment.

Any employee who feels that he/she has a legitimate complaint or grievance related to his/her employment, including any disciplinary action he/she feels was unjustified, except termination, may submit a grievance through this process. This policy applies to all employees.

PROCEDURE:

5.8.1 Step One – Informal

1. The employee must first attempt to resolve the issue informally.

5.8.2 Step Two – Formal

1. After having attempted to resolve the dispute informally, the employee may submit a written grievance to the Risk Management & Strategic Planning Director/Director of Operations/Supervisor. The written grievance must be submitted within two (2) weeks of the event or discussion that prompted the grievance and must include the informal steps that were taken.
2. The Risk Management & Strategic Planning Director/Director of Operations/Supervisor shall provide a written response to the employee regarding his/her complaint or grievance within two weeks of receiving the written complaint or grievance. A copy of the decision shall be provided to the person being aggrieved against.

5.8.3 Step Three – Appeal

1. If the complaint is not resolved to the employee's satisfaction by the written response from the Risk Management & Strategic Planning Director/Director of Operations/Supervisor, the employee may appeal to the Grievance Committee. The appeal must be in writing and within two (2) weeks of receipt of the written decision of the Director of Human Resources/Director of Operations/Supervisor.
2. The Grievance Committee shall give its decision in writing to the employee within two (2) weeks of receipt of the written complaint from the employee.

3. The Grievance Committee shall review the written decision of the Risk Management & Strategic Planning Director/Director of Operations/Supervisor and the written complaint submitted by the employee.
4. The Grievance Committee shall meet with the parties either separately or together. The Risk Management & Strategic Planning Director/Director of Operations/Supervisor may also be interviewed. The location of the meetings with the parties shall be determined by the Grievance Committee at their discretion in a site neutral to both parties. The decision to meet with the parties separately or together will be made by the Grievance Committee at their discretion.
5. At the conclusion of the meetings of the Grievance Committee, it shall give its decision to the employee in writing within two weeks of receiving the written complaint from the employee. The employee shall be informed of the Grievance Committee's decision by registered mail to the employee's home address. The individual being aggrieved against shall also receive a copy of the Grievance Committee's decision.
6. All matters, including the written decisions of the various parties, shall be kept confidential. Copies of all written decisions shall be kept in the personnel files.
7. The decision of the Grievance Committee shall be considered final and binding on all parties and no further grievances on the issue shall be considered.
8. No employee who files a grievance or complaint in good faith shall be subjected to any form of reprisal, harassment or punishment.

5.8.4 Grievance Committee Composition

1. The Grievance Committee shall consist of three representatives, either external or internal, selected by the parties.
2. A list of interested and/or preferred Grievance Committee members shall be established. The parties shall select members from the established community list free from Conflict of Interest as defined in § 3.6 and not connected in anyway of matters.

RELATED POLICIES:

Appendix 2AD – Grievance Process Chart

5.9

WHISTLEBLOWER POLICY

Date Approved: 2018-10-30	Band Council Resolution: Motion #
Date Last Reviewed:	Amendment Date Approval:

1 POLICY

- 1.1 (a) Where an employee, acting in good faith and on the basis of reasonable belief, becomes aware of actual, suspected or planned misconduct, unlawful activity, suspicious financial management, or other accountability concerns, he or she has a duty to report such misconduct or incidents, as soon as learning of them, to lawful authorities.
- (b) An employee, acting in good faith and on the basis of reasonable belief, may refuse to carry out any order or direction which is illegal, unethical, or against company policy and which is given by an individual who has direct or indirect control over the employee's employment. Such refusals must be reported immediately to lawful authorities.
- (c) Employees are expected to co-operate fully with lawful authorities during any investigation or proceeding related to acts of alleged misconduct or work refusals under this policy.
- 1.2 No employee shall be subject to discipline, termination, demotion, or any form of retaliation, including but not limited to, intimidation, harassment, financial penalty or other threats by reason that:
- (a) the employee, acting in good faith and on the basis of reasonable belief, reports actual, suspected or intended misconduct as outlined in paragraph 1.1(a); or
- (b) the employee, acting in good faith and on the basis of reasonable belief, refuses to carry out an order or direction which is illegal, unethical, or against company policy and reports such refusals in accordance with paragraph 1.1(b); or
- (c) the employee cooperates with, or provides information to, or testifies in any proceeding against a member of Mississauga First Nation regarding situations outlined in paragraph 1.1.
- 1.3 Nothing in this policy is meant to take precedence over an employee's duties under federal or provincial law, or common law. Any unlawful misconduct or incident

which may affect public safety must be reported to the proper lawful authorities immediately.

- 1.4 Information regarding any alleged misconduct, the identity of the reporting person, and any details of the alleged misconduct or investigation, shall be held in confidence by those to whom or through whom the misconduct is reported, including the Director of Operations and/or Risk Management & Strategic Planning Director or other lawful authorities, except as required by this policy or by law. Any employee who breaches this confidentiality requirement shall be subject to discipline up to and including termination for cause.
- 1.5 Complaints or reports of misconduct made under paragraph 1.1 shall be fully investigated, and any employee found to have participated in actions of misconduct shall be subject to discipline, up to and including termination for cause.
- 1.6 An employee who makes a complaint or report of misconduct under paragraph 1.1 which is found to be both unfounded and made with malicious intent will be subject to disciplinary measures up to and including termination for cause.

2 PURPOSE

- 2.1 Mississauga First Nation is committed to maintaining high ethical standards and legitimate business practices and wishes to encourage the identification and prevention of any misconduct that may affect this commitment. The purpose of this policy is, therefore:
 - (a) to provide employees with a system whereby employees can disclose any knowledge
 - (b) of actual or intended misconduct which may be unethical, illegal or fraudulent; and
 - (c) to provide employees who provide such disclosure, and are acting in good faith, and on the basis of reasonable belief, with protection from any form of retaliation or threat of retaliation when they do provide such disclosure.

3. SCOPE

- 3.1 This policy applies to all employees, independent contractors, clients, job applicants and any other individual who may have dealings with Mississauga First Nation.
- 3.2 This policy does not apply to complaints or issues related to employment or safety issues. Such issues should be handled through the individual's immediate supervisor and be dealt with under other more appropriate policies.

4. RESPONSIBILITY

4.1 Employee

- (a) An employee, acting in good faith and on the basis of reasonable belief, has a duty to report actual, suspected or potential incidents of misconduct and to co-operate with any investigation by lawful authorities into such allegations.
- (b) An employee is responsible for adhering to Mississauga First Nation's confidentiality policy when making reports to external lawful authorities, except where required by law, or where an employee's safety or public safety is imminently threatened.

4.2 Supervisors are responsible for:

- (a) receiving any reports of misconduct from employees or clients in confidence, and for immediately forwarding such reports to the Director of Operations and/or Risk Management & Strategic Planning Director;
- (b) co-operating with any investigations into misconduct; and
- (c) fostering a work environment which encourages open communication, ethical behaviour, adherence to laws and adherence to company policy.

4.3 Director of Operations and/or Risk Management & Strategic Planning Director

The Director of Operations/Risk Management & Strategic Planning Director is responsible for receiving reports of misconduct, alleged misconduct or anticipated misconduct and for:

- (a) assessing the situation in order to make a determination of the process of investigation to be followed;
- (b) determining whether external authorities should be notified;
- (c) leading the internal investigation process;
- (d) reporting to the most senior level of executive management, or in the alternative the Chief, the confirmed facts of each disclosure;
- (e) implementing actions to resolve the issue and ensuring any procedural or policy changes that may be necessary in order to prevent a recurrence;
- (f) developing and preparing, in consultation with the most appropriate senior authority, a communications strategy for internal and external use regarding the misconduct and/or investigation; and
- (g) providing any information or follow-up reports as required by executive management, external authorities or agencies.

In carrying out these responsibilities, the Director of Operations and/or Risk Management & Strategic Planning Director, in his or her sole discretion, may involve legal counsel and/or independent auditor representatives throughout the process.

5. DEFINITIONS

5.1 Lawful authority" means:

- (a) any person directly or indirectly responsible for supervising the employee;
- (b) any police or law enforcement agency with respect to an offence within its power to investigate; or
- (c) any person whose duties include the enforcement of provincial or federal law within or her power to investigate.

5.2 "Misconduct" means conduct which results in or could result in a contravention of federal or provincial law, serious breach of company policy, misuse of company resources, financial mismanagement or misuse of authority. Misconduct also includes any retaliatory measures against any employee who is protected under this policy.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Environmental Protection Act (Ontario)

Health Information Protection Act (Ontario) Occupational Health and Safety Act (Ontario) Canada Labour Code

Criminal Code (Canada)

Environmental Protection Act (Canada)

Personal Information Protection and Electronic Documents Act (Canada)

7 PROCEDURE

7.1

- (a) An employee, acting in good faith and on the basis of reasonable belief, who has knowledge or a concern that misconduct has occurred or will occur, must report the information to his or her immediate Supervisor as soon as the employee becomes aware of such information.
- (b) If it is not possible or appropriate to report the information to the employee's immediate Supervisor, the information should be reported to the Department Manager.

- (c) If it is not possible or appropriate to report the information to the employee's Supervisor or Department Manager, the information should be reported directly to the Director of Operations and/or Risk Management & Strategic Planning Director, or as a last resort, to a member of Chief and Council.
- 7.2 Any person who receives a report of alleged misconduct under this policy must hold the report and the identity of the reporting person in confidence.
- 7.3 Employees are discouraged from making anonymous reports. If an employee, for whatever reason, believes that he or she can not otherwise make a report of misconduct, anonymous reports can be sent to the Director of Operations and/or Risk Management & Strategic Planning Director via the internal mail system or by telephone.
- 7.4 The Director of Operations and/or Risk Management & Strategic Planning Director shall exercise the specific and exclusive responsibilities specified in paragraph 4.3 and conduct inquiries and investigations into complaints or allegations made and/or submitted under this policy, including complaints or allegations that whistleblowers have suffered retaliation. The employee who initiated the report of alleged misconduct shall be notified of the proposed process of investigation except where the initial report is made anonymously.
- 7.5 Any and all information collected under this policy or through the investigative process shall be held in confidence, except where disclosure may be necessary to further the investigation, or as required by law.
- 7.6 Employees and independent contractors are required to co-operate with the investigation of incidents under this policy and, if necessary shall be granted paid time off to do so.
- 8 ATTACHMENTS
None.

Section Six: Human Resource Development

6.1 EMPLOYEE RECORDS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Employee record files are essential to the management of employee performance, progress and maintaining key information related to employment. Mississauga First Nation has adopted this policy to ensure that all employee files are maintained in accordance with the guidelines set out by the *Canada Labour Code* (CLC) and the *Freedom of Information and Protection of Privacy Act* (FIPPA). Employee records shall be maintained in a confidential manner, kept up-to-date, include all pertinent information relating to employees' employment, and retained for the appropriate amount of time as per the CLC.

Employee files will contain documentation regarding employment activity and employee information. All records maintained in Mississauga First Nation employee records are the sole property of Mississauga First Nation. The removal of any documentation or information from employee records by employees or third parties is strictly prohibited.

PROCEDURE:

6.1.1 Document Entry

1. Any documentation that must be placed in a personnel file must be forwarded to the Human Resources Department, and the employee should be notified that the documentation is being placed in his/her file, and also notified of the nature of the documentation. Prior to the documentation being placed in the file, the employee must sign to acknowledge the addition. Types of documentation may include but are not limited to: Note to Files, Disciplinary Memos/Contracts/Action Plans; Grievance Letters, etc.

6.1.2 Employee File Access

1. Employees shall be allowed to review their files. Employees that wish to review their files must submit a request to view the files a minimum of **two (2) business days** prior to the date of review.
2. Employees must be accompanied by a Human Resources Advisor when reviewing their personnel file. Notwithstanding the above, employees **may not** review any documentation that would violate the confidentiality of another employee.

3. All information placed into personnel files must be accurate. Employees may challenge the accuracy of documentation in their Employee file(s), request that corrections be made, and request that a written note of their comments be added as an annotation to the documentation.

6.1.3 Former Employee File Access

1. Former employees that wish to review their files must submit a request to view the files a minimum of **fourteen (14) business days** prior to the date of review.

Any former employee of Mississauga First Nation may access their file must provide photo identification and written request to view file(s). Any third party must receive written authorization to requests access to a personal file(s) and viewing of the file(s).

6.1.4 Personnel File Checklist

1. The following material and information regarding each employee shall be kept in a secure location in the employee's personnel records located at the Band Administration office:
 - Personnel File Checklist Form
 - Employee Resume
 - Contract and Offer of Employment Letter
 - Employee Orientation Checklist
 - TD1 Form/TD1 Fed/Tax Declaration
 - Employee Group Benefits Form/Pension
 - Criminal Reference Check/Vulnerable Sector Check
 - Signed Confidentiality Agreement
 - Verification of Employee's Qualifications
 - Recognition/Certificates for Employee's Performance, or training courses/workshops
 - Performance Appraisals, personal correspondence such as grievances, memos, disciplinary action, etc.
 - Congratulatory, Recognition certificates, Awards of Merit
 - Records of Attendance and Leave Approvals
2. Dependent on the time of enrollment, an employee record may be incomplete and may not have all the materials as identified in § 6.1.4. (1). Although, it is the responsibility of the Human Resource Department to ensure the required forms are completed and to ensure that all information relating to employee human resource management is properly maintained by the appropriate person(s) and compiled for entry into an employee personnel file.

3. The Immediate Supervisor has the authority to view and retain personnel files for employee monitoring purposes. The Risk Management Director and Director of Operations have the authority to view all employee personnel files when deemed necessary.
4. Retrieval of employee files will be recorded and monitored by the Human Resource department. The Immediate Supervisor will have authority to retrieve personnel files by signing out Personnel file indicating date, file type.
5. All retrieved files will be returned before 4:00 p.m. on between Monday to Thursday and 3:00 p.m. (Friday) during regular work hours. All retrieved files will be returned before 4:00 p.m. between Monday to Thursday, and 12:00 p.m. on Friday, during summer work hours. The Human Resource Department will send a notice to the Immediate Supervisor reminding the return of employee files.
6. Only supervisors will have authority to review Group Benefit file, Payroll file, or Canada Revenue Agency files.

6.1.5 Types of Employee Records and Content

1. Mississauga First Nation will maintain **three (3) separate files** for each employee which include the employee personnel, Work medical and payroll. The first two (2) files will be stored in the Human Resources location and the third (3rd) will be stored in the Finance department. All files will be kept confidential using appropriate safeguards, and only authorized personnel shall have access to these files.

A. Employee Personnel Files

Documents stored in Mississauga First Nation personnel files shall include (but not be limited to):

- In Case of Emergency Form
- Employee Orientation Checklist
- Briefing Note or Memo of Hiring Recommendation
- Offer of Employment
- Employee Data Sheet
- Social Insurance Number/Driver's License/Status Card copies
- Confidentiality/Code of Conduct
- Personnel/Finance Policy Manual signed acknowledgement
- Job Description
- Resume/Educational Qualifications
- Certificates of recognition/commendation
- Criminal Records Check or Vulnerable Sector Check
- Documented disciplinary actions/employee grievances

- Performance improvement plans
- Performance Appraisals

B. Work Medical Files

Staff members' benefit information shall be held *strictly confidential*. Employee benefit information shall be maintained in a separate file and stored using appropriate safeguards. Documents stored in Mississauga First Nation group benefit files shall include (but not be limited to):

- Medical documentation for any required absence(s)
- Workers' compensation Insurance claim forms
- Accident/incident forms resulting from an injury incurred by the employee
- Functional abilities forms required in any return to work (Return to Work or RTW) process
- Documentation regarding forms of reasonable accommodation required as part of any return to work (RTW) process
- RTW plans, including documentation of any updates or dialogue during this period.

After the expiration of an employer's obligation to return an employee to work who has suffered an absence due to a work-related illness or injury, the following records must be kept for a period of at least three (3) years after RTW:

- Detailed reasons for the employee's absence
- Medical documents indicating that the employee is fit to return to work
- The date the employee returned to work, or notification from the employer that such return was not reasonably practicable and the reasons it was not

Please note that *any certificate* provided by a qualified medical practitioner will be kept in confidence by Mississauga First Nation.

C. Payroll Files

Documents stored in Mississauga First Nation payroll files shall include (but not be limited to):

- Mississauga First Nation employment history, citing dates of positions held and levels of compensation
- Tax forms (TD1/TD1F/Indian Exemption)
- Records of accrued sick leave, vacation, and overtime
- Documentation of merit increases/ COLA increases

- Compensation records
- Garnishment records (where appropriate)
- Payroll deductions with appropriate agreement information

Canada Revenue Agency Files

Canada Revenue Agency requires the retention of all employee records pertaining to taxation and payroll for at least seven (7) years from the end of the last taxation year.

These records can be kept in paper or electronic format in the protection of the Finance Manager's office. They include:

- CPP contributions, as per the Canada Pension Plan, subsection 24(2)
- EI premiums, as per the Employment Insurance Act, subsection 87(3)
- Taxes withheld, as per the Income Tax Act, subsection 230(4)(b)
- The hours worked by each employee
- Form TD1, Personal Tax Credits Return
- Canada Revenue Agency letters of authority which allow organizations to reduce the tax deductions for certain employees for a specific year
- All information slips issued and returns filed

RELATED POLICIES:

6.2

ACCESS TO PERSONNEL FILES

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation will maintain strict access to all Personnel Files. This policy will outline the access and protocols to personnel files in order to ensure confidentiality on personal information pertaining to all employees.

PROCEDURE:

1. The Human Resource department will ensure that all incoming correspondence is recorded indicating date received, received by, and location of file correspondence.
2. The Human Resource department will ensure that a *Record of Access* is retained in a separate location which will identify the file that was accessed, date the file was accessed, and purpose of retrieval and by whom the file was retrieved.
3. All files which are retrieved must be returned and recorded by the Human Resource office on or before 4:00 p.m. at the end of day.
4. On occasion, Mississauga First Nation may encounter legal proceedings/actions with an employee. These files will be retained as per the file retention policy, however will be recognized as "*Sealed Files*". Retention of sealed files will be kept by the Risk Management and Strategic Planning Director in a secured manner.
5. A list of sealed files will be provided to the Human Resource department and the Director of Operations outlining the files that are retained by the Risk Management and Strategic Planning Director on an annual basis.

RELATED POLICIES:

6.3

PERFORMANCE APPRAISAL

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

All Mississauga First Nation employees shall complete performance appraisals that will identify their personal strengths, weaknesses in their job performance and identify training needs and supports needed to successfully perform their position within the organization. This assessment will help monitor the employee's professional skill, knowledge, training needs, succession planning and development.

PROCEDURE:

1. Each new employee of the Mississauga First Nation shall have their job performance assessed by their Immediate Supervisor in the terms of the letter of employment.
2. Every year thereafter, an annual job performance assessment shall be completed by the employee's Immediate Supervisor on the date predetermined by the Immediate Supervisor.
3. Supervisor may choose to complete performance appraisals for all staff in a manner that is conducive to timeliness and workloads, e.g. all staff will be completed during a targeted timeframe.
4. As part of annual performance appraisals, employees will have the opportunity to self-identify key areas for training and/or professional development, which will be reviewed with their Immediate Supervisor.
5. Annual performance appraisals will include a review of the job description for the position. Any amendments will be agreed upon by both employee and management with changes sent to Human Resources for updating HR files.
6. At the time of performance reviews, the confidentiality agreement will be reviewed and the renewed signing a new confidentiality agreement.
7. All training of employees will be reviewed as part of their performance appraisals.

RELATED POLICIES:

- § 6.4 – Training and Development

6.4

TRAINING & DEVELOPMENT

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Training and development is an essential to the Mississauga First Nation employee's ability to maintain with current skills and knowledge in the field in which they work. This policy supports employees who are interested in seeking and acquiring related training.

PROCEDURES:

1. Employees who are interested in professional development and/or training experience must discuss their intentions with their Immediate Supervisor.
2. Training and development initiatives can be identified jointly by both the Immediate Supervisor and the employee.
3. All training and development requests will be assessed according to the Training Request Form¹ and dependent on available funding.
4. At times there may be limited funding for training opportunities, employees may be requested to seek alternative funding to co-share in the training initiative.
5. Each training request will be determined individually and based on the employees' performance.
6. All requests will be completed by the employee within a minimum of 2 weeks for approval.
7. Approved training request forms will be kept on file with the Personnel Record.
8. A Training Request Form Summary will be completed by the employee after training outlining the how the goals and objectives have been met.

RELATED POLICIES:

- § 6.3 – Performance Appraisals

¹ A sample Training Request form is on appendix page 179.

6.5

STAFF RECOGNITION

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation will recognize the years of service of employees at designated year intervals. The purpose of these awards is to recognize loyalty and commitment to the values of Mississauga First Nation.

PROCEDURES:

1. The years of service will be identified by the Human Resource Department and will include full- and part-time employees and contract employees whose cumulative contract terms equal the set years of service recognition times.
2. Years of Recognition Awards will constitute in the following years of service at designated year of service according to their employment start date:
 - a. Five years – gift with monetary value
 - b. Ten years – gift with monetary value
 - c. Fifteen years – gift with monetary value
 - d. Twenty years – gift with monetary value
 - e. Twenty five years – gift with monetary value
3. The Staff Events Committee will coordinate the Awards Ceremony.

RELATED POLICIES:

- § 7.8 – Hours of Work
- § 7.2 – Away From the Office
- § 7.1 – Attendance and Absenteeism

6.6

SUCESSION PLANNING

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

In the event of the planned or unplanned departure of a Management position, Mississauga First Nation believes that it is critical that the transition is seamless and without upheaval for the organization. In the spirit of this sentiment, Mississauga First Nation will ensure that a succession plan and process are in place to guide the change without additional complications.

PROCEDURES:

1. Identify key positions within organization which possibly meet the following criteria:
 - a. Retirement of staff
 - b. Specialized job functions
 - c. Changes in funding criteria
 - d. Provide opportunities for returning community members
 - e. Unexpected management vacancies
2. Mississauga First Nation will ensure that all positions have an up-to-date job description.
3. Mississauga First Nation shall establish a Succession Planning Committee comprised of individuals capable of making the necessary decisions in the planned/unplanned vacancy of the any management and/or specialized positions.
4. The Terms of Reference for Succession Planning (C&C approval pending)
5. The succession plan will be kept up-to-date and reviewed annually.

RELATED POLICIES:

Section Seven: Standard of Conduct

7.1 ATTENDANCE & ABSENTEEISM

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Employees of the Mississauga First Nation are expected to attend work regularly and maintain bi-weekly attendance records for employees who are paid on an hourly rate and monthly attendance records for employees who are paid as full-time permanent. All attendance records will be reviewed and confirmed by the employees' Immediate Supervisor. Discrepancies in attendance records will be discussed with employees to confirm absences, lateness or other leaves.

PROCEDURE:

1. Work schedules will be reviewed with each employee outlining the regular work week as per their Letter of Employment.
2. Each employee will sign the Daily Sign-In Sheet/Daily Log available at each work office location.
3. **Full-time employees** will record their monthly attendance sheet and submit to their Immediate Supervisor for signature within the 1st week of the following month.
4. **Part-time, relief, short-term contract employees** will record their bi-weekly attendance sheet and submit to their Immediate Supervisor for signature on or before the Friday before pay day.
5. The Immediate Supervisor is responsible to confirm work schedules and verify that attendance records are accurate prior to authorizing their signature.
6. The Immediate Supervisor is responsible to keep a running balance of the employee's current attendance status, including lieu time, annual vacation, and other leaves.
7. The Immediate Supervisor will be responsible to ensure that a copy of the authorized employee's attendance records is provided to the employee, and the Finance Department.
8. If an employee is absent from work for reasons other than approved leaves or other entitlements for time off, the employee's Immediate Supervisor shall call a meeting

to discuss the matter, and with input from the employee develop a plan of action to resolve the matter.

9. If the employee fails to abide the plan of action, further corrective action may be taken by the Immediate Supervisor. If necessary, at the discretion of the Immediate Supervisor, the employee's pay cheque may be deducted based on the time absent. An ongoing disregard for this policy may be progressive discipline leading to dismissal.

RELATED POLICIES:

- § 7.2 – Away From the Office
- § 7.12.14 – Corrective Action Plan
- § 6.3 – Performance Appraisal
- § 7.3 – Timesheet Records

7.2

AWAY FROM THE OFFICE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation employee will ensure accountability measures are maintained including being responsible for reporting their hours of work. Employees will be responsible to ensure that their Immediate Supervisor is kept apprised of their whereabouts by maintaining appropriate communication is maintained at all times.

PROCEDURE:

1. Employees expecting to be late shall notify the Receptionist and their Immediate Supervisor no later than 9:00 a.m. during regular working hours or 8:30 a.m. during summer working hours.
2. Employee notification should be made directly with the Immediate Supervisor via their regular communication method.
3. The Immediate Supervisor will inform Reception staff of employee lateness or away from the office, absence; as well as co-workers if required.
4. If an employee's lateness causes disruptions with the day's pre-planned events, it is the employee's responsibility to notify other parties involved and make alternate arrangements.
5. Employees shall be responsible for recording their time of arrival when late on an attendance sheet and shall be eligible to make up the time prior to departure for the day, or at a later date, upon the approval of their Immediate Supervisor.
6. If an employee is repeatedly late, corrective action shall be taken by the employee's Immediate Supervisor which may include disciplinary action.

RELATED POLICIES:

- § 7.1 – Attendance and Absenteeism
- § 7.8 – Hours of Work
- § 7.12.14 – Corrective Action
- § 6.3 – Performance Appraisal
- § 4.10 – Leave of Absence Without Pay

7.3

TIME SHEET RECORDS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Payroll is conducted on a bi-weekly basis through direct deposit. The timesheet policy will ensure that Mississauga First Nations' employees record timesheets in an accurate and timely manner. This policy is for all staff who are employed with the Mississauga First Nation.

PROCEDURES:

1. All employees will be responsible to complete timesheets as directed by their Immediate Supervisor and submit to their Immediate Supervisor for approval on the Monday before payroll.
2. Time sheets must be submitted on a by-weekly/monthly basis.
3. All hours of work must be accurately recorded on time sheets.
4. Prescribed "hours of work" will be outlined in the letter of offer and/ or the work schedule identify by the Immediate Supervisor.
5. Work time includes time spent attending work-related meetings, even if the meeting occurs during a time when an employee normally does not work.
6. If an employee arrives later than scheduled or leave work earlier than normal on a particular day, the actual work hours that day are to be recorded on the time sheet.
7. Work hours over and above your normal weekly schedule must be approved **in advance** by your supervisor.
8. The Immediate Supervisor must approve each time sheet and verify that prior leave requests have received prior approval.
9. Time sheets must be submitted the Immediate Supervisor for approval, and then to the Payroll by the Immediate Supervisor, by **each** payroll deadline if any hours were worked during the pay period.
10. For full-time personnel, sick time, paid annual leave, mental health, and any unpaid time off must be recorded on time sheets.

RELATED POLICIES:

7.4

CONFIDENTIALITY

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The Mississauga First Nation provides administrative and program services which require retaining and protecting the privacy of its operations. This information is shared with personnel based on trust and respect and with the expectation that it will be relayed in accordance with applicable laws and regulations, professional codes of conduct, and this policy. The Mississauga First Nation shall expect its employees to maintain confidentiality with respect to information pertaining to its operations, including: financial, human resources, and program delivery; and clients, employees and community members affected by such.

PROCEDURE:

1. Prior to commencing work, all employees, consultants and volunteers are required to sign a Confidentiality Agreement in duplicate, one of which will be retained in a personnel file.
2. At the time of performance reviews, the confidentiality agreement will be reviewed and will include the signing a new confidentiality agreement.
3. Breach of confidentiality is considered serious. Disclosure of confidential information may be considered sufficient cause for corrective action or immediate dismissal.
4. Records containing personal information are protected under the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA) and must be held in strict confidence. Any unauthorized use of personal information may be subject to discipline, as well as charges under the PIPEDA.
5. All other documents and confidential information held by the Mississauga First Nation are the property of the Mississauga First Nation and shall be treated with the strictest confidence. Confidential information shall not be shared with anyone outside of the Mississauga First Nation unless there is a signed release of information.
6. In order for the Mississauga First Nation management holistically address concerns that pertain to danger to self and others, and employees must share information that will assist them in developing a coordinated plan. This sharing of information between professionals, whether it is client, personnel, or finance related, does not constitute a breach of confidentiality.

7. In the case where an employee is uncertain whether an issue is considered confidential, the employee will consult with their Immediate Supervisor for direction.
8. If an employee of the Mississauga First Nation is registered with a professional regulated association and has been terminated due to breach of confidentiality, the respective Department head shall report the termination to the appropriate association.
9. Employees are required to abide by the “confidentiality” provisions that are outlined in a contractual agreement that the Mississauga First Nation may enter into. It is the responsibility of the Director Supervisor to ensure that employees are aware of the confidentiality provisions within the agreement.

RELATED POLICIES:

- § 7.6 – Conflict of Interest
- § 7.5 – Professionalism and Code of Behavior
- § 5.8 – Grievance Procedures
- § 6.3 – Performance Appraisal
- § 5.3 – Corrective Progressive Action
- § 3.3 – Recruitment and Hiring
- § 7.12 – Workplace Anti-Violence and Harassment

7.5 PROFESSIONALISM & CODE OF BEHAVIOUR

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The expectation of Mississauga First Nation will be to apply good skills, good judgment, and polite behavior as representatives of the organization **at all times**. The Mississauga First Nation supports the following procedures as guidelines on how employees can contribute toward an ethical and respectful professional organization.

PROCEDURES:

1. All employees will be expected to acknowledge and sign a Professionalism and Code of Conduct form which will be maintained in their personnel record.
2. The Professionalism and Code of Behaviour policy applies to all employees at all times, including online activities, e.g. Facebook, Twitter, Instagram, SnapChat, etc.
3. Any complaints of a breach of this Code will be investigated by the Immediate Supervisor.
4. Employees will serve the Mississauga First Nation to the best of their ability, making full use of their skills and knowledge.
5. When scheduled to work or potentially while On Call all employees are required to report to work and remain free from being under the influence of alcohol and illicit drugs.
6. Employees shall respect the human dignity of all persons with whom they are dealing and shall conduct their efforts on behalf of those whom they provide programs and services in such a way that they do not bypass, exploit, destroy or undermine the integrity of another human being.
7. Employees are to be encouraged to seek opportunities to upgrade their qualifications and work towards the improvement of their profession.
8. Managers from each department will from time to time identify training and development opportunities, which will be made available to employees as part of the professional development mandate within the workplace.
9. Employees shall offer professional services only through context of a professional relationship, in recognition of their own limitations.

10. Mississauga First Nation employees are to expect professional ethical behaviour from their colleagues and shall initiate appropriate attempts to remedy any unethical or harmful behaviour on the part of their colleagues.
11. Employees will be encouraged to refrain from participating in rumors or derogatory comments in reference to a colleague, peer or member of the First Nation.
12. Defamatory or inappropriate comments or behaviour will be subject to disciplinary action up to and including termination.
13. A Code of Conduct is to be signed and adhered to by all current and new employees. This agreement may be renewed on an annual basis at the discretion of the Immediate Supervisor.

RELATED POLICIES:

- § 7.11 – Substance Abuse
- § 5.3 – Corrective Progressive Action
- § 6.3 – Performance Appraisal

7.6

CONFLICT OF INTEREST

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Employees of Mississauga First Nation serve the public interest and must conduct their business in a manner consistent with this concept. Decisions made in the course of employment are to promote the best interest of the Mississauga First Nation and its members. This policy is designed to promote high ethical standards of performance and by ensuring that actual or perceived conflict of interest situations are avoided. The use of position and influence to further personal financial gain or that of an immediate family member is considered unethical and unacceptable behaviour.

PROCEDURE:

1. A conflict of interest will exist when an employee has the opportunity to advance or protect his or her own interest, or the interest of immediate family members, in such a way that it is detrimental to the interest or harmful to the mission of the Mississauga First Nation.
2. An employee who has, or whose immediate family has a substantial interest in any decision shall advise their Immediate Supervisor of that interest and shall refrain from participating in any manner as an employee in such discussion or decision. The Immediate Supervisor shall document that the disclosure of conflict of interest took place. Further communication on the subject by the employee with anyone involved in the decision making process is prohibited.
3. Failure to disclose a conflict of interest warrants serious corrective action. If employees are uncertain whether a situation constitutes a conflict of interest they shall discuss the situation with their Immediate Supervisor for direction.
4. Upon disclosure of a conflict of interest, the Immediate Supervisor in consultation with the respective employee must decide on alternative arrangements to avoid the conflict of interest. If the employee and Immediate Supervisor cannot agree on alternative arrangements, the matter shall be referred to the respective Director for a decision.
5. In the event that conflict of interest is identified by peer, the conflict acknowledged and the conflict of interest rules are applied to the situation.
6. If the conflict of interest rules are not applied to the situation, the breach of conflict of interest is reported to the Immediate Supervisor.

RELATED POLICIES:

- § 7.12.14 – Corrective Action
- § 6.3 – Performance Appraisal

7.7 DRESS CODE, GROOMING, AND PERSONAL HYGIENE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation aspires to promote professional standards in the work place. This policy supports employee standards of maintaining a professional image.

PROCEDURE:

1. All office employees are expected to dress in a neat and clean professional business casual manner (excludes any type of short shorts/halter tops/tank tops etc.).
2. All office employees are expected to observe good habits of grooming and personal hygiene and avoid wearing excessive perfume or cologne (which may affect employees or clients with allergies).
3. Personal appearance is an important part of self-expression and that jewellery and tattoos are an important part of that expression. Therefore, restrictions on the use of jewellery or tattoos will only be implemented should they have a negative impact on your job. That may occur where safety, health, or productivity is affected or if the jewellery or tattoos are offensive to others based on race, sex, religion etc. If there is a concern with respect to jewellery or tattoos, the Immediate Supervisor will meet with employee to explore solutions, such as the removal of certain jewellery or the covering of tattoos.
4. If the Immediate Supervisor determines that an employee is inappropriately dressed, the employee may be sent home and required to return to work in acceptable attire.

RELATED POLICIES:

- § 7.12.14 – Corrective Action
- § 6.3 – Performance Appraisal
- Employer & Employee Rights and Responsibilities
- § 5.3 – Corrective Progressive Action

7.8

HOURS OF WORK

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

As conditions of employment all employees will ensure that they fulfill the hours of work required as part of their job requirements as required by their Letter of Employment.

PROCEDURES:

7.8.1 Hours of Employment for Mississauga First Nation Employees

1. Employees whose positions require them to work flexible hours must submit a work schedule for approval to their Immediate Supervisor on a monthly basis for the upcoming month or as determined by job requirements.
2. All Mississauga First Nation employees will arrive and depart from his/her place of work in accordance with the prescribed hours of work.
3. It is important that employees inform their supervisor of whereabouts at all times as it helps create a professional image for the Mississauga First Nation and is beneficial to the employee in cases of personal emergencies.
4. When away from the office during regular work hours, employees shall notify their Immediate Supervisor and the Receptionist of their whereabouts.
5. The Immediate Supervisor may make arrangements to deduct from the employee's pay the amount equivalent to time lost by the employee due to absences that are not previously approved prior to absence.
6. A (1) hour non-paid lunch hour will be provided to employees.
7. The regular hours of work for Mississauga First Nation employees shall be:

Office Employees	Monday to Thursday 9:00 a.m.–4:30 p.m. Friday 9:00 a.m.–4:00 p.m.
Day Care Employees	Monday to Thursday 8:00 a.m.–5:00 p.m. Friday 8:00 a.m.–4:30 p.m.
Women's Shelter Employees	24-Hour Operation
On-Call Employees	As required, monitored by Immediate Supervisor

8. Hours of work governing all other employee positions shall be set by the Risk Management and Strategic Planning Director/Director of Operations/Immediate Supervisor, according to the requirements and regulations of that position.

- a. Once an employee is called into work then his or her hours of work are payable. There is a 3 hour minimum call in that applies when people are called in after their regular shifts, but employees can be on call all the time and not paid if not called. If an emergency call is taken outside of work hours this will be considered worktime and they may be eligible for 3hrs of work.

7.8.2 Summer Hours

1. The Summer hours of work for Mississauga First Nation shall be:

Office Employees	Monday to Thursday 8:30 a.m.–4:30 p.m. Friday 8:30 a.m.–12:30 p.m.
Day Care Employees	Monday to Thursday 8:00 a.m.–5:00 p.m. Friday 8:00 a.m.–1:00 p.m.

2. The summer hours of work will begin the week following the last day of Elementary school prior to the summer break and shall end the week preceding the first day of return to school.

RELATED POLICIES:

- § 6.3 – Performance Appraisal
- § 7.2 – Away From the Office
- § 7.1 – Attendance and Absenteeism
- § 7.3 – Timesheet Records

7.9

STATUTORY HOLIDAYS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation employees are entitled to statutory holidays with pay.

PROCEDURES:

1. The following 14 statutory holidays will be recognized as paid holidays:
 - New Year's Day
 - Heritage Day (2nd Monday of February)
 - Family Day (3rd Monday of February)
 - Good Friday
 - Easter Monday
 - Victoria Day
 - Aboriginal Day (June 21st)
 - Canada Day
 - Civic Holiday
 - Labour Day
 - Thanksgiving
 - All Saints Day (in lieu of Remembrance Day)
 - Christmas Day
 - Boxing Day
2. When a holiday designated as a statutory holiday coincides with an employee's regular day of rest, the holiday shall be moved to the employee's first working day following his/her day of rest.
3. When one or more statutory holiday or other holiday fall within an employee's schedule vacation, the appropriate number of days shall be credited back to the employee as vacation credit.
4. Any Mississauga First Nation employee who is required to work on a statutory holiday shall receive his/her regular pay plus time and half off with pay for every hour worked.
5. An employee does not qualify for a paid statutory holiday if the employee:
 - a. Is employed for less than fifteen (15) working days;

- b. Is an employee of the Women's Shelter has agreed work on a statutory holiday and does not report for and perform the work without reasonable cause.
- 6. No employee is entitled to take holiday pay in lieu of holiday leave.
- 7. At the employee's request, payment for any excess hours can be given in time off. This applied to any instance of giving time off rather than paying it.

7.9.1 Day Care Operation

- 1. All full time Day Care employees shall be entitled to two (2) weeks Christmas holiday with pay and one (1) week for March Break, without pay if all holiday time is used.

7.9.2 24-Hours Operation

- 1. Full time Women's Shelter employees **may** receive an extended Christmas Holiday with pay approved at the discretion of the Supervisor.
- 2. It is essential for Women's Shelter to use qualified relief staff during this period in order to maintain the appropriate number of staff at hand.
- 3. The Relief Staff working on statutory holidays shall be compensated at one and half (1½) times regular pay. Full time Women's Shelter employees who do not work on a statutory holiday will be compensated by being allowed to be absent with pay for a time equivalent to one and a half (1½) times the hours actually worked.

RELATED POLICIES:

7.10

TOBACCO & RECREATIONAL CANNABIS

Date Approved: 2018-12-13	Band Council Resolution:
Date Last Reviewed: 2018-07-11	Amendment Date Approval:

POLICY:

This policy is to protect the health, welfare and comfort of employees from adverse effects of second hand smoke from cigarettes, cannabis, cigars, vaping, pipes, and other cannabis consumption methods. No smoking shall be allowed in any of the Mississauga First Nation buildings or vehicles at any time except as outlined in § 7.10.4 or § 7.10.6.

This policy applies to all Mississauga First Nation employees and volunteers while working at or visiting any Mississauga First Nation location or customer place of business.

PROCEDURES:

7.10.1 Prohibited Smoking Areas

- a. All employees and visitors are prohibited from smoking tobacco or cannabis in all Mississauga First Nation buildings. This includes meeting rooms, hallways, wash-rooms, offices and common access areas.
- b. Tobacco or cannabis smoking is prohibited in all Mississauga First Nation owned and lease vehicles at all times.
- c. Cannabis is not to be consumed on the grounds of any of the MFN administration buildings.
- d. A "No Smoking" sign shall be placed in all vehicles and at all entrances of the buildings and in noticeable locations within the building.

7.10.2 Designated Tobacco Smoking Areas

1. Tobacco smoking is permitted outside of the premises **in designated areas only**.
2. The Director of Operations shall have the authority to designate tobacco smoking areas outside of the Mississauga First Nation buildings.
3. To avoid the accumulation of smoking litter, a smoking receptacle will be provided in the designated area. It shall be the responsibility of employees who smoke to keep the area clean.
4. Any employee wishing to smoke shall do so outside the building not closer than nine (9) meters from an entrance, window or air intake.

7.10.3 Compliance

In the event of persistent non-compliance with this policy or in response to specific complaints, appropriate action will be taken including disciplinary action. The Director of Operations has the authority to enforce compliance with this policy and remove tobacco smoking privileges while employees are at work.

Employees who violate this policy will be disciplined up to and including termination.

7.10.4 Ceremonies

The *Smoke-Free Ontario Act*, May 31, 2016, states: "*Despite prohibition from smoking in an enclosed workplace or enclosed public place, and First Nations person has the right to use tobacco for traditional First Nations cultural or spiritual purposes*".

Tobacco (*sema*) is a sacred medicine to Anishinawbe people and that tobacco and other sacred medicines (sage, sweet grass and cedar) are often used in traditional events and ceremonies. The use of tobacco for traditional Anishinawbe cultural or spiritual purposes may take the following forms: in pipe ceremonies by pipe carriers, in smudging where tobacco may be used with other sacred Anishinawbe medicines. The use of tobacco products for other cultural, ethnic or spiritual purposes will also be permitted.

7.10.5 Quit Smoking Program

Mississauga First Nation provides assistance to employees who would like to take part in a non-smoking program. For more information, please contact Health & Social Services Unit.

7.10.6 Medical Cannabis Accommodation

1. In the event that an employee is prescribed Medical Cannabis, they would need to disclose with their supervisor who will initiate this protocol with the HR department.
2. The employee would be required to fill out an Accommodation Plan Form (FORM #) to be signed by their qualified medical service provider.
3. If the employee is required to consume Cannabis during work hours, and especially if their position is safety sensitive (positions outlined below), their supervisor will consult with the HR department and the Director of Operations as to how or if accommodation will be achieved.
4. The Accommodation Plan Form will be filed in the Employee Records.
5. Medical Cannabis consumption during work hours should not impair the ability of the employee to perform their job functions.
6. Accommodation Plans should be updated bi-annually to ensure relevancy.

7.10.7 Safety Sensitive Positions

Infrastructure Director	Women Shelter Staff
Fire Chief & PW Technician	Red Pine Lodge Staff
Road Lead & PW Technician	Health & LTC Technicians
Public Works Technician	Visiting Medical Practitioners
Lands & Environmental Technicians	Education Staff, including Bus Drivers
Daycare Staff	Medical & Elderly Transportation Drivers
Afterschool Coordinator & Mentors	
Health & Social Services Staff	

RELATED POLICIES:

References: 7.11 Substance Abuse policy
Staff – 17 - Long Term Care Program Smoking by Staff While on Duty
Day Care Smoking Policy
250 - Health & Social Services Unit Program Policy – Burning of Substances During Spiritual Ceremonies
§ 5.3.2 Mississauga First Nation Personnel Policy – Progressive Discipline

7.11

SUBSTANCE ABUSE

Date Approved: 2018-12-13	Band Council Resolution:
Date Last Reviewed: 2018-07-11	Amendment Date Approval:

POLICY:

The Mississauga First Nation is committed to the health and safety of its employees and has adopted this policy to communicate its expectations and guidelines surrounding substance use, misuse and abuse.

Employees under the influence of drugs or alcohol on the job can pose serious health and safety risks both to themselves and to their fellow employees. To help ensure a safe and healthy workplace, the Mississauga First Nation reserves the right to prohibit certain items and substances from being brought on to, or present on Mississauga First Nation premises.

This policy also includes Recreational Cannabis legalization under the Cannabis Act. Recreational cannabis legalization does not mean that employees can come to work impaired and this policy shall apply.

PROCEDURES:

7.11.1 Expectations

The following expectations apply to employees and management alike while conducting work on behalf of the Mississauga First Nation, whether on or off Mississauga First Nation property:

- Employees are expected to arrive to work fit for duty and able to perform their duties safely and to standard; employees must remain fit for duty for the duration of their shift or workday.
- Use, possession, distribution or sale of drugs or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited.
- Employees are prohibited from reporting to work while under the influence of non-prescribed drugs or alcohol.
- Employees on prescription medication must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary re-assignment.

7.11.2 Roles and Responsibilities

The following roles and responsibility apply to employer, management and employee while conducting work on behalf of the Mississauga First Nation, whether on or off Mississauga First Nation property:

a. The Mississauga First Nation

- Clearly communicate expectations surrounding alcohol and drug use, misuse and abuse.
- Maintain a program of employee health and awareness.
- Provide a safe work environment.
- Review and update this policy on a regular basis.

b. Management

- Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions.
- Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation) and is not disciplined for doing so.
- Will accommodate any addiction related disability in accordance with the Ontario Human Rights Code.
- Maintain confidentiality and employee privacy.

c. Employees

- Abide by the provisions of this policy and be aware of their responsibilities under it.
- Arrive to work fit for duty, and remain as such for the duration of workday.
- Perform work in a safe manner in accordance with Mississauga First Nation established safe work practices.
- Avoid the consumption, possession, sale, or distribution of drugs or alcohol on Mississauga First Nation property and during working hours (even if off Mississauga First Nation property).
- When off duty, refuse a request to come into work if unfit for duty.
- Communicate to their employer limitations and required work modifications as a result of prescription medication or medical cannabis.
- Communicate to their employer that they have a dependency or have had a dependency so that their rights are protected and they can be accommodated appropriately.
- Seek advice and/or appropriate treatment, where required.
- Communicate dependency or emerging dependency.

- Follow after-care program, where established.
- Report unfit or impaired co-workers to management.

7.11.3 Suspicion of Impairment

The following procedure will be enacted if there is reasonable belief that an employee is impaired at work:

1. If possible, the employee's manager/supervisor will first seek another manager/supervisor's opinion to confirm the manager's opinion.
2. Next, the manager/supervisor will consult privately with the employee to investigate the cause of the observation, including whether substance abuse has occurred. Suspicions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behaviour that may include, but not limited to, slurred speech, difficulty with balance, watery and/or red eyes, dilated pupils, and/or there is an odor of alcohol, the employee should not be permitted to return to their assigned duties in order to ensure their safety and the safety of other employees or visitors to the workplace.
3. If an employee is considered impaired and deemed "unfit for work" this decision is made based on the best judgment of two members of management and will not require a breathalyzer or blood test. The employee will be advised that (Mississauga First Nation) has arranged a taxi or shuttle service to safely transport them to their home address or to a medical facility, depending on the determination of the observed impairment. The employee may be accompanied by a supervisor/manager or another employee if necessary.
4. An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse (employer organized) transportation and make the decision to drive their personal vehicle the Mississauga First Nation is obligated to and will contact the police to make them aware of the situation.
5. A meeting will be scheduled for the following work day to review the incident and determine a course of action which may include a monitored referral program as part of a treatment plan.

7.11.4 Substance Dependency

The Mississauga First Nation understands that certain individuals may develop a chemical dependency to certain substances, which may be defined as a disease or disability. Employees are not excused from their duties as a result of their dependencies. The Mississauga First Nation promotes early diagnosis. Any employee who suspects that he/she might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

7.11.5 Voluntary Identification

Employees are encouraged to communicate if they have a dependency or have had a dependency so that their rights are protected and they can be accommodated appropriately. Employees will not be disciplined for requesting help or due to current or past involvement in a rehabilitation effort.

All medical information shall be kept confidential by Mississauga First Nation Human Resource Department, in accordance with applicable privacy laws.

Employees who deny any addiction issues and report to work while under the influence of drugs and alcohol will be disciplined appropriately.

7.11.6 Accommodation

The Mississauga First Nation will take appropriate steps to accommodate employees with substance abuse problems. If an employee requires accommodation and assistance from Mississauga First Nation he/she are responsible to communicate this need to their direct supervisor and/or RMSPC/DOO in sufficient detail and to co-operate with Mississauga First Nation to facilitate an appropriate course of action.

One early option for accommodation may be an agreement for the continuation of employment, whereby the employee who has presented himself in an impaired state at the workplace commits to become and remain alcohol and drug-free. Such an agreement may include a requirement for drug and alcohol testing.

If an employee refuses treatment or accommodation he or she may be subject to progressive discipline, up to and including termination.

7.11.7 Substance Related Convictions

Employees who fail to adhere to the above expectations or who engage in illegal activities such as selling drugs and/or alcohol while on (Mississauga First Nation Premises) will be subject to disciplinary action up to and including termination of employment and referral to legal authorities.

Any employee convicted of any substance related offense must inform Mississauga First Nation on their first day of work following the conviction. Failure to do so will result in disciplinary action up to and including termination of employment.

In the event of an employee's conviction or plea to charges relating to the manufacture, possession, sale, use, distribution, receipt, or transportation of any illegal substance, The Mississauga First Nation will determine whether disciplinary action will be taken, including the appropriateness of continued employment.

In accordance with The Mississauga First Nation human rights obligations, consideration of the circumstances will be given on a case-by-case basis.

7.11.8 Disciplinary Action

Employees will be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this policy, including, but not limited to:

- Failure to meet prescribed safety standards as a result of impairment from alcohol and/or drugs; and
- Engaging in illegal activities (e.g. selling illicit drugs and/or alcohol while on Mississauga First Nation premises).

RELATED POLICIES:

7.12 WORKPLACE ANTI-VIOLENCE AND HARASSMENT

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

The purpose of this Statement of Policy and Procedure is to outline roles and responsibilities of employer and employees as it relates to Anti-violence and harassment with the Mississauga First Nation.

Workplace violence is described by the *Occupational Health and Safety Act* as the exercise of physical force by a person against an employee in a workplace that causes or could cause physical injury to the employee. It also includes:

- an attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker, and a
- a statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker in the workplace, that could cause physical injury to the worker.

PROCEDURE:

7.12.1 Confidentiality

Employees will exercise good judgment and care to avoid unauthorized or improper disclosures of confidential information in the exercise of this policy. Confidentiality in matters of workplace violence will be respected, but cannot be absolutely guaranteed due to disclosure and investigative requirements.

7.12.2 Employer Responsibility

Management will investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and timely manner, respecting the privacy of all concerned as much as possible.

MFN Health & Safety Policy requires employers to provide personal information that is reasonably necessary about employees, colleagues, clients, tenants or patients who have a history of violent behaviour. Information must specifically be provided if:

- a. an employee is expected to encounter that person in the course of his/her work; and
- b. if, there is a risk of physical injury to an employee.

7.12.3 Disclosure of Potential Behaviour

Mississauga First Nation management will provide information to employees related to the risks of workplace violence from a person with a history of violent behaviour if the employee can be expected to encounter that person during the course of his or her work, and if there is a risk of violence likely to expose the employee to physical injury. Disclosure of personal information will be limited to that information which is reasonably necessary to protect the employee from physical injury.

7.12.4 Notification Requirements

Following an incident of workplace violence, the required emergency services shall be contacted for immediate assistance. In addition, the OHSA requires the employer to fulfill the following duties if workplace violence has resulted in a person being killed or critically injured:

- immediately notify by direct means such as a telephone, the Ministry of Labour Inspector, the Mississauga First Nation Joint Health and Safety Committee and
- within 48 hours, to notify, in writing, the Health & Safety Officer, Labour Program, Government of Canada giving the circumstances of the occurrence and any information that may be prescribed.

If there is an incident of workplace violence and an employee is disabled or requires medical attention, the employer must notify the Joint Health and Safety Committee within 4 days of the incident. This notice must be in writing and must contain any prescribed information (§ 52 (1)). If required by an inspector, this notice must be given to a director of the Health & Safety Officer, Labour Program, and Government of Canada.

Notices are not required for incidents of harassment.

7.12.5 Employee Responsibility

Employees are required to adhere to the following:

- a. work in compliance with the *Occupational Health and Safety Act* and its regulations
- b. use or wear equipment, protective devices or clothing required by the employer (§ 28(1)(b))
- c. report the absence of, or defect in, any equipment or protective device of which the worker is aware (§ 28 (1)(c))
- d. report any contravention of the OHSA or its regulations, or the existence of any hazard the worker knows of to the employer or supervisor (§ 28(1)(d))
- e. not engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct (§ 28 (2)(c)). While this type of behaviour may not constitute

workplace violence, it must not be allowed. If allowed to continue, this behaviour may escalate into workplace violence.

All employees are encouraged to raise any concerns about workplace violence and shall report any violent incidents or threats.

7.12.6 Work Refusals

An employee can refuse to work if he or she has reason to believe they may be endangered by workplace violence. However, work cannot be refused on the grounds of workplace harassment. The Act sets out a specific procedure—§ 43 (1) and (2)—that must be followed in a work refusal. For some jobs, exposure to violent and potentially violent situations/individuals is a normal and inherent risk of the job. Employees are expected to take such circumstances into account when assessing the risks of workplace violence and in the safe performance of their duties.

7.12.7 Domestic Violence

An employer must take every precaution reasonable in the circumstances for the protection of employees when they are aware, or ought reasonably to be aware that domestic violence may occur in the workplace and that it would likely expose an employee to physical injury.

Domestic violence may put the targeted employee at risk and may also pose a threat to co-workers.

Employees who have concerns about domestic violence can take their concerns to their Supervisor or Human Resources if they feel domestic violence may enter the workplace.

These situations will be dealt with on a case-by-case basis. Evaluation of an employee's specific circumstances will be used to support the development of reasonable precautions for the workplace.

7.12.8 Work Safe Procedures

The Workplace Violence Program sets out measures to control the risks of workplace violence identified by MISSISSAUGA FIRST NATION, to summon immediate assistance when workplace violence occurs and a process for employees to report incidents of workplace violence.

7.12.9 Measure to Control Risks

- a. Where employees will be meeting in MISSISSAUGA FIRST NATION office spaces with Clients/Tenants/Patients, furniture arrangement will be set up to ensure that the employee is closest to the exit.

- b. Equipment such as personal communication devices, i.e., cell phones and portable two-way radios, will be provided for employees who are required to work alone.
- c. In the event that a secured interview room is constructed, the room will be set up with two doors and a desk or counter dividing the room so that the employee and client/tenant are located on separate sides of the counter. A buzzer will be installed to alert others in the office in the event that the employee in the interview room needs immediate assistance.
- d. The MISSISSAUGA FIRST NATION files (hard copy and electronic) of Clients/Tenants who have had a history of violent or unusual behaviours that may be considered a risk, will be flagged to advise of the potential for violence. The Client/Tenant will not be left alone with an employee. If home visits are required, two employees shall attend.
- e. Designated safe areas shall be set up for each property owned by MISSISSAUGA FIRST NATION (such as Supervisor's office, Custodian's office, etc.) and clearly communicated to all employees working in each area.
- f. Employees conducting home visits shall ensure that their Supervisor is aware of the work situation and will set up times that they will be calling to provide an update on their activities and plans. (i.e., leaving at day's end, etc.) In the case of an emergency situation that cannot be discussed over the telephone, the emergency code word, "**OASIS**", has been established so that other employees will be aware of an emergency just by an employee referring to the code word.
- g. Employees working after hours shall ensure that there are others (family/friends) who know their whereabouts and intended arrival time at home or other place in which they are expected. Employees shall endeavor to coordinate after-hours work with at least one other employee to avoid the need to work alone.
- h. Employee training to deal with violent clients/tenants/patients or guests/visitors shall be provided to employees who have the potential for face-to-face interaction with such individuals.
- i. When employees are working late at night, they should ensure that their vehicle is moved to an area where it can be accessed as safely as possible. Parking under lights and/or near the building should be considered prior to it becoming dark. If possible, have another person escort you to your vehicle.
- j. If advance notice is received in the event of a situation of potential violence, or a potentially violent person, all employees concerned will be emailed, with the Su-

pervisor or Management Representative for that location either meeting each person or assigning the task of meeting each person in the location to advise of the potential situation.

7.12.10 Summoning Immediate Assistance

Anyone who requires immediate assistance as a result of the occurrence or likely occurrence of workplace violence may summon immediate assistance in the following manner: (Example)

- a. Equipment to summon assistance such as: cell phones, two-way radios, panic buttons
- b. Telephone to call 911 or on site help
- c. Emergency procedures established for each location to summon other employees working at that location.

7.12.11 Reporting Workplace Violence

All employees are encouraged to raise any concerns they may have about workplace violence. All occurrences of workplace violence must be reported to the Manager of Human Resources as soon as possible after the incident occurs. If possible, the complainant will be required to complete a written incident report which will include information about the incident including the time, date and location of the incident and the names of any individuals who may have witnessed the incident. Alternatively, if the complainant is not able to complete a written incident report, he or she will be able to orally provide the aforesaid information to the Manager of Human Resources.

In addition to the foregoing, the required emergency services should be summoned if an incident of workplace violence has taken place.

7.12.12 Investigation Process

Upon receiving a formal complaint of workplace violence, or upon otherwise becoming aware of an incident of workplace violence, the RMSPD/HR Department will:

- a. Advise the respondent(s) in writing of the investigation of the complaint or incident;
- b. Advise the complainant of the investigation;
- c. Carry out the investigation or assign the investigation to another designated individual not involved in the incident. The investigator will explore the allegations by conducting interviews with the complainant, the respondent, and any others that may have knowledge of the incident; and

- d. Prepare a written report of his or her findings regarding the incident within 25 days of receiving the complaint or otherwise becoming aware of the incident. More time to complete the report can be permitted to allow for a complete investigation. The report will clearly indicate whether there is:
 - i. *sufficient evidence* to substantiate that workplace violence has occurred and/or that the Workplace Violence Policy was contravened; or
 - ii. *insufficient evidence* to substantiate that the workplace violence has occurred and/or that the Workplace Violence Policy was contravened.

All documents related to a complaint or incident of workplace violence, including the written complaint, witness statements, investigation notes and reports, and documents related to the complainant will be maintained by the Manager of Human Resources, separate from personnel files.

7.12.13 Incident Reporting Requirements

If a person is disabled from performing his or her usual work or requires medical attention because of an incident of workplace violence at a workplace, but no person dies or is critically injured because of that occurrence, the employer must give written notice and details of the occurrence within four days to:

- their Joint Health and Safety Committee
- a Director from the Ministry of Labour¹

7.12.14 Corrective Action

If sufficient evidence was found to substantiate that workplace violence has occurred and/or that the Workplace Violence Policy was contravened, the Director of Operations will consider corrective action. Possible corrective actions include:

- a. An apology from the respondent to the complainant with a promise not to repeat the action;
- b. Physical separation of the parties in the workplace, if possible;
- c. Mandatory counselling of the respondent;
- d. Suspension of the respondent with or without pay for a period of time;
- e. Termination of the respondent's employment

If no evidence was found to substantiate the complaint and the complaint is found to be malevolent or frivolous, disciplinary action may be brought against the complainant.

¹Note: If the worker has or had a claim filed with the Workplace Safety and Insurance Board by or on behalf of the worker related to the incident of workplace violence.

7.12.15 Annual Reporting

The Director of Operations and RMSPD will jointly provide an annual report to Chief and Council of the number of complaints proceeded with and the resolution, mediation, and dispositions made under this policy. The Director of Operations and RMSPD will jointly provide any recommendations with respect to matters contained in the report.

7.12.16 Rights of Parties to Support and Assistance

The complainant and respondent are entitled to Employee Assistance Plan services.

RELATED POLICIES:

This policy is also located in the Health and Safety Policies & Procedures

7.13

TRAVEL REGULATIONS

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

It is expected that Mississauga First Nation employees may need to travel as part of their employment. This policy is to ensure that employees have met the appropriate travel requirements and authorizations prior to travelling.

PROCEDURES:

1. Travel arrangements, if possible, should be requested one (1) week in advance of travel.
2. The Mississauga First Nation Council must authorize all of the Director of Operations' out of province travel. Other staff requests may be approved by the Immediate Supervisor.
3. All convictions and parking tickets etc., shall be the sole responsibility of the employee.
4. All employees who will be travelling must submit a requisition for travel prior to departure and must submit an expense claim within five (5) days upon return.
5. Travel by public transportation must be made in the most economic and direct route unless otherwise approved.
6. All employees using private vehicles in the performance of their duties must have a minimum of \$2 000 000, public liability and property damage insurance coverage. A copy of the Certificate of Insurance is to be provided yearly or on renewal. MFN will not be reimbursing employees for this specific coverage.
7. Car mileage shall be paid to the driver of the vehicle or one designated person based upon rates approved by Council. Car-pooling is to be encouraged and where appropriate a car rental may be utilized.
8. Individuals shall return all advances immediately upon cancellation or postponement of travel plans. In the event of postponement, authority shall be obtained for the new travel plans and to retain the travel that has been received from other sources.
9. Receipts for overnight accommodations and travel must be submitted with the report of traveling within five (5) days of returning from a trip.

10. Employees may be paid a daily allowance for meals, accommodations and other costs, according to Council regulations.
11. Any expenses paid by the host are to be returned to the Mississauga First Nation.

RELATED POLICIES:

7.14 MEDIA, COMMUNICATION AND DISCLOSURE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

This policy is developed to ensure protocols on communication with regard to Mississauga First Nation business and program activities are adhered to by all employees of Mississauga First Nation.

PROCEDURES:

1. No employee shall speak to any group or member of the media on behalf of the Mississauga First Nation without prior written permission of the Risk Management & Strategic Planning Director/Director of Operations or their Immediate Supervisor.
2. Only the Mississauga First Nation Chief and Council and those authorized by the Council are authorized to speak to the general public on behalf of the Mississauga First Nation.
3. All inquiries from the media shall be referred to the Director of Operations who must pass the inquiries on to the Chief and Council of the Mississauga First Nation.
4. In the event of an emergency, as defined in the Mississauga First Nation Emergency Plan, media guidelines and processes will be coordinated in conjunction with the Emergency Response Plan.

RELATED POLICIES:

- § 7.4 – Confidentiality
- § 7.5 – Professionalism & Code of Behaviour

7.15

SOCIAL MEDIA PERSONAL USE

Date Approved: 2018-07-11	Band Council Resolution:
Date Last Reviewed: 2018-05-25	Amendment Date Approval:

POLICY:

Mississauga First Nation strives to maintain a positive image in the community, and has adopted this policy to ensure that our staff members are aware of their responsibility to maintain a positive image as a representative of our organization. Mississauga First Nation employees and volunteers that maintain personal social media pages (e.g. Facebook, LinkedIn, Blogs, Twitter, Instagram, etc.) are expected to comply with the guidelines set out within this policy.

Staff are made aware that they continue to act as representatives of this organization outside of regular business hours, and should conduct their self in a manner that is appropriate.

Definitions

Social Media: forms of electronic communication through which users create online communities to share information, ideas, personal messages and other content (Merriam-Webster Dictionary). These include but are not limited to: Facebook, Twitter, LinkedIn, Myspace.

General Guidelines

Mississauga First Nation staff members that maintain personal social media pages or accounts are required to comply with the following guidelines as they relate to their association with Mississauga First Nation. Employees will be held accountable for what they write or post on social media or internet pages. Inflammatory comments, unprofessional remarks or disparaging remarks made about the organization, its employees, customers, vendors or competitors may result in disciplinary action, up to and including termination.

PROCEDURE:

Employees should follow the guidelines below when making posts or comments on any social media site whether it is public or private.

1. Employees are expected to conduct themselves professionally both on and off duty. Where a staff member publically associates with the Mississauga First Nation, all materials associated with their page may reflect on the Mississauga First Nation. Please be advised that inappropriate comments, photographs, links, etc. should be avoided.

2. Posts involving the following will not be tolerated and will subject the individual to discipline:
 - Proprietary and confidential Mississauga First Nation information;
 - Discriminatory statements or sexual innuendos regarding co-workers, management, customers, or vendors; and
 - Defamatory statements regarding the Mississauga First Nation, its employees, customers, competitors, or vendors.
3. Where an employee mentions the Mississauga First Nation, they will be required to include a disclaimer stating that any opinions expressed are the employee's own and do not represent the Mississauga First Nation's positions, strategies, or opinions.
4. Employees that use these sites are prohibited from disseminating any private or organizational information therein, or any negative comments regarding the organization.
5. Mississauga First Nation staff are prohibited from speaking on behalf of the organization, releasing confidential information, releasing news, or communicating as a representative of the organization without prior authorization to act as a designated Mississauga First Nation representative.
6. Use of personal social media may not conflict with any of Mississauga First Nation's existing policies whatsoever. This includes (but is not limited to) the Standards of Conduct Policy, Confidentiality Policy and Media Communications Policy.
7. Employees are prohibited from using social media during regular working hours, employees should limit its use to official breaks, (i.e. lunch or meal breaks). The use of social media should not have a negative impact on user productivity or efficiency. As internet access at Mississauga First Nation is monitored, please be advised that excessive use of social media for personal reasons is a misappropriation of Mississauga First Nation time and resources, and may be subject to disciplinary action.
8. Mississauga First Nation policies governing the use of copyright materials, corporate logos and other forms of branding and identity apply to electronic communications. Employees are prohibited from using Mississauga First Nation protected materials (copyright material, branding and/or logo(s)) without prior express written permission.
9. Mississauga First Nation strictly prohibits the use of Mississauga First Nation owned computer resources for use in the illegal download or upload of copyright

materials without express written permission, and authorization from the copyright holder.

10. This policy is not intended to interfere with the private lives of our staff members, or impinge their right to freedom of speech. This policy is designed to ensure that Mississauga First Nation's image and branding are maintained.
11. Employees should abide by these guidelines whether they mention the Mississauga First Nation by name or not. Even if the name is not mentioned in a post, it is possible a link can be made back to the Mississauga First Nation which can negatively affect the Mississauga First Nation's reputation. Where a link can be made between a negative or inflammatory post and the Mississauga First Nation, even if not named directly, the employee may be subject to disciplinary action.
12. Any employee who fails to follow the guidelines set out in this policy may be subject to disciplinary action up to and including termination of employment.
13. Employees should also be aware that many customers and person's present on Mississauga First Nation property frequently use mobile phones and other devices to take photographs or recordings. Employees should always represent the Mississauga First Nation in a positive and professional manner so negative images are not posted on social media sites of customers or visitors.
14. Employees who are photographed or recorded acting inappropriately or unprofessionally may be subject to disciplinary action, up to and including termination or employment.

RELATED POLICIES:

- § 7.4 – Confidentiality
- § 7.5 – Professionalism & Code of Behaviour

APPENDIX

DEFINITIONS

Bereavement	The state of being bereaved especially the loss of a loved one by death.
Breach of Confidentiality	The disclosure of information, intentionally or unintentionally, to an individual who is not entitled to that information.
Break in Service(s)	A break of one day constitutes a break in qualifying service.
Canada Labour Code	Is an Act to consolidate certain statutes respecting to labour in Canada, R.S.C., 1985, c. L-2.
Charter Of Human Rights and Freedoms Act	This act is Part I of the <i>Constitution Act</i> , 1982 which outlines the specific rights and freedoms pertaining human rights within Canada.
Compassionate Care	When an employee is seeking time off work to care for a terminally ill family member.
Complainant	Is the person who makes a complaint.
Conflict of Interest	Where a person has a personal interest in the matter; has a family interest in the matter in relation to their immediate or extended family; has interest in relation to their close personal friend; has financial interest in the matter; and has a professional or business interest in the matter.
Corrective Action Plan	A course of action that is identified by and in collaboration with staff and Immediate Supervisor in order to address performance issues.
Disability	The Ontario Human Rights Code defines 'disability' as: a) a degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance of a guide dog or other animal or on a wheelchair or other remedial appliance or device,

- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a dysfunction in one or more of the process involved in understanding or using symbols or spoken language,
- d) a mental disorder, or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; ("handicapped")

Discrimination Any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. Discrimination may take obvious forms, or it may occur in very subtle ways. In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this Policy.

Dismissal for Cause Term used to describe when termination is determined with just cause.

Employee Casual Part Time (CPT)

This is a person who is employed on a casual basis and may be called to work on 'as-needed basis'.

Designated Employee (DE)

An employee who has formal designation to conduct certain responsibilities assigned by upper management.

Full Time (FT)

There is no fixed end date, and the employee in the position works what has been determined to be full-time hours for that position.

Labour Services – Seasonal (LS)

An employee who has been designated as such and is subject to seasonal layoff and recall, and who has successfully completed an initial probationary period.

Part-Time (PT)

There is no fixed end date, and the employee in the position works part-time hours, which can be up to 100% of full-time hours.

Placement (P)

A person in a term position, either sponsored or un-sponsored not receiving pay.

Relief (R)

The employee provides short-term relief of full-time, part-time, or term employees. Hours are typically assigned on a casual/call-in basis.

Students (S)

Residents of Ontario returning to secondary or post-secondary education on a full-time basis for the upcoming term. Positions can be summer employment or co-op work terms.

Temporary Acting Assignment (TAA)

This is a short-term position normally be filled by a qualified existing employee in an attempt to facilitate the least disruption to services and program delivery.

Term (T)

A position of an emergent or short-term nature. An employee in a term position will have a tenure that is limited to a defined period of time.

Volunteer (V)

A person in a term position, either sponsored or un-sponsored not receiving pay.

Employee Assistance Plan (EAP)

Program support for employees requiring personal counseling. This program may be outsourced to agencies specializing in mental health.

Employment

Includes paid employment, volunteer work, student internships, special job placements, and temporary, contract, seasonal or casual employment.

Employment Contract

Are used for 10 day hires, part-time permanent, full-time permanent, and term contracts.

Employment Standards Act (ESA)	The Ministry of Labour enforces and promotes awareness of employment standards, such as minimum wage, hours of work, public holidays and other standards.
Equal	A term that is subject to all requirements, qualifications and considerations that are not a prohibited ground of discrimination.
Extended Family	Means the person's grandparent, grandchild, first degree aunt or uncle, first degree niece or nephew, and individuals who reside in the same household.
Flex Time	Accrued time earned within the regular hours of work.
Grievance	A wrong considered as grounds for complaint, or something believed to cause distress e.g., unfair treatment or wrong doing.
Harassment	A course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome, based on a ground of discrimination identified by this Policy. Harassment can occur on any of the grounds of discrimination.
Hazard Control Risk Assessment	<p>Processes where an individual will:</p> <ol style="list-style-type: none"> 1) Identify hazards 2) analyze or evaluate the risk associated with that hazard 3) determine appropriate ways to eliminate or control the hazard. <p>In practical terms, a risk assessment is a thorough look at your workplace to identify those things, situations, processes, etc., that may cause harm, particularly to people. After identification is made, you evaluate how likely and severe the risk is, and then decide what measures should be in place to effectively prevent or control the harm from happening. (Source: Canadian Center for Occupational Health and Safety)</p>
Human Resource Practitioner Association (HRPA)	This association is the regulatory authority for human resource management professionals in Ontario. One of the primary roles for regulating authorities is to ensure the public interest is protected.

Immediate Dismissal	Is defined as immediate termination of employment.
Immediate Family	<p>The employee's:</p> <ul style="list-style-type: none"> • spouse or common-law partner • father and mother, and the spouse or common-law partner of the father or mother • child(ren) and the child(ren) of the employee's spouse or common-law partner • grandchildren • brothers and sisters • grandparents • aunts and uncles • nieces and nephews • customary parents <p>as well as:</p> <ul style="list-style-type: none"> • the 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; and • any relative of the employee who resides permanently with the employee or with whom the employee permanently resides.
Indian Act	<i>Indian Act</i> (R.S.C., 1985, c. I-5) is under the <i>Constitution Act, 1867</i> (formerly the <i>British North America Act, 1867</i>), together with amendments made to it since its enactment, and the text of the <i>Constitution Act, 1982</i> , as amended since its enactment. The <i>Constitution Act, 1982</i> contains the <i>Canadian Charter of Rights and Freedoms</i> and other provisions, including the procedure for amending the Constitution of Canada.
Insubordination	The defiance of authority by an employee that occurs when an employee refuses to obey a clear and specific order provided by management that is lawful, reasonable, and within the scope of the employee's duties and responsibilities.
Joint Health and Safety Committee (JHSC)	Designated committee consisting of management and worker representatives to promote health and safety education and awareness within the work place.
Layoff	A temporary (less than 3 months) or seasonal and will be recalled to position) period of unemployment.

Leave	An approved leave of absence as per the Canada Labour Code and/or Mississauga First Nation's personnel policy, whether paid or unpaid.
Letter of Offer	Is a written letter outlining an employment contract that an offer of employment has been made on behalf of the employer to a potential employee. The letter of offer is unofficial until the letter of offer has been signed by both parties.
Lieu time	Is prior approved time that can be accrued over and above regular working hours within a regular work week.
Near-Miss or At-Risk	A non-injury event that shows a potential weakness or faulty system in the workplace that can lead to unsafe working conditions.
Occupational Health and Safety Act (OHSA)	Under the Ministry of Labour the OHSA provides regulations pertaining to employers, employee, supervisor's requirements to uphold occupational health and safety within the workplace.
Ontario Human Rights Code	The Ontario Human Rights Code, the first in Canada was enacted in 1962. The code prohibits actions that discriminate against people based on a protected <i>ground</i> in a protected <i>social area</i> . e.g., § 5. (1) States every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place or origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.
Overtime	For most employees, overtime begins once an employee has worked more than 40 hours in a work week. This means that they must receive overtime pay for time worked in excess of 40 hours in the work week. However, some employees work in jobs where the overtime threshold is more than 40 hours in a work week or where the right to overtime pay does not apply. For more information, see the Canada Labour Code.
Overtime Pay	Is 1½ times the employee's regular rate of pay. (This is often called "time and a half"). For example, an employee who has a regular rate of \$12.00 an hour will have an overtime rate of \$18.00 an hour ($12 \times 1.5 = 18$). The employee must therefore

be paid at a rate of at least \$18.00 an hour for every hour worked in excess of 40 in a work week.

Maternity & Parental Leave	An employee who is a new parent has the right to take unpaid time off work when a baby or child is born or first comes into their care. Parental leave is not part of pregnancy leave and so a birth mother may take both pregnancy and parental leave. In addition, the right to a parental leave is independent of the right to pregnancy leave. For example, a birth father could be on parental leave at the same time the birth mother is on either her pregnancy leave or parental leave. (Source Ministry of Labour)
Performance Appraisal (PA)	Is designed to assist with monitoring on employee performance and identifying key areas of work performance including strengths, weaknesses and goal setting.
Personal Financial Gain	Does <i>not</i> include an interest in a decision that is of general application; that affects an employee as one of a broad class of persons; or, that concerns the remuneration or benefits of an employee.
Poisoned Environment	This term is used to describe work environments created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work environment such that it can be said that it has become a term and condition of one's employment to have to be in such a workplace. The comments or conduct need not be directed at a specific individual, and may be from any individual, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.
Resignation	This is when an employee has decided to resign from this position and may need
Selection Committee	Means a screening and/or interview committee trained to screen, interview and recommend employment applicants for employment positions within the Mississauga First Nation.
Sexual Harassment	is a form of harassment that can include:

- gender-related comments about an individual's physical characteristics or mannerisms
- paternalism based on gender which a person feels undermines his or her self-respect or position of responsibility
- unwelcome physical contact, suggestive or offensive
- remarks or innuendoes about members of a specific gender
- propositions of physical intimacy
- gender-related verbal abuse, threats or taunting
- leering or inappropriate staring
- bragging about sexual prowess or questions or discussions about sexual activities
- offensive jokes or comments of a sexual nature about an employee or client
- rough and vulgar humour or language related to gender
- display of sexually offensive pictures, graffiti or other materials, including through electronic means
- demands for dates or sexual favours.

Termination End of term contract, end of employment with or without cause as a result of performance issues before or after probationary period or due to organization realignment and the elimination of position.

Travel Time Time used to travel to and return from meetings, conferences, workshops.

Vacation Credits Accrued time as determined by the employer to be used for vacation leave.

Vacation Pay A minimum of 4% of income will be paid to the employee who is not defined as a full-time employee.



ACCESS REQUEST FOR INFORMATION FORM

This form is to be used when requesting copies of information from your Personnel Record. For employees, completed forms must be submitted to the Immediate Supervisor. The Immediate Supervisor for their review who will then forward to the Human Resource Department for processing. For non-employees completed forms must be submitted to the Risk Management & Strategic Planning Director who will then submit to the Human Resource Department for processing.

Applicant Information **(Print Clearly)**

- ☐ General Information
- ☐ My own personal information
- ☐ Personal Information for another person (Attach proof of authority to act for the person)

First Name:	Last Name:	Middle Name:
Mailing Address:		
City or Town	Province/Territory	Postal Code
Home Telephone:	Work Telephone:	Fax:

Information Being Requested:

Please describe the information to which you want access in as much detail as you can. If you want access to personal information, be sure to provide all of the names of the person concerned. If you need more space, use an additional sheet.

- ☐ I would like to receive a copy of the original record ☐ I would like to examine the original record

Personal information contained on this form is collected under the Access of Information and Protection of Privacy Act, and will be used to respond to your request.

Applicant Signature: _____ Date: _____

Administration Only

Date Received	Request Number and Comments
---------------	-----------------------------



<Date>

<Address>

<Town/ Province>

<Postal Code>

Dear <Applicant>:

SUBJECT: ACKNOWLEDGEMENT LETTER CO-OP / PLACEMENT

We are pleased to confirm our offer of employment to you with Mississauga First Nation Summer student Program. The terms and conditions of your employment are set out in the paragraphs below. If you accept this offer of employment and these terms, please sign in the space indicated at the bottom of this document.

Period of Placement

Your placement with Mississauga First Nation shall commence on **<date>** and has an estimated end date on **<date>**. You will report to <Immediate Supervisor/ Title> who will be your direct supervisor. You will be working **<number>** hours per week.

Position

You will be placement in the position of **<Job Title>** and as outlined in the attached job description working out of the **<location of work site>**. By accepting this offer, you are warranting that you are fully familiar with the contents of the job description and capable of completing work tasks described therein.

Base Salary

This position is a non-paid placement.

Hours of Work

Regular work hours is Monday to Thursday 9:00 am to 4:30 pm and Friday. 9:00 am to 4:00 pm with a (1) one hour non-paid lunch.

Summer hours shall begin a week following the last day of elementary school prior to the summer break and shall end the week preceding the first day of return to school, *Monday to Thursday, 8:30 am to 4:30 pm and Friday, 8:30 to 12:00 pm* with a (1) one hour non-paid lunch.

In addition, your hours of work will be determined to meet client and program requirements. Evening and weekend hours may be required.

Confidentiality

You agree to keep confidential and refrain from using or disclosing, directly or indirectly, during the course of your employment and thereafter, all information about, known or used by the First Nation unless that the dissemination of information is with the knowledge and consent of the Mississauga First Nation Band Council. Confidential information shall include (without limiting the generality of the foregoing):

all clients, activities, services , programs, and initiatives of, or planned or under consideration by First Nation;

all financial and personnel information concerning the First Nation; and,

all information provided to or collected by the First Nation, which are the property of the First Nation, or which were entrusted to the care of the First Nation, including any copies of these items.

Criminal Reference Check

Mississauga First Nation may determine, at its sole discretion and at any time before or during the term of this employment, that you will be required to complete a Criminal Reference Check and / or Vulnerable Sector Screening Check as determined by the Department Director. You will be required to complete the applicable application form and undergo such investigation as it required by the appropriate Police Force. This contract is conditional upon your obtaining and maintaining a clear record as outlined in 6.3 and 6.3(1) of the *Criminal Records Act*. Failure to provide and maintain these checks if required will be cause for the First Nation to rescind this contract without notice.

Entire Agreement

These terms of employment supersedes any prior understandings and agreements, and constitute the entire agreement between you and Mississauga First Nation with respect to your employment with Mississauga First Nation.

Welcome to Mississauga First Nation. We know you will be a valuable asset to our team and we look forward to working with you.

Sincerely,

<Name of Supervisor>
<Job Title>

I understand the terms and conditions outlined and accept this offer.

Print Name

Date

Signature



<date>

<name>

<address>

<town, province>

<postal code>

Dear < >:

SUBJECT: ACKNOWLEDGEMENT LETTER - VOLUNTEER

We are pleased you have you on board as a volunteer at one of our sites at Mississauga First Nation. The Personnel Policy will apply to you for the duration of your services.

Volunteering

You have decided to begin volunteering with Mississauga First Nation on **<date>**. You will report to **<Immediate Supervisor>**, **<Job title>**, who will be your direct supervisor.

Position

Your position with Mississauga First Nation is an **<Job Title> Volunteer** and you will be working out of the **<location>**.

Hours of Work

Your hours of work will be **Monday to Thursday, <time schedule> and Friday, <time schedule> or as determined by yourself and the <Immediate Supervisor>**.

Confidentiality

You agree to keep confidential and refrain from using or disclosing, directly or indirectly, during the course of your employment and thereafter, all information about, known or used by the First Nation unless that the dissemination of information is with the knowledge and consent of the Mississauga First Nation Band Council. Confidential information shall include (without limiting the generality of the foregoing):

all clients, activities, services, programs, and initiatives of, or planned or under consideration by First Nation;

all financial and personnel information concerning the First Nation; and,

all information provided to or collected by the First Nation, which are the property of the First Nation, or which were entrusted to the care of the First Nation, including any copies of these items.

Criminal Reference Check

Mississauga First Nation may determine, at its sole discretion and at any time before or during the term of this placement, that you will be required to complete a Criminal Reference Check and / or Vulnerable Sector Screening Check as determined by the Department Director. You will be required to complete the applicable application form and undergo such investigation as it required by the appropriate Police Force. This contract is conditional upon your obtaining and maintaining

a clear record as outlined in 6.3 and 6.3(1) of the *Criminal Records Act*. Failure to provide and maintain these checks if required will be cause for the First Nation to rescind this contract without notice.

Welcome to Mississauga First Nation. We know you will be a valuable asset to our team and we look forward to working with you.

Sincerely,

<Name of Manager or Department Director>
<Job Title>

I understand the terms and conditions outlined and accept this offer.

Print Name

Date

Signature



CONSENT TO DISCLOSE PERSONAL INFORMATION

Please accept this as confirmation that, I, _____, authorize Mississauga First Nation's _____
(Print your name)

(X Select appropriate)

- ☐ Payroll / Finance Department
- ☐ Human Resources Department

To

- ☐ Confirm Payroll Information consisting of:

Identify the Name/ Agency Information to be Disclosed to:

Name of Contact: _____

Title: _____

Telephone (& Ext.): _____

Facsimile: _____

Mailing Address: _____

By signing the following, I acknowledge and understand the purpose for disclosing the above noted information to Name and/or Agency is at my own discretion.

Name: _____ Address: _____

Telephone (Home): _____ Telephone (Work): _____

Signature: _____ Date: _____

Witness Name: _____ Address: _____

Signature: _____ Date: _____

CONFIDENTIALITY AGREEMENT (HIRING COMMITTEE)**CONFIDENTIALITY AGREEMENT
Hiring Committee**

Any and all matters concerning the Mississauga First Nation are to be considered confidential by all Mississauga First Nation Personnel.

Any information regarding the recruitment, screening and hiring process within the Mississauga First Nation shall be kept confidential.

The violation or suspected violation of this policy shall result in immediate suspension and possible termination of employment, as well as a full investigation as to allegations and remedies.

I have read, understood and agree to abide by this statement.

Employee's signature

Program Managers – Witness

Please Print Name

Please Print Name

Date

CONFIDENTIALITY AGREEMENT**CONFIDENTIALITY AGREEMENT**

Any and all matters concerning the Mississauga First Nation are to be considered confidential by all Mississauga First Nation Personnel.

Any information pertaining to job performance, job descriptions and activities within the Mississauga First Nation shall be kept confidential.

The violation or suspected violation of this policy shall result in immediate suspension and possible termination of employment, as well as a full investigation as to allegations and remedies.

I have read, understood and agree to abide by this statement.

Please Print Name

Please Print Name

Employee's signature

Immediate Supervisor - Witness

Date

2H

CONFLICT OF INTEREST (HIRING COMMITTEE)

Cut and Paste into e-mail/hardcopy

At this time, based on the candidates below, please identify if you are in conflict of interest with being able to sit on the screening/interview panel. Please declare in conflict or not by responding to this email so that it may become part of the competition file.

Please remember 'Conflict of Interest' is defined as:

1. Where a person has a personal interest in the matter;
2. Where a person has a family interest in the matter in relation to their immediate or extended family;
3. Where a person has an interest in relation to their close personal friend;
4. Where a person has financial interest in the matter; and
5. Where a person has a professional or business interest in the matter.

Those that applied are as follows:

I do not have a conflict of interest

Signature

Date

LETTER OF OFFER (FULL-TIME)



<Month, day, year>

<name>
<street address>
<town, province>
<postal code>

Dear <name>:

SUBJECT: LETTER OF OFFER (Full-time Position)

We are pleased to confirm our Offer of Employment to you with Mississauga First Nation. The terms and conditions of your employment are set out in the paragraphs below. If you accept this offer of employment and these terms, please sign in the space indicated at the bottom of this document.

Period of Employment

Your employment with Mississauga First Nation shall commence on <month day>, 2017 and has an estimated end date of <month, day>, 2017 with possible extension.. You will report to <Name, Title> who will be your direct supervisor.

Probation Period

Your employment will be subject to a standard probationary period of six (6) months. During this period Mississauga First Nation may, notwithstanding any other provision of this Agreement, terminate your employment at any time without cause and without any notice or payment of salary or benefit plan contributions in lieu of notice, except as may be required under the Canada Labour Code.

Position

You will be employed in the position of < Position > as outlined in the attached job description working out of the Mississauga First Nation < Department >. By accepting this offer, you are warranting that you are fully familiar with the contents of the job description and capable of completing work tasks described therein.

Employee's warrant of qualifications and capabilities

You acknowledge that the information provided to the Mississauga First Nation in job interviews and in any resumes, *curriculum vitae*, employment applications and **supporting documentation** submitted by yourself, constitutes a material basis for the First Nation entering into this agreement. You warrant the truth of all such information, and agree to provide proof of all academic, professional, and trade qualifications.

Base Salary

You will be paid an hourly rate of \$ per hour, and will be paid every 2 weeks. You will be working 32 hours per week. Mississauga First Nation has moved to Direct Deposit. It is a requirement that there be a one week hold back pay which will be returned to you once you leave your employment.

Income Tax

If you are registered as an Indian pursuant to the *Indian Act*, the Mississauga First Nation may, at your request and representation that you are exempt from income taxation, and subject to legal advice obtained by the Mississauga First Nation from time to time that it is lawful to do so, assist you by not withholding or remitting income tax on your compensation to Revenue Canada. However, you acknowledge and agree that:

You shall indemnify the Mississauga First Nation for all such amounts paid to the which any competent authority subsequently determines should be or should have been withheld or remitted;

The Mississauga First Nation shall not be required to reimburse you for any income or other taxes which may be assessed against you for any reason or on any group whatever including, without liability, the actions of Mississauga First Nation or its Council or employees;

The Mississauga First Nation's ability to assist you in this regard is not a material inducement to you to enter into this agreement; and,

In the event you are a non-Indian, that you will be subject to all normal deductions as specified by the various ministries or governing authorities.

Hours of Work

Your hours of work **will** be *Monday to Thursday, 8:00 am to 4:30 pm*. This is a 32 hour week.
<varies>

Benefits and Insurance

You will not be entitled to participate in Mississauga First Nation's benefit, insurance and pension plans.

Vacation

You will be paid **4%** of your gross income as vacation pay in lieu of vacation credits.

Ownership of Work and Inventions

The First Nation shall retain all copyright, ownership, title and other rights in all information, reports, proposals, records, artwork, work plans and methods of working, and all other works and inventions of any kind whatsoever, including all computer records, programs and data, which may be obtained, collected and produced, created, made or written by the you during the terms of the employment.

Confidentiality

You agree to keep confidential and refrain from using or disclosing, directly or indirectly, during the course of your employment and thereafter, all information about, known or used by the First Nation unless that the dissemination of information is with the knowledge and consent of the Mississauga First Nation Band Council. Confidential information shall include (without limiting the generality of the foregoing):

all clients, activities, services , programs, and initiatives of, or planned or under consideration by First Nation;

all financial and personnel information concerning the First Nation; and,

all information provided to or collected by the First Nation, which are the property of the First Nation, or which were entrusted to the care of the First Nation, including any copies of these items.

Early Termination

The parties agree that the employee's employment under this agreement may be terminated as follows:

At any time by the First Nation without notice of termination, or pay in lieu thereof, for just cause. For the purposes of this agreement, the parties agree that "just cause" shall, without limiting the content of this phrase, include:

Any material breach of the provisions of this agreement by the employee;

Theft, fraud or dishonesty;

Incompetence;

Loss of driver's license where driving is essential requirement of the employment position; or

Gross insubordination

By the First Nation, at its sole discretion and for any reason whatsoever, upon providing the employee with two weeks' notice of termination, or, at the First Nation's sole option, the equivalent amount of pay in lieu of notice, and severance pay equal to the greater of five days wages, or two days' wages for each full year during which the employee has been continuously employed by the First Nation.

Without limiting the foregoing in any way, the parties expressly agree that this offer may be terminated by the employer under this sub-clause if the employer is unable to insure or bond the employee, or is unable to secure such insurance or bonding at a rate which the employer, in its sole discretion, believes is reasonable.

The employee acknowledges that this limited notice requirement constitutes a material inducement to the First Nation to enter into this agreement, and that these provisions shall govern termination without cause during the entire employment relationship.

By the employee, for any reason whatsoever, upon giving the First Nation two weeks' advance notice in writing.

Severability

The parties agree that in the event that any provision, clause, attachment, or in part of this agreement is deemed void or unenforceable by a court of competent jurisdiction, the same shall be deemed severed and the remainder of the agreement shall be and remain in all force and effect.

Governing law

This agreement shall be governed by the federal jurisdiction and in accordance with the laws of the Province of Ontario.

1. Modification of agreement

Except as otherwise expressly provided here in, any modification to this agreement must be in writing and signed by the parties hereto, and shall otherwise be voidable at the option of the party bound to do or perform anything by such modifications.

Independent legal advice

You hereby acknowledge that you have obtained, or have had an opportunity to obtain, independent legal advice in connection with this agreement, and further acknowledge that you have read, understand and agree to be bound by all of the terms and conditions contained herein.

Criminal Reference Check/Vulnerable Sector Check

The First Nation may determine, at its sole discretion and at any time before or during the term of this employment, that you will be required to complete a Criminal Reference Check and a check of the Pardoned Sexual Offender Database Check, then you will be required to complete the applicable application form and undergo such investigation as it required by the appropriate Police Force. This contract is conditional upon your obtaining and maintaining a clear record as outlined in 6.3 and 6.3(1) of the *Criminal Records Act*. Failure to provide and maintain these checks if required will be cause for the First Nation to rescind this contract without notice.

Entire Agreement

These terms of employment supersedes any prior understandings and agreements, and constitute the entire agreement between you and Mississauga First Nation with respect to your employment with Mississauga First Nation.

Welcome to Mississauga First Nation. We know you will be a valuable asset to our team and we look forward to working with you.

Sincerely,

Manager

Position

I understand the terms and conditions outlined and accept this offer.

Print Name

Date

Signature

SAMPLE LETTER OF REJECTION



<date>

<name>

<street address>

<city, province>

<postal code>

Dear <name>:

Thank you for your interest in the <position> position with Mississauga First Nation and your participation in the interview. We appreciated the opportunity to meet you to discuss your credentials; however, we have identified another candidate whose background and experience more closely meet the requirements we were looking for. If you have any questions, please do not hesitate to contact me.

We wish you all the best in your future endeavors.

Sincerely,

<name>

<position>

Telephone:

Fax: 705-356-1740

Email:

EMPLOYEE DATA SHEET


**MISSISSAUGA FIRST NATION
EMPLOYEE DATA SHEET**

Employment Status		Briefing Note Information	
___ New Employee ___ Rehire X Current			
Legal Last Name	Legal First Name	Legal Middle Name	
Date of Birth (YYYY/MM/DD)	Social Insurance Number	Status Card Number	
Marital Status		Sex	
___ Single ___ Married ___ Common Law ___ Separated		___ Female ___ Male	
Street Address	Post Office Box	Town/City	Postal Code
Home Phone Number	Cell Number	Work Number	
Driver's License	Class	License Number/Expiry Date	
Yes No	G1 G2 G Other:		
Employee Signature		Date	
X		X	
FOR ADMINISTRATIVE USE ONLY:			
Contract Start Date (YYYY/MM/DD)	Contract End Date (YYYY/MM/DD)	Classification	
Rate Per Hour	Wage Grid / Range	Employee Number	
Job Title	Account (4) – Department Code (3)	Benefit ID / Pension ID	
Employee's Reason for Exiting	ROE Issued Date / Letter Code	Estimated Recall Date (YYYY/MM/DD)	
Manager Name / Signature		Date	
X		X	

NOTE: Personal information provided on this form is collected pursuant to section 39(1) of the Freedom of Information and Protection of Privacy Act, RSO 1990, c. F.31. This information will be used for the purpose of employment and payroll as an employee of Mississauga First Nation. For further information, please contact the Human Resources Department.

For HR/Payroll Use Only:	HR File Initiated	Payroll Data Entry	HR File Data Entry	RMSP Entry	File
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MISSISSAUGA FIRST NATION EMPLOYEE DATA SHEET

DEFINITIONS or PURPOSE

Lay off: a temporary (less than three months) or seasonal (will be recalled to position) period of unemployment.

Termination: end of term contract, end of employment with or without cause as a result of performance issues before or after probationary period or due to organization realignment and the elimination of position.

Leave: an approved leave as per the Canada Labour Code and/or Mississauga First Nation's Personnel Policy, whether paid or unpaid.

Quit: whereby the employee relinquishes all rights to position on their own accord.

Social Insurance Number: All employees must produce the actual card for employment purposes. A paper copy is acceptable. The card will be visually confirmed only.

First Nation Status Card: The status card number is required for the form "Determination of Exemption of an Indian's Employment Income. The card will be visually confirmed only.

Driver's License: for the purpose of driving Mississauga First Nation vehicles in the course of employment. The card will be visually confirmed only.

Class: to record the class of license the employee has. G1, G2, G, A, B, C, D, F, M1, M2, M

License Number/Expiry: record of the license number and expiry date with any restrictions.

Classification:

Fulltime Permanent (F/T): There is no fixed end date, and the employee in the position works what has been determined to be full-time hours for that position.

Part-time Permanent (P/T): There is no fixed end date, and the employee in the position works part-time hours, which can be up to 100% of full-time hours.

Term (T): A position of an emergent or short-term nature. An employee in a term position will have a tenure that is limited to a defined period of time.

Relief (R): The employee provides short-term relief of full-time, part-time, or term employees. Hours are typically assigned on a casual/call-in basis.

Student (S): Residents of Ontario returning to secondary or post-secondary education on a full-time basis for the upcoming term. Positions can be summer employment or co-op work terms.

Labour Services Permanent – Seasonal (LS): an employee who has been designated as such and is subject to seasonal layoff and recall, and who has successfully completed an initial probationary period.

Volunteer (V): A person in a term position, either sponsored or un-sponsored not receiving pay.

Placement (P): A person in a term position, either sponsored or un-sponsored not receiving pay.

Acting (A): An employee who has been granted a leave from their 'home' position and is fulfilling another position within the organization.

Wage Grid/Range: the minimum and maximum hourly dollar rate of compensation for the position based on the approved wage grid/range for that fiscal year.

Reason for Exiting: what an employee/employer identifies as the reason for leaving (termination, quit, lay-off, maternity/paternity leave, educational leave (paid, unpaid) etc.

ROE Issued Date/Code: the date that Record of Employment was issued and the code used to reflect the reason for issuing the ROE.

Estimated Recall Date: the expected return date for an employee who is on seasonal layoff, temporary layoff, or unpaid leave. Please note that a new employee data sheet is not required as Payroll as this in the system.

EMPLOYEE CODE OF CONDUCT**EMPLOYEE CODE OF CONDUCT**

1. I will carry out the duties of my position as an employee of Mississauga First Nation conscientiously. Loyally and honestly, full fill the expectations of my roles to the best of my ability and with a view to the highest level of service to the Mississauga First Nation.
2. In my actions and words, I will promote and uphold the integrity and dignity of the Mississauga First Nation and its programs as well as the governing Chief and Council.
3. I will use my initiative to find ways of maximizing my contribution to and servicing the best interests of the Community.
4. I will conduct myself in a manner that will bring credit to myself, Mississauga First Nation and all members of the community.
5. I will attend all meetings, workshops and conferences etc., assigned to me in my employee functions as where applicable will formally report back to my supervisor or supervisors on the proceedings of these meetings by a briefing note or as otherwise directed.
6. I will refuse any fees, honorariums or other gratuity offered to me as a reward while an employee, which I acknowledge would be a conflict of interest. I acknowledge that an exception to this general rule is payment of my salary, wages and/or bonuses, or reimbursement to me of any expenses I have necessarily incurred in fulfilling my duties as an employee of the Mississauga First Nation.
7. I will be courteous and polite towards all other employees, especially when there is a difference of opinion. I will be polite and courteous to all community members and the public at large as representative of the Mississauga First Nation.
8. I will not publically criticize employees, policies and programs of the Mississauga First Nation. If I believe changes are needed, I will present recommendations in a constructive manner through the proper channels.
9. I will be open to hearing other points of view and respect the difference of opinion that will arise from time to time.

10. I will adhere to the change of command for accepting and fulfilling my work assignments and reporting to my designated supervisor or supervisors. In the event that I have a complaint or grievance related to my employment. I shall adhere to and make use of the grievance procedures and mechanisms as set out in the Mississauga First Nation Personnel Policy Manual.
11. During my tenure as an employee, I will not knowingly participate in activities or protests that will bring harm to the community, its reputation or that are in conflict of interest to my role and duties to the Mississauga First Nation.
12. I will respect and protect the boundaries between my role as an employee and as a member of the Mississauga First Nation. In the event that something is brought to my attention as an employee in reference to a problem within the workplace, it will be channeled through the appropriate supervisor Director of Operations and/or Risk Management & Strategic Planning Director, if the situation involves the Risk Management & Strategic Planning Director I will report to Chief and Council on a confidential basis for the purposes of receiving guidance as the appropriate reporting channels or course of action in writing.
13. As an employee, I will not obstruct, occupy or prevent the administration offices or its' operations unless there is an emergency that threatens the well-being or safety of employee or community members, except as may be directed by my immediate supervisor or by Chief and Council in accordance with the Custom Code.
14. I will refrain from any form of harassment or harm, either physical or otherwise, to my fellow employees, including any form of lateral violence as set out in the Personnel Policy Manual. I recognize and understand that any such behavior on my part will subject me to employee discipline up to and including suspension, termination of pay and /or dismissal as an employee.

I have read, fully understand and will abide by the Employee Code of Conduct for the Mississauga First Nation.

Employee Name (Print)

Employee Signature

Date

Witnessed by:

Supervisors Name (Print)

Supervisors Signature

Date

IN CASE OF EMERGENCY FORM



IN CASE OF EMERGENCY EMPLOYEE CONTACT NOTIFICATION FORM



IDENTIFICATION – Provide all information in this section				No Changes Required: Check (x) _____ Initial _____ Date: _____	
EMPLOYEE ID	PREFIX	FIRST NAME	MIDDLE NAME(S)	LAST NAME	SUFFIX
ADDRESS AND OTHER INFORMATION					
CURRENT HOME ADDRESS (include street address and mailing address)			CITY	PROVINCE	POSTAL CODE
PERMANENT HOME ADDRESS (if different from current home address) (include street address and mailing address)			CITY	PROVINCE	POSTAL CODE
WORK PHONE #	HOME PHONE #	ALTERNATE PHONE #	WORK EMAIL ADDRESS	PERSONAL EMAIL ADDRESS	GENDER
()	()	()			<input type="checkbox"/> Female <input type="checkbox"/> Male
EMERGENCY CONTACT INFORMATION					
PRIMARY CONTACT NAME		RELATIONSHIP (e.g.: spouse)	DAYTIME PHONE # (0800 – 1700 hours)	<input type="checkbox"/> HOME <input type="checkbox"/> WORK <input type="checkbox"/> CELL <input type="checkbox"/> OTHER	NIGHT TIME PHONE # (17:00 – 0800 hours)
			()		()
CURRENT HOME ADDRESS (physical street address)		CITY	PROVINCE	POSTAL CODE	
SECONDARY CONTACT NAME		RELATIONSHIP (e.g.: spouse)	DAYTIME PHONE # (0800 – 1700 hours)	<input type="checkbox"/> HOME <input type="checkbox"/> WORK <input type="checkbox"/> CELL <input type="checkbox"/> OTHER	NIGHT TIME PHONE # (17:00 – 0800 hours)
			()		()
CURRENT HOME ADDRESS (physical street address)		CITY	PROVINCE	POSTAL CODE	
MEDICAL CONDITIONS/ALLERGIES (VOLUNTARY DISCLOSURE)					
SIGNATURE					
EMPLOYEE SIGNATURE			DATE (YYYY-MM-DD)		

NOTE: Personal information provided on this form is collected pursuant to section 39(1) of the Freedom of Information and Protection of Privacy Act, RSO 1990, c. F.31. The information will be used in the event of an emergency if Mississauga First Nation, as the employer, needs to make contact with your emergency contact(s). For further information, please contact the Human Resources Department.

Version Date: 2014-01-17

FORWARD COMPLETED FORM TO HUMAN RESOURCES DEPARTMENT

EMPLOYEE PERSONNEL FILE

Employee Exit Survey/Interview

It is the intent of the Employee Exit Survey Program is to improve the working environment for our employees. Through your feedback as an Exiting employee it is anticipated that the organization will gain feedback on how to establish, build on and implement quality assurance measures as well as learn how to make the workplace more culturally relevant.

Miigwetch for your contribution to the organization, and we welcome your comments. This exit survey will remain confidential and no names will be used when reporting to management.

Name: _____ Position: _____

Supervisor: _____ Date of Hire: _____

Last Day Worked: _____ Completed by: _____

1. **What is the reason for your exit from your most current position?** (if more than one please rank)

- () Reassignment
- () Retirement
- () Expiry of term appointments & contracts
- () Layoffs
- () Dismissals
- () Transfers out of departments

2. **If you resigned, what is the reason for your resignation exit from your most current position?** (if more than one please rank)

- () Accepted better job/opportunity
- () Dissatisfied with the working conditions

- () Dissatisfied with compensation package
- () Dissatisfied with shift/hours of work
- () Commute/Location
- () Personal reasons not related to the job

3. Briefly describe what you liked best about your job.

4. Briefly describe what you liked least about your job.

5. What would you change about your job, if anything?

6. How would you describe your working relationship with your co-workers?

7. Were you satisfied with the quality and level of supervision you received?

Yes ☐

No ☐

8. What would you recommend on how your supervisor could improve his/her leadership/supervisory style?

9. Please rate the following statements:	Unsatisfac-	Fair	Satisfactory	Good	Excellent
a. The orientation and training that you received in your current job was:					
b. Opportunities for personal growth and development were:					
c. Your overall perception of Health and Safety was:					
d. Your understanding of the duties and responsibilities of your job was:					
e. Do you think we support core value standards and behaviours (dignity, respect, honesty):					
f. How would you rate the Company culture (sense of belonging, value, appreciation):					
g. How would you rate the resources provided for you to do your job:					
h. How would you rate your department or teams' ability to service customers and meet service levels/demands:					
i. How would you rate the pay levels:					
j. How would you rate your overall experience with MFN:					

10. Do you feel that you were treated fairly and respectfully by management?

Yes ☐

No: ☐

11. Would you recommend/refer this company to others for employment:

Yes ☐

No: ☐

Additional Comments:

Miigwetch for taking the time to complete this questionnaire. All the best with your future endeavors!

Please return to the Mississauga First Nation, Human Resource Department, PO Box 1299, Blind River, ON P0R 1B0 Marked: CONFIDENTIAL on or before _____, 20__.

EMPLOYEE EXIT SURVEY GUIDELINES

Employee Exit Survey Program - Guidelines

It is the intent of the Employee Exit Survey program is to improve the working environment for our employees. Through your participation as an Exiting employee, it is anticipated that the organization will gain feedback on how to establish, build on and implement quality assurance measures as well as learn how to make the workplace more culturally relevant.

Purpose:

The Mississauga First Nation Employee Exit program is designed to provide opportunity for exiting employees to provide feedback on their experience while employed with Mississauga First Nation and help determine why an employee is leaving their employment. This feedback is particularly important from employees as the results may help the Mississauga First Nation to implement workplace measures that support quality assurance and job analysis.

Regular summaries and the analysis of surveys and interviews give management and opportunity to identify trends or patterns that may otherwise go undetected. The results can also help identify major contributing factors to high turnover rates.

Application

The guidelines and procedures apply to all Mississauga First Nation employees.

Provisions

1. Employee participation is voluntary.
2. Employees subject to exit surveys or interviews include those in the following situation:
 - a. Reassignments;
 - b. Retirements;
 - c. Expiry of term appointments & contracts
 - d. Layoffs
 - e. Dismissals
 - f. Transfers out of departments
3. Some exiting employees may prefer to participate in an exit interview so that they can provide verbal feedback. When this occurs, the employing department will designate an individual to conduct the interview who has no supervisory relationship to the employee or may recommend the Human Resource Department to conduct the interview.

4. Administration for Exiting Employee (Non- Management positions) surveys and interviews for exiting employees are administered by someone other than the employee's immediate supervisor.
5. Administration for Exiting Employee (Management positions) the Human Resource Advisor shall be designated to administer exit surveys and interviews.
6. The interviewing person will ensure the security of information is maintained and will not share the findings of the interview with anyone.
7. Confidentiality is stressed and strictly observed to obtain honest and open information.
8. The intent of the survey/interview is clearly indicated in a positive manner.
9. Exit surveys and interviews are completed in a private and neutral place.
10. The Human Resource Department will, upon request, provide advice and assistance with exit interviews.
11. The completed forms are submitted in a sealed envelope and maintained by the Human Resource Department.
12. Hard copies of the exit interviews and surveys are treated as confidential and are kept in a sealed envelope in a secure, locked place until the annual review of exit data.
13. Departments are to ask all terminating employees to complete an exit survey document or to participate in an exit interview. This Exit Survey is attached. When the employee submits a resignation, the department employee designated to administer the survey/interview will contact the exiting individual to determine whether they would prefer to complete the exit survey or to have their feedback recorded in an interview.
14. Before the survey/interview, exiting employees are given an explanation of the purpose of the process and provided with a copy of the exit survey/interview format.
15. During the interview, the interviewer will remain neutral, taking care not to display surprise, pass judgement, or justify management action in response to employee feedback.

16. The exit interview forms/ surveys are reviewed by the Department Manager for their review. Upon completion the survey will be returned to the Human Resource Department. The Human Resource Department will then analyze and compile statistical summaries of all surveys on a bi-annual basis.
17. Upon completion of the Exit survey summaries the Human Resource Department will destroy all surveys.
18. The report summaries will be used to assist in job analysis and identify training needs for employees and will be made available to department managers.
19. Those individuals who may be asked to conduct exiting interviews may be contacted for provide feedback on their experience, and provide recommendations on relevant training needs.
20. In instances where findings show immediate serious problems, the interviewer will report such findings to the Risk Management and Strategic Planning Director.

For more information regarding the Employee Exit Survey Program please contact: Human Resource Department at 705-356-1621 Ext. 2214.

Responses can be mailed to:

Mississauga First Nation
Human Resource Department
P.O. Box 1299
Blind River, Ontario P0R 1B0
Marked: CONFIDENTIAL

2P FINANCE AND PERSONNEL POLICY ACKNOWLEDGEMENT FORM



FINANCE AND PERSONNEL POLICY ACKNOWLEDGEMENT FORM

☐ MFN Personnel Policy and Procedures

☐ MFN Financial Policy

I acknowledge reading and reviewing the above noted policies. I understand the content and agree to abide by them. I understand these policies and any additional policies may be subject to change from time to time, at the sole discretion of Mississauga First Nation.

Please Print Name

Please Print Name

Employee's signature

Immediate Supervisor - Witness

Date



Position	
Accountability	
Department	
Employment Status	
Hours of Work	
Approved	
Last Updated	

JOB PURPOSE / SUMMARY

The (Job title) is responsible to...

SCOPE

The (Job title) will report ...

KEY JOB FUNCTIONS

- List key job functions of positions (can be broken into group listing if needed)
-
-
-

QUALIFICATIONS

Education and Experience

- () Diploma in (____) / (____) or related technical field.
- Minimum of (____) years of work experience in housing administration.

Other Qualifications

- Must provide a Vulnerable Reference Check and Criminal Reference Check *(to be determined by*

Immediate Supervisor/ Manager)

- Provide a valid Driver's license and access to a vehicle. *(to be determined by Immediate Supervisor)*

Knowledge

- Knowledge of government departments/agencies dealing with finances.
- Knowledge of Mississauga First Nation programs and services.
- Knowledge and understanding of First Nations culture and traditions.
- Knowledge of the Occupational Health and Safety Act as it applies to the worker.
- Knowledge of the Workplace Hazardous Materials Information System.

Skills

- Good interpersonal skills.
- Good public relations skills.
- Good communication skills.
- Good organizational skills.
- Excellent time management skills.
- Excellent computer skills with MS Office including Excel, Word, Access, and ACCPAC.
- Ability to work independently and within a team environment.
- Ability to pay attention to detail and ensure accuracy with work.

Personal Attributes

Must demonstrate a caring attitude, tact, patience, and adhere to strict confidential policies.

WORK SITE LOCATION – This position will be based out of the Dreamcatcher Complex located at 64 Park Road, Mississauga First Nation.

TECHNOLOGY & EQUIPMENT

Computer, photocopier, telephone, adding machine.

PHYSICAL DEMANDS AND WORK ENVIRONMENTS

Example: While performing the duties of this job, () ...

MENTAL DEMANDS

SENSORY DEMANDS

KEY RELATIONSHIPS

Internal: The (_____) will require interaction with Chief and Council, co-workers and other department managers and staff.

External: The (_____) will interact with local committees, contractors and other First Nations and other agencies.

DISCLAIMER

This document describes the position currently available and is only a summary of the typical functions of the job. It is not an employment contract. The above job description is not an exhaustive list of the duties, responsibilities, working conditions or skills required for this position. Additional duties may be assigned. Mississauga First Nation reserves the right to modify job duties or the job description at any time.

SIGNATURE

This is to acknowledge that I have received a copy of this job description and understand its contents.

Signature

Date

LEAVE REQUEST FORM



HOLIDAY AND LEAVE OF ABSENCE FORM

Today's Date Name Position Date(s) Requesting Leave to Out of Office (beginning) Back in the Office

Worker confirmed for Coverage

Coverage worker is aware of this leave

Total Number of Hours Requesting

Purpose of Leave

☐ HOLIDAY ☐ MENTAL HEALTH DAY ☐ SICK DAY ☐ LIEU

☐ OTHER (Please explain):

Employee's Signature:	X _____
Supervisor's Signature:	X _____
Payroll Clerk:	X _____

Comments:

EMPLOYMENT REFERENCE RELEASE FORM**Employment Reference Release Form**

I, _____ (full name) have applied for the position of _____ with Mississauga First Nation. I understand that a condition of employment is verification of past employment, education and other information provided on my resume and/or application.

Accordingly, I give Mississauga First Nation, the authorization to obtain or exchange any personal information with the references listed below.

Please list three (3) employment references (current or most recent employer first)**Reference 1:**

Company Name: _____
Position(s) held: _____
Supervisor Name and Title: _____
Telephone Number: _____
E-mail Address: _____

Reference 2:

Company Name: _____
Position(s) held: _____
Supervisor Name and Title: _____
Telephone Number: _____
E-mail Address: _____

Reference 3:

Company Name: _____
Position(s) held: _____
Supervisor Name and Title: _____
Telephone Number: _____
E-mail Address: _____

Candidate Authorization:

Full Name: _____ (please print clearly)
E-mail: _____
Signature: _____
Date: _____

VERBAL WARNING LETTER



Date

CONFIDENTIAL
HAND DELIVERED

Name
Address

RE: Verbal Warning

Dear <Name>:

This letter will confirm our discussion during our meeting on <date>, in which we discussed <issue>.

I strongly advise that your cooperation is required in order to improve your <area requiring improvement>. The <issue> causes ,<define> within our department and organization. I expect you to follow the Corrective Action Plan which was discussed in order to resolve <issue> by <insert date>.

<Employee Name>, I have every belief that you will be able to address <issue> and further meetings will not be required. However, failure to correct <area requiring improvement> will result in further disciplinary action, up to and including termination.

Please be advised that all pertinent Senior Supervisors have been informed of the contents of the Corrective Action Plan.

A copy of this written confirmation of your verbal warning has been placed in your employee file.

Sincerely,

<Name>
<Title>

c.c. <Personnel File>

I, _____, hereby acknowledge that I have read and understand the contents of this verbal warning about my <inappropriate behavior or performance or attendance>.

Employee's Signature

Date

WRITTEN WARNING LETTER



Date

CONFIDENTIAL - HAND DELIVERED

Name
Address

Re: Written Warning

Dear <Name>:

This letter is to confirm our conversation on <date> in which we discussed <area requiring improvement>, in particular <issue>.

On <date>, you received a verbal warning for <issue>. You were informed your job performance would have to improve according to the Employee Corrective Action Plan. To date, we have not seen an improvement. The Employee Corrective Action Plan developed on <date> must be adhered to and will be evaluated by <date> to ensure no further disciplinary action will be required.

I must advise you that similar or further <incidents> or contravention of the Personnel Policy will be subject further disciplinary action, which will be suspension without pay and may escalate to termination of employment.

Please be advised that all pertinent Senior Supervisors, including the Director of Operations, have been informed of the contents of the Corrective Action Plan.

A copy of this written warning has been placed in your employee file.

Sincerely,

<Name>
<Title>

c.c. Personnel File

I, _____, hereby acknowledge that I have read and understand the contents of this written warning about my <inappropriate behavior or performance or attendance>.

Employee's Signature

Date



Date

CONFIDENTIAL - HAND DELIVERED

Name

Address

Re: Suspension of Employment With Pay

Dear <Name>:

This follow-up letter is to confirm the action taken on <date> regarding <issue>.

Your immediate suspension with pay as of <date> is based on one or all of the following:

- an employee's continued attendance in the workplace may hinder the incident / investigation;
- the employee's continued attendance presents a risk to the employee or others; or
- when the alleged actions interfere with the mandate of the Department, Organization or the Community.

<Employee Name>, due to the serious nature of <issue> and we are proceeding to take the action of suspension with pay. The following actions has commenced on <date of suspension>:

- suspension of work e-mail account and access to workplace networks;
- securing of all keys/fobs of access to workplace;
- return of all workplace electronic devices.

Please be advised that you must still abide by the Confidentiality Agreement that you signed as your Condition of Employment. This suspension will be re-evaluated on <date> to determine the continued status of employment.

Please be advised that all pertinent Senior Supervisors, including the Director of Operations, have been informed of this action.

A copy of this notice of suspension with pay has been placed in your employee file.

Sincerely,

<Name>

<Title>

cc. Personnel file

I, _____, hereby acknowledge that I have read and understand the contents of this notice of suspension with pay regarding my <inappropriate behavior or performance or attendance>.

Employee's Signature

Date

SUSPENSION WITHOUT PAY LETTER



Date

CONFIDENTIAL - HAND DELIVERED

Name
Address

Dear <Name>:

Re: Suspension of Employment – Without Pay

This letter is to confirm our conversation on <date of meeting> in which we discussed your <performance or behaviour or attendance>, in particular (issue).

On <date>, you received a verbal warning for <issue>. On <date> you received a written warning for a recurrence of <issue>. During both your verbal and written warnings you were informed that your <area requiring improvement, i.e. job performance, conduct, etc.> would have to improve. To date, you have not completed the agreed upon Corrective Action Plan and we have not seen an improvement.

<Employee Name>, due to the serious nature of <issue> and your inability to correct your <behaviour or performance or attendance> we are left with no other choice but to suspend your employment without pay for a period of <#> days effective immediately. You will be expected to report to work on <return date>.

While we do not expect the same or similar behaviour in the future, should it occur, further disciplinary action will be taken, up to and including termination of employment for cause.

Please be advised that all pertinent Senior Supervisors, including the Director of Operations, have been informed of this action.

A copy of this notice of suspension without pay has been placed in your employee file.

Sincerely,

<Name>
<Title>

cc. Personnel file

I, _____, hereby acknowledge that I have read and understand the contents of this notice of suspension without pay regarding my <inappropriate behavior or performance or attendance>.

Employee's Signature

Date



Date

CONFIDENTIAL
HAND DELIVERED

Name
Address

Dear <Name>:

Re: Termination of Employment

As discussed, this letter confirms that you are being terminated as of <date> for just cause, due to <provide a summary of the type of conduct>.

<You may also choose to include a summary of any previous misconduct, or poor performance reviews and warnings>.

In view of these circumstances, we have no alternative but to dismiss you immediately for just cause, without notice or pay in lieu of notice.

All outstanding vacation credits, and monies owing will be sent to you by <indicate the method the final payment will be made available>. Your Record of Employment will be issued to you within five (5) business days.

Immediately, upon receipt of this letter you are required to return your <list any company owned property that the employee has been given>.

Sincerely,

<Name>
<Title>

cc Personnel file



< Date >

To Whom It May Concern:

Re: Vulnerable Sector Check

Please be advised that <Name of Employee> is a <Type of Position>. This position involves working with <children, elderly> for Mississauga First Nation. She/he is a <paid employee, volunteer>. It is a requirement of this position that she/he provides a **Vulnerable Sector Check** from the Canadian Police Information Center.

If you require any other information, please contact me at 705-356-1621, extension < >.

Yours sincerely,

Human Resources Advisor
Mississauga First Nation

cc: Personnel File

2AA

CRIMINAL RECORDS CHECK



<Date>

To Whom It May Concern:

Re: Criminal Records Check

Please be advised that <Name of Employee> is a <Type of Position>. She/he is a <paid employee, volunteer>. It is a requirement of this position that she/he provides a **Criminal Records Check** from the Canadian Police Information Center.

If you require any other information, please contact me at 705-356-1621, extension < >.

Yours sincerely,

Human Resources Advisor
Mississauga First Nation

cc: Personnel File

Occupational Health and Safety Act: Section 43 (1) and (2):**Non-application to certain workers**

43. (1) This section does not apply to a worker described in subsection (2),

(a) when a circumstance described in clause (3) (a), (b), (b.1) or (c) is inherent in the worker's work or is a normal condition of the worker's employment; or

(b) when the worker's refusal to work would directly endanger the life, health or safety of another person. R.S.O. 1990, c. O.1, s. 43 (1); 2009, c. 23, s. 4 (1).

Idem

(2) The worker referred to in subsection (1) is,

(a) a person employed in, or a member of, a police force to which the *Police Services Act* applies;

(b) a firefighter as defined in subsection 1 (1) of the *Fire Protection and Prevention Act, 1997*;

(c) a person employed in the operation of,

(i) a correctional institution or facility,

(ii) a place of secure custody designated under section 24.1 of the *Young Offenders Act* (Canada), whether in accordance with section 88 of the *Youth Criminal Justice Act* (Canada) or otherwise,

(iii) a place of temporary detention under the *Youth Criminal Justice Act* (Canada), or

(iv) a similar institution, facility or place;

(d) a person employed in the operation of,

(i) a hospital, sanatorium, long-term care home, psychiatric institution, mental health centre or rehabilitation facility,

(ii) a residential group home or other facility for persons with behavioural or emotional problems or a physical, mental or developmental disability,

(iii) an ambulance service or a first aid clinic or station,

(iv) a laboratory operated by the Crown or licensed under the *Laboratory and Specimen Collection Centre Licensing Act*, or

(v) a laundry, food service, power plant or technical service or facility used in conjunction with an institution, facility or service described in subclause (i) to (iv). R.S.O. 1990, c. O.1, s. 43 (2); 1997, c. 4, s. 84; 2001, c. 13, s. 22; 2006, c. 19, Sched. D, s. 14; 2007, c. 8, s. 221.

(Source <https://www.ontario.ca/document/guide-occupational-health-and-safety-act/part-v-right-refuse-or-stop-work-where-health-and-safety-danger#section-1>)

TRAINING REQUEST FORM**Mississauga First Nation - Training Request Form**

Name:	Job Title:
Department:	Last Training Plan Completed:
Immediate Supervisor:	Supervisor's Title:
Date of Request:	Date Submitted to HR:

Please complete the following areas:

Training Goals: Identify all associated goals with this training request: (print clearly)

Descriptions/ details:	Start Date:	End Date:

Budget:

Associated Expenses	Costs	Employee Contribution	Employer Contribution
Registration Fees:			
Texts / Resources:			
Travel:			
Accommodation:			
Other: (specify)			

Learning Outcomes/ Objectives: Identify the objectives associated with this training request, ie., outline what is needed to achieve this training (print clearly)

--

Upon completion of training please submit copies of awards, certificates and/or confirmation of completion of training to the Human Resource Dept., along with the completed Training Report Summary.

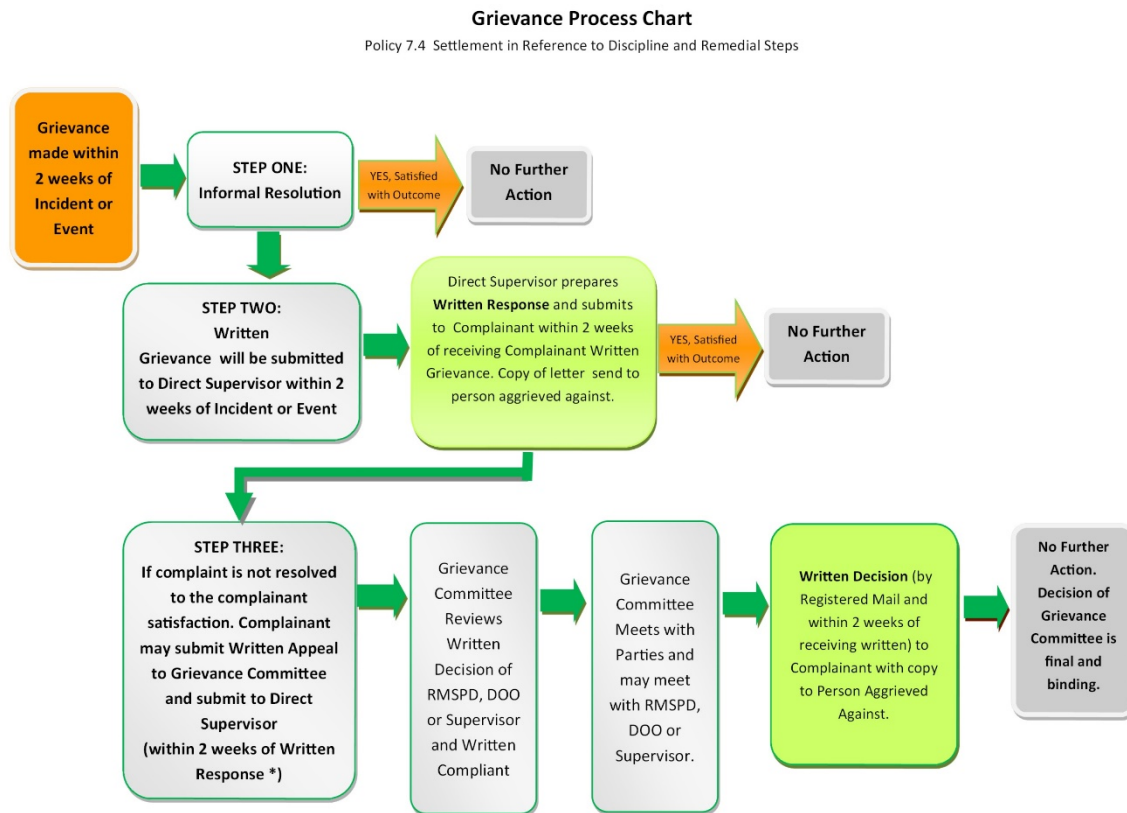
Review Summary: The above training request has been reviewed and discussed with my immediate supervisor:

Supervisor Comments:

Employee Signature: _____ Date: _____

Supervisor Approval: _____ Date: _____

GRIEVANCE PROCESS CHART



Last Updated: 16/07/2018