



# Regional Service Commission 12

## Policy and Procedures Manual

Adopted December 12, 2013

## Table of Content

Section 1: Introduction to the Human Resources Policy and Procedures Manual .....	5
Sub-section 1.1 Terms and Definitions.....	5
Sub-section 1.2: Maintenance of the HR Policy and Procedures Manual .....	6
Section 2 Organization.....	6
Sub-section 2.1 History.....	7
Sub-section 2.2 Mission.....	8
Sub-section 2.3 Values.....	8
Section 3: Human Resources .....	8
Sub-section 3.1 Leaves .....	8
Policy: 3.1.1 Sick Leave .....	8
Policy: 3.1.2 Maternity and Parental Leave.....	9
Policy: 3.1.3 Bereavement Leave .....	11
Policy: 3.1.4 Family Responsibility and Emergency Leave.....	13
Policy: 3.1.5 Compassionate Care Leave .....	14
Policy: 3.1.6 Witness and Jury Leave.....	15
Policy: 3.1.7 Election Leave .....	15
Policy: 3.1.8 Leave of absence without pay .....	15
Policy: 3.1.9 Professional Development Leave .....	16
Sub-section 3.2 Performance Management .....	17
Policy: 3.2.1 Probation Period .....	17
Policy: 3.2.2 Performance Appraisal .....	18
Policy: 3.2.3 Progressive Discipline .....	18
Sub-section 3.3 Working Conditions.....	20
Policy: 3.3.1 Hours of Work .....	20
Policy: 3.3.2 Lunch and Breaks .....	21
Policy: 3.3.3 Attendance/Punctuality.....	22
Policy: 3.3.4 Inclement Weather.....	22
Policy: 3.3.5 Modified Work Assignments .....	23
Sub-section 3.4 Business and Travel (lodgings, meals, travel and other expenses).....	25
Policy: 3.4.1 Business and Travel Expenses.....	25
Sub-section 3.5 Employee Conduct.....	28
Policy: 3.5.1 Harassment .....	28
Policy: 3.5.2 Confidentiality .....	31

Policy: 3.5.3	Code of Conduct.....	32
Policy: 3.5.4	Conflict Resolution.....	34
Policy: 3.5.5	Conflict of Interest.....	36
Policy: 3.5.6	Outside Employment/Community Involvement.....	37
Policy: 3.5.7	Gifts, Donations and Gratuities .....	38
Policy: 3.5.8	Political Activities .....	399
Policy: 3.5.9	Public Communication .....	39
Policy: 3.5.10	Drug and Alcohol .....	40
Policy: 3.5.11	Smoking.....	42
Sub-section 3.6	Hiring and Staffing.....	42
Policy 3.6.1:	Recruitment, Interview and Selection .....	42
Policy 3.6.2:	Orientation.....	43
Policy 3.6.3:	Internal Promotion.....	44
Policy 3.6.4:	Non-Discrimination .....	45
Policy 3.6.5:	Equal Employment Opportunity.....	45
Sub-section 3.7	Cessation of Employment .....	46
Policy 3.7.1:	Resignation .....	46
Policy 3.7.2:	Termination .....	47
Policy 3.7.3:	Termination - Just Cause .....	48
Policy 3.7.4:	Retirement .....	49
Sub-Section 3.8:	Health and Safety .....	50
Policy 3.8.1:	Workplace Safety Responsibilities.....	50
Policy 3.8.3:	Accident Reporting.....	52
Sub-section 3.9	Other Personnel Matters.....	53
Policy: 3.9.1	Personnel Files.....	53
Policy: 3.9.2	Employee Complaints .....	56
Section 4:	Compensation and Benefits .....	58
Sub-section 4.1	Compensation.....	58
Policy 4.1.1:	Payroll Administration .....	58
Policy 4.1.2:	Pay Equity.....	59
Policy 4.1.3:	Pay Increase .....	59
Sub-section 4.2	Benefits .....	60
Policy 4.2.1:	Vacation.....	61
Policy 4.2.2:	Statutory/Public Holidays.....	62

Policy 4.2.3: Group Insurance Plan Coverage (including Health) .....	63
Policy 4.2.4: Group RRSP.....	63
Policy 4.2.5: Provision of Protective Equipment.....	63
Section 5: Equipment, Technology and Electronic Information .....	64
Sub-section 5.1: Telecommunication Equipment and Technology .....	64
Policy 5.1.1: Telephone and Cell phone .....	64
Policy 5.1.2: Computer, Networks and Internet Access .....	65
Sub-section 5.2 Electronic Information .....	67
Policy 5.2.1: Electronic Information Security .....	67
Policy 5.2.2: Data Storage and Back-ups .....	68
Policy 5.2.3: Protecting Intellectual Property and Use of Copyrighted Materials .....	68

## **Section 1: Introduction**

The Policy and Procedures Manual is designed to improve communication between management and employees, and between management and the Board of Directors. This policy covers financial, personnel and administrative topics and provides Commission employees, Board Directors and Committee Appointees with current and comprehensive information on Commission policies and procedures.

The manual will help in strengthening the relationship between the Executive Director and the Board of Directors by providing a framework which will structure discussions on the many varied topics found in the manual and will guide the decision making process according to best practices and employment legislation in New Brunswick.

Policies and Procedures are very important components in an organization's operations and often answer employees' inquiries in regard to work conditions in the workplace. They also reflect the Commission's values and management philosophy. Note that policies serve several important functions, such as:

- Communicate values and expectations for how things are done;
- Keep the organization in compliance with legislation and provide protection against employment-related claims or litigation;
- Document and implement best practices appropriate to the Commission;
- Support consistent treatment of staff, fairness and transparency;
- Help management make decisions that are consistent, uniform and predictable; and
- Protect individuals and the organization from the pressures of expediency.

Policies and Procedures apply to all Commission employees as well as Board Directors and Committee Appointees where noted. In instances where the policy applies to the Executive Director, any required approval effecting the Policy and Procedures will come from the Commission's Board of Directors through the Chair or designate.

### **Subsection 1.1 Terms and Definitions**

*Applicability* - means the individuals for whom the policy is applicable. As applicability may vary from policy to policy, each directive will indicate the persons which are affected by its contents.

*Date adopted* - this date indicates when information contained in the policy became effective.

*Date Revised* - The last date that any changes were made to the primary contents of the policy.

*Definitions of employee categories:*

- Full-time permanent employee is a person who works for the Commission on a salaried basis or hourly basis, who has no specified termination date and who is working a minimum of 40 hours a week for the Commission.

- Part-time /Casual/Temporary employees work for the Commission on a weekly or hourly pay basis for short term work periods (i.e. summer students, temporary positions, backfill for absent full-time employees).
- Committee Appointee is a person appointed by the Board of Directors to any committee of the Commission, be it a standing, ad hoc or special committee.
- Board Director is a person appointed pursuant to the Regional *Service Delivery Act* and the bylaws of Regional Service Commission 12.

*Policy* - the working set of parameters that provide a framework for financial, personnel or administrative decision-making in a given situation.

*Procedure* - The set of steps that must be performed, including the processes that must be followed or the guidelines required in order to obtain a specified financial, personnel or administrative outcome.

### **Subsection 1.2: Maintenance of the Policy and Procedures Manual**

It is the responsibility of the Executive Director to:

- Review policies periodically to ensure they are still valid and the content is accurate,
- Make revisions as necessary,
  - Obtain the appropriate authorization for the changes,
  - Ensure new or revised policies are translated, and properly formatted.

Employees will advise the Executive Director through normal administrative channels concerning problems of application, the contents, procedures, distribution, etc.

Employees are urged to identify areas of conflict with other policies and offer solutions to resolve those conflicts appropriately.

#### **ACCESS TO THE MANUALS**

All employees and persons affected by the contents of the Policy and Procedures Manual are to be given reasonable access to the manuals (hard copy or online).

### **Section 2 Organization**

Regional Service Commission 12 is comprised of the Towns of Woodstock, Florenceville Bristol, and Hartland; The Villages of Aroostook, Bath, Canterbury, Centreville, Meductic, Perth-Andover, and Plaster Rock; the Tobique First Nation and the Woodstock First Nation; and the Local Service Districts of Wakefield, Richmond, Debrec, Woodstock, Benton, North Lake, Canterbury, Peel, Simonds, Wicklow, Wilmont, Lakeville, Aberdeen, Brighton, Kent, Northampton, Upper Kent, Coldstream, Somerville, Glassville, Upper and Lower Northampton, Gordon, Perth, Andover, Lorne, and Riley Brook. Region 12 has a population of 35,519

The Board of the Commission shall be made up of twenty members as follows:

Ten Mayors from the municipalities,

Mayor, Florenceville-Bristol	Mayor, Hartland
Mayor, Canterbury	Mayor, Perth-Andover
Mayor, Meductic	Mayor, Woodstock
Mayor, Aroostook	Mayor, Centreville
Mayor, Plaster Rock	Mayor, Bath

Ten representatives from the local service districts to serve at large.

The Commission has six standing committees

- The Executive Committee
- The Finance, Budget and Audit Committee
- The Oversight Committee
- The Policing Committee
- The Solid Waste Advisory Committee
- The Planning Review and Adjustment Committee

### **Subsection 2.1 History**

In December 2011 the Provincial Government undertook a broad range of actions to create a new Local Governance System in New Brunswick. One of the five objectives outlined in the Action Plan supporting this new system, is to increase collaboration, communication and planning between communities. The establishment of twelve Regional Service Commissions for the Province will help communities to communicate and collaborate regionally, as well as plan on a regional basis.

On January 1<sup>st</sup>, 2013, Regional Service Commission 12 (the Commission) was established as a body corporate, pursuant to the provisions of the *Regional Service Delivery Act*, Statutes of New Brunswick 2012, Chapter 37, and the Regulations made thereunder.

The Act requires that the Commission provide the following mandated services:

- Regional Policing Collaboration;
- Regional Planning;
- Local Planning in Local Service Districts;
- Solid Waste Management;
- Regional Emergency Measures Planning;
- Regional Sport, Recreational, and Cultural Infrastructure Planning and Cost-Sharing; and
- Other services as agreed by their member communities on either a regional or sub-regional basis.

## **Subsection 2.2 Mission**

“To serve the public by fostering an environment where well planned development and regional collaboration thrive.”

## **Subsection 2.3 Vision**

“To responsibly provide local governance services effectively and cost efficiently and foster regional collaboration”

## **Section 3: Human Resources**

Human resources are the set of individuals who make up the staff of our organization.

This section includes all policies and procedures relating to Commission employees, Board Members and committee appointees. It includes sections on: Leaves, Performance Management, Working Conditions, Business and Travel, Employee Conduct, Hiring and Staffing, Cessation of Employment and Other Personnel Matters.

### **Subsection 3.1 Leaves**

From time to time, circumstances may arise that will require employees to take a leave of absence. These leaves can be paid or unpaid. There is a multitude of situations that can arise in a normal employment setting where leave (paid or unpaid) can be granted.

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**Policy: 3.1.1 Sick Leave**

**Date adopted:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

Sick Leave provides the Commission’s full-time permanent employees with some protection against the loss of salary during periods when they cannot perform their assigned responsibilities due to illness or an accident not covered through Worksafe New Brunswick.

#### **Applicability**

Sick leave benefits, as per this policy, apply only to full-time permanent employees of the Commission. Other employee categories are entitled to sick leave as per the New Brunswick *Employment Standards Act*. (\* For part-time/ casual/temporary employees, section 44.021 of the *Employment Standards Act* states: An employee who has worked for the same employer for more than 90 days shall be given, upon request, leaves of absence without pay as sick leave of up to five days during a twelve month calendar period.)

#### **Procedure**

##### *Accumulation*

- Commission full-time, permanent employees accumulate sick leave at a rate of one and a quarter days (1.25) per calendar month to a maximum of 150 days with no monetary value for unused sick leave.

- An employee who commences employment on or before the 15<sup>th</sup> of the month shall be eligible to begin accumulating sick leave credits for that month.
- For the purpose of computing sick leave accumulation, the following are counted as working days when the employee is:
  - On vacation
  - On leave of absence with pay
  - On sick leave
  - Receiving regular worker's compensation benefits

#### *Notification*

- Employees are required to notify their immediate supervisor or other designated personnel as soon as possible and make every effort to indicate the date of expected return.
- An employee returning to work from extended sick leave of thirty (30) or more consecutive workdays must provide a minimum notice of five (5) working days to the Executive Director or other designated personnel and must also provide with that notice a letter from the doctor indicating that the employee is capable to return to his/her normal duties.

#### *Verification*

- The Executive Director or designate may require that the employee provide a medical certificate from a doctor for any sick leave absence longer than four (4) consecutive days of work.
- The Commission reserves the right to investigate any illness for which sick leave is being claimed.

#### *Medical appointments*

- Employees are encouraged to schedule medical and dental appointments outside of working hours, if this is not possible this time may be considered as sick leave.

#### *Advances*

- An employee who has no sick leave credits (either accumulated or remaining) may be granted advanced sick leave without loss of pay for a period of up to five (5) working days. These advances will be deducted from any credits subsequently accumulated by the employee. This advance is subject to the discretion and approval of the Executive Director. Upon termination, an employee will be responsible to reimburse the Commission for any sick leave advances that remain unearned.

**Policy: 3.1.2 Maternity and Parental Leave**

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Maternity and Parental leave policy provides the Commission's full-time, permanent employees with paid time off to coincide with the birth or adoption of a child and is based upon and complies with Provincial and Federal Government employment standards and labour laws.

#### **Applicability**

Every employee who has completed six (6) consecutive months of continuous employment with the Commission will be granted a leave of absence from employment of up to seventeen (17) weeks of Maternity leave and/or thirty-seven (37) weeks of Parental Leave or a combined Maternity/Parental leave (where eligible) of no more than fifty-two (52) weeks to care for a newborn child or a child who

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is in the care of the employee for the purpose of adoption under the laws governing adoption in New Brunswick. These leave periods are without pay. Employees may apply for Employment Insurance benefits for these periods.

### **Definitions:**

#### Maternity Leave

- Biological birth mother

#### Parental Leave

- Biological birth mother
- Father
- Adoptive Parent
- Domestic Partner

### **Procedure**

#### *Requesting Maternity/Parental Leave*

A pregnant employee who wishes to take Maternity Leave must:

- Provide the Executive Director with notice at least four months prior to the expected delivery date. This notice must include the intended length of both Maternity Leave (maximum 17 weeks) and Parental leave (37 weeks) if requested.
- Provide the Executive Director with a medical doctor's certificate confirming pregnancy and the probable delivery date.
- Employees are expected to give four (4) weeks' notice regarding their expected date of return to work.

#### *Requesting Parental (Child Care) Leave*

An employee who is a natural parent intending to take Parental Leave, but not maternity leave shall:

- Provide the Executive Director with notice at least four (4) months prior to the probable delivery date. The notice must indicate the intended length of parental leave (maximum 37 weeks).
- Employees are expected to give four (4) weeks' notice regarding their expected date of return to work.

#### *Requesting Parental (Child Care) Leave (Adoptive Parent)*

An employee who is an adoptive parent intending to take Parental Leave shall:

- Provide the Executive Director with notice that a child has been or will be placed with the employee for the purpose of adopting.
- In the absence of an emergency, give at least four (4) months' notice to the Executive Director of the commencement date and duration of the leave on being made aware of the date of placement with the employee for adoption.
- Employees are expected to give four (4) weeks' notice regarding their expected date of return to work.

### *Duration of Leave Parameters*

- Actual Maternity Leave may begin no earlier than eleven (11) weeks prior to the expected date of birth, and extend no later than seventeen (17) weeks following the actual date of birth.
- Parental (Child Care) leave may be shared by parents; however, regardless of how it is divided, the leave cannot exceed a total of 37 weeks.
- Maternity / Parental Leave must be taken in one continuous leave. Any employee that elects not to use the maximum amount of leave available shall not have the option of taking any unused leave time at a later date.
- Child care leave can begin no sooner than on the day a newborn or adopted child comes into the care and custody of the employee.
- Child care Leave can be taken at any time during the 52-week period starting the day the child is born or the day the child comes into your care.
- Employees that take Maternity / Parental leave shall be allowed an aggregate of no more than fifty-two (52) weeks of unpaid leave.
- In the event that the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, sick days shall be used up accordingly.
- In the event that a mother gives birth to, or adopts a child (or children) that necessitates a lengthy post-natal hospitalization, she shall have the option to delay all or part of her Maternity leave until the child (or children) may be released from the hospital's care.

*Extending benefits*

Pension, Health and Disability Benefits

- Should the employee choose to continue with her/his pension, health and disability benefits, or any other benefits made available by the company, the employee may continue to receive such benefits by continuing to pay any employee-paid portion of the monthly premiums. Unless there is an emergency, arrangements for the continuance of these benefits must be made with the employer one month prior to the commencement of the leave.
- If the employee chooses not to maintain these benefits during the leave, these benefits will lapse during the leave period. Upon the employee's return to work, employment, for the purposes of calculating future benefits, is considered to be continuous from the last day worked prior to the leave of absence.

*Legal Compliance*

The Commission shall honour this policy in accordance with any applicable, governing laws.

Employees that require Maternity / Parental Leave shall not be discriminated against, nor shall their salary or employment status with the Commission be negatively affected by it.

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**Policy: 3.1.3 Bereavement Leave**

**Date issued:** December 12, 2013

**Date revised:**

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**Policy Statement**

The Bereavement Leave policy is provided to the Commission's full-time permanent employees and is paid time off in the event of a death in their immediate family.

**Applicability**

Bereavement / Funeral Leave, as per this policy applies only to full-time permanent employees

(For Part-time/Casual/Temporary employees, section 44.03 of the *Employment Standards Act* states: In the event of the death of a person in a close family relationship, an employer must give an employee a leave of absence without pay of up to five consecutive days. Bereavement leave is to begin no later than the day of the funeral.)

### *Definitions*

For the purposes of the Bereavement Leave Policy, immediate family members consist of:

- Spouse
- Domestic Partner
- Parent or guardian
- Child
- Brother
- Sister
- Father-In-Law
- Mother-In-Law
- Son-In-Law
- Daughter-In-Law
- Grandparent
- Grandchild
- Brother-In-Law
- Sister-In-Law

### **Procedure**

In the event of a death in the immediate family, employees are entitled to bereavement leave with pay in accordance with the following:

- **Five (5) days** for the death of any of the following:
  - Spouse
  - Domestic partner
  - Parent or guardian
  - Child (Natural, adopted, foster)
  - Brother or sister
  - Father-in-law
  - Mother-in-law
  - Son-In-Law
  - Daughter-In-Law
  - Grandparent
  - Grandchild
- **Three (3) days** for the death of any of the following:
  - Brother-In-Law
  - Sister-In-Law
- Additional unpaid leave of up to three (3) days may be granted for travel for the death of a person above or to carry out a family responsibility related to the death of such relative
- Unpaid bereavement leave of up to one and a half (1.5) days for other deaths may be granted by the employer.

- In the event of the death of a co-worker, employees shall be entitled to paid leave the day of the funeral, in order to attend the funeral.
- Employees intending to take a leave of absence for bereavement leave are asked to notify the Executive Director of their intention to take the leave, the anticipated commencement and duration of the leave.

**Policy:** 3.1.4 Family Responsibility and Emergency Leave

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

Family Responsibility and Emergency Leave policy provides to the Commission's full-time permanent employees paid time off to allow the employee:

- To deal with the health, care or education needs of a person in a close family relationship or,
- To deal with a disaster in the home of the employee.

### **Applicability**

Family Responsibility and Emergency Leave, as per this policy applies only to full-time permanent employees. (For Part-time/Casual/Temporary employees, section 44.022 of the Employment *Standards Act* states: Family Responsibility Leave gives employees time off to deal with the health, care or education needs of a person in a close family relationship. Employers are required to give employees, upon request, leaves of absence without pay for up to three days per year.)

### *Definitions*

For the purposes of the Family Responsibility and Emergency Leave Policy, immediate family members consist of:

- Spouse
- Domestic Partner
- Parent or guardian
- Child
- Brother
- Sister
- Grandparent
- Grandchild

### **Procedure**

- Family Responsibility leave provides employees paid time off to deal with the health, care or education needs of a person in a close family relationship or to deal with a disaster in the employee's home.
- The employee may need to provide proof to justify the leave.
- Employees can receive a maximum of three (3) days paid leave per year.

### **Policy Statement**

The Compassionate Care Leave policy provides the Commission's full-time permanent employees unpaid time off to allow the employee to care for a member of the immediate family who is critically ill and has a significant risk of dying.

### **Applicability**

The Compassionate Care Leave applies to all Commission employees regardless of his or her length of employment.

### *Definitions*

For the purposes of the Compassionate Care Leave Policy, immediate family members or those who are of a "close family relationship" consist of:

- Spouse
- Domestic Partner
- Parent or guardian
- Child
- Brother
- Sister
- Grandparent
- Grandchild

### **Procedure**

- Employees will be granted a leave of absence of up to eight (8) weeks to care for a person in a "close family relationship".
- To be eligible, the employee must provide a medical certificate from a qualified medical practitioner stating that the person with whom the employee has a close family relationship has a serious medical condition with a significant risk of death within twenty-six weeks from
  - a) The day the certificate is issued or,
  - b) The day the leave commences.
- The eight weeks of leave may be broken up over the 26-week period, but must be taken in periods of at least a one-week duration.
- The eight weeks of leave may be shared by two or more employees, but the total leave period taken by the employees may not exceed eight weeks.
- Should the person in a close family relationship pass away, the compassionate care leave expires and bereavement leave may then be taken by the employee.

**Policy: 3.1.6 Witness and Jury Leave****Date issued:** December 12, 2013**Date revised:****Policy Statement**

The Witness and Jury Leave policy provides the Commission's full-time permanent employees with paid leave to allow the employee to serve as a jury member or witness in a court proceeding.

**Applicability**

Witness and Jury Leave benefits, as per this policy only applies to full-time permanent employees. (For Part-time/Casual/Temporary employees, section 44.023 of the *Employment Standards Act* states: where an employee is summoned or selected to serve on a jury or to act as a witness in a court proceeding, the employer must give the employee a leave of absence without pay for the period of time the employee is absent from work for this purpose.)

**Procedure**

- Employees who are summoned for court duty will receive their regular pay during their absence for the duration of the court proceedings.
- Adequate proof must be provided to the Executive Director indicating that the employee has been summoned to serve as a juror or a witness.
- Upon the return to work, the employee should provide the Executive Director with verification from the court of the number of days served and the amount paid per day in the case of jury duty. The amount of payment received will be deducted from the employee's next pay period.

**Policy: 3.1.7 Election Leave****Date issued:** December 12, 2013**Date revised:****Policy Statement**

The Election Leave is provided to Commission employees as paid leave to allow the employee to vote in a municipal, provincial or federal election.

**Applicability**

Election Leave, as per this policy applies to all Commission employees.

**Procedure**

- The Commission will ensure that all employees are allowed a minimum of three hours to exercise their voting rights before the closing of polling stations for municipal, provincial and federal elections.
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**Policy: 3.1.8 Leave of absence without pay****Date issued:** September 12, 2013**Date revised:****Policy Statement**

A Leave of absence without pay policy provides the Commission's full-time permanent employees additional leave for reasons of a personal nature that fall outside the scope of other leave policies.

Approval of such leave is at the discretion of the Executive Director and must not adversely affect the work of the Commission.

### **Applicability**

Leave of absence without pay, as per this policy, only applies to full-time permanent employees.

### **Procedure**

- In exceptional circumstances, employees may be granted a maximum of five (5) days unpaid leave. Such leave will not be unreasonably requested nor unreasonably withheld.
- Leave of absence without pay will be requested in writing to the Executive Director at least two (2) weeks prior to the dates requested.
- The leave requested must not adversely affect the operations of the Commission. Approval will be dependent on the ability of the Commission to find a suitable replacement and should not incur additional costs to the Commission.
- The pursuit of alternate earnings will not be considered as a legitimate reason for such leave.
- During leave without pay, the employee is responsible for 100% of the costs of insurance benefits if they are to be continued and benefit accruals will be suspended subject to the terms of the group insurance policies.

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**Policy: 3.1.9 Professional Development Leave**

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

Professional Development Leave is provided to the Commission's full-time permanent employees for ongoing professional Development.

### **Applicability**

Professional Development Leave, as per this policy, only applies to full-time permanent employees.

### **Procedure**

- In cases where the Commission requests that the employee attends a course, seminar or other professional development activity, the employee will be granted paid leave. In addition, all materials and costs, if any, associated with the training event will be paid by the Commission.
- In cases where the employee is requesting leave to attend a specific course, seminar or other professional development activities, the decision to allow the leave (paid or unpaid) and cover any or all of the costs associated will be made by the Executive Director.
  - Factors to be considered will include, but are not limited to:
    - Reasons for the request
    - Total costs and time involved
    - Available training funds
    - Value and appropriateness of the professional development activity to the Commission

## **Subsection 3.2 Performance Management**

Performance Management (PM) is a process that allows managers and employees to work together in terms of planning, monitoring and reviewing the employees' work objectives and general contributions to the organization.

**Policy: 3.2.1 Probation Period**

**Date issued:** September 12, 2013

**Date revised:**

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### **Policy Statement**

The Probation Period policy provides the Commission with an opportunity to assess if the employee's work performance meets the expectations for the employment in question. It also provides the employee an opportunity to assess if their expectations are being met.

### **Applicability**

The probationary period applies to newly hired employees, as well as existing Commission employees in the case of promotions or transfers.

### **Procedure**

- The initial probationary period shall be at least six (6) months of continuous service.
  - If the person has been acting in the position prior to the appointment, the acting period or a portion thereof may be applied to the probation period.
- During the probationary period, the immediate supervisor will monitor the employee to ensure that performance standards are being met, to provide regular feedback on the employee's performance and to provide the employee with an opportunity to rectify any unsatisfactory performance.
- A Performance Appraisal is conducted at the three (3) month period in order to provide the employee with feedback and the opportunity to rectify any unsatisfactory performance.
- Three (3) weeks prior to the end of the probationary period, the immediate supervisor must complete a Performance Appraisal of the probationary employee and submit it to the Executive Director.
- Based on the results of the Performance Appraisal, one of the following decisions will be made concerning the employee:
  - Meets expectations - a permanent appointment will be made.
  - Meets some but not all expectations - the probationary period will be extended with explicit direction for how the employee can meet expectations.
  - Does not meet expectations
    - In the case of a newly hired person the employment will be terminated.
    - In the case of a transfer or promotion - the employee will return to his or her previous position.
- Notwithstanding the process mentioned above, the Commission may terminate employment at any time during the probationary period with or without cause.

**Policy: 3.2.2 Performance Appraisal**

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Performance Appraisal policy ensures the continuous improvement of overall performance and productivity. It clarifies expectations and standards of performance and encourages the development of employee skills. The annual performance appraisal also determines if the employee will receive merit increases when available. See Appendix "A".

### **Applicability**

The Performance Appraisal policy, applies to all employees.

### **Procedure**

- Supervisors will provide feedback on an ongoing basis regarding employee's performance, both positive as well as negative. Employees can also request a private meeting with their supervisor at any time to discuss their performance.
- An annual Performance Appraisal is conducted once a year. The annual review is based on your overall performance during the last 12 months. It provides an overall assessment of performance and achievements for the past year, and identifies goals and objectives, as well as professional and career development opportunities for the coming year.
- In preparation for the annual review, both the supervisor and the employee will review the performance appraisal form and record their comments regarding the work completed over the past year.
- The Performance Appraisal will be scheduled and held in a confidential setting. The performance appraisal shall focus on the employee's main responsibilities, the goals and objectives previously established the achievements and areas requiring improvement and the employee's professional development needs.
- Upon completion of the performance appraisal meeting the appraisal form should be completed to reflect the discussion held and the objectives and actions agreed upon. The employee will add any additional comments, if desired and the form will be signed and dated by both the Executive Director and the employee.
- If the employee has met all expectations, and if it is available, the employee will receive their merit increase.
- A copy of the performance appraisal form will be given to the employee and the original will be kept in the employee's file.

**Policy: 3.2.3 Progressive Discipline**

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Progressive Discipline policy outlines a clear and consistent process that will support and encourage desired conduct. The Progressive Discipline policy is focused on applying corrective action and ensures all employees are treated fairly.

## **Applicability**

The Progressive Discipline policy applies to all employees. However employees on probation may be terminated with or without cause at the employer's discretion.

## **Procedure**

Four (4) steps are included in the progressive discipline process. Termination (step 4) is recommended only when the employee does not correct his or her conduct following the application of the first three (3) steps.

### *Step 1: Verbal reprimand*

Upon identification of undesirable conduct or a significant performance issue:

- The employee will be met in private and given a verbal reprimand regarding the undesirable behaviour or action.
- The employee will be given an explanation of when and how the behaviour or action took place. This will include the reason as to why the behaviour or action was unacceptable
- The employee will be given an opportunity to explain the situation and their actions. This provides the employee with an opportunity to give their perspective on the situation.
- The employee will be given a description of the desirable and/or acceptable behaviour or actions required in the future.
- The employee will be informed that further disciplinary action, up to and including termination, could result if unacceptable behaviour continues.
- It will also be explained to the employee that the incident will be documented in order to follow up on possible further disciplinary incidents, if required.

### *Step 2: Written reprimand*

If further undesirable conduct occurs again or the behaviour or action was considered severe in nature:

- The employee will be given a written reprimand regarding his/her undesirable behaviour or action
- The employee will be given an explanation of when and how the behaviour or action took place. This will include the reason as to why the behaviour or action was unacceptable
- The employee will be given an opportunity to explain the situation and their actions. This provides the employee with an opportunity to give their perspective on the situation.
- The employee will be given a description of the desirable and/or acceptable behaviour or actions required in the future.
- The employee will be provided with a copy of the written warning and another will be placed in the employee's file.
- The employee will sign the document as proof that he/she has received it.
- The employee will be informed that future disciplinary problems will be addressed with further progressive disciplinary actions up to and including termination.

### *Step 3: Suspension*

After having issued a written reprimand, if further undesirable conduct occurs again:

- The Executive Director will consult with the Commission's solicitor.

- The employee will be suspended (for a period of between one (1) and five (5) days), depending on the severity of the situation, with or without pay at the employer's discretion.
- The employee will be given written documentation regarding the suspension in relation to the undesirable behavior or activity and details of previous reprimands if any.
- The documentation will include information on the offense and the length of the term of suspension and why the employee has been suspended.
- The employee will be given an explanation of when and how the undesirable behaviour or action took place. This will include the reason why the behaviour or action was unacceptable.
- The employee will be given a description of the desirable and/or acceptable behaviour or actions.
- The employee will be provided a copy of the suspension and another copy will be placed in the employee's file.
- The employee will sign the document as proof that he/she has received it.
- The employee will be explained that future disciplinary problems will be addressed with further progressive disciplinary actions up to and including termination.

#### *Step 4: Termination*

In the event that the employee's conduct does not improve after working through all three (3) steps of the progressive discipline process, termination can occur.

- The Executive Director will consult with the Commission's solicitor.
- The employee will be given written documentation regarding his/her termination and the undesirable behaviour or action leading to and justifying the termination.
- Documentation should include information on the offense and previous disciplinary communications with the employee.
- The employee will be given a description of the desirable and/or acceptable behaviour or actions.
- The employee will be provided with a copy of the termination notice and another copy will be placed in the employee's file.

### **Subsection 3.3 Working Conditions**

Working conditions refer to the working environment and all existing circumstances affecting labour in the workplace, including job hours, physical aspects, legal rights and responsibilities.

This section will provide information on the various policies relating to Working Conditions:

**Policy: 3.3.1 Hours of Work**

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Hours of Work policy specifies the minimal hours of work, per week, to be performed by all employees.

## **Applicability**

The Hours of Work policy, applies to all full time, part-time and casual employees.

## **Procedure**

- Full time operational staff are required to work a minimum of forty (40) hours/week. The standard work hours are Monday to Friday from 8:00 a.m. to 4:00 p.m.
- The Executive Director, within the confines of the employee's contracts, shall determine the days and hours to be worked by part-time and casual employees.
- The Executive Director must approve any departures from either the standard or assigned working hours.
- Work schedules may be altered, from time to time, at the discretion of the Executive Director to meet the demands of the Commission. Such changes will be announced as far in advance as possible.
- All staff are expected to attend a reasonable number of evening meetings in addition to the regular work week.

**Policy: 3.3.2 Lunch and Breaks**

**Date issued:** December 12, 2013

**Date revised:**

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## **Policy Statement**

The Lunch and Breaks policy specifies provisions for lunch and break periods for all employees. The stated breaks are to allow staff to get away from their work station and relax.

## **Applicability**

The Lunch and Breaks policy, applies to all full time, part-time and casual employees.

## **Procedure**

### **Breaks**

- For each workday that is at least 7.5 hours in length, full-time employees are provided with two rest breaks of 15 minutes.
- Part-time employees are provided with a 15-minute rest break for every 4 hours worked.
- To the extent possible, rest breaks will be provided in the middle of work periods.
- This 15-minute break must be taken during the 4-hour period or it is forfeited.
- These breaks are not to be used to extend the lunch hour, to cover a late arrival or for leaving early, to accrue vacation, or to count as overtime if the break is not taken.
- Since this time is counted as paid time worked, employees must not be absent from their work stations beyond the allotted rest break time.
- The impact rest breaks will have on the delivery of services will determine when breaks may be taken. Since both available staff and public use vary from day to day, scheduled rest breaks may also vary.

### **Lunch**

- All full-time employees are provided with one meal period of 60 minutes in length for each workday that is at least 7.5 hours in length.

- Part-time employees will be given a lunch or dinner break of 30 or 60 minutes if their scheduled hours are so designated in accordance with employment legislation.
- The Executive Director will schedule meal periods to accommodate operating requirements.

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**Policy: 3.3.3 Attendance/Punctuality****Date issued:** December 12, 2013**Date revised:**

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**Policy Statement**

The Attendance and Punctuality policy outlines the Commission's expectations in regards to employee attendance and punctuality.

**Applicability**

The Attendance and Punctuality policy applies to all full time, part-time and casual employees.

**Procedure**

- Attendance and Punctuality are expected from all Commission employees.
- Being reliable means taking as little time off work as possible.
- Being punctual means being prepared to start work on time, not taking breaks and meal times that are longer than allotted and being at your work station and at work during working hours.
- When you know you will be absent from work, you must inform the Executive Director or designated person, as soon as possible, and indicate your expected return.

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**Policy: 3.3.4 Inclement Weather****Date issued:** December 12, 2013**Date revised:**

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**Policy Statement**

The Inclement Weather policy outlines provisions as to the Commission's business operations and employee responsibilities with respect to reporting to work during periods of inclement weather conditions. Our employees' safety is paramount, however it is up to each employee to determine if it is safe to travel to work or not.

**Applicability**

The Inclement Weather policy applies to all full time, part-time and casual employees.

**Procedure**

- The Executive Director will make the decision as to whether or not to close the office due to poor weather conditions.
- In the instance where the Commission's office remains open, it is the employee's responsibility to call and inform the Executive Director or designated staff of their absence because the employee deems it too difficult to come to work. The Executive Director will decide if the employees' decision is valid, taking into account that employee's do not all reside in close proximity the Commission's offices.

- The employee who decides not to come to work due to inclement weather may be required to take vacation time or unpaid leave.
- The employee, who is unable to make it to a client site due to poor weather, must notify anyone at the site who may be expecting you that day.

**Policy: 3.3.5** Modified Work Assignments

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Modified Work Assignment policy supports the accommodation of employees and job applicants who require workplace accommodation under any of the grounds described in the *Human Rights Act*.

The Commission 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 the Commission. Every effort will be made such that the impact of accommodation will not discriminate against another group protected by the *Act*.

### **Applicability**

The Modified Work Assignment applies to all full time, part-time and casual employees.

### **Procedure**

#### **Duty to accommodate**

- The Executive Director will work to ensure that individuals protected under the *Act* are able to work effectively, by making adjustments or modifications to the work, or the work environment, up to the point of undue hardship.
- The Executive Director will work with the individual that requests accommodation in an effort to ensure that the measures taken are both effective and mutually agreeable.

#### **Accommodation**

- Accommodation shall be provided for individuals where a disability or religious requirement requires that the work be modified or adjusted to address the needs of the individual, based on protected grounds of discrimination under Human Rights legislation.
- The Executive Director shall provide accommodation as appropriate, using a consultative approach that involves the company, the individual, and as appropriate, health care professionals, and other third parties that are required to assist in the accommodation process.
- Accommodation may be temporary, or permanent, based on the requirements of the individual.

### **Persons with disabilities**

The following definitions for a Person with a disability are sourced from the *New Brunswick's Human Rights Act*:

- any degree of disability, infirmity, malformation or disfigurement of a physical nature caused by bodily injury, illness or birth defect and includes, but is not limited to, a disability resulting from any degree of paralysis or from diabetes mellitus, epilepsy, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or

speech impediment, or physical reliance on a guide dog or on a wheelchair, cane, crutch or other remedial device or appliance.;

- a condition of mental retardation or impairment,
- a learning disability, or dysfunction in one or more of the mental processes involved in the comprehension or use of symbols or spoken language, or
- a mental disorder; or
- An injury or disability for which benefits were claimed or received under the Workplace Safety and Insurance Act

## **Responsibility**

- The process of accommodating individuals is a shared obligation of the Commission and the employee.
- The Executive Director should be the first point of contact for employees when requesting a form of accommodation.
- Together and where appropriate, with health care practitioners and other required third parties, they will work to determine the most appropriate form(s) of accommodation to meet the needs of the individual.

## **Accommodating Employees with Disabilities**

- Any employee requesting accommodation must make a request to their Executive Director.
- The Executive Director is responsible for ensuring that a written description of the accommodation plan is prepared for any employee.
- The Executive Director or designate 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, the Executive Director or designate shall:
  - Identify the need for accommodation.
  - Determine objectives for performance in the role, and potential barriers.
  - Create a plan for achieving the objectives in an alternative manner.
  - Examine the options for accommodation, and select the most appropriate avenue for accommodation.
  - Implement the accommodation process.
  - Provide training as appropriate.
  - Review and revise based on feedback.

## **In the event an employee cannot be accommodated in their current position**

- In some cases, it will be reasonable to accommodate an individual in another position. The Executive Director working with the employee 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, the Executive Director shall ensure that the employee has the requisite qualifications and skill-sets necessary for success in the position, is capable of performing the tasks associated with the position, and that the employee agrees that the alternate work is acceptable.

## **Job Redesign**

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

## **Financing the Accommodation**

Where the accommodation required necessitates an investment in materials, equipment or increased budget for the position, requests for financing must be directed to the Finance, Budget and Audit Committee.

## **Accommodating Job Applicants**

- The Commission will meet all legislative requirements in providing accommodation to job applicants as well as employees.
- Any applicant to the Commission that communicates the need for accommodation shall be considered in a manner that is non-discriminatory, and respectful of our Human Rights obligations.

## **Undue Hardship**

- The Executive Director shall work to provide workplace accommodation up to the point of undue hardship.
- Undue hardship may occur where 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.

## **Subsection 3.4 Business and Travel (lodgings, meals, travel and other expenses)**

The Commission recognizes that their employees and Board Directors, and committee appointees incur business costs and are required to travel for reasons related to Commission business. This section details the reimbursement rates for all eligible expenses incurred, including travel cost reimbursements.

**Policy: 3.4.1 Business and Travel Expenses**

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Business and Travel Expenses policy defines reasonable expenses to be claimed by Employees, Board Directors, and Committee Appointees for Commission business or to cover expenses incurred by them while traveling on Commission business, including training. The policy also outlines the provisions for reimbursement of eligible expenses.

### **Applicability**

The Business and Travel Expenses policy, applies to all employees of the Commission as well as Board Directors, and Committee Appointees. All Business and Travel expense claims must be

approved by the Executive Director or designate. Expense claims of the Executive Director must be approved by the Chair of the Board or designate.

## **Procedure**

Although the Executive Director approves all business and travel claims, individuals have the responsibility to ensure that all travel arrangements are consistent with the provisions of this policy.

### *Business expenses*

#### *a) Hospitality expenses*

- It is acknowledged that the Executive Director (or other designated persons) may incur business expenses to facilitate the conduct of Commission business. These expenses will be reimbursed provided the expenses are reasonable and appropriately documented. Such costs may include conference room rentals, equipment rentals, meals and other business related costs.
- All claims shall state:
  - The reason for the business expense
  - The date the expense was incurred
  - The person(s) present at the business meeting or event
  - Other incidental business expenses incurred. Additional details regarding each of these incidental items can be requested by the employer.
- Expenditures exceeding \$150, plus tax shall require prior approval  
\*Costs incurred for alcoholic beverages are not reimbursable.

#### *b) Cellular phones*

- The Commission will reimburse designated staff Fifty (\$50.00) per month for the use of personal cell phones used for Commission business.

### *Travel related expenses*

#### *a) General*

- Eligible travel related expenses are expenses incurred while transacting official Commission business.
- The Commission will reimburse individuals for reasonable, hotel accommodations while traveling on Commission business.
- Where appropriate, employees travelling more than one hundred (100) kilometers on Commission business will use a rental vehicle from the contracted rental firm. When travelling during winter months employees shall not accept any rental vehicle that is not equipped with snow tires.
- For claims purposes, the start and end point of any trip shall be:
  - The place of work, or
  - The employee's home, when the employee leaves from or returns to home **and** the distance travelled is less than above.
- Routine repairs, tires, or other automobile expense items for a personal vehicle are not eligible for reimbursement.
- When two or more persons share an automobile, only the driver may claim mileage reimbursements.

- When traveling, meals for employees, Board Directors, and committee appointees can be reimbursed based on the following guidelines:
  - **Breakfast** may be claimed if an individual is on travel status outside his/her normal work area or has to depart from home prior to 6:00 AM
  - **Lunch** may be claimed if the individual is on travel status outside his/her normal work area between 11:00 AM and 2:00 PM.
  - **Dinner** may be claimed if the individual is on travel status outside his/her normal work area or cannot arrive home by 7:00 PM because of a meeting or other work event.
  - **Meetings** – If the committee or board meetings are held over a normal meal period, the Commission will provide the meal for those attending. Meals may be claimed if an individual has to leave their residence or workplace prior to 5:00 PM in order to attend a meeting.
- All claims for the reimbursement of travel expenses must be submitted, with appropriate receipts, by the last day of each month on the monthly travel expense statement form. (Appendix “B”)
- All claims are approved by the Executive Director or designate. The Executive Director’s travel expense claims are approved by the Chair of the Board of Directors or designate.

*b) Lodging, car rental and gasoline - Receipts required*

- Lodging and gasoline costs are reimbursed based on actual costs. Receipts must be submitted with the travel claim. Car rentals will be from the firm contracted to provide the vehicles and will be billed direct to the Commission. The Finance Administrator shall be advised prior to the rental so that rental can be posted to the proper account.

*c) Private accommodations and incidental - Receipts not required*

- Employees on Commission business outside the home region who choose to use private accommodations will be provided a \$25.00 per night of accommodation. No receipt is required
- Employees, Board Directors, and committee appointees on Commission business will receive \$6.00 per night away on business for incidental expenses. No receipt is required.

*d) Meals - Receipts not required*

- Employees, Board Directors, and committee appointees traveling in New-Brunswick will be reimbursed meals at the same rates as New Brunswick public sector employees.
  - Breakfast - \$7.50
  - Lunch - \$10.50
  - Dinner - \$19.50

*e) Mileage - Receipts not required*

- When using their own personal vehicle for Commission business, employees, Board Directors, and committee appointees will be reimbursed based on the Province of New Brunswick travel rates:
  - \$.41/km for the first 8000 km
  - \$.38/km from 8001 to 16,000 km
  - \$.33/km above 16,000 km

Building inspectors will be reimbursed at a flat rate of \$.41/km regardless of accumulated kilometers.

## **Subsection 3.5 Employee Conduct**

The following set of policies describes the conduct, the Commission expects from its employees, Board Directors and committee appointees.

**Policy: 3.5.1**                    Harassment  
**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Harassment policy is to ensure that the Commission provides its staff and clients with a safe and respectful workplace environment. This policy outlines the definition of various types of harassment and the procedure to follow when filing a complaint.

### **Applicability**

The Harassment policy applies to all employees, Board Directors and committee appointees and their behaviour in the workplace or at any location or any event related to work.

### **Harassment**

**Definition:** Harassment is an improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought to reasonably have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. It also includes harassment within the meaning of the *New Brunswick Human Rights Act* (i.e., harassment on the basis of the following prohibited grounds of discrimination: race, colour, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, sexual orientation or sex).

More specifically, harassment is normally a series of incidents but can be one severe incident which has a lasting impact on the individual.

Anyone personally affected can complain and their complaint will be reviewed in accordance with this procedure.

Examples of harassment include, but are not limited to:

- Preventing a person from expressing himself or herself: yelling at the person; threatening; constantly interrupting that person; prohibiting the person from speaking to others.
- Unwanted sexual advances which may or may not be accompanied by threats or explicit or implicit promises.
- Making rude, degrading or offensive remarks.

- Making gestures that seek to intimidate.
- Engaging in reprisals for having made a complaint under this Policy.
- Discrediting the person by spreading malicious gossip or rumours, ridiculing him/her, humiliating him/her, calling into question his/her convictions or his/her private life, shouting abuse at him/her.
- Compelling the person to perform tasks that are inferior to his/her competencies that demean or belittle him/her, setting the person up for failure, name calling in private or in front of others.
- Isolating the person by no longer talking to him or her, denying or ignoring his or her presence, distancing him or her from others.
- Destabilizing the person by making fun of his or her beliefs, values, political and/or religious choices, and mocking his or her weak points.
- Harassing a person based on a prohibited ground of discrimination (as described in *New Brunswick Human Rights Act* and contained in the Policy).

### **Harassment is illegal:**

The *New Brunswick Human Rights Act* (section 4 and section 10) protects the employees from harassment. The *Criminal Code* protects the employees from physical and sexual assault. Every employee has the right to work in a safe and secure environment, without any type of harassment.

\***Sexual and physical** assaults are defined by the *Criminal Code* and will be dealt with according to that legislation. If an employee has been assaulted, he/she should seek assistance immediately and contact the police.

### **Procedure**

#### **Employees' Responsibilities**

- **Speak up:** If possible, tell the person that you are not comfortable with their behaviour or action, and want it to stop. Usually, this will resolve the issue at hand. You can speak directly to that person or write them a letter (email) that the employee will date and keep a copy of). In addition, inform someone you trust of the situation.
- **Keep notes:** Record all unwelcome/harassing behaviour or actions. Write down the incident (s) that happened, when, where, how often, the name of any witnesses, and how that particular incident (s) made you feel. Record every incident.
- **Report it:** If the behaviour or actions persist, or if you are unable to deal directly with the person harassing you, report it to the person designated to receive complaints. At the Commission, the person designated to receive such complaints is the Executive Director. Once a complaint has been filed, the Executive Director will investigate and record the results.
- **Informal procedures:** The employee may want to proceed informally at first. In that case, if required by the employee, the Executive Director will help the employee communicate with the other person, or speak to that person on the employee's behalf, without going through formal mediation or a formal complaint.
- **Mediation:** In order to attempt to resolve the complaint, it could be appropriate to go through mediation prior to undertaking a formal investigation. If a qualified individual from outside of the organization is available to act as a mediator, and if the complainant and alleged perpetrator agree, that mediator will attempt to help the parties settle the complaint. If no one is available, the Executive Director may help settle the complaint, if the parties agree. The

mediator should not be involved in investigating the complaint, and should not be asked to represent the Commission at any stage of any proceedings related to the complaint.

- **The investigation:** When a formal complaint is submitted, it will be investigated, either by a specially trained person from within the organization or a consultant. This person will be responsible to thoroughly investigate the complaint. The designated person will interview the complainant, the alleged perpetrator, and any witnesses. All employees have a responsibility to co-operate in the investigation.

Both the complainant and the alleged perpetrator have the right to be accompanied by someone with whom he/she feels comfortable during any interview or meetings.

The investigation will include:

- Gathering all pertinent information from the complainant;
- Informing the alleged perpetrator of the details of the complaint, gather his/her response;
- Interviewing any witnesses;
- Deciding whether, based on the information gathered, the improper behavior/action (harassment) did take place; and,
- Recommending the appropriate solutions, consequences, or other actions.

#### **The employee should be aware of the following:**

- **Substantiated complaints:** If the investigator decides the complaint is valid, he/she will report in writing to the Executive Director, if possible, within a week of completing the investigation. The investigator will recommend appropriate solutions and disciplinary actions, and any other necessary action. The Executive Director will decide, upon the recommendations of the investigator, what action to take and will inform both parties of the decision, in writing, if possible, within a week of the report being submitted by the investigator.
- **Unsubstantiated complaints:** If there is not enough evidence to support the complaint, the investigator will not recommend any solutions or consequences.
- **Complaints made in bad faith:** In the event that the complaint was made in bad faith, that is deliberately and maliciously filed knowing it had absolutely no basis, the complainant will be subject to the same consequences as a perpetrator. The person unjustly accused will have her/his reputation restored.

#### **Executive Director's Responsibilities:**

- The Executive Director is responsible for fostering a safe work environment, free of harassment.
- The Executive Director is responsible to set the example for appropriate workplace behaviour.
- The Executive Director must deal with any incident of harassment immediately, on becoming aware of it, whether or not there is a complaint.

#### **The Commission's Responsibilities:**

- As an employer, the Commission has the responsibility to be aware of what is happening in the workplace.
- The Commission is responsible to treat all incidents of harassment seriously.

- The Commission will act on all complaints and ensure that they are resolved quickly, confidentially and fairly.
- The Commission will discipline anyone who has harassed a person or group of people or who retaliates in any way against anyone who has filed a complaint of harassment, given evidence in harassment investigations, or has been found guilty of harassment.
- The Commission will discipline the Executive Director who does not act properly to end harassment, if it is proven that they were aware of the situation.

**Policy: 3.5.2**      Confidentiality

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Confidentiality policy ensures that all employees, Board Directors and committee appointees who handle any and all sensitive business information regarding confidential materials, pending business transactions, partnerships, sales and acquisitions gained through the course of their duties, do so in a confidential and appropriate manner and are required to keep all confidential information and relevant knowledge confidential during and after their term of employment or appointment.

### **Applicability**

The Confidentiality policy applies to all employees, Board Directors and Committee Appointees and their behaviour in the workplace or at any location or any event related to work.

### *Definition*

“**Confidential Information**” shall mean all business and technical information, in whatever form or medium, including without limitation, any trade secrets, processes, data, technical documentation, pricing information, product/service specifications, prototypes, computer programs, drawings, blueprints/conceptual designs, models, client lists, marketing materials, or financial data, which is furnished or disclosed by one party to the other and the term “Trade Secrets” shall mean all Confidential Information which (a) derives economic value, actual or potential, from not being generally known to, and being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (b) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

### **Procedure**

- In working for the Commission employees, Board Directors, and Committee Appointees shall not divulge, disclose, provide or disseminate Confidential Information to any third party not employed by the Commission at any time, unless approved in writing by the Executive Director or the Board Chair.
- Confidential Information shall not be used for any purpose other than its reasonable use in the normal performance of employment duties for the Commission.
- Reasonable efforts will be made to limit access to Confidential Information to only those who need to know the information and those persons will be advised that the information is to be kept confidential until it has been publicly disclosed by a Commission spokesperson.
- Insiders and employees having knowledge of undisclosed Confidential Information regarding the Commission or any third parties currently engaged in negotiations with the Commission to whom

- the undisclosed Confidential Information may need to be disclosed, are prohibited from trading securities of any such third party until the information has been fully disclosed and widely disseminated.
- Employees, Board Directors and Committee Appointees that are neither official spokespersons nor permanently and/or temporary designated spokespersons cannot, under any circumstances (including on a “no-names” or “off the record” basis), respond to inquiries from the investment community, the media or securities regulators, unless specifically asked to do so by the Executive Director.
  - All inquiries from the investment community are to be referred to the Executive Director.
  - All Commission employees, members of the Board of Directors and members of committees will be required to complete and sign a Confidentiality form. (Appendix “C”)

**Policy: 3.5.3**              Code of Conduct

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Code of Conduct policy is intended to provide guidelines, which may be changed from time to time, to promote understanding of what is considered acceptable and unacceptable conduct and behaviour; and to encourage consistency throughout the Commission.

This Code clarifies the Commission's expectations of its employees, Board Directors and Committee Appointees and re-affirms its commitment to caring for our clients' needs and maintaining fiscal responsibility on behalf of the public and our employees. It provides a guide for consistent behaviour in delivering services. This Code is simply a formal statement of the policies and principles of conduct the Commission embraces. Contravention of this Code is a serious matter and will be treated as such.

### **Applicability**

The Code of Conduct policy applies to all employees of the Commission, full-time, part-time and casual employees, as well as Board Directors and Committee Appointees. All are expected to be aware and comply with the Commission's Code of Conduct and its related policies.

### **Responsibility**

- Each person to whom this code applies is responsible for observing the rules of conduct that are normally accepted as standard in a business enterprise.
- Each person must follow the highest standards of ethical behaviour in the course of their work to ensure that public confidence and trust is maintained.
- The Commission and all its employees, Board Directors and Committee Appointees must be above suspicion and beyond reproach, and must be perceived in this manner.
- The Executive Director or his designate is responsible for counselling employees promptly when their conduct or behaviour is inconsistent with the intent of this Statement of Policy and Procedure.
- The Chair of the Board is responsible for counselling employees promptly when their conduct or behaviour is inconsistent with the intent of this Statement of Policy and Procedure.
- All share the obligation to ensure a professional, respectful work environment.

## **Procedure**

- In order to earn and retain the trust and respect of each other within the Commission as well as external stakeholders – including customers, suppliers, and the general public – principles of honesty, integrity, fair dealing and the highest ethical standards must underlie everything we do and every decision we make.
- No one must take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of facts, or any other unfair dealing or unethical activity
- Every employee, Board Director and Committee Appointee must be aware of and comply with applicable laws, rules and regulations of the Commission as well as the policies that affect how each executes does his/her responsibilities.
- Corporately and individually, no employees must knowingly violate laws or willfully blind himself/herself to the Commission's legal or regulatory responsibilities or be a party to such actions or omissions

### **Appropriate Conduct and Behaviour includes but is not limited to:**

- Adherence to published policies, practices and procedures;
- Competent performance of all duties and responsibilities assigned;
- Prompt and regular attendance at work;
- Courtesy to and respect for co-workers, clients, suppliers or any other person who deals with the Commission in the conduct of its business;
- Wearing proper business attire and footwear during working hours, appropriate to the job performed.
- Hold in confidence any information obtained about a customer, supplier or employee in the performance of their duties consistent with the requirements of the workplace and legislation.
- Must not engage in, or condone behaviour which causes unnecessary mental, physical distress or loss of dignity, privacy or autonomy to customers, suppliers or employees.
- A responsibility to promote and safeguard the well-being and safety of the customers, suppliers and fellow employees at all times by ensuring that no act or omission on their part places them at risk or in harm's way.

### **Inappropriate Conduct and Behaviour includes but is not limited to:**

- Loitering or loafing;
- Leaving work early or leaving workstation without permission;
- Using obscene, abusive language;
- Spreading malicious gossip or rumours;
- Harassing, threatening, intimidating, coercing any person at any time;
- Reporting to work or working while under the influence of alcohol, drugs, or prohibited substances;
- Creating or contributing to unsanitary conditions;
- Insubordination;
- Excessive personal use of telephones or computer facilities.

### **Unacceptable Conduct or Behaviour includes:**

- Perceived inappropriate comments directed at an individual related to the person's sex, sexual orientation, racial background, religion, or physical ability;

- Possession, consumption or use of alcoholic beverages or illegal substances while on company premises;
  - Solicitation of other employees, for any reason, during working hours, unless approved in advance by the Executive Director;
  - Willful violation of safety rules and procedures;
  - Willful neglect and/or mishandling equipment and machinery;
  - Theft and/or falsification of company records;
  - Threat of/or actual physical contact of any kind when there is a perception of physical violence.  
For example: Violent grabbing, pushing, or shoving and throwing of instruments, materials or equipment of any kind;
  - Sexual harassment of any kind;
  - Indecency;
  - Fighting;
  - Poor or careless work;
  - Accepting gifts, favours or gratuities from firms, organizations, agents, employees, or other individuals who may or do conduct business with the Commission.
- Inappropriate and Unacceptable conduct could result in disciplinary action up to and including termination without notice or pay in lieu thereof.

**Policy: 3.5.4**              Conflict Resolution

**Date issued:** December 12, 2013

**Date revised:**

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**Policy Statement**

The Conflict Resolution policy is committed to providing a workplace free of conflict, where employees are treated with fairness, dignity and respect. The Commission has instituted this policy to provide employees with an outlet to raise concerns regarding any conflict in the workplace or dissatisfaction with respect to issues related to their employment in an open and fair manner with provisions made to ensure their prompt and reasonable resolution. Under no circumstance should any employee fear discrimination or reprisal in the workplace as a result of the filing of a complaint.

**Applicability**

The Conflict Resolution policy applies to all employees of the Commission. All employees are expected to be aware and comply with the Commission's Code of Conduct and its related policies.

**Procedure**

**Conflicts**

The following conflicts should be reported, and the Executive Director shall strive to address them with reasonable resolutions.

- Disputes with co-workers or managerial staff with unwanted and unresolved consequences.
- Perceived unfair or inequitable treatment.
- Harassment whether sexual, discriminatory, or personal in nature.
- Abuse of authority.

## **Conflict Reporting Procedure**

### Discussion

- Employees are encouraged to discuss the unwanted behavior or actions with the offending party as the situation dictates.
- Under ideal circumstances, the two parties shall reach a reasonable resolution without the necessity of the filing of a formal complaint.
- In the event that a discussion is not feasible or fails to reach a reasonable resolution, a formal complaint may be filed.

### Reporting

- Complainants should record the details of the unwanted circumstance(s), the names of any applicable witnesses, and any attempts made to resolve the issue heretofore.
- Formal complaints stemming from unresolved employee or managerial conflicts shall be submitted in writing with any pertinent documentation, to either the Executive Director or designate.
- Formal complaints shall be reviewed and investigated.
- Formal complaints should be submitted within 14 days from the date of the alleged incident(s).
- In all cases where formal complaints have been lodged, it is important to maintain a policy of strict confidentiality between the complainant and the responder). For investigative purposes, the offending party may be notified.
- Anonymous complaints shall not be reviewed.

## **Employee Expectations**

### Employees

- Are required to fully comply with the Conflict Resolution Policy.
- Shall be treated fairly throughout the process, as either a complainant, or alleged offending party.
- Shall be responsible for maintaining confidentiality regarding their involvement, and the complaint itself.
- Shall co-operate with any investigations in relation to complaints.

### Executive Director or designate

- Shall be responsible for enacting preventative measures to ensure a workplace that is free from harassment, and for the communication of policy and procedures contained herein.
- Shall receive and address properly filed complaints in an appropriate fashion.
- In the event that the complainant and the offending party are engaged in a subordinate-supervisor relationship, they may be physically removed from each other on a temporary basis, and may require a change in their reporting relationship.
- Investigate, or co-investigate any complaints, claims and documentation therein.
- Attempt to reach a reasonable resolution to the conflict.
- Inform the complainant and the offending party of possible resolutions available.

## **Resolutions**

- If an apology is made by the offending party, and the complainant accepts the apology, this may be viewed as a reasonable resolution.

- All attempts shall be made to reach a reasonable resolution through mediation of the complaint with both parties involvement.

**Where the complaint is substantiated:**

In the event that a complaint is substantiated and a reasonable solution to halt the unwanted behavior or action through mediation is not possible, the following actions shall be taken for the offending party:

- Written warning/reprimand.
- Education and training.
- Suspension.
- Termination of Employment.

**Where the complaint is not substantiated:**

In the event that a complaint is not substantiated due to lack of evidence or other reasons, both parties shall be informed of the rationale supporting that decision. The complainant shall be notified first.

Both parties should be reminded that an unsubstantiated complaint does not necessarily mean that it was filed under false or frivolous pretenses.

A complainant may request that the investigation be re-opened in the event that pertinent new evidence can be provided, or a reprisal due to the allegation has occurred.

**Records**

The Commission shall keep on file all formal complaints, and the accompanying documentation, and the findings of any investigation.

Information from a previous investigation resulting in a substantiated complaint may be used for review and consideration purposes in the event of a new allegation.

**False or Frivolous Complaints**

- Employees should be cognizant of the fact that a formal complaint against another employee is a serious allegation with repercussions.
- Where a complaint is found to be either false or frivolous, or where supporting documentation for a complaint has been falsified, the complainant or witness may be subject to disciplinary measures up to and including termination of employment.

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**Policy: 3.5.5**              Conflict of Interest

**Date issued:** December 12, 2013

**Date revised:**

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**Policy Statement**

The Conflict of Interest policy is to ensure that Commission employees, Board Directors and Committee Appointees exercise good faith in all transactions involved in their duties and responsibilities, and are not to use their positions with the Commission, or knowledge gained from their position/employment for their own personal benefit. The interest of the Commission must always be the first priority in all decisions that are made on behalf of the organization.

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The removal of conflicts of interest is central to the maintenance of public trust and confidence in the Commission.

Commission employees, Board Directors and Committee Appointees shall not engage in any business or transaction of a financial or personal nature that would compromise the fair and honest discharge of their Commission duties and responsibilities. There must not be, nor appear to be, any conflict between the private interest of any Commission employee, Board Director and Committee Appointee and their responsibility to the public.

### **Applicability**

The Conflict of Interest policy applies to all employees of the Commission, Board Directors and Committee Appointees.

### **Procedure**

All persons to whom the Conflict of Interest policy applies shall:

- Avoid circumstances where they could confer or appear to confer a benefit on themselves, a relative, friend or business associate;
- Avoid giving unwarranted special consideration or preferential treatment to any person or organization for any reason;
- Not disclose to others, or use to further their personal interest, confidential information acquired in the course of performing official duties;
- Advise their immediate supervisor of any conflict of interest situation in which they find themselves

The Executive Director or Board Chair could:

- Require persons who occupy positions that have a greater potential for conflict of interest to furnish a sworn disclosure statement;
- Upon request, an individual shall complete the Statement of Disclosure and submit it to the Executive Director or Board Chair who shall ensure its confidentiality.

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**Policy: 3.5.6              Outside Employment/Community Involvement**

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Outside Employment/Community Involvement policy states that Employees may hold jobs outside of the Commission, carry on a business, receive remuneration from public funds for activities outside their position, or engage in volunteer activities provided it meets the conditions listed in the procedure below.

### **Applicability**

The Outside Employment/Community Involvement policy applies to all Commission employees.

## **Procedure**

Any employee who has Outside Employment/Community Involvement must ensure that it does not:

- Interfere with the performance of their duties as a Commission employee;
- Bring the Commission into disrepute;
- Represent a conflict of interest or create the reasonable perception of a conflict of interest;
- Appear to be an official act or to represent Commission opinion or policy;
- Involve the unauthorized use of work time or Commission premises, services, equipment, or supplies;
- Allow the employee to gain an advantage that is derived from their employment with the Commission; and,
- Come in conflict with the Commission's interests or diminish the ability of the employee to render to the Commission the full, loyal and undivided service which is contemplated in his or her employment by the Commission.

Should an employee wish to obtain outside employment, it should be discussed with the employee's supervisor/manager prior to accepting the job.

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**Policy: 3.5.7**              Gifts, Donations and Gratuities

**Date issued:** December 12, 2013

**Date revised:**

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## **Policy Statement**

The Gifts, Donations and Gratuities policy is to provide guidance to Commission employees, Board Directors and Committee Appointees when receiving gifts, donations and/or gratuities from clients, stakeholders, partners, etc.

## **Applicability**

The Gift and Gratuities policy applies to all Commission Employees, Board Directors and Committee Appointees.

## **Procedure**

- Every person representing the Commission in any capacity must avoid the appearance of favoritism in all of their dealings on behalf of the Commission and not accept personal gifts from those doing business or seeking to do business with the Commission.
- Such persons as noted above who are offered or receives a payment or gift shall refuse it or return it to the giver in a tactful and dignified manner, advising the giver of the Commission's policy prohibiting such acceptances.
- The individual must report the occurrence to the Executive Director and or the Chair of the Board.

**Policy: 3.5.8** Political Activities

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Political Activities policy is designed to provide guidance in the context of political activities undertaken by Commission employees.

### **Applicability**

The Political Activities policy applies to all Commission employees. This policy does not apply to Board Directors or committee appointees.

### **Procedure**

Commission employees may participate in political activities including membership in a political party, supporting a candidate for elected office, or seeking elected office but the employee must ensure that:

- Political activities are clearly separated from activities related to their employment;
- If engaging in political activities, he/she must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities;
- He/she abstains from votes on questions which concern the business of the Commission;
- He/she must not engage in political activities during working hours or use Commission facilities, equipment, or resources in support of these activities;
- Partisan politics are not to be introduced into the workplace; and
- He/she informs her Executive Director of his/her intentions to run for office.

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**Policy: 3.5.9** Public Communications

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Public Communications policy clearly defines which persons have the authority to speak on behalf or represent the Commission in a public capacity.

### **Applicability**

The Public Communications policy applies to all Commission employees, Board Directors and Committee Appointees. The policy further describes which persons have the authority to speak on behalf or represent the Commission.

### **Procedure**

- Only the Board of Directors or the Executive Director is authorized to speak on behalf or represent the Commission in a public capacity, such as: meetings, conferences, seminars, media events, etc.
- Normally when it is a policy related matter a member of the Board of Directors will be the spokesperson. When it is an operational matter, the Executive Director will speak on behalf of the Commission.

- Any approach soliciting a comment or seeking information on Commission business should redirect all inquiries to the Executive Director.

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**Policy: 3.5.10 Drugs and Alcohol****Date issued:** December 12, 2013**Date revised:**

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**Policy Statement**

The Drug and Alcohol policy ensures a safe working environment for all Commission employees. Commission employees under the influence of drugs or alcohol on the job can pose serious safety and health risks both to themselves and their coworkers.

To help ensure a safe and healthy workplace, alcohol and restricted substances/drugs are prohibited from being brought on to, or being present on Commission premises. The Commission also strictly prohibits the use of non-prescribed restricted substance/drugs or alcohol during work hours and employees are further prohibited from reporting to work while under the influence of restricted substance/drugs or alcohol.

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

**Definitions**

Drug and/or Alcohol Dependency: is defined as a mental, physical or psychological dependence on drugs and/or alcohol that is considered as a mental, physical, and psychological disability and under Human Rights Law.

Recreational Drug and/or Alcohol Use: with recreational use of drugs and/or alcohol, there is no mental, physical or psychological dependence, therefore, this is not considered a mental, physical or psychological disability under Human Rights Law.

**Applicability**

The Drug and Alcohol policy applies to all employees of the Commission, full-time, part-time and casual.

**Procedure****Drug and/or Alcohol Dependency**

- The Commission understands that employees may develop a chemical dependency to certain substance and that this is defined as a mental, physical and psychological disability.
- The Commission promotes the early diagnosis of this disability and encourages employees with a dependency on alcohol or drugs to pursue medical and/or psychological treatment.
- Any employee who suspects that he/she might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly from one of the many resources in the community.

- The Commission defines a rehabilitated drug user, alcoholic, or any individual engaged in a supervised drug or alcoholism rehabilitation program that is no longer using drugs or alcohol, as an employee with a disability.
- All medical information shall be kept confidential by the Commission.

## **Responsibilities**

### The Executive Director or Designate

- Shall identify any situations that may cause concern regarding an employee's ability to safely perform his/her job functions.
- If it is known or ought to have been known that an employee has a substance dependency, the employer shall accommodate the employee up to the point of undue hardship to the Commission.
- Shall ensure any employee who asks for help due to a drug or alcohol dependence will not be disciplined for doing so.

### Employees

- All employees are expected to abide by the provisions of this policy.
- Employees are encouraged to communicate to their employer if they have a dependency or have had a dependency so that their rights are protected and they can be accommodated appropriately.

## **Accommodation Process**

During the accommodation process, the Commission will respect the dignity and privacy of the individual requesting accommodation. During this time, the following actions may occur:

- The employee may take a leave of absence to seek assessment and treatment for a drug and/or alcohol dependency;
- The employee will be allowed to return to work upon rehabilitation; and
- The Commission will accommodate relapses prior to, during, and post treatment, given the accommodation does not create undue hardship for the Commission.

During the accommodation process, the employee shall:

- Inform the Commission if they are currently experiencing a drug and/or alcohol dependency;
- Disclose previous problems with a drug and/or alcohol dependency only if it is relevant to their current job duties;
- Provide medical documentation to confirm they have a drug and/or alcohol dependency; and
- Fully adhere to the recommendations of professional assessments.

The Commission will adhere to provincial and federal guidelines on drug and alcohol testing.

**Policy: 3.5.11 Smoking****Date issued:** December 12, 2013**Date revised:**

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**Policy Statement**

The Smoking policy is designed to provide a healthy work environment for all Commission employees and also reinforces the *New Brunswick Smoke Free Places Act*.

**Applicability**

The Smoking policy applies to all Commission employees, clients and members of the public who are on Commission premises or are conducting business with or on behalf of the Commission.

**Procedure**

- Smoking is strictly prohibited in the workplace, at all times.
- All meetings shall be smoke free.
- No smoking is permitted in company or rental vehicles while travelling on company business.

**Subsection 3.6 Hiring and Staffing**

While hiring and staffing are sometimes used interchangeably, in this context **Hiring** is the non-discriminatory practice of finding, evaluating, and establishing a working relationship with future employees; while staffing refers to the orientation and training of individuals for specific job functions, and charging them with the associated responsibilities.

**Policy 3.6.1: Recruitment, Interview and Selection****Date issued:** December 12, 2013**Date revised:**

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**Policy Statement**

The Commission practices equal employment opportunity and fair hiring processes when filling positions, and shall hire only the most qualified individuals, based on their knowledge, skills, abilities and other competencies. The Recruitment, Interview and Selection Process policy ensures that all employees and potential candidates are considered for employment opportunities through a consistent, fair and barrier free approach.

**Applicability**

The Recruitment, Interview and Selection policy applies to all Commission employees.

**Procedure***Recruitment*

- The Commission is committed to attracting the best talent possible to our organization.
- The Executive Director has the authority to recruit for a casual position without approval of the Board of Directors.
- In the case of a permanent position, the Executive Director must receive approval from the Board of Directors before initiating the recruitment process.

- **Internal Job Postings**
  - The Commission requires that all new postings of employment be circulated before being made public.
  - This process is designed to give current employees first priority consideration for new employment opportunities within the company, and to promote qualified employees whenever possible.
  - Qualified applicants under the employ of the Commission shall remain subject to the entire recruitment and selection process.
  
- **External Job Postings**
  - If internal postings have not yielded a qualified candidate, the Executive Director shall make public any new employment opportunities.
  - All external job postings should normally be advertised in at least one newspaper, website or form of regional distribution.

*Pre-Screening*

- Based on the candidate resumes received, the Executive Director or designate will assess which candidate possesses the necessary knowledge, skills, abilities and competencies required to successfully perform the job.
- Successful candidates will be scheduled for an interview

*Interview*

- The Executive Director or designate will prepare interview questions and relevant testing as required.
- The interview questions shall be structured to acquire further information regarding a candidate's knowledge, skills, abilities and competencies and to help determine if the candidate(s) will meet the organization's needs.
- The interviews should be conducted in an appropriate private setting.
- The interviewer(s) should take notes to ensure accurate capture of the candidate's responses. These notes will be kept in a confidential file.

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**Policy 3.6.2:**                   Orientation

**Date issued:** December 12, 2013

**Date revised:**

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**Policy Statement**

The Orientation policy ensures that all new Commission employees will receive all appropriate information regarding their role and responsibilities, salary and benefits, administrative processes and policies and procedures. The Orientation policy should also allow for appropriate training and support to ensure the successful integration of the employee in their new role.

**Applicability**

The application of the Orientation policy is the responsibility of Commission management. All new employees or existing employees integrating new duties should receive an orientation.

## **Procedure**

An important part of a successful integration of a new person in any organization is to have a solid, well-planned orientation plan. The plan should be adjusted to the position and the employee. The following are elements that should at minimum be included in an orientation plan.

- Prior to the start date of a new employee, all pertinent administrative documents should be prepared. These should include, but are not limited to:
  - TD1 tax forms
  - Health, life insurance or other application forms as appropriate
  - Statement of confidentiality form
  - Email account form
  - Forms relating to salaries and benefits
  - HR policies and procedures manual
- The new employee should be greeted by the Executive Director or designate and all forms above should be explained and signed if necessary.
- The employee's role and responsibilities should be reviewed.
- The employee should be given some time to familiarize him or herself with the policies and procedures of the organization.
- A training or coaching schedule be established and allow gradual integration into his/her duties based on the complexity of the position and the person's previous experience.

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### **Policy 3.6.3: Internal Promotion**

**Date issued:** December 12, 2013

**Date revised:**

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## **Policy Statement**

The Internal Promotion policy promotes the importance of supporting the development and career growth of Commission employees. The policy clearly outlines measures that support the internal promotion of employees when they meet the necessary requirements for the position in question.

## **Applicability**

The application of the Internal Promotion policy is the responsibility of Commission management and applies to all Commission employees.

## **Procedure**

- Once approval is received to recruit for a new or vacant position, the Executive Director will circulate the position internally.
- This process is designed to give current employees first priority consideration for new employment opportunities within the company, and to promote qualified employees whenever possible.
- Qualified applicants under the employ of the Commission shall remain subject to the entire recruitment and selection process and must meet all position requirements as posted.
- If no candidates meet the requirements or none are interested in the position, then the position would be posted externally.

**Policy 3.6.4:** Non-Discrimination

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Non-Discrimination policy promotes a healthy, equitable, fair and tolerant workplace. All Commission employees must promote and model a fair and respectful working environment without regard to race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, marital status, sexual orientation, disability or any other characteristics protected by law.

### **Applicability**

The Non-Discrimination policy applies to all Commission employees, Board Directors and committee appointees.

### **Procedure**

- All Commission employees, Board Directors and Committee Appointees are expected to ensure that this policy is applied in all dealings with other employees, clients, business relationships, other stakeholders and the public in general.
- This policy is enforced in employment advertising, recruitment and selection, promotion, training, transfer, compensation, performance management, disciplinary action and termination.

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**Policy 3.6.5:** Equal Employment Opportunity

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Equal Employment Opportunity (EEO) policy provides employees with a work environment free of discrimination and harassment. All Commission employment decisions are based on business needs, job requirements and individual qualifications, without regard to race, ancestry, and place of origin, colour, ethnic origin, citizenship, creed, age, marital status, sexual orientation, disability or any other characteristics protected by law. The Commission will not tolerate discrimination or harassment based on any of these characteristics.

### **Applicability**

The application of the Equal Employment Opportunity policy is the responsibility of Commission management.

### **Procedure**

- The Commission stands committed to its philosophy that all employees are entitled to equal employment opportunities. This policy applies to all personnel actions, including compensation, benefits, discipline, transfers, promotions, layoffs, leaves of absence, terminations, and participation in Commission-administered activities.
- The Executive Director will ensure all employees are treated fairly
- The Executive Director will keep all policies and procedures consistent with EEO principles

- To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Executive Director will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship to the Commission would result.
- If any employee believes he or she has been subjected to any form of unlawful discrimination, the employee should immediately notify his/her supervisor. The Executive Director will then immediately undertake a thorough and objective investigation in an attempt to resolve the situation. If the Executive Director determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. The Commission will not retaliate against any employee for notifying it of an alleged discriminatory act and will not knowingly permit retaliation by management, employees or co-workers. All complaints of unlawful discrimination and harassment, including sexual harassment, will be treated with as much confidence as possible and the results of the investigation will be promptly communicated.

### **Sub-section 3.7 Cessation of Employment**

Cessation of employment implies the end, or discontinuance of the employment relationship. The Commission has the right to terminate an employee, but must conform to the employment standards and the Human Rights Legislation currently in effect in New Brunswick.

**Policy 3.7.1:**           Resignation  
**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Resignation policy sets out the procedure to follow when an employee resigns. Resignation is initiated by the employee and marks the definitive end of the employment relationship with the Commission.

#### **Applicability**

The Resignation policy applies to all employees of the Commission, full-time, part-time and casual.

#### **Procedure**

- An employee may resign at any time, without cause.
- Employees of the Commission are requested to give a minimum of two-weeks (2) notice, in writing, with the exception of the Executive Director, who is requested to provide a minimum of four weeks.
- The two-weeks (2) (or four (4) weeks for the Executive Director) notice will be calculated from the date of the written resignation.
- As a professional courtesy, employees are asked to provide as much notice as possible, as to minimize disruption in the workplace. The employee will be eligible to receive his/her unused vacation time that will be paid on his/her final paycheck.
- Upon resignation, the Commission must provide all sums owed to the employee, salary, overtime, vacation pay.

- The final cheque will be issued to the employee on his /her last day of employment.
- At the end of the final day of work, the employee will be required to return all Commission property including keys, laptop, cell phone, USB keys, documents and work supplies.
- Whenever possible, the Commission will provide the employee with a completed Record of Employment (ROE) on the last day of employment.

**Policy 3.7.2:** Termination  
**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Termination policy ensures that the termination of employees is handled with due diligence, and with a minimum of disruption to company business. This policy is designed to define the types of employee termination, the responsibilities of terminated employees, the subsequent Human Resources actions required, and information regarding employee benefits

### **Applicability**

The Termination policy applies to all employees of the Commission, full-time, part-time and casual.

### **Procedure**

#### *Termination (Without Cause)*

- Termination (without cause) is a termination of employment due to unforeseen circumstances such as layoffs, restructuring, budgetary constraints or technological change, etc.
- The Executive Director may consult with the Commission's legal counsel when appropriate.
- The Commission will provide the employee with a written notice of termination that will include:
  - Reason for termination
  - Effective date of termination
- Pay in lieu of notice - When it is not possible to give the full notice, the employee will receive payment in lieu of notice equal to the length of the notice required.

Notice will be given as follows:

Under 6 months	No notice required
Over 6 months –less than 5 years	2 weeks' notice or 2 weeks' pay
More than 5 years	4 weeks' notice or 4 weeks' pay

- At the end of employment, the Commission must provide all sums owed to the employee, salary, overtime, vacation pay, etc.
- Whenever possible, the Commission will provide the employee with a completed record of employment (ROE) on the last day of employment.
- The employee will be asked to return all keys, laptops, USB keys or other Commission equipment, material or property prior to departure.

- All network access and security codes will be changed immediately after the employee has departed.
- All benefits will be terminated on the last day of employment
- Severance pay could be granted at the discretion of the Commission.
- In the event that severance pay is granted, it shall be based on the length of service given to the Commission, level of responsibility, and the rationale for separation, etc.
- No employee is entitled to severance pay upon termination.

**Policy 3.7.3:** Termination - Just Cause

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Termination – Just Cause policy ensures that the termination of employees is handled with due diligence, and with a minimum of disruption to company business. This policy is designed to define the reasons for Just Cause Termination, the responsibilities of terminated employees, the subsequent Human Resources actions required, and information regarding employee benefits.

### **Applicability**

The Termination policy applies to all Commission employees.

### **Procedure**

- Prior to terminating an employee for cause, The Commission will first seek legal advice.
- When an employee is dismissed for cause, the Commission must provide the notice, in writing, setting out the reasons for such action.
- No notice period is required and no severance pay is required when terminated for just cause.
- Reasons for Just Cause – may include but not limited to the following:
  - Misappropriation of funds or any other fraudulent actions.
  - Theft, deliberate intention to destroy or sabotage Commission property or equipment.
  - Misconduct where an employee has already received a suspension or reprimand but has not improved his/her behavior or performance.
  - Conviction of a criminal offence under the criminal code which is related to the employee's duties.
  - Disclosure of confidential information regarding the affairs of the Commission except as required in the normal course of duties.
  - Abandonment of position – an employee who has been absent without informing the Commission for three (3) consecutive days will be declared as having abandoned his/her position.
  - Gross insubordination.
  - Falsification of an employment application.
  - Breach of Electronic Information Security policy or Code of Conduct and Confidentiality clause.
- The Commission is under no obligation to provide severance when terminating an employee for cause.
- At the end of employment, the Commission must provide all sums owed to the employee, salary, overtime, vacation pay, etc.

- Whenever possible, the Commission will provide the employee with a completed record of employment (ROE) on the last day of employment.
- At the time of the termination of employment, the employee will be provided with a termination letter and asked to sign a release for termination of employment.

**Policy 3.7.4:** Retirement  
**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Retirement policy is committed to showing respect and recognition to any employees who have voluntarily ended their employment basing their decision primarily on age, with the understanding that there is no mandatory retirement age in Canada. This policy has been adopted to serve as a guide for the retirement process, and the actions required on the part of both management and the employees to ensure a smooth transition.

### **Applicability**

The Retirement policy applies to all Commission employees and outlines guidelines for ensuring a respectful transition period at the end of the active employment relationship.

### **Procedure**

- Employees must provide at least two weeks' written notice of their intent to retire, along with their departure date to the Executive Director or, in the case of the Executive Director, the Chair of the Board.
- However, employees considering retirement should discuss the matter with the Executive Director at least six (6) months prior to the intended date in order to ensure sufficient time for workforce planning and preparation of the necessary paperwork.
- Once the retirement date is established, a signed letter confirming retirement is provided to the Executive Director.
- The employee should be provided with information concerning their income options following retirement. Some information is provided below and more details can be accessed through the Government of Canada Website (links provided below):
  - [Canada Pension Plan \(CPP\) retirement pension](#)  
The CPP retirement pension is a monthly benefit for CPP contributors age 60 and over.
  - [Old Age Security \(OAS\) pension](#)  
The OAS pension is a monthly benefit for people age 65 and over.
- Prior to departure, the Commission should give the employee enough time to complete unfinished projects or tasks and document his or her work so that others can access records and/or files (e.g., provide computer passwords).
- The employee should also provide instructions to successors and inform their supervisor as to the status of any ongoing projects.

- Depending on the wishes of the retiring employee, an announcement may be either informally emailed or formally announced at a staff meeting of their impending departure.
- On their final day, the retiring employee needs to return any assets or property belonging to the organization.
- All remaining salary and vacation accruals should be paid to the employee no later than one week following their departure, along with a formal Record of Employment (ROE).
- The employee needs to be reminded that any documents developed during their tenure is the intellectual property of the Commission.

### **Subsection 3.8: Health and Safety**

Health and safety in occupation is a cross-disciplinary area dealing with protection mainly in safety, health and the welfare of the Commission employees. The aim of health and safety policies is to foster a safe working environment.

#### **Policy 3.8.1: Workplace Safety Responsibilities**

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Workplace Safety Responsibilities policy will promote and provide direction for the implementation and maintenance of a healthier and safer work environment.

#### **Applicability**

The Workplace Safety Responsibilities policy applies to all Commission employees.

#### **Procedure**

The Commission will act in compliance with the *Occupational Health and Safety Act* of New Brunswick.

#### *Employer Responsibilities*

##### Executive Director and/or designate staff

- Must ensure that resources are allocated and governed properly to achieve the health and safety requirements of employees, and that their policies comply with the Commission's legal obligations.
- Must foster a workplace culture of safety, with appropriate leadership.
- Must continuously promote health and safety awareness with instruction, information, training and supervision to ensure the safe performance of employees.
- Utilize the process of hazard identification, risk management and incident investigation.
- Is accountable for the health and safety of workers under their supervision.
- Ensures that employees work in compliance with established safe work practices and procedures.
- Ensures that employees receive adequate training in their specific work tasks to protect their health and safety.
- Liaises with government agencies to ensure workplace health and safety compliance.
- Maintains an up-to-date working knowledge of health and safety regulations as mandated under the Occupational Health and Safety Act of New Brunswick.

- Designs and develops company policies and procedures on workplace safety and health issues.
- Reviews injury and illness trends, and identify problem areas and solutions.

The Executive Director will keep the Board updated on Occupational Health and Safety issues.

### Employees

- Are responsible to comply with occupational health and safety policies and procedures.
- Must notify the Executive Director or designate of any health and safety concerns, so that they may be dealt with promptly.
- Must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures.
- Use appropriate personal protective equipment as required.
- Report unsafe or potentially hazardous conditions, without fear of reprisal, to their Executive Director or designate.

### All Staff Are Responsible for the Following:

- Completion of required occupational health and safety training.
- The performance of their duties in a manner conducive to a safe workplace, following all safety practices and procedures.
- Reporting of any incident, injury or hazard as outlined in the procedures.
- Report any acts of violence or harassment in the workplace.
- Promoting a hazard-free workplace.

### Safe Work Practices

- Building inspectors must wear steel-toed work boots when they are on work sites. They must also wear hard hats and safety glasses whenever required by the contractor or in any situation where such equipment is necessary to protect personal safety.
- Failure to comply with the wearing of protective equipment is grounds for disciplinary action.
- The use of alcohol and other non-prescription drugs is prohibited during work hours with the exception of over the counter medication that will not affect a person's ability to work effectively/safely (Ibuprofen, aspirin, Tylenol, etc.)
  - Employees who must take prescription drugs that cause drowsiness and could affect their ability to perform their job, are responsible to inform the Executive Director or designate of this situation.
- All work areas must be kept free from unsafe clutter and garbage. Each employee is responsible for safely and appropriately cleaning up any hazards that he or she has created.
- All employees will correct any unsafe condition or practice when it is safe and in their authority to do so.
- If an employee is not sure about their authority to correct an unsafe condition, they should immediately warn others of the hazard, make it off limits when/where possible, and contact their supervisor or designate for assistance.
- Immediately administer First Aid and seek appropriate medical attention in the case of any personal injury.
- In the case of fire, evacuate the office immediately.

- A minimum of one (1) employee must be trained, and re-certified as required, in First Aid and CPR and have a valid First Aid/CPR certificate.
- The Commission will provide one (1) fully equipped First Aid kit and will restock kits as required.

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**Policy 3.8.3:** Accident Reporting**Date issued:** December 12, 2013**Date revised:**

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**Policy Statement**

The Accident Reporting policy provides guidelines and requirements when reporting accident/incidents. All injuries and accidents, even minor ones, must be reported to the Executive Director immediately.

**Applicability**

The Accident Reporting policy applies to all Commission employees.

**Procedure**

*Reporting Call 9-1-1 immediately in the event of any serious injury.*

- Regardless of the cause or nature, all Commission staff members are required to complete an Accident/Incident Report (See Appendix "C") in the event of a health and safety accident/incident/injury.
- Accident and Incident Reports should be filled out and submitted to the Executive Director or designate promptly to ensure the safety of other employees, and to rectify the problem as quickly as possible.
- The Executive Director will analyze the accident report and ensure proper follow-up.
- Failure to report health or safety violations will be viewed as gross negligence, and may result in disciplinary action up to, and including termination.
- Failure to comply with the Commission's health and safety guidelines, or engage in conduct which creates risk for an employee, contractor, client or visitor, will be met with disciplinary action and/or termination of employment.

**Specific Reporting Requirements in New Brunswick**

Every worker must immediately report all incidents and near-misses, no matter how small, to their immediate Manager.

**Reportable Injuries**

The Executive Director or designate shall provide written notice of workplace injuries to WorkSafeNB within three (3) business days of he/she becoming aware of the injury. *The sooner an employee reports an injury to their Executive Director or designate, the sooner it can be properly reported to the appropriate Safety Authorities.*

**Fatalities or Serious Injuries**

Accidents or incidents that result in the death, loss of limb or occupational disease must be immediately reported by the fastest means to 1-800-222-9775.

#### Immediately Reportable (Regardless of Injury)

Regardless of whether there is an injury or not, the Executive Director or designate must notify WorkSafe NB, within 24 hours of the following occurrences,

- An explosion; and/or,
- Accidental exposure to a biological, chemical or physical agent.

### **Sub-section 3.9 Other Personnel Matters**

This section contains policies related to personnel which are not covered under any other section of this manual

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**Policy: 3.9.1**              Personnel Files

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Personnel Files Policy ensures that all employee files are maintained in accordance with the guidelines set out by the *Employment Standards Act*. The employee files 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 *Employment Standards Act*.

Employee files will contain documentation regarding employment activity and employee information. Employee files are the property of the Commission and may be reviewed upon request by the employee.

#### **Applicability**

The Personnel Files policy applies to Commission employees.

#### **Procedure**

##### **Mandatory Record Keeping**

All personnel Files must be kept in a secure place and under lock and key.

The Commission shall maintain employee records for each employee containing the information outlined below. (\* This information was taken directly from the *Employment Standards Act* and the *Right to Information and Protection of Privacy Act* (RTIPPA).

Information which must be maintained for at least three (3) years after the date of termination:

- Name; address; date of birth; social insurance number; date of commencement of employment; hours worked by day and by week; wage rate and gross earnings for each pay period; particulars of deductions; living allowance; vacation periods; vacation pay; public holiday pay due or paid; net payments; documents relating to leaves of absence; dates of the leave of absence and the reason for

the leave of absence; dates of all dismissals, suspensions, or layoffs, and corresponding notices (Employment Standards Act)

- \*The *Right to Information and Protection of Privacy Act* (RTIPPA) states that any person is entitled to request and receive records relating to the public business of public bodies, have access to their personal information and to request corrections to records containing their personal information in the custody and control of a public body in New Brunswick. Record is defined as information contained in a record that is written, photographed, recorded or stored by graphic, electronic or mechanical means. Public business includes any activity or function carried on or performed by a public body. Personal information means recorded information about an identifiable individual. For more detailed information please refer to:

[http://www2.gnb.ca/content/gnb/en/services/services\\_renderer.200949.html](http://www2.gnb.ca/content/gnb/en/services/services_renderer.200949.html)

### **Guidelines**

The Commission will maintain a separate personal file for each employee, which will include personnel information, payroll information, and medical information. All employee files will be stored in separate locations, and kept confidential using appropriate safe guards, and only authorized personnel shall have access to these files.

At no point will any information contained within any of the employee files be communicated publicly without the prior written consent of the employee, unless required by law.

Commission 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 three (3) business days prior to the date of review. Employees must be accompanied by the Executive Director or designated staff while viewing their file(s).

Notwithstanding the above, employees may not review any documentation that would violate the confidentiality of another employee.

Commission employees may challenge the accuracy of documentation in their personal file(s), request that corrections be made, and request that a written note of their comments be added as an annotation to the documentation.

Any former employee of the Commission who requests access to their personal file(s) must provide photo identification. The request and viewing processes shall be the same as for current employees of the Commission.

Any third party that requests access to any personal file(s) must provide photo identification and written authorization stating that they are permitted by the employee to review their file. The request and viewing processes shall be the same as for current employees of the Commission.

All information maintained in the Commission personal files are the sole property of the Commission. The removal of any documentation or information from personal files by employees or third parties is strictly prohibited.

Employees may request copies of documentation included in their personal file(s).

## **Management Responsibilities**

- Any documentation that must be placed in an employee file must be forwarded to the Executive Director, and the employee should be notified that the documentation is being placed in their file, and the nature of the documentation.
- All information placed into employee files must be accurate.

## **Personnel Files**

Documents stored in the Commission's personnel files shall include (but not be limited to):

- Employment application
- Resume
- Current personal information, including address, phone number, etc.
- References
- Employment contract
- Offer of Employment
- Family emergency contact form
- Employee Handbook and Policy Manual signed acknowledgement and agreement forms
- Documented disciplinary actions
- Documentation of grievances filed by the employee
- Performance improvement plans
- Performance reviews
- Career planning documentation
- Attendance records
- Dates of vacation taken
- Accident / incident report forms involving the employee
- Records of recognition / commendation

## **Payroll Information**

- Employment history, citing dates of positions held and levels of compensation
- Employment Contract
- Tax forms
- Records of taxable benefits
- Records of contractual bonuses, incentives, or salary increases
- Records of accrued sick leave, vacation, and overtime

## **Medical Information**

Staff members' medical information shall be held strictly confidential. Employee medical information shall be maintained in a separate file and stored using appropriate safeguards.

Employee medical information shall only be made available to the Executive Director or designated staff and the employee whose records are retained in the file.

Documents stored in regards to medical information shall include (but not be limited to):

- Medical documentation for any required absence(s)
- Workers compensation Insurance claim forms
- Accident / incident forms resulting in an injury to the employee

- Functional abilities forms required in any Return to Work (RTW) process
- Documentation regarding forms of reasonable accommodation required as part of any RTW process
- RTW plans, including documentation of any updates or dialogue during this period

**Policy: 3.9.2** Employee Complaints

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Employee Complaints policy is to ensure that complaints are dealt with promptly and resolved as quickly as possible. The Commission shall ensure that the review of complaints is fair, impartial and respectful to all parties.

### **Applicability**

The Employee Complaints policy applies to all Commission employees.

### **Types of Complaints**

**Definition:** A complaint is an expression of dissatisfaction about the service, actions, or lack of action by the Commission as an organization or a staff member on behalf of the Commission.

Examples include but are not limited to:

- perceived failure to do something agreed upon;
- failure to observe policy or procedures;
- error made by a staff member; or
- unfair or discourteous actions/statements by staff member.

Anyone personally affected can complain and their complaint will be reviewed in accordance with this procedure.

### **Procedure**

- **Speak up:** If possible, tell the person that you are not comfortable with their behaviour or action, and want it to stop. Usually, this will resolve the issue at hand. You can speak directly to that person or write them a letter (email) that the employee will date and keep a copy of. In addition, inform someone you trust of the situation.
- **Keep notes:** Record all unwelcome/harassing behaviour or action. Write down the incident (s) that happened, when, where, how often, the name of any witnesses, and how that particular incident (s) made you feel. Record every incident.
- **Report it:** If the behaviour or actions persist, or if you are unable to deal directly with the person harassing you, report it to the person designated to receive complaints. At the Commission, the person designated to receive such complaints is the Executive Director. Once a complaint has been filed, the Executive Director will investigate.
- **Informal procedures:** The employee may want to proceed informally at first. In that case, if required by the employee, the Commission's designated person will help the employee communicate with the other person, or speak to that person on the employee's behalf, without going through formal mediation or a formal complaint.

- **Mediation:** In order to attempt to resolve the complaint, it could be appropriate to go through mediation prior to undertaking a formal investigation. If a qualified individual from outside of the organization is available to act as a mediator, and if the complainant and alleged perpetrator agree, that mediator will attempt to help the parties settle the complaint. If no one is available, the designated person may help settle the complaint, if the parties agree. The mediator should not be involved in investigating the complaint, and should not be asked to represent the Commission at any stage of any proceedings related to the complaint.
- **The investigation:** When a formal complaint is submitted, it will be investigated, either by a specially trained person form within the organization or a consultant. This person will be responsible to thoroughly investigate the complaint. The designated person will interview the complainant, the alleged perpetrator, and any witnesses. All employees have a responsibility to co-operate in the investigation.

Both the complainant and the alleged perpetrator have the right to be accompanied by someone with whom you feel comfortable during any interview or meetings.

The investigation will include:

- Gathering all pertinent information from the complainant;
- Informing the alleged perpetrator of the details of the complaint, gather his or her response;
- Interviewing any witnesses;
- Deciding whether, based on the information gathered, the improper behavior/action (harassment) did take place; and,
- Recommending the appropriate solutions, consequences, or other actions.

#### **The employee should be aware of the following:**

- **Substantiated complaints:** If the investigator decides the complaint is valid, he or she will report in writing to the Executive Director, if possible, within a week of completing the investigation. The investigator will recommend appropriate solutions and disciplinary actions, and any other necessary action. The Executive Director will decide, upon the recommendations of the investigator, what action to take and will inform both parties of the decision, in writing, if possible, within a week of the report being submitted by the investigator.
- **Unsubstantiated complaints:** If there is not enough evidence to support the complaint, the investigator will not recommend any solutions or consequences.
- **Complaints made in bad faith:** In the event that the complaint was made in bad faith, that is deliberately and maliciously filed knowing it had absolutely no basis, the complainant will be subject to the same consequences as a perpetrator. The person unjustly accused will have her or his reputation restored.
- **Retaliation:** Anyone who retaliates in any way against a person who has been involved in a complaint, will be subject to the same disciplinary action up to and including termination.
- **Confidentiality:** The Commission will not disclose any information about a complaint except as necessary to investigate the complaint or to take disciplinary action, or as required by law. All Commission employees shall respect and apply confidentiality in the same way.

- **Time limits:** The Executive Director has the responsibility to make sure that all complaints are addressed as soon as they are submitted. Complaints will be resolved as quickly as possible, ideally within one month of being reported.

**If the complaint relates to physical or sexual harassment, that are considered criminal offences, the police are the appropriate avenue to fully handle these types of situations.**

## **Section 4: Compensation and Benefits**

Compensation and benefits are an important factor in job quality. It is important to offer competitive salaries and benefits to attract and keep the best staff.

### **Sub-section 4.1 Compensation**

Compensation is the total amount of the monetary and non-monetary pay provided to an employee by an employer in return for work performed as required.

Compensation is based on:

- market research about the worth of similar jobs in the marketplace,
- employee contributions and accomplishments,
- the availability of employees with like skills in the marketplace,
- the desire of the employer to attract and retain a particular employee for the value they are perceived to add to the organization, and
- the profitability of the company or the funds available in a non-profit or public sector setting, and thus, the ability of an employer to pay market-rate compensation.

Compensation also includes RRSP contributions and benefits.

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**Policy 4.1.1:** Payroll Administration

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Payroll Administration policy provides information on the compensation systems of the Commission. It provides details on pay periods, payroll processing, payroll deductions and method of disbursement for the salaries of Commission employees.

#### **Applicability**

The Payroll Administration policy, applies to all Commission employees.

#### **Procedure**

##### *Pay Period*

- All salaries are payable bi-weekly.
- Full-time and casual employees will be paid every second Thursday for the time worked up to the end of the following Saturday.

#### *Payroll Processing and Deductions*

- The amount paid will represent compensation for all hours worked at the applicable wage rate during that period less any deductions.
- No deductions, other than those required by law (Income tax, Employment Insurance and Canada Pension Plan), will be made without the employee's written consent.

#### *Method of Disbursement*

- Employees will be paid by cheque.
- Employees will receive cheque stubs indicating gross earnings, less deductions.

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#### **Policy 4.1.2: Pay Equity**

**Date issued:** December 12, 2013

**Date revised:** \_\_\_\_\_

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#### **Policy Statement**

The Pay Equity policy supports the concept of equal pay for work of equal value. It takes factors of skill, effort, responsibility, and working conditions into consideration when determining whether the work is equal or of equal value.

#### **Applicability**

The Pay Equity policy applies to all Commission employees.

#### **Procedure**

- Each position within the Commission will be evaluated when significant changes occur or a new job is introduced. The jobs will be evaluated using a gender neutral factor comparison system.
- The Commission recognizes that the *Pay Equity Act* as well as the *Employment Standards Act* permits differences in pay due to seniority, merit, piecework or differences not due to gender. If the Commission deems that there is a difference in pay due to these accepted exceptions, then there will be no need for pay equity adjustments to be applied.

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#### **Policy 4.1.3: Pay Increase**

**Date issued:** December 12, 2013

**Date revised:** \_\_\_\_\_

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#### **Policy Statement**

The Commission is committed to rewarding its employees with compensation plans that recognize an individual's contribution to the organization. The Pay increase Policy outlines the organization's compensation strategy with respect to salary and wage adjustments.

The Commission's compensation program, which reflects internal equity, external competitiveness and individual performance, is designed to include an appropriate balance of monetary and non-monetary benefits, including but not limited to wages and time off.

## **Applicability**

The Pay Increase policy applies to all Commission permanent employees.

### *Definitions:*

Salary is defined as a fixed regular payment often expressed as an annual sum, made by an employer to an employee

Wage is defined as a fixed regular payment earned for work or services, typically paid on a daily or weekly basis

## **Procedure**

- All employees are paid within the established salary or wage bands for the job they are performing.
- Salary and wages will be reviewed annually to ensure that wages remain competitive and to consider the financial impact of any changes to the position throughout the previous year.

### *New Employees*

- Initial positioning of a new employee in the salary or wage band is determined at the time of hire based on the position being filled and the experience that the individual brings to the role.
- All salary and wage criteria will be considered prior to making the offer of employment for each position and subsequent salary and wage adjustments will occur based on the criteria established throughout this policy.

### *Employer*

- The Commission shall review pay bands annually, against the market, to determine if an adjustment is needed to maintain the organization's competitiveness.

### *Performance Management*

- The Commission's compensation program is designed to support the performance management process.
- Performance management focuses on defining mutual expectations, giving and receiving feedback and adjusting performance for continuous improvement and growth.
- An individual's performance is one of the factors influencing compensation levels, along with other criteria including skills development, goal attainment, performance and contribution, etc.

Questions or concerns relating to compensation are to be directed to the Executive Director.

## **Sub-section 4.2 Benefits**

Benefits are a form of compensation paid by employers to employees over and above the amount of pay specified as a base salary or hourly rate of pay. Benefits are a portion of a total compensation package for employees.

**Policy 4.2.1:** Vacation

Date issued: December 12, 2013

Date revised:

**Policy Statement**

The Vacation policy provides information on the standards, guidelines, and procedures for paid vacation time for all Commission employees.

**Applicability**

This policy applies to all permanent, full-time employees. Contract workers, casual labour, summer students, interns, and other temporary employees are not entitled to paid vacation time.

**Procedure**

All employees are expected to use their allotted vacation time in full every year.

- Vacation is accumulated between January 1 and December 31 of the calendar year and is accrued on a monthly basis from the employee's start date.
- If the employee begins his employment before the 15<sup>th</sup> of the month he is eligible to begin accumulating for that month.
- Unless stated otherwise in a letter of offer, permanent/full-time employees will be granted paid vacation according to the following schedule:

Service with Company	Time Allowed
Less than five (5) years	Two (2) weeks paid vacation
Five (5) years, but less than ten (10) years	Three (3) weeks paid vacation
Ten (10) years, but less than fifteen (15)	Four (4) weeks paid vacation
More than fifteen (15) years	Five (5) weeks paid vacation
Twenty-five (25) years or more	Six (6) weeks paid vacation

- Vacations are intended to be taken during the calendar year in which they are accrued.
- Vacation scheduling is the responsibility of Commission management who will ensure that all employees are given their full vacation entitlement while taking into account the operations of the Commission.
- If a statutory holiday occurs during an employee's vacation period, the employee is entitled to take off either the first scheduled working day after their vacation, or in agreement with the employer, another day before the next annual vacation.

- Part time, casual or temporary employees shall receive vacation pay at the rate of four (4) percent of their earnings for the vacation year, following five years of service the entitlement increases to six (6) percent.

**Policy 4.2.2:** Statutory/Public Holidays

**Date issued:** December 12, 2013

**Date revised:**

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**Policy Statement**

The Statutory/Public Holidays policy provides information regarding the paid public holidays for which Commission employees are entitled.

**Applicability**

The Statutory/Public Holidays policy applies to all Commission employees.

**Procedure**

- Commission employees are entitled to seven (7) statutory holidays and three (3) additional prescribed days of rest at the employer's discretion.
- According to the *Employment Standards Act*, there are seven (7) paid public holidays in New Brunswick. These are:
  - New Year's Day
  - Good Friday
  - Canada Day
  - New Brunswick Day
  - Labour Day
  - Remembrance Day
  - Christmas Day
- At the employer's discretion, the following prescribed days of rest can be included as paid public holidays:
  - Victoria Day
  - Thanksgiving Day
  - Boxing Day
  - Easter Monday
- Days off for Christmas (assuming boxing day is considered a paid holiday):
  - when Christmas Day is a Monday, the 25th and 26th days of December, or
  - when Christmas Day is a Tuesday, the 24th, 25th and 26th days of December, or
  - when Christmas Day is a Wednesday or Thursday, the afternoon of the 24th as well as the 25th and 26th Days of December, or
  - when Christmas Day is a Friday, a Saturday or a Sunday, the 24th to 27th days of December inclusive.

**Policy 4.2.3:** Group Insurance Plan Coverage (including Health)  
**Date issued:** December 12, 2013      **Date revised:**

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### **Policy Statement**

The Group Insurance Plan Coverage policy provides details on the levels of coverage available for benefits and outlines the eligibility criteria, employer and employee contributions and the application process.

### **Applicability**

The Group Insurance Plan Coverage policy applies only to permanent full-time employees.

### **Procedure**

Unless otherwise stated in a letter of offer, employee benefits will commence ninety (90) days from the start of employment. Employees will refer to the benefits guide for details of the benefits provided.

Benefits are provided on a co-pay basis as follows:

- Health and drugs – Commission pays 75% - employee pays 25% of premium
- Dental – Commission pays 50% - employee pays 25% of premium
- Long Term Disability, critical illness, and life insurance – Employee pays 100% of premium

**Policy 4.2.4:** Group RRSP  
**Date issued:** December 12, 2013      **Date revised:**

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### **Policy Statement**

The Commission believes in helping our employees plan for retirement. The Group RRSP policy provides details regarding the employer and employee contributions to the employee's RRSP and information regarding the method these contributions will be provided.

### **Applicability**

The Group RRSP policy applies only to permanent full-time employees.

### **Procedure**

The Commission will provide a contribution of 5% of the annual salary paid out towards an employee's RRSP, payable on each pay or by separate cheque in January of the following year.

**Policy 4.2.5:** Provision of Protective Equipment  
**Date issued:** December 12, 2013      **Date revised:**

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### **Policy Statement**

The Commission is committed to the health and safety of its employees and therefore will supply specified clothing and equipment to employees who require it. The Provision of Protective Equipment policy provides details on the items covered.

## **Applicability**

The Provision of Protective Equipment policy applies to all designated Commission employees who require the clothing or equipment.

## **Procedure**

Designated employees are provided with a \$500 annual allowance for safety and other work related clothing.

## **Section 5: Equipment, Technology and Electronic Information**

In today's technologically advanced context, communication technology and electronic information are critical to the operations of any organization.

### **Sub-section 5.1: Telecommunication Equipment and Technology**

Equipment refers to all the fixed assets other than land and buildings of a business enterprise such as desks, chairs, etc. However in the context of this section, Telecommunication Equipment specifically refers to telephones, cellphones and computers.

Information technology (IT) is the application of computers and telecommunications equipment to store, retrieve, transmit and manipulate data, often in the context of a business or other enterprise.

In the business context, it is the study, design, development, application, implementation, support or management of computer-based information systems.

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#### **Policy 5.1.1: Telephone and Cell phone**

**Date issued:** December 12, 2013

**Date revised:**

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## **Policy Statement**

The Telephone and Cell Phone policy provides direction regarding the appropriate use of landlines and cell phone.

## **Applicability**

The Telephone and Cell Phone policy applies to all Commission employees.

## **Procedure**

- Desktop telephones are provided to Commission employees to carry out the work of the commission.

### *Land lines*

- Personal long distance calls charged to the Commission, using Commission office phones, must be reimbursed to the Commission.

### *Cell phones*

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- Designated employees and Board Members required to use cell phones will be provided with a \$50.00 per month allowance.

**Policy 5.1.2:** Computer, Networks and Internet Access  
**Date issued:** December 12, 2013      **Date revised:**

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### **Policy Statement**

The Computer, Networks and Internet Access policy provides direction regarding the appropriate use of Commission computers (hardware and software), Networks and Internet, including email usage. Computers, software and all information systems are for the strict usage for Commission business. Improper use of these systems could lead to disciplinary measures including the dismissal of the employee.

### **Applicability**

The Computer, Networks and Internet Access policy apply to all Commission employees.

### **Procedure**

#### *Computers (Software and hardware)*

- The Commission is responsible for all installation of software and hardware.
- Any unauthorized installation of software or hardware is prohibited. We are committed to only installing software that has a valid registered license and is approved for installation.
- Employees may not download any software or programs onto company computers without prior authorization from the Executive Director or designate.
- Employees will be held responsible for any damage to the system, software or hardware caused by the installation of non-approved software or hardware.
- Any and all data/items found on company equipment will become the property of the Commission upon employment termination.
- The company has the right to review all content on any company owned device returned to their care after employment has been terminated.
- Immediately, upon the termination of employment for any reason, all information and property belonging to the Commission must be returned. This includes computers, electronic files, software, hardware and printed document files

#### *Network/Internet Access*

- All network user accounts are established at the direction of the Executive Director
- Any new accounts must be approved by the Executive Director.
- If the employee loses, forgets or believes that their password has become compromised, the employee must inform the Executive Director and reset of the password.
- When an employee terminates their employment with the Commission, all of their network privileges will be immediately removed.

#### *Internet Usage:*

Access to the Internet at work is a useful tool to help enhance your work. In an effort to ensure adherence to this policy, the following Approved Uses and Prohibited Uses are detailed:

### Approved Uses

- research;
- collaborating with other employees, business partners and customers according to the employee's/contractor's assigned job duties;
- individual professional development;
- education;
- community and economic development;
- charitable activities;
- public service; and,
- local, provincial or national government affairs.

### Prohibited Uses:

- use for illegal purposes, such as theft, fraud, slander, libel, defamation of character, harassment (sexual and non-sexual in nature), stalking, identity theft, online gambling, spreading viruses, spamming, impersonation, intimidation, and plagiarism/copyright infringement;
- any usage which conflicts with Commission policy;
- copying, destroying, altering any data, documentation or other information that belongs to the company;
- accessing, downloading, printing or sharing (digitally or otherwise) content that would be deemed outside of the bounds of good taste and moral values (ie. pornography); or
- allowing unauthorized third parties access to the company's network or resources.

### *Email*

- Email is essential for conducting business; however, best practices should be adhered to at all times. Emails are often admitted as evidence in litigation and can be accessed through freedom of information requests. Ensuring your content is on-topic and the email has been sent to the appropriate recipients is essential.

### *Company Inspection*

- The Commission has the right to inspect company property at any time.
- Although there is no set practice of surveillance, the Commission reserves the right to inspect the Commission property in the possession of the employee on company premises. This includes, but is not limited to, browsing history, cookies, and email activity.

### *Return of Property upon Employment Termination*

Immediately, upon the termination of employment for any reason, all information and property belonging to the Commission must be returned to the Commission (without duplicating or summarizing). This includes but is not limited to computers, electronic files, software, hardware and printed document files, any of the above-mentioned business information items, keys etc.

## **Sub-section 5.2 Electronic Information**

All electronic hardware, software and associated data that support or include the following: administrative information systems; desktop computing; multi-media, data, video and voice networks, phone terminals; voice mail; electronic mail (email); Internet access; scanners; electronic publications, including video; or any similar electronic based medium. The use of these resources is a privilege, not a right. It is the user's responsibility to use these resources in a manner that is efficient, ethical and legal.

### **Policy 5.2.1:              Electronic Information Security**

**Date issued:** December 12, 2013

**Date revised:**

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### **Policy Statement**

The Electronic Information Security provides direction on the necessary protocols required to ensure the protection and security of all Commission information, as they pertain to information and information technology including but not limited to information on its business operations, clients, service providers and employees. Maintaining the protection and integrity of Commission information is the responsibility of every employee.

### **Applicability**

The Electronic Information Security applies to all Commission employees, Board Directors, Committee Appointees and any third party that obtains and/or controls access to Commission information and/or systems.

### **Procedure**

#### *Security Standards and Directives*

#### Passwords

- The use of individual user accounts and secret passwords enable authorized individuals to access Commission computer systems and confidential information.

#### Providing Access

- All access shall be provided based upon a business reason for doing so. That is, by default all access is denied. Access shall be provided when the Executive Director or delegate has provided approval.

#### Workstation Security

- All computers will be used securely and effectively;
- Users will be provided with guidance regarding how to protect the hardware, software and information stored on these devices.

### *Enforcement*

Failure to comply with these policies by Commission personnel may result in disciplinary action. Failure to comply with these policies by a third party may result in withdrawal of access privileges and/or termination of the contract.

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#### **Policy 5.2.2:** Data Storage and Back-ups

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Data Storage and Back-ups policy provides direction as to the safeguard of important files.

#### **Applicability**

The Data Storage and Back-ups policy applies to all Commission employees.

#### **Procedure**

- All files on designated computers will be automatically backed-up on a nightly basis.
- In the case of a system or network failure or a catastrophe, the Commission will obtain additional, expert assistance to recover the information from the back-up data.

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#### **Policy 5.2.3:** Protecting Intellectual Property and Use of Copyrighted Materials

**Date issued:** December 12, 2013

**Date revised:**

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#### **Policy Statement**

The Protecting Intellectual Property and Use of Copyrighted Materials policy provides guidance in the installation and maintenance of operating system and application software for Commission information systems in compliance with all applicable copyright laws and regulations.

#### **Applicability**

The Protecting Intellectual Property and Use of Copyrighted Materials policy applies to all Commission employees and any other third party that may be granted access to Commission systems.

#### **Procedure**

- All software residing on Commission computer systems:
  - Shall be acquired only after purchase authorization has been received
  - Shall be legally acquired and licensed for use
  - Shall adhere to all applicable computer software copyright laws and licence agreements
- Custom developed software shall remain the property of Commission and must not be sold, lent, given, or distributed outside the Commission without proper authorization.
- Where technically possible, personal computers should have restrictions in place to prevent users from installing software.
- Failure to comply with this policy by Commission personnel may result in disciplinary action.
- Failure to comply with this policy by a third party may result in termination of access and/or the contract.

**APPENDIX "A"**

**Performance Appraisal Form**

*Employee Name:* \_\_\_\_\_

*Job Title:* \_\_\_\_\_

*Date Evaluation Completed:* \_\_\_\_\_ *Period Covered:* \_\_\_\_\_

*Time in Present Position:* \_\_\_\_\_

*Type of Report:*       *Annual*       *Special*       *Probationary (Interim or Final)*

*(Note: Complete only the factors that apply to the employee)*

---

**Rating / Scale**

**Unsatisfactory**  
(1 - 3)

*Has failed to meet requirements.  
Performance is unacceptable.  
Limited job knowledge.  
Requires more than average  
supervision.*

**Average**  
(4 - 7)

*Performance meets most job  
requirements and expectations,  
but does not exceed them. Adequate.  
Further development  
necessary.*

**Very Good**  
(8 - 10)

*Performance meets all job  
requirements and expectations.  
Performance often exceeds that  
normally expected for the  
position. Performance is of  
exceptional quality.*

**Performance / Overall Rating:**      **1    2    3    4    5    6    7    8    9    10    n/a**

*(Provide overall rating after completing the evaluation)*

---

**Factor #1: Planning & Organizing**

- *Selects realistic yet challenging objectives.*
- *Plans well for regular work programs.*
- *Establishes appropriate priorities.*
- *Develops and maintains schedules or courses of action using available resources to advantage.*
- *Uses time management skills.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

## **Factor #2: Communication**

- *Has a strong ability to communicate on a professional level with fellow workers and supervisors.*
- *Writes appropriately to suit purpose.*
- *Uses generally accepted conventions of grammar and format.*
- *Expresses viewpoints effectively.*
- *Listens well.*
- *Maintains a level of competency with communications technology such as computer, Internet, etc.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

## **Factor #3: Knowledge of Job / Professional Development**

- *Maintains knowledge of relevant government programs.*
- *Maintains knowledge of developments, issues, general information relating to job functions.*
- *Requires little guidance or supervision. Demonstrates resourcefulness.*
- *Understands the Commission's goals, objectives, policies, and strategic plan.*
- *Pursues professional and personal development through continuing education.*
- *Demonstrates a willingness to learn and acquire new skills.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

## **Factor #4: Productivity**

- *Makes good use of time while performing the daily tasks as required.*
- *Meets deadlines.*
- *Handles a number of tasks simultaneously as required.*
- *Implements priorities, goals and objectives with speed, efficiency and conscientiousness.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

#### **Factor #5: Quality of Work**

- *Is thorough.*
- *Maintains accuracy. Achieves tasks with the highest degree of professionalism.*
- *Strives for creativity when appropriate.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

#### **Factor #6: Initiative / Commitment / Adaptability / Reliability**

- *Takes action without specific instructions.*
- *Takes on new or increased responsibility willingly.*
- *Spends extra time at work when required.*
- *Performs expected functions with reliability and predictability- dependable.*
- *Accepts new ideas, tasks and approaches with a positive attitude.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

#### **Factor #7: Leadership / Judgment**

- *Analyzes problem situations quickly and accurately.*
- *Makes sound decisions when required.*
- *Can recommend solutions to resolve problems.*
- *Guides and supports committees- facilitates meetings.*
- *Leads fellow staff when requested.*
- *Good motivator and organizer.*

1    2    3    4    5    6    7    8    9    10    n/a

**Comments:**

## **Factor #8: Teamwork / Interpersonal Skills**

- *Consults with other staff when appropriate.*
  - *Demonstrates cooperativeness under both normal and difficult situations.*
  - *Demonstrates an ability and willingness to listen to instructions or recommendations provided by supervisors and fellow workers.*
  - *Promotes cooperation and harmony within the organization.*
  - *Refers clients to other staff or community organizations when appropriate.*
  - *Works and contributes in a team to implement and achieve common goals.*
  - *Maintains positive rapport with clients and community groups.*
  - *Maintains a dialogue with others to ensure a continuing information flow in the region.*

1    2    3    4    5    6    7    8    9    10    n/a

### **Comments:**

#### **Factor #9: Since the last evaluation, the employee has...**

## Regressed (1 - 3)

## Stayed the Same (4 - 7)

## Improved (8 - 10)

1    2    3    4    5    6    7    8    9    10    n/a

### **Comments:**

**Factor #10: Supervisor's Comments (Positive and/or negative)**

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*Describe some goals for community work and professional growth. Identify an action plan to achieve these goals.*

---

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**Factor #11: Employee's Comments**

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**Factor #12: Acknowledgement*****EMPLOYEE***

*I have read and understand this evaluation, including attached training requirements, as well as the comments by the supervisor.*

---

*Employee's Signature**Date****SUPERVISOR***

*I have discussed this evaluation and the noted comments with the employee.*

---

*Supervisor's Signature**Date*

## APPENDIX "B"

### Expense Claim Form

### Regional Service Commission 12

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#### TRAVEL EXPENSE SUMMARY

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

WORK  
LOCATION \_\_\_\_\_

MONTH \_\_\_\_\_

DATE	DETAILS	KM	OTHER	LODGING	B'FAST	LUNCH	DINNER	TOTAL
								0.00
								0.00
								0.00
								0.00
								0.00
								0.00
								0.00
								0.00
								0.00
								0.00
SUBTOTALS		0	0.00	0.00	0.00	0.00	0.00	0.00

Km this trip  @ 0.41 \$

Prior Kilometres  YTD KM  Total Claim

I certify that the foregoing is a true and correct statement of my expenses incurred on commission business.

Employee

Director

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**650 Main Street, P.O. Box 5001, Woodstock NB E7M 2G9**

## **APPENDIX “C”**

### **DECLARATION OF CONFIDENTIALITY**

**This agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,**

**Between**

**\_\_\_\_\_ (the “Individual”)**

**And**

**Regional Service Commission 12 (the “Commission”)**

As a member of the Board of Directors, Ex-officio member, Committee Appointee, Resource person or Staff of the Commission, I may be entrusted with knowledge of the affairs of the Commission.

I hereby undertake not to divulge any of this knowledge, nor to discuss it at any time, or any place with an unauthorized person, except in the course of my duties relating to the business of the Commission or with the express consent of the Chair of the Commission or the Executive Director.

I also acknowledge that a breach of this undertaking may subject me to disciplinary measures, as determined by the Board of Directors of the Commission.

#### **The Individual**

---

Name (Please Print)

---

Signature

---

Date

---

Signature of Witness

I have explained the implications of signing the **Declaration of Confidentiality** to the Individual noted above and am fully satisfied he / she is aware of the necessity to hold the affairs of Regional Service Commission 12 in absolute confidence.

---

Name (Please Print)

---

Signature

**Appendix "D"**

**Employee Family Contact and Emergency Form**

Employee: \_\_\_\_\_

Medicare Number \_\_\_\_\_

Contact Information:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

Contact Information:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

Medical Information:

Family Doctor \_\_\_\_\_

Medications: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Allergies: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_