

# **We Wai Kai Nation**

## **Human Resources Policy Manual**

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# We Wai Kai Nation



We, the We Wai Kai embrace our language and culture to build a proud, healthy, safe and self-sufficient community. We support and encourage each other to thrive through following the footsteps of our ancestral history, as stewards of our lands and waters, while balancing our role in modern day society.

## Our Creation Story

The name We Wai Kai comes from the Chief named Way Key and those descending from Way Key who survived the great flood. The original village was in Topaz Harbour where Way Key gathered his tribe together when he had a vision about an upcoming flood. Woven cedar ropes were made that began in the village and ascended to the top of the mountain where Way Key lashed four canoes together.

Finally, the flood did occur; however due to Way Key's hard work and planning, the tribe has lots to eat. When the current was too strong Way Key began to worry about the woven cedar rope. Way Key ordered one canoe to be sent adrift which the current took south. The current reversed to the north and was strong again; Way Key ordered another canoe to be sent adrift which went north.

When the flood receded, Way Key was left with two canoes in the same place. As the story goes the canoe that drifted south landed around the state of Washington and the canoe that went north ended up around Kitimat and to this day our language, culture and names are similar. The two canoes that remained are considered to be the descendants that are now known as the We Wai Kai Nation (Cape Mudge Band), and the Wei Wai Kum Nation (Campbell River Indian Band).

# Introduction to this Manual

This Manual contains the approved Human Resources Policies and Procedures for We Wai Kai Administration and its related entities. It is intended to be a useful tool for both managers and employees in the day-to-day administration of human resources and related programs.

The documents contained in this Manual should assist in increasing understanding, eliminate the need for personal decisions on many matters related to employment policies, and help to assure consistency throughout the organization in matters related to the administration of human resources.

This Manual is distributed to each manager and employee within the Nation's business organization. Managers have the responsibility for communicating these policies and procedures to their staff and for implementing and administering these policies in a consistent and impartial manner. Employees are required to read and abide by these policies and procedures, as a condition of their employment with the organization. Failure to abide by these policies may result in disciplinary action, up to and including termination.

Human Resources policies and procedures are subject to revision or modification in light of changing conditions, practices or experience. In that event, new statements of policy and procedure will be issued to Manual holders and the revised or new policy will be communicated to those employees affected by the change. Employees are bound by the revised or new policies immediately upon their distribution, or as stated in the revised or new policy.

Generally speaking, this Human Resources Manual will apply to all employees of all entities owned or controlled by We Wai Kai. Where business entities have differences in their operational needs and practices, the differences will be described in the entities unique policies and procedures.

Where there are inconsistencies between this Manual and an employee's offer of employment or employment agreement, to the extent of any inconsistencies the offer of employment or employment agreement shall prevail. Should there be inconsistencies between this Manual and applicable employment standards legislation, to the extent of the inconsistencies, the minimum standards in legislation will prevail.

# 1. Employee Classifications

For the purposes of administering hiring practices, payroll benefits and We Wai Kai policy, employees are divided into employment classifications. All employees are classified as either regular or temporary. Regular employees are employees hired without a specific termination date; temporary employees are employees who are hired for a limited period of time.

While employees working for, We Wai Kai administration are federally regulated, employment of some entities may be provincially regulated. Please check your employment offer letter or with your manager/supervisor if you are unsure what category you fall under.

## 1.1 Regular Full Time Employees

Are those employees who work 35 or more hours per week on a regularly scheduled basis. Full-time employees are eligible for employment benefits.

## 1.2 Regular Part Time Employees

Are those employees working at least 20 hours but less than 35 hours per week on a regularly scheduled basis. Employees who qualify for this classification are eligible for limited benefits coverage and receive vacation pay in lieu of paid vacation time off. Regular part time employees are eligible for pro-rated benefits after one full year of work based on maintaining an average of not less than 20 hours of work per week. These employees may voluntarily pay their pro-rated benefits premiums, based on the following formula.

Regular part-time hours *divided by* 35 *equals* percentage of premium paid by We Wai Kai

Regular part-time employees may decline benefit coverage. There will be no cash value equivalent paid in lieu of We Wai Kai's portion of the premium cost.

## 1.3 Temporary Employees

Are those employees whose employment is not intended to be regular or permanent. Temporary employees can be full time or part time. Temporary employees receive vacation pay in lieu of paid vacation time off and they are not eligible for benefits.

## 1.4 Casual Employees

Are those employees who work on an as-needed basis and include students working part time during the summer and on-call workers. Casual employees are not eligible for benefits coverage and receive vacation pay in lieu of paid vacation time off.

## 1.5 Contract Workers

Contract workers are independent contractors engaged through a contract for services and are not employees.

Contract workers are not eligible for any employment benefits, including health and pension benefits. Contract workers are responsible for their own statutory employment related expenses such as Canada Pension Plan and Employment Insurance premiums.

## **2. Recruitment and Hiring**

### **2.1 Equal Employment Opportunity**

We Wai Kai (WWK) recognizes and appreciates the value that diversity adds to its activities and initiatives. We are committed to a workplace free of discrimination that is supportive and respectful of employees with diverse backgrounds.

With the exception of Aboriginal peoples as outlined in the next policy, WWK provides equal opportunity for everyone regardless of:

- age
- gender, sex
- colour, race, ancestry, ethnic origin
- national origin, place of origin
- religion
- sexual orientation, gender identity, gender expression, gender characteristics
- marital status
- family status
- political belief
- physical disability
- mental disability
- criminal conviction [related to the employment, for which a pardon has been granted, or for which a record of suspension has been ordered]

WWK is committed to meeting its accommodation obligations under applicable human rights and employment standards legislation by providing a workplace that ensures full inclusion and participation of staff and job applicants.

### **2.2 Aboriginal Employment Preference**

We Wai Kai provides employment preference to Aboriginal persons, pursuant to the *Canadian Human Rights Act* (R.S.C., 1985, c.H-6), *Canada's Equal Employment Act* (S.C. 1995, c.44), the Canadian Human Rights Commission's Aboriginal Employment Preference Policy, and British Columbia's *Human Rights Code [RSBC 1996] c. 210* (for provincially regulated employees).

Preferential treatment means giving Aboriginal persons priority in decisions on employment matters such as hiring, promotion, training and lay-off. It can include measures such as opening competitions only to Aboriginal persons.

We Wai Kai confirms that the application of Aboriginal employment preferences does not exempt it from the need to improve under-representation of other designated groups in the workforce, such as women, persons with disabilities, and members of visible minorities for the portion of the workforce that is non-Aboriginal.

## 2.3 Job Posting Procedures

The WWK recruitment processes outlined in the following procedures provides an overview of general guidelines that will be followed. The hiring process will depend on the circumstances of the position and may be amended from time to time if approved by the Chief Administrative Officer (CAO).

The hiring manager, typically the department head, will develop a Recruitment and Selection Plan which, at a minimum identifies the following.

- proposed recruitment process and schedule
- scope of search
- detailed list of required qualifications, including experience and education
- selection criteria and ranking methodology
- proposed compensation range for position
- additional resources necessary to execute the Recruitment and Selection Plan

In order to post a vacant position and proceed with the Recruitment and Selection Plan, approval of the CAO is required.

To encourage employee development, WWK encourages current employees to apply for employment vacancies. Vacancies will be promoted internally before external or general advertising is carried out.

## 2.4 Screening Procedures

A resume with a covering letter is required to apply for employment with WWK.

Screening of potential candidates is done by the hiring manager and/or WWK Administration in compliance with the *Conflict of Interest in Hiring* policy and other policies in this Manual.

Initial screening will occur to assess each potential candidate's ability to meet the minimum stated job requirements. Only qualified applicants (i.e., those sufficiently fulfilling all the requirements of the Recruitment and Selection Plan) will be selected for interviews.

## 2.5 Interview Procedures

Potential candidates are required to undergo an interview. The interview process will be consistent for all applicants.

WWK administration and/or the hiring manager have the responsibility to determine the interview process. The following steps, at a minimum, must be included in the interview process.

- develop of a list of questions for each position
- conduct a detailed review of the interviewees' qualifications, including experience and education
- assess each potential candidate's qualifications against the selection criteria and ranking methodology specified in the Recruitment and Selection Plan

The hiring manager will maintain a record of the screening, interview, evaluation, and selection process.

## 2.6 Hiring Procedures

The hiring manager will prepare a *Selection Summary Report* including:

- A list of applicants who were interviewed
- The name(s) of the selected candidate(s) and rationale for recommendation to hire

Once an applicant is determined to be the recommended candidate, WWK Administration will conduct and document reference checks, as well as any other checks required for the position. A summary of reference

and any other checks, with any inconsistencies or issues appended to the *Selection Summary Report* must be provided to the CAO. The CAO will review the *Selection Summary Report* and may approve the proposed candidate for hire.

Depending on the responsibilities outlined in the job description, new hires may be required to submit to a Criminal Record Check. Currently the following require mandatory criminal record checks; Home Support Workers, Elders/Youth Workers, Security Guards. This list may be amended from time to time. Criminal Record Checks must be renewed every five years.

WWK Administration will prepare a Letter of Offer upon approval from the CAO. The Letter of Offer will include, at a minimum, the following terms of employment.

- position title
- work hours
- salary
- start date
- probationary period
- benefits package
- applicable employment conditions
- termination clause

The letter of offer will be signed by the hiring manager.

The prospective employee must sign and return a copy of the letter of offer as an indication of acceptance of the terms of employment prior to commencing work.

WWK Administration will ensure that all necessary paperwork is completed and appropriately filed.

Upon receipt of the signed Letter of Offer, the hiring manager will advise the Payroll CAO who will ensure a personnel file is created.

An employee performance appraisal will be completed by the hiring manager prior to the completion of the new employee's probation period. Generally, the performance appraisals should be completed with the employee at least five days prior to the completion of the probationary period.

## **2.7 Performance Review and Personal Planning**

The purpose of performance reviews and personal planning is to create an opportunity for you to know how you are performing and to assist you in determining your future career development. Performance reviews will:

- Support you in meeting your responsibilities.
- Challenge you to continually build on your performance.
- Keep you informed about your progress so you can maximize your achievements.
- Assist us in setting appropriate compensation and making decisions about training and promotions.

Your performance review is intended to be a participatory process in which we expect you to evaluate yourself. This will ensure that you have ownership over your performance and your contributions to the efforts of our entire team.

Employees' performance shall be evaluated from time to time, most often on the anniversary of your date of hiring, by your immediate supervisor.

Statements about your performance shall be substantiated by reference to your job description and citing concrete examples related to your performance on the job.

Upon completion, the Performance Review Report shall be signed by the appraiser and you. It will be submitted to the CAO and kept in your personnel file. A copy will be given to you. Appraisals will be treated as confidential.

Your Supervisor or the CAO will meet with you to discuss your annual Performance Appraisal Report.

Performance reviews are routine and scheduled events. It is important that if you or your supervisor have issues or concerns, you discuss them at the time of the issue or concern. Do not wait to resolve a minor problem that may quickly become a serious issue or concern.

Performance Review and Personal Planning templates are provided in the Appendices.

## 2.8 Orientation Procedures

WWK will provide orientation to all new employees. The orientation process will include, at a minimum, an overview of our:

- overarching values, goals and principles
- protocols, administrative procedures, and our human resource policies.

An orientation checklist is provided in this Manual's appendices.

New employees will be provided with a copy of the We Wai Kai Human Resources Policy Manual and will be given a week to review the Manual and acknowledge their receipt and acceptance thereof.

Every employee will sign the *Acceptance of Terms and Policies of We Wai Kai Human Resources Policy Manual* included in this Manual's appendices.

The Supervisor responsible for the position and/or WWK Administration will conduct the orientation.

## 2.9 Probationary Period Procedures

The new employee probation period is intended to confirm that a new employee is a good fit for the organization and their new job. All new employees shall undergo a minimum three-month probation period from the date of employment.

The probationary employee may resign or be discharged at any time during the probationary period without either party being required to give advance notice or cause.

Where entitled, employee benefits will commence after the successful completion of the probationary period or later when the required waiting period has been completed.

Vacation time away from work will not be granted during the probationary period without the prior approval of the CAO.

## 2.10 Conflict of Interest in Hiring

The objective of WWK is to always hire the most qualified person for a position.

It is the goal of WWK to avoid creating circumstances in which the appearance or possibility of favoritism in the hiring process exists. The following steps will be taken to ensure that there is no real or perceived conflict of interest.

- Employees and members of the Chief and Council must declare relationships in advance where there is potential for a real or perceived conflict of interest to arise.
- Employees and members of the Chief and Council are to disqualify themselves as participants in personnel decisions when their objectivity might be compromised for any reason, or a benefit or perceived benefit, could accrue to them or their immediate families.
- Members of the hiring committee must declare any personal actual, potential, or perceived conflicts of interest. If a conflict exists, the hiring committee will determine the extent of any conflict and if the conflicted committee member must recuse themselves.
- Where there is a perceived or real conflict of interest on the part of the CAO, the hiring decision will be made by the Chief and Council.

Where there is a conflict of interest that develops in the workplace, the CAO will review the circumstances and make necessary accommodations in order to ensure that no employees or job applicants are treated adversely and that WWK is not impaired due to a real or perceived conflict of interest.

This Policy must be considered when hiring, promoting or transferring any employee.

## **3. Employee Management**

### **3.1 Wages and Salaries**

Employees will be paid every two weeks. Pay will be distributed by electronic transfer to employees' bank accounts within five working days after the last working day of the pay period.

Deductions will be made in accordance with the deduction table supplied by Canada Revenue Agency and as required by law. Other payments may be deducted from the employees' wages or salaries as agreed in writing between employer and employee.

### **3.2 Employee Benefits Program**

We Wai Kai will provide a benefits package to some classifications of employees, as described earlier in the Manual.

Participation in the benefits package is optional. Employees who choose not to participate in the benefits package must provide this information to the payroll office in writing. Benefits coverage shall be in effect after successful completion of the probationary period or at a later time as determined by the plan text.

Details of this package shall be provided in a booklet which will form part of the new employee orientation package. In the event of a conflict between the plan text and any other document or statement, the plan text will prevail.

We Wai Kai may change the employee benefits at any time and will advise all affected employees of any changes with two pay periods' prior notice.

### **3.3 Hours of Work**

Unless otherwise specified, hours of work, overtime, breaks and scheduling will follow the minimum requirements of the Canada Labour Code or the BC Employment Standards Act.

Employees who work at least five hours per shift are entitled to an unpaid 60-minute break and employees who work at least four hours per shift are entitled to one paid 15-minute break.

Hours of work will vary and for some positions will be determined by the work to be performed from day to day. Seasonal operating hours will vary from time to time. Employees will be advised of their schedule and working hours by their immediate supervisor.

Employees paid by the hour are required to report their hours of work on a bi-weekly basis on the appropriate "time record sheets" provided. Non-reporting will be treated as Absence and appropriate action will be taken.

### **3.4 Overtime**

Employees must have prior approval from their immediate supervisor before working overtime, so that we may properly manage the allocation of work and employee fatigue. Except in the cases of call out for emergencies and other exceptional circumstances, all overtime must have prior approval.

Generally, employees' work will be scheduled to fit operational needs and to minimize or eliminate overtime. For example, if a position requires evening event participation, the employee and supervisor should adjust the regular schedule to include the evening hours and to stay within the regularly scheduled hours per week.

## **3.5 Protection of Employee Privacy**

We Wai Kai is committed to protecting the privacy and security of the personal information of its employees. This policy governs the collection, use and disclosure of personal information belonging to our employees.

For the purposes of this policy, employee personal information includes information about an identifiable employee in any form that is reasonably required by us for the purpose of establishing, managing or terminating your employment relationship. This includes information such as your age, ethnic origin, income, social status or ID numbers, references, evaluations or comments about your performance, disciplinary measures, and medical records.

Employee personal information does not include your business contact information such as your name, title, business address, business e-mail address, or business telephone number. We collect employee personal information in order to manage our business relationship with you, including recruiting, administration of payroll and benefit plans, and to comply with employment and human rights legislation. We may collect, use and disclose your employment related personal information without your consent if it is reasonable for these purposes.

If your consent is required to collect or disclose your personal information, we will explain why the information is being collected and how we intend to use it.

You will be deemed to consent to the collection, use or disclosure of the personal information if, when the information was given, the purpose would be obvious to a reasonable person. For example, individuals who submit their resumes are deemed to consent to its use for recruitment and hiring purposes.

We may collect or use employee personal information without your knowledge or consent where permitted by federal or provincial law, such as when it is clearly in your interests, if knowledge and consent would compromise the availability or accuracy of the information, if collection is required to investigate a breach of an agreement or contravention of a federal or provincial law, or if it is publicly available as specified in the applicable regulations.

We may disclose personal information without your knowledge or consent where allowed by federal or provincial law.

### ***Retention and Disposal of Personal Information***

We will only retain personal information as long as necessary to enable us to make a decision about your employment and to satisfy the purpose for which it was obtained.

We will destroy documents containing personal information once the information has served the purpose for which it was collected, unless it must be retained for legal purposes.

### ***Accuracy of Personal Information***

When we collect, use or disclose your personal information, we will make reasonable efforts to ensure that it is accurate to the extent necessary to fulfill the purposes for which it was obtained.

You may submit a written request to us to correct any errors or omissions in any of your personal information that is in our control. We will either amend the information or notify you of any reasons why such an amendment cannot be made.

### ***Protection of Personal Information***

We recognize the importance of protecting your personal information and will use appropriate security safeguards to provide the necessary protection, including physical measures and staff training.

As an employee it is natural that in the course of your employment you will become aware of personal information of your co-workers, both through your assigned duties and through your social interactions. It is your responsibility to ensure that you do not disclose their personal information to other co-workers or to the public.

If you have any questions about whether information is protected under this policy and the related laws or whether it is appropriate for you to disclose information about employees, you must check with your supervisor or the CAO before disclosure.

### ***Access to Personal Information***

You may request access to your personal information or ask how it is or has been used or disclosed, by submitting a written request to the CAO. Under certain circumstances, you may be expected to bear costs associated with this enquiry. We will advise you up front of any costs associated with disclosure.

We will refuse access to your personal information if it would reveal personal information about another individual which cannot be removed, unless there is consent or a life-threatening situation.

We may refuse access to personal information if the information falls under one of the following circumstances: it is protected by solicitor-client privilege; it constitutes confidential commercial information, which cannot be removed; disclosure could harm an individual's life or security and the offending information cannot be removed; it was collected without your knowledge or consent to ensure its availability and accuracy, and the collection was required to investigate a breach of an agreement or contravention of a federal or provincial law; it was generated in the course of a formal dispute resolution process.

### ***Complaint Process***

If you are dissatisfied with the manner in which we have handled your personal information, you may contact the Privacy Officer in writing to outline the reasons for your concern.

We will investigate and respond to all complaints made in relation to this policy.

## **4. Employee Conduct**

### **4.1 Standard of Conduct**

We Wai Kai requires its employees to maintain a high standard of conduct and work performance to ensure the organization maintains its good reputation within the community. Every employee of WWK shall, among other things, perform all duties assigned to them in a manner that will be of credit to WWK and its programs. Employees will show courtesy, cooperativeness, diligence and tact in dealing with other employees, clients and the public. Employees of WWK are expected to be positive role models at all times.

This involves all employees:

- Observing all laws, policies and procedures as described in this Manual and other documents.
- Acting with honesty, good faith, and in the best interests of WWK.
- Exercising the care, diligence, and skill that a reasonably prudent person would exercise in comparable circumstances.
- Avoiding real, potential, apparent and perceived conflicts of interest.
- Never misrepresenting material facts or allowing their independent judgement to be subordinated.
- Respecting the confidentiality and privacy of information as described in this Manual and as required by law.
- Ensuring the responsible use of and control over WWK assets and resources entrusted to them.
- Treating colleagues with courtesy and respect.
- Treating clients, visitors and community members in a professional manner at all times.

- Using inclusive language that is free from words, phrases or tones that reflect prejudiced, stereotyped or discriminatory views of particular people or groups.
- Working safely at all times.

## 4.2 Personal Activities at Work

Personal activities in the workplace must not interfere with normal business operations or an employee's productivity, result in additional expenses, or be considered an entitlement.

Employees are always permitted to communicate by phone or in person with family members in an emergency situation. For that purpose, family members should be given the phone number of the employee's workplace.

In accordance with human rights legislation, we will consider any reasonable requests for accommodation of an activity that may be deemed a 'personal activity' under this Policy.

Abuse of personal activities in the workplace will be addressed and may result in disciplinary action up to and including termination of employment.

## 4.3 Off Duty Conduct

We Wai Kai has a right to maintain its reputation and employees have a right to work in a comfortable environment free of inappropriate conduct and statements by co-workers, including bullying or harassing behaviour. These rights extend to an employee's conduct and actions outside of the workplace, both in person and online, including social media activity. There is an expectation that employees be respectful, ethical, lawful, and professional when off-duty, particularly if they can be identified as an employee of WWK or one of its entities.

Off-duty misconduct that may reflect negatively on WWK will not be tolerated and may result in disciplinary action up to and including termination of employment.

## 4.4 Conflict of Interest

### ***Purpose***

The purpose of this *Conflict-of-Interest Policy* is to define the term 'conflict of interest', to identify situations that may create real, perceived, or potential conflicts of interest, and to clarify the obligation of employees to disclose these conflicts.

### ***Policy***

Employees of We Wai Kai Nation, including its affiliates, are expected to disclose any outside work or personal activity, relationship, or other interest if it puts the Nation at risk, puts the Nation at a competitive disadvantage or negatively impacts the Nation in any other way, or if it creates the appearance of doing any of these things. Potential and actual conflicts of interest need careful monitoring and pro-active management to ensure that they do not undermine or appear to undermine the performance or objectivity of an employee's duties and responsibilities or confidence and trust in the Nation or its affiliates.

### ***Definition***

A conflict of interest is a situation in which an employee has a private or personal interest sufficient that it may influence, or appear [be perceived] to influence, the objective exercise of their duties as an employee. Conflict of interest is not just about money. It is about the presence of any factor that a reasonable person might think is likely to bias a decision-maker's judgment.

A conflict of interest is a situation, not an accusation. Being in a conflict of interest is not the same as being corrupt and pointing out that a person is in a conflict of interest is not the same as accusing them of bias or lack of integrity.

### ***General conflict of interest***

An employee may, from time to time, pursue personal and private interests and business ventures, and may participate in other forms of decision-making organizations. It is the responsibility of the employee to clarify such outside activities and provide a full written disclosure to the Chief Administrative Officer so that an assessment can be made and any conflict of interest [real, perceived, or potential] may be prevented. If an employee is unsure if a situation may place them in a conflict of interest, they must discuss the situation with the CAO.

The following situations are examples of potential conflicts of interest that would require full disclosure to the CAO. This is not an exhaustive list.

- Members of immediate family include spouse, children, and any other relative sharing the employee's household.
- An employee, their spouse, or a member of their immediate family is engaged in, or plans to be engaged in, a business that is similar in nature to the Nation's, competes with the Nation, services Nation's clients, or is in some way hostile or averse to the Nation.
- An employee, or any member of the employee's immediate family, directly or indirectly, borrows from, lends to, invests in, or engages in any substantial financial transaction with a client, potential client, major supplier, or competitor of the Nation.
- An employee is engaged in outside work that may interfere with their job responsibilities. Employees are expected to ensure that their work commitments for the Nation, including overtime requirements, take precedence over any other job or position they may hold.
- An employee performs outside work during regular working hours or makes use of the Nation's equipment, materials, or staff to conduct this outside activity.
- An employee accepts a gift, retainer, commission, consulting fee, or any other fee arrangement or remuneration from a similar business, competitor, or related business or organization.
- An employee's relationship with a co-worker, where a reporting relationship exists, has progressed beyond a platonic relationship.

### ***Outside Remuneration, Employment and Honoraria***

Employees may engage in remunerative employment with other employers, carry on businesses or receive remuneration from public funds or activities outside their positions, provided that:

- It does not interfere with the performance of their duties as an employee of the Nation.
- It does not represent a conflict of interest as defined by this Policy.
- It does not bring the Nation into disrepute.
- It is not performed in a manner that appears to represent or be an official action of the Nation.
- It does not involve the use of the Nation's premises, services, equipment, or supplies, unless otherwise contracted.
- It does not involve the referral of the Nation's clients to the employees' private practice.
- It does not involve concurrent service to the client, unless the nature of the service is disclosed and deemed to be of a completely different nature than that offered or provided by the Nation, or otherwise formally permitted by the Nation.

## ***Handling a conflict of interest***

Any real, perceived, or potential conflict of interest must be reported to the CAO as soon as it is identified. The CAO will investigate the matter and will make the final decision on whether there is a conflict and how it will be handled.

## ***Consequences of Failure to Disclose a Conflict of Interest***

A conflict of interest that is improperly managed or undisclosed is a significant breach of employment obligations and will not be tolerated. An employee who is found to have engaged in such conduct will be subject to disciplinary action up to and including termination of employment.

## **4.5 Respectful Behavior in the Workplace**

The conduct and language of We Wai Kai employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. An employee's conduct must not compromise the integrity of WWK.

All employees have the right to expect, and the responsibility to create, a workplace where everyone is safe from bullying, intimidation, and other forms of disrespectful behaviour.

Employees are to treat each other with respect and dignity and must not engage in discrimination or harassment based on any of the prohibited grounds covered by the *Canadian Human Rights Act* or *British Columbia Human Rights Code*. The prohibited grounds include race, color, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, gender identity or expression, age, political belief, or conviction of a criminal or summary offence unrelated to the individual's employment.

## **4.6 Harassment, Bullying and Violence**

All workers will be treated in a respectful manner. Bullying, harassment and workplace violence are not acceptable or tolerated in this workplace. They undermine our values of mutual respect, tolerance and goodwill. Our goal is to create a workplace that is free from harassment, discrimination and violence.

This policy applies to all employees and to any location in which you are engaged in work-related activities. This includes, but is not limited to, restaurants, hotels and meeting facilities that are being used for business purposes or social events, such as holiday or retirement parties, and We Wai Kai-owned and We Wai Kai-leased facilities or vehicles and their parking lots.

### ***Definitions and Examples:***

Harassment and bullying include any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment. Harassment or bullying can be an objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, or any act of intimidation or threat.

Workplace violence includes any attempted or actual exercise by any person, including another worker, of any physical force so as to cause injury to a worker and includes threats of violence.

Employees must report any incident of violence directed towards themselves or their co-workers. Any employee hearing a threat, including a threat to a co-worker, must report that threat if he or she has reasonable cause to believe that the threat is serious. Any incident or threat of violence in the workplace must be addressed immediately.

Harassment, bullying and violence can come from a co-worker, supervisor, subordinate, supplier, or another person in the workplace, or a client. They may take the form of:

- verbal intimidation, including verbal abuse

- lateral violence (displaced violence directed against one's peers rather than one's true adversaries)
- physical threat, physical assault, or physical intimidation, including touching that is rejected as being unwanted
- uninvited sexual advances, requests for sexual favours, and/or other verbal or physical conduct of a sexual nature
- shunning
- other related of similar action that a reasonable person would view as unwelcome or offensive

Discriminatory harassment or bullying includes comments or conduct based on the protected grounds in the human rights legislation ("protected grounds"), which are not welcome or that are offensive.

Examples of discriminatory harassment or bullying include:

- offensive comments, jokes or behaviour that disparage or ridicule a person's membership in a protected ground, such as race, religion, age or disability
- imitating a person's accent, speech or mannerisms
- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children
- inappropriate comments or jokes about an individual's sexual orientation, personal appearance or weight

Even if no one is being directly targeted, harassing comments or conduct can poison the work environment, making it an uncomfortable place in which to work. This is also considered harassment.

Some examples of actions that can create a poisoned work environment include:

- displaying offensive, discriminatory materials, such as posters, pictures, calendars, web sites or screen savers
- distributing offensive or discriminatory e-mail messages or attachments such as pictures or video files
- practical jokes that embarrass or insult someone
- jokes or insults that are offensive, racist or sexual in nature

Sexual harassment includes any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to any employee or that might reasonably be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

Acts of sexual harassment may include, but are not limited to questions and discussions about a person's sexual life, jokes of a sexual nature, displaying material of a sexual nature, touching a person in a sexual way, commenting on someone's sexual attractiveness or unattractiveness, eyeing someone in a sexual way, requests for sexual favours, stalking or persistent attempts to contact another person, and writing sexually suggestive letters or notes.

## ***Preventing Harassment, Discrimination and Violence***

It is our mutual responsibility to ensure that we create and maintain a healthy workplace.

We Wai Kai will do its part by not tolerating or condoning bullying, harassment, discriminatory or sexual harassment or a poisoned work environment. This includes making everyone aware of what behavior is and is not appropriate, investigating complaints, and taking suitable corrective measures.

You must do your part by ensuring that your behavior does not violate this policy and by fostering a work environment that is based on respect and is free of harassment.

Employees must:

- not engage in bullying, harassment, or violence
- report if bullying, harassment, or violence is observed or experienced
- apply and comply with WWK policies and procedures on bullying, harassment, or violence

## **Reporting Procedures**

We Wai Kai employees can report incidents or complaints of workplace bullying and harassment verbally or in writing to their immediate supervisor. If the Supervisor is the person engaging in bullying and harassing behavior, the employee may contact the CAO directly.

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly. Bullying and harassment complaint and investigation forms are provided in this Manual's appendices.

The dispute resolution steps, outlined in this Manual, may also apply to cases of harassment or bullying.

## **4.7 Dispute Resolution**

This dispute resolution process provides guidelines for staff to resolve any issues or concerns affecting their working relationships with other employees.

### **Informal Resolution**

It is important to have open communication with each other, both with positive feedback and respectful, constructive feedback. Employees should make every reasonable effort to resolve disagreements informally between themselves. Before moving to the formal procedures below, the parties in conflict should discuss their differences with each other in an earnest attempt to resolve the conflict.

We recognize that not everyone is willing or able to work informally to resolve conflict. In these cases, either or both employees may move directly to Step 1 of the formal process below.

#### **Step 1**

If either employee is not satisfied with the results of the informal discussion with the other party, they can approach their supervisor for assistance. The supervisor should attempt to facilitate a resolution with the two parties. If the employee is not satisfied with the results of the assistance from their supervisor, and feels that the dispute is not yet resolved, either employee can refer the matter to Step 2.

#### **Step 2**

Either or both employees may present their complaint in writing to the CAO, describing the nature of the dispute and the circumstances from which it arose, along with a summary of the attempts to resolve the matter. The CAO will either choose to investigate the situation and prepare written findings and recommendations, or they may find a neutral third party to investigate or mediate the dispute. Employees must be open to finding a solution should a mediator or other outside resource be made available.

If the conflict is with the CAO, follow Step 1. If you need to proceed to Step 2, your contact will be the Chief who will handle the situation or delegate a representative to handle the situation. The Chief or their delegate will act as mediator between the CAO and employee to resolve the dispute.

### **Retaliation**

We Wai Kai will not tolerate any form of retaliation against employees for availing themselves of this procedure in good faith, or any frivolous, vexatious or malicious complaint. In these cases, the offending employee will be subject to discipline up to and including termination of their employment.

## **4.8 Whistleblower Policy**

We Wai Kai is committed to maintaining high ethical standards and legitimate business practices and wishes to encourage the identification and prevention of any misconduct that may affect this commitment.

The purpose of this policy is, therefore:

- To provide employees with a system whereby they can disclose any knowledge of actual or intended misconduct which may be unethical, illegal or fraudulent; and
- To provide employees who provide such disclosure, and are acting in good faith and on the basis of reasonable belief, with protection from any form of retaliation or threat of retaliation when they do

provide such disclosure.

## **Procedures**

Where an employee, acting in good faith and on the basis of reasonable belief, becomes aware of actual, suspected or intended misconduct, unlawful activity, suspicious financial management, or other accountability concerns, he or she has a duty to report such misconduct or incidents, as soon as learning of them, to their supervisor or the CAO. If the CAO is the person suspected of breaching this policy, the report should be made to the Chief.

An employee, acting in good faith and on the basis of reasonable belief, may refuse to carry out any order or direction which is illegal, unethical, or against policy and which is given by an individual who has direct or indirect control over the employee's employment. Such refusals must be reported immediately to lawful authorities.

Employees are expected to co-operate fully with lawful authorities during any investigation or proceeding related to acts of alleged misconduct or work refusals under this policy.

No employee shall be subject to discipline, termination, demotion, or any form of retaliation, including but not limited to, intimidation, harassment, financial penalty or other threats, by reason of making legitimate use of the Whistleblower Policy.

Nothing in this Policy is meant to take precedence over an employee's duties under federal or provincial law, or common law. Any unlawful misconduct or incident which may affect public safety must be reported to the proper lawful authorities immediately.

All complaints will be held in confidence and treated as confidential and sensitive. There may be situations where the complainant can be given the opportunity to remain anonymous, however, this will depend on the circumstances and if the investigation requires the identity of the complainant to be disclosed (such as to the subject of the allegations so that they may respond to the allegations). In such cases, reasonable steps will be taken to ensure reprisal does not occur. Any employee who breaches this confidentiality requirement shall be subject to discipline up to and including termination for cause.

Complaints or reports of misconduct shall be appropriately investigated, and any employee found to have participated in misconduct shall be subject to discipline, up to and including termination for cause.

An employee who makes a complaint or report of misconduct which is found to be both unfounded and made with malicious intent will be subject to disciplinary measures up to and including termination for cause.

## **4.9 Social Media Policy**

### **Social Media**

This Social Media Policy refers to the use of "social media", which includes multi-media, private and business-oriented social networking websites (Including but not limited to, Facebook, LinkedIn, Twitter, Four-Square, YouTube, Google+, Reddit, Instagram, Snapchat etc.), and all other internet postings including blogs, forums, and wikis, as well as radio, television and newspaper. The absence or lack of explicit reference to specific social media does not limit the extent of the application of this Policy.

Due to the nature of social media, it is difficult to create a clear distinction between personal and professional profiles. As such, the WWK strongly encourages every WWK Representative to proactively disclose their affiliation to the WWK when discussing matters relating to WWK.

### **Purpose**

WWK strives to maintain a positive image in our communities and has adopted the Social Media Policy to ensure that our employees and the employees of our business entities are aware of their responsibility to

maintain this positive image. All employees who use social media, whether professionally on the WWK's behalf or personally, must comply with the principles set out in this Policy.

This Policy is subject to ongoing review and evaluation. Amendments will be made from time to time as deemed necessary to respond to changing circumstances and evolving needs of the WWK.

## **Scope**

The Social Media Policy applies to all employees, agents, contractors and representatives of the WWK and each company, society, partnership or other entity directly or indirectly owned, controlled or otherwise affiliated with the WWK (each, a "WWK Representative"). The principles set out in this Policy establish WWK's expectations for the conduct of each WWK Representative when using social media both during and outside of working hours.

While the WWK encourages positive and constructive use of social media, it is important to note that breach of this Social Media Policy by a WWK Representative may result in disciplinary action up to and including dismissal from any engagement by the Nation. Disciplinary action may be taken whether the breach is committed during working hours or otherwise and whether or not committed using the WWK's computers, information technology systems or equipment.

## **WWK Nation**

In this Social Media Policy, the words "us", "our", "WWK" and "Nation" refer to the We Wai Kai Nation, also known as the Cape Mudge Indian Band, as well as to all businesses, companies, societies, partnerships and other legal entities directly or indirectly owned, controlled or otherwise affiliated with the WWK.

## **No Expectation of Privacy**

All documents, data, and information composed, sent, stored, received or otherwise handled on or over WWK computer or other electronic storage or communications systems are the property of the Nation. Therefore, employees should have no expectation of privacy while using these systems.

WWK reserves the right to monitor and inspect all uses of these systems including use of e-mail, Internet and social media. Such monitoring may occur at any time, without notice, and without the user's permission. In addition, electronic records may be subject to the *Access to Information Act* and therefore, available for public distribution or may be used in litigation.

## **Roles and Responsibilities**

### **Chief Administrative Officer**

The CAO is responsible for this Policy as it relates to employees of the Band and employees of any entities related to the Band and for amending it from time to time at their discretion. In the event any question or dispute arises regarding the terms of this Policy, the CAO has the ultimate authority in its interpretation, administration, and enforcement.

The CAO will ensure that all WWK Representatives review, understand and adhere to the rules and procedures outlined in this Policy. Additionally, the CAO will determine who is authorized to act as a designated social media representative for the WWK (a "Social Media Representative"). The CAO shall be responsible for supervising the social media activities of the Social Media Representatives.

### **Social Media Representatives**

Social Media Representatives have the responsibility to represent the WWK online and to post and create content on the WWK's behalf using the Nation's social media pages and accounts. Social Media Representatives must monitor and supervise all social media pages and accounts to ensure a respectful, informative and interactive experience for all users of the Nation's social media platforms. Social Media Representatives will use their discretion in removing any negative, defamatory, private, false, or otherwise objectionable information and comments from the WWK's pages and accounts.

Social Media Representatives will be permitted to represent the WWK online only when they have received the proper training and have been authorized to do so by the CAO. Only Social Media Representatives are permitted to make new social media accounts that represent the WWK. Prior to creating a new social media account, a Social Media Representative will obtain the approval of the CAO, who will ensure the account

complies with this Social Media Policy and is created and maintained according to best practices. All original or amended access codes, passwords and log in information will be provided to the CAO upon creation and or upon any change.

### ***WWK Representatives***

WWK Representatives are encouraged to use social media and to promote the WWK, its activities and its members. When accessing and using social media, WWK Representatives must ensure that they conduct themselves in a way which reflects positively on the WWK and its members, and in accordance with this Social Media Policy. WWK Representatives must also ensure that their use of social media complies with any other applicable WWK policies or agreements, including any employment or consulting agreement the WWK Representative has with the WWK.

When using social media outside of the scope of their professional engagement with the Nation, WWK Representatives are not authorized to represent the WWK or to express views on behalf of the Nation. Only Social Media Representatives are entitled to represent the WWK or its views on social media.

WWK Representatives shall not post negative or disparaging content about the WWK or its affairs. Personal use of social media must never interfere with a WWK Representative's duties or with operational requirements of the WWK. Employees of the WWK are expected to limit their personal use of social media during business hours to normal breaks and lunch unless otherwise instructed by the CAO.

### ***Policy Overview and Best Practices***

WWK Representatives are personally responsible for the content they publish using social media. As most content posted on the internet is cached and permanently stored in servers the content-creator has no control over, it is important to remember that a single improper post could do substantial damage to the reputation of the WWK or the WWK Representative for years to come. WWK Representatives must use common sense before uploading content to the internet. However, if there is any question as to the appropriateness of content relating to the WWK, the WWK Representative must consult the CAO for approval prior to posting.

A WWK Representative's use of social media must not at any time conflict with any existing WWK policies or the terms of any agreement between the WWK Representative and the WWK, including, without limitation, the WWK Privacy Policy, the WWK Code of Conduct, and the WWK Representative's employment agreement (if applicable).

Other than designated Social Media Representatives acting under the authority of the CAO, WWK Representatives must not purport to represent the WWK or to express views on behalf of the WWK.

Personal use of social media must never interfere with a WWK's Representative's duties or with operational requirements of the WWK. Employees of the WWK are expected to limit their personal use of social media during business hours to authorized breaks such as coffee breaks or lunch breaks. The use of social media for personal reasons during working time is a misuse of the Nation's time and resources and may be subject to disciplinary action.

Blogs, chat groups, forums, and wikis are public forums where it is inappropriate to reveal confidential business information, personal information relating to other individuals, details of customer data, or any other material covered by existing policies and procedures. The expression of opinion on web blogs, social networks or similar sites could inadvertently reveal information which is not suitable for public consumption. Every WWK Representatives must be mindful of this and ensure they do not engage in inappropriate behaviour.

Posts containing any of following content are strictly prohibited and will be subject to discipline or termination:

- comments that may damage the reputation of the WWK, regardless of whether the WWK is named directly or identifiable in any other manner;
- discriminatory, harassing or bullying statements or sexual innuendos regarding another WWK Representative, client, customer or partner of the WWK, or any other person or group, whether named or not;
- expletives or offensive language including offensive images & photos;
- negative, defamatory, untruthful, discriminatory or disparaging content about the WWK, its operations, partners, clients, past employees or any WWK Representative; proprietary or confidential

information relating to the WWK or its operations, including, without limitation, trade secrets, information meant for internal use only, and any information protected by another WWK policy or confidentiality agreement;

- copyright or trademarked content, unless posting such content is explicitly authorized by the holder of the copyright or trademark or is otherwise permitted by law (e.g., fair use).

Where a WWK Representative mentions the Nation on a personal page, they will be required to include a disclaimer stating that any opinions expressed are the WWK Representative's own and do not represent the Nation's positions, strategies, or opinions. The following quote is approved:

*"The views expressed in this post are my own and not those of the WWK Nation (WWK)."*

Where a WWK Representative publicly associates with the Nation, all materials associated with such person's social media presence may be taken to reflect on the Nation in the opinion of the public. As such, inappropriate comments, photographs, links, will be handled as described elsewhere in this Policy.

In the event that a WWK Representative discovers any group(s) that users have formed to discuss the Nation or its services, the WWK Representative must promptly bring such group(s) to the attention of the CAO.

When officially representing WWK on social media with the authority of the CAO, the WWK Representative must:

- promote the values and principles of WWK;
- show respect for the audience and all stakeholders;
- be informed and informative about the WWK and its operations and contribute to a positive dialogue;
- always credit sources with citations or links;
- keep security in mind and avoid posting sensitive information; share only public information;
- respect the privacy of colleagues, clients, and communities;
- and respect all copyright, fair use and disclosure laws and use good judgment when posting photos, quotes or copyrighted materials and obtain written permission from the CAO for use prior to posting.

Prior to opening a new authorized social media account on behalf of the WWK, review the terms of use applicable to the relevant social media platform and ensure all use of such platform is permitted.

### ***Breach of this Policy***

Any WWK Representative suspected of breaching this Policy will be required to co-operate with any related investigation. This may require the disclosure of relevant passwords or log-in information. Confirmed breaches of this Policy may result in disciplinary action being taken up to termination of employment or engagement with the Nation.

### ***Publishing Requests***

WWK Representatives may request content to be posted to a WWK social media site. To be approved, the content must be relevant, timely, and meet the criteria identified in this Social Media Policy. All requests must be approved by the CAO or a Social Media Representative acting under the CAO's authority and must follow the standard operating procedure for the particular social media platform.

## **4.10 Information Systems, Telecommunications**

WWK seeks to promote a high level of responsible behaviour in connection with the use of computer resources and Internet communications.

### ***No Expectation of Privacy***

All documents, data, and information composed, sent, stored, received or otherwise handled on or over WWK computer or other electronic storage or communications systems are the property of WWK. Therefore, employees should have no expectation of privacy while using these systems. WWK reserves the right to

monitor and inspect all uses of these systems including use of e-mail, Internet and social media. Such monitoring may occur at any time, without notice, and without the user's permission. In addition, electronic records may be subject to the *Access to Information Act* and therefore, available for public distribution or may be used in litigation.

## **Computer Use**

Computers are provided for WWK business use only. Although you may need to use your computer for personal reasons, such use should be brief, infrequent and outside working hours.

- You may not store personal documents on your computer hard drive.
- You may not play or install computer games on your computer hard drive.
- You may not download or install any software unless you obtain approval from the CAO in advance.
- Computers and related software and equipment are WWK property. To prevent problems and protect us from liability, WWK reserves the right to examine all files, email directories and other information stored on our computers, tapes and disks. [see *No Expectation of Privacy*]
- Software is subject to licensing agreements. To prevent liability, you may not remove, copy or install WWK software on a personal computer.
- Always scan for viruses before opening files that are contained on a USB or downloaded from the Internet.
- Take appropriate steps to protect confidentiality of WWK and client files.
- To prevent viruses, only open business-related email attachments when you know what they are and that they are coming from a reputable source. Avoid opening email attachments that contain wave files, video files or executable files as they may contain viruses.

## **Internet Use**

Personal use means use that is not job-related. Personal use of the internet during scheduled hours of work is not permitted. In general, incidental and occasional personal use of WWK Internet access or electronic communication systems outside of working hours is permitted if it does not jeopardize productivity, integrity of work, harm WWK reputation, adversely affect the efficient operation of the computer system, and is not used for personal financial gain.

Users must avoid accessing sites that might bring WWK into disrepute, such as those that carry offensive material. Reasonable, incidental use of e-mail for personal purposes is acceptable. Messaging forums (e.g., chat rooms internet newsgroups) may be used only to conduct work-related business. Users who wish to express personal opinions must use a private Internet provider and a personal identifier.

Inappropriate personal internet uses include:

- Access to, downloading or transmitting offensive material which includes but is not limited to sexually explicit or pornographic content, hate literature or any materials which contravenes the *Canadian Human Rights Act* or British Columbia *Human Rights Code* or other material that is fraudulent, threatening, intimidating, defamatory or harassing.
- Personal (non-work-related) postings to Internet forums such as newsgroups or list servers;
- Use that results in additional or incremental cost to WWK;
- Activities for personal financial gain;
- Installing or downloading computer software
- Uploading or downloading copyrighted materials or proprietary WWK information contrary to policy
- Uploading or downloading access-restricted information contrary to policy or in violation of applicable privacy legislation and WWK policies;
- Sending email or other communications using another's identity, an assumed name, or anonymously;

- Permitting another person to use a WWK system or communicate a message of some third-party individual or organization;
- Attempt to circumvent or subvert system or network security measures;
- Propagate viruses knowingly, maliciously, or carelessly.

## **Security**

The distribution of electronic communications is difficult to control and routing mistakes can easily occur. Copies of electronic communications can be forwarded without the sender's knowledge or permission to unintended recipients. Therefore, electronic communications should be drafted and sent with at least the same level of care, professional judgment and discretion as paper memoranda or documents.

Be very careful when you log on to an external e-mail account (e.g., telus.net, hotmail.com) as it may bypass the network anti-virus protection. If you must use an external e-mail account, any attachments associated with the account must be scanned for viruses.

## **Violations of Policy**

Violations of this policy can have serious consequences for employees, the Nation and our community. Therefore, these violations will be taken very seriously and may result in discipline up to and including termination of employment.

### **4.11 Dress Code**

Employees of We Wai Kai are expected to dress in business casual or other attire that is suitable for their workplace so they project a positive image of the organization to clients, customers, co-workers and the public.

"Business casual attire" may include jeans, casual walking shorts, casual pants, golf shirts, clean t-shirts and blouses, and casual shoes, but must remain tasteful and business-like. It does not include tank tops, overly tight active wear, short-shorts, or ripped or torn clothing.

Employees are expected to present a clean and neat appearance at all times.

### **4.12 Credit Card Policy**

#### ***Purpose***

This policy defines the appropriate use of credit cards for We Wai Kai (the "Nation") to ensure that the goals, values and fiscal responsibilities of the Nation are maintained. This policy also defines the mechanism for how employees of the Nation are to incur expenditures on behalf of the Nation and how they are reimbursed for those expenditures.

#### ***Credit Card Use Rules***

The Nation will maintain one credit card only. The credit card will be held by the CFO or in their absence, the Finance Manager. The Nation's credit card may not be used for personal charges.

The Nation's credit card is not a substitute for a Purchase Requisition. The exception is for emergency travel purchases only. Requests for the Nation's credit card must be made in writing and approved by the CFO or in their absence the Finance Manager.

#### ***Reimbursement of Employment Related Costs***

If an employee is required to incur expenses for approved travel related to the Nation's activities or to purchase materials for the Nation's activities, they may do so using their own credit card or alternative personal payment method. To be reimbursed for the expense, the employee is required to complete an Accounts Payable

Voucher Form (see Appendix), detailing the nature of the expense as well as attaching the related expense receipt to it. The Accounts Payable Voucher Form is required to be signed by the employee's supervisor indicating their approval and authorization of the expenditure.

Expense claims made by employees who report directly to Chief and Council are to be approved by a member of the Finance Committee or Chief and Council prior to reimbursement.

On completion of the above steps, the employee will be reimbursed for the expenditures when payroll is processed, provided that the Accounts Payable Voucher Form was submitted five business days prior to the processing of the upcoming payroll.

### ***Loyalty Points/Miles***

Many credit cards provide the holders with benefits such as points that can be exchanged for goods and services. These loyalty points or other credits earned on the Nation's credit card are the property of the Nation. The CAO will decide how these credits are spent.

Loyalty points or credits earned on personal credit cards for expenditures that cannot reasonably be paid using the Nation's credit card will remain the property of the card holder.

## **4.13 We Wai Kai Vehicles and Driving Privileges**

This policy applies to use of WWK vehicles during working and non-working hours, on and off WWK's property. To protect WWK and its employees, any use of a WWK vehicle must conform to this policy.

WWK permits select individuals to use a WWK vehicle to perform work for WWK, on an as-needed basis. WWK retains the right and discretion to assign a WWK vehicle, or revoke a driver's use of its vehicle, at any time. As the WWK vehicle is intended for business use, WWK reserves the right to require the employee to make the vehicle available to other employees for business use.

Employees must promptly arrange the return of the WWK vehicle:

- end of employment, however the employment relationship is terminated
- loss or suspension of the employee's driver's license
- loss of the driver's ability to operate a vehicle
- during a leave of absence greater than 5 days
- during a disciplinary suspension
- employee breach of this policy
- for any reason WWK deems appropriate

### ***Licensing***

All drivers must have and maintain a driver's licence, valid for the class of vehicle being operated and the local jurisdiction. A copy of the driver's license must be submitted to WWK administration before the driver may operate a WWK vehicle and upon renewal. Drivers are responsible for the cost of obtaining their own driver's license.

The driver is required to immediately inform the WWK Administration upon loss of their driver's license or being convicted of any driving offence that disqualifies the individual from driving. WWK retains the right to revoke the driver's use of a WWK vehicle for any reason, including upon loss of the driver's license or upon conviction of any offence that disqualifies the driver from operating a motor vehicle.

### ***Personal Use***

Personal use includes commuting between the employee's residence and work, vacation or weekend use, or driving to conduct personal activities.

Personal use of a WWK vehicle is not permitted. Only WWK employees are authorized to drive WWK vehicles.

When a WWK vehicle is not in use and at the end of each working day, the WWK vehicle shall be returned to WWK's parking lot and keys returned, unless otherwise authorized by the CAO.

## **Expense Protocols**

WWK will reimburse the driver for fuel costs, road tolls, parking or other expenses incurred for business use only. For any out-of-pocket expenses, drivers may request reimbursement for covered WWK vehicle costs by completing an expense reimbursement form and submitting the completed form to the WWK administration. All expense reimbursement forms must be signed and verified by both the driver and the employee's supervisor. Drivers must submit the Accounts Payable Voucher Form within 30 days of incurring the expense.

Expense reimbursement forms must include original receipts or other substantiating documentation for each expense showing the:

- nature of the expense (i.e., for a fuel purchase, the receipt must show the amount of fuel purchased and the cost of fuel).
- amount paid
- date the expense was incurred and paid
- vendor or provide name and location
- business purpose.

If a receipt or other substantiating documentation is not available, the driver must submit a written explanation of why the documentation cannot be provided. WWK, in its sole discretion, will evaluate the explanation and determine whether the expense is reimbursable.

WWK reserves the right to refuse any expense reimbursement request that is inaccurate, does not include the appropriate substantiating documentation, is submitted late, or otherwise fails to fully comply with this policy, as determined by WWK in its sole discretion. Expense reimbursement forms may be subject to audit by WWK or by government agencies.

WWK will be responsible for maintenance of WWK vehicles. However, drivers of WWK vehicles must report maintenance issues to Administration as soon as they are identified.

WWK will not pay or reimburse the employee for traffic or safety offence fines or parking fines.

## **Operations & Safety**

Each driver is responsible for using their assigned WWK vehicles in a safe, lawful, and reasonable manner. Driver, passenger and public safety is paramount.

All employees must abide by the following rules:

- Only approved drivers may operate the WWK vehicle.
- Drivers must adhere to all traffic and safety laws, including speed limit and parking laws.
- Seat belts must be worn during vehicle operation.
- Use of any hand-held electronic devices (such as cell phones) or texting while driving is prohibited. If the driver must make a telephone call or send an email, pull the vehicle safely off the road and send communications while the vehicle is turned off and in a parked position.
- The driver must carry a valid driver's license while operating a WWK vehicle and ensure that a copy of the vehicle's insurance certificate is readily accessible.
- The driver must ensure that the WWK vehicle is roadworthy and maintained in accordance with the schedule specified in the vehicle's operation Manual. The driver must conduct a daily check of the WWK vehicle for roadworthiness in accordance with the vehicle's operation Manual, including proper tire inflation, clean windows, working brake lights, tail lights and windshield wipers.
  - If the vehicle seems to be unsafe, it must not be operated.
  - If a vehicle is in need of maintenance, the driver must bring this to the attention of WWK Administration as soon as possible.
- Drivers must immediately notify WWK Administration in the event of a WWK vehicle breakdown.

- The WWK vehicle must be kept clean and tidy. Drivers are expected to wash and clean the WWK vehicle as often as is necessary to maintain a professional image.
- Drivers are only permitted to transport authorized passengers. Authorized passengers include other employees, customers, vendors or a person engaged in business with WWK. All passengers are required to wear seatbelts while the vehicle is in operation.
- The driver and any passengers may not smoke tobacco, cannabis or any other substance inside the WWK vehicle.
- The driver must not operate the WWK vehicle while under the influence of alcohol or drugs or any other substance which may impair the driver's ability to operate the vehicle.
- WWK vehicles must be locked and parked in a safe parking area when not in use. The driver shall ensure that valuable property is not visible when the vehicle is parked or not in use. Personal losses generally will not be reimbursed.
- Lending a WWK vehicle is prohibited.
- Using the WWK vehicle for the driver's personal financial gain or the financial gain of a third party is prohibited.
- Drivers may not use a WWK vehicle to provide driving instruction to individuals that do not have a valid driver's license.
- Do not transport dangerous goods, flammable materials or weapons in the WWK vehicle, except as required by their job [example: fuel for a lawnmower].

### ***Accident Reporting***

In the event of an accident, stop the vehicle and if the damage is minor, move it to the side of the road. Switch hazard lights on. Stay with the WWK vehicle and notify emergency services and the police as applicable.

Make observations at the accident scene, including any names, addresses and phone numbers of all drivers, passengers, pedestrians, witnesses and police who attend the scene, the model, make, colour and registration number of any other vehicles involved, and the insurance information of any other drivers involved. Take photos of the scene if possible.

Drivers must immediately report to WWK Administration any:

- accident or a near miss with a WWK vehicle
- damage to a WWK vehicle.
- any injury caused by WWK vehicle
- theft of WWK vehicle

An Accident Report Form must be completed and sent to the WWK Administration within one day of the incident.

If the WWK vehicle is involved in an accident during unauthorized use of the vehicle and/or the driver is at fault, the driver will be held responsible for the cost of damages and/or payment of the insurance deductible in addition to any disciplinary sanction imposed.

Should a driver have a serious accident, an unacceptable number of incidents, including legal violations while driving a WWK vehicle, driving privileges may be withdrawn. WWK may require the driver to complete a safe driver training course before allowing the driver to further operate any WWK vehicle.

### ***Consequences of Failure to Comply***

Any violation of this Policy may be grounds for removal of driving privileges or disciplinary action, up to and including termination of employment.

## **4.14 Use of Personal Vehicles**

WWK will reimburse the driver of a personal vehicle for fuel costs, road tolls, parking or other expenses incurred when using the vehicle for business use. For any out-of-pocket expenses, drivers may request

reimbursement for covered WWK vehicle costs by completing an expense reimbursement form and submitting the completed form to the WWK Administration. Accounts Payable Voucher Form must be signed and verified by both the driver and the employee's supervisor. Drivers must submit Accounts Payable Voucher Form within 30 days of incurring the expense.

Accounts Payable Voucher Form must include original receipts or other substantiating documentation for each expense showing the:

- nature of the expense (i.e., for a fuel purchase, the receipt must show the amount of fuel purchased and the cost of fuel)
- amount paid
- date expense was incurred and paid
- vendor or provide name and location
- business purpose

If a receipt or other substantiating documentation is not available, the driver must submit a written explanation of why the documentation cannot be provided. WWK, in its sole discretion, will evaluate the explanation and determine whether the expense is reimbursable.

WWK reserves the right to refuse any expense reimbursement request that is inaccurate, does not include the appropriate substantiating documentation, is submitted late, or otherwise fails to fully comply with this Policy. Accounts Payable Voucher Form may be subject to audit by WWK or by government agencies.

WWK will not pay or reimburse the employee for traffic or safety offence fines or parking fines.

## 4.15 Confidentiality

Information concerning clients or the affairs of WWK is privileged and confidential. Employees shall not transmit any information regarding a client to another person without written authorization from the client. Release of information, when authorized, will be on a need-to-know basis. If there is any doubt about whether to release information, check with your supervisor or the CAO.

All communication between WWK and government or community agencies shall take place under the delegated authority of either an appropriate WWK representatives or the CAO.

All WWK employees will respect confidentiality of information received or gained as an agent of WWK.

### ***Requests for Financial and Operational Information***

The CAO is responsible for ensuring that all reports required by statute or government regulations are prepared and supplied to those agencies or individuals entitled to receive them.

Employees of WWK may not disclose any financial or operational information without approval from the CAO.

### ***Requests for Information about Employees***

Please refer to the **Protection of Employee Privacy Policy**.

### ***Information Security Procedures***

After hours of operation, all confidential information will be stored in locked cabinets in locked rooms, or by other secure means, accessible only by those with authorized entry.

Every employee must sign an Oath of Conduct and Confidentiality. An Oath of Conduct and Confidentiality form is included in the Appendices. A copy of the signed oath shall be kept in the employee's personnel file.

Intentional or unintentional violation of this policy may result in disciplinary action, which may include termination of employment.

## 4.16 Safety and Security

WWK is committed to providing a safe and secure environment for its employees. It shall therefore pursue any reasonable action to ensure safety and security, including the enforcement of all applicable health and safety regulations, prompt action to correct unsafe conditions, and safety education and training of employees.

- Employees should let Reception know of their whereabouts and of any visitors to the office.
- Loitering visitors will be asked to leave the Administration Office.
- The CAO shall ensure that all employees are informed about which employees are currently trained to administer first aid and the type of training those employees have received (e.g., emergency first aid, CPR, etc.).
- All WWK vehicles shall be equipped with an adequate first aid kit according to relevant Workers' Compensation Board requirements.
- A satellite radio will be available to WWK employees when travelling to remote areas of the territories is required.
- All employees of WWK are expected to contribute to maintaining an attractive and safe work environment.
- Employees are always expected to maintain their personal and general office areas in a safe, secure, organized, and professional manner.

### ***Administration Facilities Maintenance***

The CAO shall ensure proper maintenance of WWK Administrative facilities. These responsibilities include, among other things, contracting and supervising janitorial help, repairs, improvements, and general upkeep.

### ***Security***

The CAO shall contract security services to an external contractor. This security contract shall include the installation, maintenance, and monitoring of an intruder and fire alarm system, coded security entry pad, and call alarm system. The CAO shall review the security services contract annually and shall take all such measures as may be necessary to maintain adequate security.

WWK shall be responsible for the control of and access to its facilities, equipment, and supplies. Authorized employees and contractors shall have needed access only to WWK offices, buildings, cabinets and equipment.

Offices containing sensitive data, files, and paperwork must be locked when the responsible employee is not present.

Employees may be required, as a condition of their employment, to have continuous access to a vehicle and a valid driver's license.

## **4.17 Disciplinary Procedures**

In the event of an infraction that may require a disciplinary response, the Department Head/Entity Manager and/or CAO will exercise their judgement in deciding the appropriate course of action, guided by this Policy. All disciplinary action shall be recorded in the employee's personnel file.

Infractions include, but are not limited to:

- disclosure of confidential or personal information
- insubordination
- discrimination, harassment, bullying, or other violent or disrespectful behaviour
- dishonesty, including falsifying records and information on an application for employment
- neglect of duty or willful failure to perform job duties to an acceptable standard

- unauthorized absence, including excessive tardiness
- breach of WWK policy
- theft or abuse of property

Whenever possible, WWK will follow a progressive disciplinary approach addressing infractions. However, where infractions against workplace rules, whether written or unwritten, are of a minor nature, the Manager involved should initially consider taking a counselling approach to corrective action. Repeated violations and violations of a more serious nature will result in the application of discipline and may result in bypassing earlier steps in the progressive application of discipline.

This guideline does not negate, in any way, the right to dismiss an employee for just cause or the right of management to adapt the disciplinary process as reasonably necessary in the circumstances.

Every infraction will be examined and treated on its own merits. Unless the severity of the infraction warrants the bypass of some steps, progressive disciplinary measures include verbal and written reprimands, suspensions, and termination of employment. All discipline, including verbal reprimands, must be documented and placed in the employee's personnel file.

Employees have the right to appeal disciplinary action that is recorded in their personnel file. Such appeal will be made in writing to the CAO within five working days, stating the grounds of the appeal and the rationale behind the appeal. The employee must also appear in front of the CAO for that appeal to be heard.

### ***Complaint of Criminal Wrong-Doing***

Should a complaint be received that a WWK employee has participated in criminal misconduct on the job that could result in immediate suspension or dismissal, an incident report must be prepared immediately by the employee's immediate supervisor. This report should describe the date, time, and nature of misconduct that the employee is alleged to have participated in, including identifying witnesses to the misconduct.

Once the employee's immediate supervisor completes an incident report, the report is to be immediately reviewed by the CAO. Should the incident report indicate that the complaint appears to merit police intervention, the CAO will contact the RCMP and provide them with a copy of the incident report.

Written notice of suspension will be given to the employee alleged to have committed the offence. The written notice will explain that the complaint has been received and should specify the employee's alleged offence. The notice issued should also state that an RCMP investigation is being conducted into the alleged offence. The notice will also state that the suspension is not an admonishment of the employee's guilt or innocence and that the employee will either be reinstated, or appropriately disciplined, if so warranted.

## **4.18 Absenteeism Including Tardiness**

Absence is defined as the failure to report for work or to remain at work as scheduled. This includes late arrivals and early departures, absences mid-shift, and absences for an entire shift. Some WWK entities will have their own policies for dealing with absenteeism. This Policy will address Administration and all other entities.

Maintaining a productive work environment and effective services to our clients and community members requires everyone to attend work regularly and to be punctual. While absences should be avoided, there may be times when you must be late or absent from work.

- If for any reason an employee is unable to attend work, they must phone or text their immediate supervisor by their shift start time. The supervisor will notify the Payroll Administrator as to whether the lateness or absence is excused or unexcused and whether or not to pay for the time missed from work.
- If an employee will be late for a work-related meeting, they are to contact the relevant parties and let them know when to expect them.
- Employees are expected to be at their workstations, ready to start work at their scheduled start time.
- Failure to request advance approval for an absence or to report an absence in a timely way will result in the absence being recorded as unexcused and subject the employee to disciplinary measures.

- Employees with above average absenteeism as determined by the CAO may be required to document the reasons for their absences, including providing a doctor certificate, upon returning to work from an unexcused absence.

Management's response to unexcused absences will be based on the circumstances of the absence and the employee's work history. When the reasons for absence are not acceptable, they shall be dealt with on a progressive scale of discipline, or as otherwise directed by the CAO. The progressive scale of discipline includes verbal and written warnings, suspension, and termination of employment. All discipline must be included in the employee's personnel file.

If an employee fails to report to work and fails to notify their Supervisor of the reason for their absence for three consecutive work days, they may be considered to have abandoned their job and to have quit, as reasonably determined by WWK. If there are extenuating circumstances relating to their failure to report for work, they are to advise their Manager promptly.

## **4.19 Drugs and Alcohol**

WWK is committed to maintaining a safe, productive and respectful working environment. This includes ensuring that all employees are fit to carry out their jobs safely and effectively in an environment which is free from drug misuse. In this policy, the term "drugs" refers to legal, illegal and prescription drugs, including alcohol and cannabis.

This policy applies to employee use of any drugs that may have impairing effects or after-effects on an individual, whether that impairment relates to mood, cognition, physical coordination, or any other capacity required to work safely, productively and respectfully. Such substances include:

- Illicit drugs that have an impairing effect. Examples include cocaine, opiates (e.g. heroin), hallucinogens (e.g. magic mushrooms or LSD), methamphetamine, etc.
- Prescription drugs that have an impairing effect. Examples include oxycontin, ritalin, valium, prescription cannabis, etc.
- Drugs and substances that may be used or possessed legally, without prescription, but nonetheless have an impairing effect. Examples include alcohol, recreational cannabis, various over-the-counter medications, etc.

### ***Drug Use***

To maintain a safe, productive and respectful working environment, the following rules apply.

- Employees must be fit for work at all times, without becoming unfit due to drug use. Employees must not attend work or perform work while unfit due to drug use.
- If an employee is present at work while unfit due to drug use, the employee will be removed from the workplace immediately without completing the work day.
- Employees must not use drugs during work hours or during breaks.
- Employees must not possess any illicit drug, prescription drug without proper prescription, alcohol, or recreational cannabis while at the workplace or while engaged in WWK business.
- Employees must not sell or offer for sale any drug (except liquor store employees for the liquor store) while at the workplace or while engaged in WWK business.
- Employees must comply with impaired driving laws while operating a WWK vehicle or while driving a personal vehicle for WWK business.

### ***Accommodations and Substance Abuse***

WWK is committed to accommodating employee disabilities related to drug use. WWK will take all reasonable steps to assist employees in managing or recovering from such conditions.

Drug use may be related to an employee disability where:

- The employee is following medical direction in using a prescription or non-prescription drug to manage a disability.

- The employee has a dependence on drugs due to a substance use disorder or stemming from another disability.

Any information disclosed to WWK by an employee regarding drug use related to an underlying disability or substance use disorder will be confidential and will not be disclosed to anyone other than as necessary to accommodate the employee or meet a legal obligation.

Where an employee is unable to comply with the rules in this policy due to a drug dependence (whether stemming from a substance use disorder or other disability), he or she must take steps to prevent risks to himself or herself or to others, and to avoid disruption to the workplace. The employee must:

- Seek the help of a physician or substance use disorder specialist to obtain a medical diagnosis and support.
- Contact a manager or the CAO for assistance in managing their disability.
- Participate in treatment prescribed by a physician or substance use disorder specialist.
- Provide WWK with any medical information required to assess the employee's condition and fitness to return to work.
- Participate in WWK's reasonable efforts to accommodate the employee.

An employee requesting assistance in dealing with substance use disorder and rehabilitation will not be disciplined for disclosing their condition. WWK will make all reasonable efforts to accommodate the employee. However, to avoid a disciplinary response to violation of this policy, an employee's request for assistance must come before there is reasonable cause to determine the employee is in violation of this Policy.

As part of its accommodation of an employee with substance use disorder, WWK will consider a leave of absence to allow the employee to attend related medical appointments, counselling, and residential treatment. Leave of absence to attend treatment is described below.

### ***Prescription and Non-Prescriptions Drugs***

An employee may possess and use an impairing prescription or non-prescription drug at the workplace if:

- The employee is using the drug for its intended purpose and as directed by a physician or pharmacist.
- The employee has sought advice from a physician about the effect the medication may have on their fitness to work.
- The employee has:
  - notified their supervisor before starting work if the drug has the potential to render the employee unfit for work;
  - discussed with their supervisor the potential impacts on the workplace and accommodations that may be required; and
  - complied with agreed accommodations.

Use of drugs to manage an illness or disability that may result in an unsafe working condition or the inability of an employee to work efficiently or productively will result in the employee being removed from their regular job. The employee will be accommodated in alternate work up to the point of undue hardship.

WWK does not condone use of drugs that affect the workplace. Where an employee relies on drugs to manage a disability, the employee's substance use may be treated as an issue of drug dependence, and the employee must adhere to the steps set out above.

## **5. Leave from Duty**

### **5.1 Vacation**

New employees in their first year of employment will earn vacation entitlement based on their months of employment at the rate of .8333 days per month (two weeks per 12 months of employment).

If you are a full-time employee, you will receive paid vacation time as follows:

COMPLETED YEARS	DAYS PER YEAR
1 - 2	10
3 - 5	15
6 - 9	20
10 + years	30

Employees that have been granted more than 30 days of vacation per year prior to the effective date of this policy are grandfathered for their vacation entitlement and will not see their vacation time reduced.

Other employees are entitled to the following paid vacation time off or vacation pay (as applicable to the employee):

COMPLETED YEARS	DAYS / PAY
1 - 2	10 or 4% pay
3 - 5	15 or 6% pay
6 - 9	20 or 8% pay
10 + years (federally regulated employees only)	30 or 12% pay

Vacation time off can be requested after three months of employment, unless extraordinary circumstances apply.

An employee wanting to take vacation must fill out an absentee/leave form ideally two weeks in advance and submit it to the Department Manager for approval.

We will make every effort to accommodate your vacation requests, however the timing of your vacation is always subject to your Manager's approval. Employees' vacation will be approved at a time that is convenient to the employee and program area/department to minimize disruption in service to the department.

It is in everyone's best interests that you be well rested and able to work productively. Therefore, we encourage you to take your vacation time when you have earned it. Accrued vacation that is not taken in the year it is accrued must be taken within the first 10 months of the next "vacation year" for federally regulated employees, or within 12 months for provincially regulated employees. All employees must take their full vacation entitlement as prescribed by law or this Policy. Accrued annual leave shall not be paid in equivalent cash value to the employee other than upon termination of employment.

If a statutory holiday occurs during your vacation, it is not counted as a vacation day.

## 5.2 Statutory Holidays

The following thirteen days (plus any new federal or provincial statutory holidays) shall be recognized by WWK Administration as Statutory Holidays.

- New Year's Day
- Family Day
- Good Friday

- Easter Monday
- Victoria Day
- Aboriginal Day
- Canada Day
- BC Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

Christmas break will be determined annually by Chief and Council and senior management.

If any of the holidays above fall on either a Saturday or Sunday, the previous Friday or following Monday, as determined by management, shall be observed as a holiday.

Pay for Statutory holidays will be paid according to the British Columbia employment standards act or Canada Labour Code, as appropriate.

If a statutory holiday falls during your annual vacation, you will receive an extra day of vacation or another paid day off at a mutually agreeable time later in a year.

If you are on maternity or parental leave, your entitlement to statutory holidays is lost unless you were paid wages on fifteen of the last 30 days.

## 5.3 Sick Leave

Full-time employees are entitled to accrue paid sick leave at a rate of 1½ days per month, which is inclusive of any paid sick leave (or “personal leave”) entitlements employees may be entitled to under the *Canada Labour Code* or *BC Employment Standards Act*, as may be amended.

Sick leave is in addition to unpaid leaves provided for in either the *Canada Labour Code* or *BC Employment Standards Act*, as applicable to the employee.

Sick leave may be taken when an employee must be absent from work for:

- treating their illness or injury
- carrying out responsibilities related to the health or care of any of their family members
- carrying out responsibilities related to the education of any of their family members who are under 18 years of age
- addressing any urgent matter concerning themselves or their family members
- any other reason prescribed by law

Sick leave must only be taken for the reasons outlined above or as approved by the CAO in extraordinary circumstances. Sick leave may not be used for personal non-medical appointments, such as hair or salon appointments.

The leave under this policy is an employment and income protection, not a form of compensation. Unused leave days will not be paid out at the end of a year or when employment ends.

Up to five days of sick leave may be carried over from one calendar year to the next.

An employee cannot borrow against future sick leave credits. Employees will be required to take unpaid leave if they exhaust all paid leave entitlements.

Where an employee's absence exceeds three days (within a short time period), WWK may require an employee to provide documentation to support leave eligibility. The type of supporting documentation provided must reflect the reason that the leave is taken. For example, if the employee is taking the leave due to their own illness or that of a family member, WWK may request a medical certificate explaining the reason that the employee is unable to attend work.

Employees are required to schedule medical and other appointments at times that will not require an absence from work. Exceptions may be made for specialist and other appointments that are not available outside of working hours.

Please keep in contact with your Supervisor to advise of your progress and expected date of return.

Employees on long term sick leave should contact their Supervisor to determine what statutory leave, benefits continuation, and/or long-term disability benefits they may be entitled to.

## **5.4 Leave of Absence (Non-Statutory)**

Separate from employees' statutory leave entitlements, the CAO, with a recommendation from the Department Manager, may grant an employee leave without pay for a period not exceeding two weeks.

You are only eligible to apply for a leave of absence if you are a full-time employee and have completed your probationary period.

You may not take more than one non-statutory leave of absence in a three-year period.

We need to receive your application at least 60 days prior to the proposed absence unless there are extenuating circumstances.

Your application will be considered on an individual basis. Although we will attempt to accommodate your request, there may be times when we will be unable to allow you to take a leave.

We will consider the following factors in deciding whether or not to grant you a leave of absence:

- reason for leave
- length of leave
- availability of other options, such as vacation or personal days
- any previous leaves of absence you have taken
- availability of a suitable replacement(s)
- extent of your workload and the overall workload of WWK during planned absence
- time of year

This leave will not be provided for you to take alternate paid employment.

If you fail to return to work when your leave expires and you have not obtained approval to extend your leave, depending on the circumstances, we may consider you to have resigned from your employment.

## **5.5 Maternity Leave, Parental Leave and Adoption Leave**

An employee who is pregnant or nursing may request that WWK temporarily modify her job duties or reassign her to another job, where reasonably practicable, if continuing any of her current duties may pose a risk to her health or that of the fetus or child. A physician's certificate indicating how long the risk is likely to last, and what activities or conditions should be avoided, is required.

Pregnant employees can take up to 17 weeks of unpaid maternity leave. Provincially regulated employees are entitled to this any time, but federally regulated employees are only entitled to maternity leave after working for six months. You must provide written notice at least four weeks before beginning either maternity

or parental leave.

The 17-week maternity leave may be taken any time during the period that begins 13 weeks before the expected date of delivery and ends 17 weeks after the delivery date. Parental leave may be taken any time during the 78-week period starting the day the child is born or the day the adopted child comes into the employee's care.

An employee giving birth or an employee whose spouse is giving birth shall also be granted three days of paid leave on the days surrounding the birth of the child plus two additional days of paid leave if required for travel out of the area relating to the birth where such travel is certified necessary by the attending physician.

Additional unpaid parental leave is available for natural or adoptive parents. This is up to 63 weeks for federally regulated employees who have been working for six months, or up to 62 weeks for all provincially regulated employees. The combined maternity and parental leaves cannot exceed 78 weeks per employee.

If the child is hospitalized during the employee's maternity or parental leave, the employee can request to have the leave interrupted. While on parental leave, an employee may also interrupt the leave in order to take other statutory leaves.

In the case of an adoption, a full-time employee who has been employed for at least six months may be given one day of paid leave to facilitate proceedings. Two additional paid days of leave may be provided for travel where necessary, at the discretion of the CAO. A copy of the adoption document must be provided to WWK. Adoption leave should be applied for at least two weeks in advance.

Following the expiration of the maximum 78 weeks of maternity/parental leave plus one additional full week of continued absence, the employee may be deemed to have abandoned their position and their position shall be declared vacant unless some other leave is applied for by the employee and approved by, WWK, or other extraordinary circumstances apply.

## **5.6 Bereavement Leave**

Every employee is entitled to leave with pay in the event of a death in their immediate family. The bereaved employee is entitled to no more than five days paid leave. When you must travel a distance of 400 kilometers or more to attend the funeral, you are entitled to an additional two days of travel time with pay, if pre-approved by the CAO.

Immediate family includes:

- Spouse, which includes a same sex or common-law partner
- Your guardian, mother or father or stepmother or stepfather
- Your spouse's mother or father or stepmother or stepfather
- Your children or stepchildren
- Your grandchildren
- Your brother or sister, stepbrother, or stepsister
- Your grandmother or grandfather
- Any relative permanently residing in your household

You will not be paid extra for bereavement leave if it falls on a statutory holiday or other scheduled day off work. However, you can interrupt vacation to take bereavement leave.

Bereavement leave requests must be made to the employee's immediate supervisor. You are required to fill out the proper leave forms and have them approved by the supervisor.

### ***Other Bereavement Leave***

An employee who suffers the loss of a loved one other than an immediate family member may request time

off from their supervisor.

For absences due to the death of a relative, other than a member of your immediate family, you will be allowed a maximum of two days funeral leave with pay. Relatives are considered to be your cousins, aunts or uncles, foster parents and other in-laws

WWK may grant up to one day unpaid leave for staff members to attend other funerals. These will be determined on a case-by-case basis.

Extended leave may be granted without pay or vacation time may be utilized. Time off in other cases shall be taken without pay, with the approval of the Department Manager and/or CAO.

### ***Funerals in We Wai Kai***

If directed by Chief and Council, the Administration Office may be closed on the day of the service out of respect for the family.

## **5.7 Leave Related to Death and Disappearance**

In accordance with the *Canada Labour Code* and *BC Employment Standards Act*, an employee, whose child is under 18 years of age (or 19, for provincially regulated employees) and has disappeared or died as a result of a probable crime, is eligible to take up to 52 weeks of unpaid leave in the case of a missing child and up to 104 weeks of unpaid leave if the child has died.

An employee is not entitled to the leave of absence if the employee is charged with the crime or it is probable, considering the circumstances, that the child was a party to a crime.

If two or more children of an employee disappear or die as a result of the same event, the employee is eligible for only one leave of 52 or 104 weeks respectively. However, if two or more children of an employee disappear or die as a result of different events, the employee will be eligible for separate leaves with respect to each affected child.

An employee may interrupt the leave in order to take sick leave or work-related illness and injury leave.

## **5.8 Court Leave**

We recognize that there may be times when employees will be required to attend legal proceedings. This Policy provides guidelines on how we will handle absences for such proceedings.

Paid court leave may be granted to an employee regardless of seniority, where that employee is required to serve as a juror or attend as a witness in a legal proceeding or appear in court as an official delegate of, WWK.

Where an employee is required to appear in court on personal matters, either as a Plaintiff or Defendant, leave of absence shall be without pay.

We expect you to notify us as soon as you receive a subpoena or summons so appropriate arrangements can be made.

You will be required to provide proof of your absence, including a copy of the subpoena or summons, and produce such proof to your immediate supervisor.

We expect you to return to or come into work on any day in which your attendance in a legal proceeding is required for fewer than half of your regular working hours.

When an employee is called for jury duty, that employee will be provided statutory jury duty leave. During the period of jury service, upon receiving supporting documents from the employee relating to the amounts received for jury duty, WWK will pay the difference between the employee's normal earnings and the amount received for jury service.

## 5.9 Education Leave

Education and training leave may be granted to regular full-time and regular part-time employees for specified periods of time. Such leaves must be approved by the CAO in advance of course registration. WWK will not be responsible for costs incurred for courses not pre-approved. The education or training must be of value to the employee in their present position or prepare the employee for future advancement within WWK. Approval for education or training programs with more than one course or module may be split into multiple requests.

Requests for leave will be evaluated on:

- length of service of the employee
- employee's work and attendance record
- employee's level of success in previous training/education
- length of leave
- cost of the education or training
- degree of relevance of the education/training to the employee's current position or near-future potential advancement
- workload and availability of trained replacement staff at the time of the leave

Employees who take education or training leave as a requirement of their jobs will be granted paid leave. Leaves requested for training or education that are not requirements of employee's jobs will be granted without pay, if approved.

Course costs for required training will be paid in advance by WWK directly to the education or training provider. Course costs for training that is not required by employees' jobs will be the responsibility of the employees. Employees may be reimbursed for approved costs when they show proof of successful course and/or exam completion. This approval is at the discretion of the CAO.

Payment of expenses related to training will be determined by the CAO at the time of education leave approval.

## 5.10 Compassionate and Critical Illness Leave

In accordance with the *Canada Labour Code* and *BC Employment Standards Act*, for a serious family member illness, employees are entitled to up to 28 weeks (or 27 weeks for provincially regulated employees) of unpaid compassionate care leave to provide care and support to a gravely ill family member. A certificate is required from a qualified medical practitioner, stating that the family member has a serious medical condition with a significant risk of death within 26 weeks.

Federally regulated employees are entitled to up to 37 weeks of unpaid leave for a child under 18, or 17 weeks for an adult, to care for or support a critically ill family member. Provincially regulated employees are entitled to up to 36 weeks of unpaid leave for a child under 19, or 16 weeks for an adult, to care for or support a critically ill family member.

A certificate from a qualified medical practitioner is needed stating that the family member is critically ill and that they require care that the employee can provide, as well as the period for which care is needed.

An employee may interrupt the leave in order to take sick leave.

## 5.11 Voting Leave

All employees who are eligible to vote in Chief and Council/Elders Council, Provincial or Federal election, and whose name appears on the voter's list shall be eligible for voting leave.

An employee will be provided with sufficient time off to allow them three hours off work with pay to vote in a Federal election (or the minimum number of hours required under the applicable elections legislation).

An employee will be provided with sufficient time off to allow them four hours prior to polls closing to vote in a Provincial election (or the minimum number of hours required under the applicable elections legislation).

Should an employee be scheduled to work away from the election poll, through a prior commitment to WWK, that employee will be required to utilize his/her proxy vote provision.

## 5.12 Emergency Leave

Emergency leave with pay may be granted due to extreme natural disasters which prevent an employee from reporting to work. Such leave must be requested in writing to the CAO and approved by the CAO. Approval is on a case-by-case basis.

## 5.13 Personal Leave [*Federal*]-Family Responsibility Leave [*Provincial*]

As a federally regulated employee, you are entitled to up to five days of personal leave per calendar year to:

- treat an injury or illness
- take care of health obligations for any member of your family or care for them
- take care of obligations related to the education of any family member under age 18
- manage any urgent situation that concerns you or a family member
- attend your citizenship ceremony under the *Citizenship Act*, or
- manage any other situation prescribed by regulation

If you have three consecutive months of continuous employment, the first three days of leave are paid. If your salary varies from one day to another or you receive pay on a basis other than an hourly rate, you will receive the average of your daily earnings, exclusive of overtime hours, for the 20 days you have worked immediately before the first day of leave.

Each personal leave absence event, up to a full day away from work, is considered one day of personal leave. You must provide supporting documents if it is possible to obtain and provide them.

As a provincially regulated employee you are entitled to up to five days of unpaid leave during each employment year to meet responsibilities related to:

- care, health or education of a child in your care, or
- care or health of any other member of your immediate family

Each personal leave absence event, up to a full day away from work, is considered one day of personal leave. You must provide supporting documents if it is possible to obtain and provide them.

## 5.14 Leave to Attend Addiction Treatment

As described in the Drug and Alcohol Policy above, WWK will reasonably accommodate employees with drug or alcohol dependency. Accommodations will depend on the circumstances. However, employees may request leave to attend substance abuse/addiction treatment.

Requests for leave to attend treatment may be for “Leave with Pay” or “Leave without Pay”. The granting of such requests will be determined by what is reasonable in the circumstances.

Leave without Pay shall mean suspension of pay to the employee for the duration of the absence, but shall protect the employee’s position until his/her return from treatment.

Leave with Pay shall mean that the employee shall first use all their entitlement to vacation and sick days. After exhausting those days, the employee’s earnings will be reduced to (1/2) half pay for the remainder of the treatment period. The maximum allowable period of paid leave for treatment is six weeks. Upon approval, the employee may take a longer time away from work to continue to receive treatment, but this time will be unpaid.

## **5.15 Traditional Aboriginal and Cultural Practices Leave**

Every employee who has completed three consecutive months of continuous employment with an employer is entitled to and shall be granted a leave of absence from employment of up to five unpaid days in every calendar year, in order to enable the employee to engage in traditional Aboriginal and cultural practices, including:

- attending cultural ceremonies
- hunting, fishing, and harvesting
- attending their citizenship ceremony under the Citizenship Act
- any other practice prescribed by law.

An employee wanting to take Aboriginal and Cultural Practices Leave must fill out an absentee/leave form ideally two weeks in advance and submit it to department manager who will bring their recommendation to the Chief Administrative Officer for final approval.

While we will make every effort to accommodate your leave requests, the timing of your leave is subject to approval. When possible, employees are expected to schedule Aboriginal and Cultural Practices Leave at a time that is convenient to the employer and program area/department in such a manner so as to minimize disruption in service to the department.

“Fish Day”, as practiced by the Nation, will be included in the five days recognized by this Policy and will be a paid day.

## **5.16 Other Leave**

In addition to the leaves of absence outlined in this Manual, employees are entitled to the leaves provided in the *Canada Labour Code* or *BC Employment Standards Act*, as applicable to the employee and as amended from time to time.

# **6. Termination of Employment**

## **6.1 Termination**

Termination benefits are outlined in employees’ letters of offer or employment agreements. The following provides only a guideline on the minimum termination notice periods under the *Canada Labour Code* and *BC Employment Standards Act*.

We Wai Kai reserves the right to terminate any employee’s employment for cause without notice and with immediate effect.

For federally regulated employees, We Wai Kai may initiate involuntary separation for the following reasons:

- lack of work or discontinuance of a service
- abandonment - unreasonable absence from the job without notice to the CAO
- cause – employee misconduct

Federally regulated employees who are terminated for lack of work or discontinuance of a function are entitled to notice, pay in lieu of notice, or a combination of the two, as follows: two weeks after three months' service; three weeks after three years' service; plus, one week per additional year, up to a maximum of eight weeks.

WWK may dismiss federally regulated employees with less than 12 months' employment without cause by providing notice of termination or pay in lieu as described above.

Federally regulated employees of over 12 months are also entitled to severance pay calculated as the greater of two days' regular wages per year of work and five days' regular wages.

For provincially regulated employees, WWK may terminate without cause by providing notice, pay in lieu of notice, or a combination of the two, as follows: one week after three months' service; two weeks after one year; for three or more years' service, three weeks plus one week per additional year, up to eight weeks.

WWK aims to provide all employees, regardless of years of service, with at least one week of written notice when separation is due to lack of funds, lack of work, or termination of a program, unless the employee and WWK Administration agree otherwise in writing.

## 6.2 Resignation

If you wish to resign from your employment, we require at least two weeks' written notice. If you are in a management position, we require at least four weeks' written notice.

In order to resign, you must provide a letter of resignation. A copy of the resignation letter will be sent to the CAO. You may be requested to participate in an exit interview, so that we may obtain important feedback from you and so that you may ask any questions you may have about the finalization of your employment.

If you fail to provide adequate notice of your resignation, you will only receive any outstanding wages, vacation pay or overtime pay that accrued to the date that you resign.

We may, at our discretion, choose not to have you continue working during the notice period. If we choose not to continue your employment, we will pay you to the end of the notice period.

If you are absent from work without written notice of your absence, we will take steps to get in contact with you. If we are unable to contact you, depending on the circumstances, we may treat your absence as an abandonment or resignation of your position. Efforts to contact you should be well documented and witnessed by another employee.

## 6.3 We Wai Kai Property

Upon termination of your employment with WWK, regardless of the reasons or the party effecting it, you will immediately deliver to the WWK any and all property belonging to WWK, its affiliated entities or its clients. You also agree to immediately and permanently destroy any residual electronically stored property in your possession or control after returning electronic copies to WWK.

For the purposes of this Policy, property includes, without limitation, any information, passwords/user names/access codes, devices, keys, records, data, notes, reports, proposals, client lists, correspondence, materials, equipment or other documents or property, and any copies or reproductions thereof, in whatever form or media, which may have come into your possession or control, or been generated or developed by you during the course of your employment.

## 6.4 Severance Pay

Severance pay and notice of termination are not required if:

- employee has not completed three consecutive months of employment
- employee quits or retires
- employee is dismissed for just cause
- employee works on an on-call basis doing temporary assignments, which they can accept or reject
- employee is employed for a definite term and the term expires
- employment contract is frustrated

Just cause includes, but is not limited to:

- failing to abide by, or willfully disobeying, our employment policies
- failing to meet acceptable performance standards
- dishonesty, theft or misappropriation of WWK property
- intentional destruction, improper use or abuse of WWK property
- falsifying records
- assaulting or endangering others
- obscene conduct on WWK property or during work-related functions
- harassment of co-workers, supervisors, suppliers or clients of WWK.
- Insubordination
- intoxication or impairment in the workplace
- repeated, unwarranted lateness, absenteeism or failure to report for work
- other serious actions, inactions, behaviour or performance, or repeated less serious actions, inactions, behaviours or performance as determined by the CAO

# APPENDICES

# Acceptance of Policies of We Wai Kai Human Resources Manual



FROM: \_\_\_\_\_

DATE: \_\_\_\_\_

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This confirms that I have received and examined a copy of the WE WAI KAI'S HUMAN RESOURCES MANUAL revised to \_\_\_\_\_, and know where it resides for future reference.

I understand and accept the terms and conditions expressed in the HUMAN RESOURCES MANUAL and will respect and abide by the conditions, policies and conducts expressed therein. I understand that failure to abide by these policies can result in disciplinary action, up to and including termination.

I understand that if I have questions or concerns at any time about the HR Policies, I will consult my immediate supervisor, my supervisor's manager, or the Chief Administrative Officer for clarification.

Finally, I understand that the contents of this HUMAN RESOURCES MANUAL are simply policies and guidelines, not a contract or implied contract with employees. The contents of the HUMAN RESOURCES MANUAL may be changed at any time at the discretion of the Nation.

\_\_\_\_\_  
Employee name

\_\_\_\_\_  
Employee signature

***(A copy of this page is to be placed in the employee file)***

# Oath of Conduct and Confidentiality

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I, \_\_\_\_\_, do hereby declare and affirm that I will faithfully, to the best of my capabilities carry out my duties as an employee of the We Wai Kai Nation and its business and other entities.

I will not disclose any private or confidential information obtained in the course of my duties as an employee of the Nation.

Any confidential information that may be known to me by reason of any association with the We Wai Kai Nation, except such matters as I may be required to communicate in order to properly carry out my duties, or unless required by law, or unless duly authorized by a client or the Chief Administrative Officer shall be kept confidential.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Date

(A copy of this page is to be placed in the employee file)

# Recruitment and Selection Plan

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## Proposed Hiring Process

Tasks/Documents	Date Day/Month/Year	Completed
Position Required:		
Job Posting		
Screening Process		
Interview		
Contract		
New Employee Package Request		

Sample: Job Posting

**WeWaiKai Nation**  
690 Headstart Crescent  
Campbell River, BC  
V9H 1P9



Month xx, 20xx

**Posting  
Position Required**

We Wai Kai Nation is seeking description of Position

Required hours for Position  
Full Time: 35 hours per week  
Work Hours: 8 am to 4 pm  
Additional hours may be required, as needed.

Expected for Application  
If selected you will be required to provide a criminal record check.  
You must have your own transportation.

Experience required for Position  
Previous related experience is required. Being flexible and willingness to work evenings and nights are essential.  
Personal suitability will be our priority in hiring. Self - motivated individuals will do well in this position.  
Dependability and safety awareness are critical. COVID-19 Health & Safety Guidelines will be in place.

Contact Person for Application  
Please submit your resume to name@wewaikai.com

Deadline is Month xx, 20xx @ 4:00pm.

Only successful applicants will be contacted.

Name  
Title



**We Wai Kai Nation**  
690 Headstart Crescent  
Campbell River, BC  
V9H 1P9  
T 250 914 1890



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### Interview Questions

<b>Position</b>	
<b>Date</b>	
<b>Interviewer</b>	

**Interviewer:** \_\_\_\_\_

#### Introduction

**We Wai Kai Nations Background: ex: affiliated entities**

**Position Location**

**Position Duties**

**Explain Interview Process:**

**Who is interviewing and order of asking questions**

**Interviewer:** \_\_\_\_\_

#### Question 1:

Why did you leave your last place of employment? Tell me specifically about your previous work experience as a **Title of Position?**

# Sample: Contract

**We Wai Kai Nation**  
690 Headstart Crescent  
Campbell River, BC  
V9H 1P9  
T 250 914 1890



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**Month xx, 20xx (Date of Offer Letter)**

**Name of Successful Candidate** -Hand delivered-

Dear **Name**:

**RE: Offer of Employment**

Please accept this letter as an offer for employment as **full/part** time employment with the We Wai Kai Nation as the "**Position Title**".

Your hourly wage will be \$**xx**/hour. We will deduct statutory deductions from each paycheque.

The date of commencement will be on **Month xx, 20xx (First Day of expected Work)**. This position is **brief description of duties**.

**Expected work hours.** The We Wai Kai Nation may request to do additional hours outside of this schedule, please add these approved requests to your timesheet bi-weekly for Payroll Period.

Your Job Description is attached in the following page. Please sign this letter on the following page, indicating your acceptance of the position and job description.

Welcome aboard, and we look forward to working with you.

**Yours truly,**

**Hiring Manager**  
**Title**  
**We Wai Kai Nation**

c.c. Finance

## JOB DESCRIPTION

### POSITION TITLE

#### Description of Premises:

The location of the position is add location.

#### Daily Tasks:

- This position was created description of overall position.
- You will be given instructions related to position. You are required add any other stipulations to position.
- List of expected duties:
  - xxx
  - xxx
  - xxx
  - xxx
  - xxx

#### Term

The term for this contract for full/part time employment, commencement date is Month xx, 20xx (First Day of Expected Work)

I accept this position as outlined in this letter and Job Description

\_\_\_\_\_  
**Full Name Signature**

\_\_\_\_\_  
**Date**

## New Employee Package Request

---

**Position:** \_\_\_\_\_

**Hiring Manager:** \_\_\_\_\_

**Start Date:** \_\_\_\_\_

**Date Package:** \_\_\_\_\_

**Attached:**

<b>Documents</b>	<b>Attached</b>
<b>Job Posting</b>	
<b>Screening Process</b>	
<b>Contract</b>	
<b>Job Description</b>	

*Submit to Payroll Administrator along with any other hiring information needed*

## New Employee Package

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<b>Documents</b>	<b>Attached</b>
<b>TD1</b>	
<b>BCTD1</b>	
<b>Tax Exemption Form</b>	
<b>Covid 19-Safety Plan</b>	
<b>Timesheet/s</b>	
<b>Daily Health Check</b>	
<b>Direct Deposit- Payroll</b>	

