

Statement of Policy and Procedure	
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<i>Last approved by Council and BofD – March 2024</i>	- Added revised Pension/GIBP Policy – March 2024 - Added Respectful Workplace Policies – March 2024

Glooscap First Nation & Glooscap Ventures and Entities (excluding Seafood and Fisheries) Human Resources Policy

This HR Policy document covers policies for office based employees and retail based employees. Information is divided into 'For Office based employees' and 'For Retail based employees' where appropriate. Within 'For Retail based employees' there may also be further groupings where needed, for example Sweetgrass Convenience operate a 24 hour, 365 days a year business and that will impact some HR policies.

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- O. Glooscap First Nation HR Record Checklist
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- S. Glooscap First Nation Terms of Reference for the Occupational Health and Safety Committee
- T. Glooscap First Nation Suspected Abuse Reporting Flow Chart
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1. Definitions:

“Anniversary Date”	means the annual day from the first day of the fiscal year as addressed in the Letter of Offer, April 1
“Band”	means the Glooscap First Nation.
“Band Council”	means the elected Council of Glooscap First Nation.
“CEO”	means the Chief Executive Officer of Glooscap Ventures who reports to the Ventures Board of Directors.
“DOA”	means the Director of Administration who is responsible for leading the day to day administration and management of Glooscap First Nation and who reports directly to Council. The Senior Manager, as defined in the Glooscap First Nation Financial Administration Law is the same as the Director of Administration.
“Discrimination”	means an action or a decision that treats a person or a group negatively for reasons such as race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction of an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.
“Drugs”	includes illicit drugs and narcotics, recreational and medical cannabis, and prescription drugs or painkillers (including over the counter medications) not used as directed.
“Duty to Accommodate”	The duty to accommodate requires employers to identify and eliminate rules that have a discriminatory impact, to the point of undue hardship. Accommodation means changing the rule or practice to incorporate alternative arrangements that eliminate the discriminatory barriers.
“Employee”	means a person who works for Glooscap in one of the following categories:

Full-time Employee: a person employed for an indefinite duration working 30 hours or 37.5 hours per week in an office location or over 30 hours a week in a retail location.

Part-time Employee: a person employed for an indefinite duration who is regularly scheduled to work less than 30 hours per week at any Glooscap location.

Term Employee: a person employed on a Fixed Term contract for a defined duration with a specific start and end date.

Casual/On-Call Employee: a person employed to work on an 'as needed' basis with no specific hours of work defined.

"Employee Evaluation Form"

is the documented form and associated resources adopted by Glooscap for the purposes of measuring the performance of employees.

"FAL"

means the Glooscap First Nation Financial Administration Law

"Fiscal Year"

means the period commencing April 1 and finishing March 31.

"Glooscap"

refers to Glooscap First Nation, Glooscap Ventures and its entities including office based and retail based employees excluding Seafood and Fisheries.

"Harassment"

means any action, conduct, or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment pursuant to the *Canada Labour Code*.

"Hiring Officer"

is the manager who is assigned responsibility for recruitment and selection of an individual to fill an approved vacant position,

"HR Records"

are records that contain information which is directly related to an individual's hiring, job duties, compensation, performance, and general employment history. Below are examples of documents which would be considered HR Records:

- Attendance and absence Records
- Automatic bank deposit form
- Offer and/ or confirmation of employment letters
- Disability insurance adjustment forms
- Disciplinary memos issued to employee
- Job application and any Appendices

- Job descriptions
- Layoff notice issued to employee
- Performance evaluations issued to employee
- Resignation letter
- Termination notice issued to employee
- Time sheets
- Training plans
- Signed code of conduct statement
- Benefit coverage information

“Immediate Supervisor”

is an employee who has designated responsibility for managing and overseeing the work and development of other employees.

“Job Description”

means a written outline of the essential duties and functions as well as performance measures expected of an employee and against which the employee will be evaluated.

“Letter of Offer”

means the letter provided to a prospective employee offering employment with Glooscap and setting out the position title, salary/hourly wage, and identifying the employee’s supervisor. Upon acceptance of the position, the Letter of Offer serves as the employee’s employment contract.

“Misconduct or Wrongdoing”

includes any breach of Glooscap First Nation’s Financial Administration Law and its conflict of interest provisions, Council policies or procedures made under the Financial Administration Law and includes, but is not limited to the following:

- Questionable accounting practices and inadequate internal accounting controls;
- Misleading or coercion of auditors;
- Preparation of fraudulent or misleading financial information;
- Fraud – intentional deception for personal gain;
- Material misrepresentation in disclosures made by or on behalf of Glooscap First Nation;
- Theft – theft of First Nation physical or intellectual property;
- Misappropriation of funds – use of Glooscap First Nation’s funds for personal gain or unauthorized uses;
- Unethical behaviour including breach of conflict of interest or code of conduct policies;
- Illegal activities;
- Gross mismanagement – A deliberate act or an omission demonstrating wilful disregard for the efficient and effective management of Glooscap First Nation’s resources;

- An expenditure, liability or other transaction of Glooscap First Nation that is not authorized by or under the Financial Administration Law.

"Office based employees"

means the employees who work at Glooscap Band Office, Health Centre, Ventures Project Management office

"Officer"

means the Senior Manager or any other employee of Glooscap designated by the FAL and Council as an Officer.

"Overtime"

means time worked over and above an Employee's regularly scheduled hours of work and exceeding 40 hours in one work week, or 8 hours in one day.

"Performance Improvement Plan"

is a plan developed by HR and an employee's Supervisor, to address the areas for improvement/development identified.

"Retail based employees"

means the employees who work at Sweetgrass Convenience, the Gaming Centre and the Corner Store and GRECO

"Senior Management"

Those who have supervisory duties, and a higher level of responsibility than other employees (budgetary oversight, managing employees etc.) or a combination of the two.

"Sexual harassment"

Offensive or humiliating behaviour that is related to a person's sex; behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment; or behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities.

"Spouses"

means married or common-law partners.

2. Organizational Chart

A. Policy

It is Council's policy to establish an organizational structure that specifies the hierarchy and reporting relationship between various functions and levels of Glooscap First Nation to facilitate effective management of the governance, administrative and financial management systems.

B. Purpose

The purpose of this policy is to depict the prevalent hierarchy of Glooscap First Nation departments and their various working relationships between one another.

C. Scope

This policy and procedure applies to Council and all persons having a role and responsibilities in the organizational structure of Glooscap First Nation.

D. Responsibilities

(1) Council is responsible for:

- a. Authorizing the creation and update of the organization chart;
- b. Approving the organization chart with a recorded vote in the Council minutes;
- c. Ensuring that adequate delegated resources are available to implement and maintain the organizational structure;
- d. Ensuring that the organizational chart accurately depicts Glooscap First Nation's governance, administrative and financial management systems, and identifies the specific roles and responsibilities assigned to each level of governance and administration and to each participant in the systems including committees.

(2) The Director of Administration is responsible for:

- a. Ensuring that the organizational chart is prepared, recommended to Council for approval, and kept current;
- b. Ensuring that the roles and responsibilities and reporting relationships are effectively communicated to all those affected by the organizational chart and as required by the Financial Administration Law.

E. Procedures

- (1) The Director of Administration, or a designate, as authorized and instructed by Council, will prepare an organizational chart that accurately depicts Glooscap First Nation's governance,

administrative and financial management systems, and identifies the specific roles and responsibilities assigned to each level of governance and administration and to each participant in the systems including committees and submit to Council for approval.

- (2) The Director of Administration will ensure that the chart includes definitions of the persons or classes of persons who are affected by the organization chart. The Director of Administration will ensure each role identified in the organizational chart is clearly defined as evidenced by a job description in accordance with applicable human resource policies or other such policy that requires job descriptions to be prepared and approved.
- (3) The Director of Administration is responsible for centrally filing the organizational chart so that it can be located and retrieved as soon as practicable by all persons affected by it and will disseminate the approved organizational chart to all those affected and/or make it readily available by other means normally used by Glooscap First Nation.
- (4) The Director of Administration, on request, will provide a copy of the chart to a group of listed people.
- (5) Annually, on or before the beginning of a new fiscal year (April 1 – March 31) the Director of Administration will update, as necessary, the organizational chart for changes in personnel and will submit recommendations, as necessary, to Council for approval, to revise roles, responsibilities, or reporting relationships.

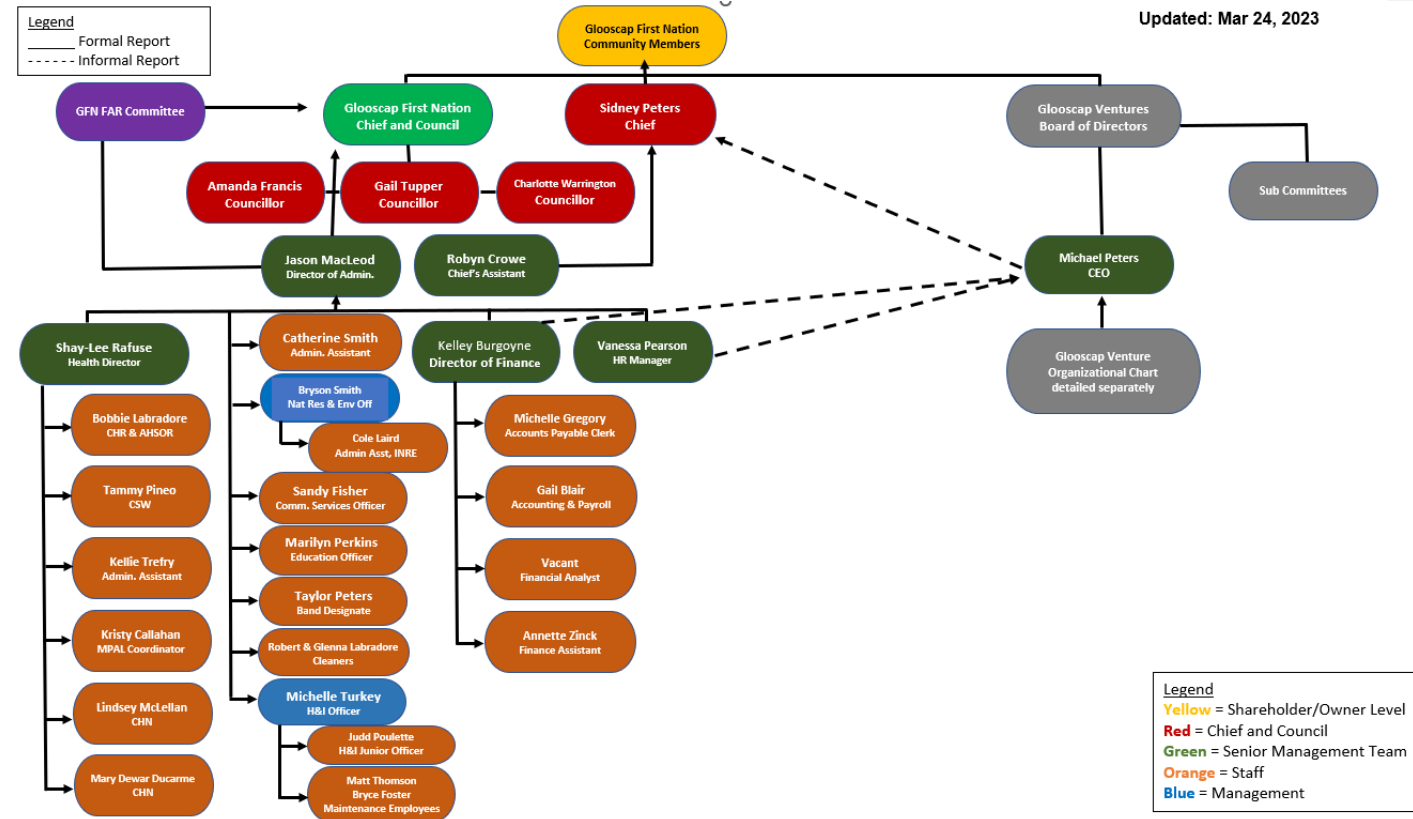
F. References and Related Authorities

- (1) FMB's Financial Management System Standards
 - a. Standard 12.5 - Organization Chart
- (2) FMB's Financial Administration Law Standards
 - a. Standard 11.4.1 - Approved functions
 - b. Standard 11.4.2 - Organization Chart
 - c. Standard 11.4.3 - Chart Access

G. Appendices

- (1) Appendix A – Glooscap First Nation Organizational Chart
- (2) Appendix B – Glooscap First Nation Employee Roles Narrative

Appendix A – Glooscap First Nation Organizational Chart



Appendix B – Glooscap First Nation Employee Roles Narrative

GLOOSCAP
First Nation

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Glooscap First Nation Organizational Chart

Council, Committees, Staff Roles

Title	Role	Reports Directly To...
Glooscap First Nation Members	The members of Glooscap First Nation will hold the Chief and Council responsible by attending public meetings and expressing their concerns publicly. They may also approach Chief and Council to express concerns privately knowing that those concerns will be shared among the Council but at the same time respecting the privacy of the individual where possible and in accordance with the policies established and approved by the Council. The membership also has the opportunity to hold the Chief and Council accountable by using their right to vote in accordance with the Glooscap First Nation Band Regulations	No direct reporting relationship
Chief and Council	To support and defend the laws and policies of Glooscap First Nation. To faithfully, honestly and consistently perform the duties of office to the best of their judgement and ability, remembering that the primary duty is to serve the Glooscap First Nation. To promote the integrity and dignity of the Glooscap First Nation and its programs and employees. To be accountable to the Glooscap First Nation membership including reporting to the electorate on a regular basis. To discharge the duties and responsibilities in a manner becoming of the position and the trust placed in the Council.	Glooscap First Nation Membership
Glooscap First Nation Finance, Audit and Risk Committee	The Finance, Audit and Risk (FAR) Committee of Glooscap First Nation has been established by the Council of Glooscap First Nation to provide advice and recommendations on internal controls, financial planning, internal and external audit requirements, financial statement and public accountability reporting in accordance with the Glooscap First Nation (GFN) Financial Administration Law enacted April 2017.	Glooscap First Nation Chief and Council

Title	Role	Reports Directly To...
Executive Assistant to the Chief	The Executive Assistant to the Chief works to support the work of the Chief both in the community and for his broader role as a First Nation representative, locally, provincially and nationally.	Chief
Director of Administration	The Director of Administration is responsible for the overall administration of Glooscap First Nation (GFN) under the direction of the Chief and Council. The Director of Administration will oversee the day-to-day operations and management of GFN and is accountable for the effective and efficient operation and organizational stability of GFN.	Chief and Council, Glooscap First Nation Finance, Audit and Risk Committee
Health Director	The Health Director oversees the health staff and health programs to ensure that the daily operations are met. Attend meetings, workshops and educational sessions to ensure that all current up to date information is brought back to the Chief and Council, health staff and community members.	Director of Administration
Housing and Infrastructure Officer	The Maintenance and Housing Officer is tasked with coordinating work in the community as well as maintaining the housing files for Glooscap First Nation by working with Canada Mortgage and Housing Commission (CMHC) and other organizations to acquire grants and funding for new homes and repairs.	Director of Administration
Education Officer	The Education Officer (SDEO) is responsible for providing / locating programs and services designed to assist students in the community who are struggling with academics as well as to assist in the preparation of students for post-secondary education. The Education Officer will ensure complete compliance with the agreement between Glooscap First Nation and Mi'kmaw Kina'matnewey.	Director of Administration
Community Services Officer	To work with Glooscap First Nation on the development and implementation of an integrated social assistance, employment training and membership programs. The goal is to develop a comprehensive and integrated system of programs designed to increase Glooscap First Nation member employment and reduce dependence on federal programs and services. This service will become the one-stop window for members wanting to realize their self-reliance and employment goals.	Director of Administration
Natural Resource and Environment Officer	The Natural Resource and Environment Officer is responsible for the overall management and administration of the Food, Social and Ceremonial Fisheries to the benefit of all members of Glooscap First Nation. The NREO is also responsible for understanding, keeping updated and reporting back to Council and the community on issues such as hunting, species at risk and environmental issues affecting Glooscap First Nation and/or Aboriginal rights.	Director of Administration
Director of Finance	To work with the senior staff of Glooscap Ventures and Glooscap First Nation to ensure sound financial management of all assets and compliance with all relevant legislation.	Director of Administration

Title	Role	Reports Directly To...
Accounting Analyst	The Accounting Analyst is responsible to assist the Director of Finance in monitoring and reporting on the financial affairs of Glooscap First Nation and Glooscap Ventures.	Director of Finance
Accounts Payable Clerk	The Accounts Payable Clerk reports directly to the Director of Finance and is the person who is responsible for managing the accounts payable function of Glooscap First Nation and Glooscap Ventures. The Accounts Payable Clerk is responsible for the overall monitoring and reporting on accounts payable.	Director of Finance
Accounting Clerk	The Accounting Clerk reports directly to the Director of Finance and is the person who is responsible to assist in managing the day-to-day finance and accounting requirements for all companies under Glooscap First Nation and Glooscap Ventures.	Director of Finance
Accounting Assistant	Support the finance staff in administrative functions including but not limited to printing checks, reconciling visa statements and filing	Director of Finance
Community Complex Events Coordinator	Work with Glooscap First Nation and all outside agencies to coordinate and book meetings and event spaces within the community buildings. The position is for an enthusiastic event planner to produce events from conception through to completion while providing outstanding customer service and events that meet quality expectations.	Director of Administration
Administrative Assistant	The Administrative Assistant is responsible for ensuring that the office runs in an efficient and effective manner by managing the day to day operations.	Director of Administration
Maintenance Person	The objective of the Maintenance Person is to work with the Housing and Maintenance Officer and the Director of Administration on ensuring that maintenance work in the community is completed in a safe and consistent manner, in compliance with regulations set out by funders and the duties listed below.	Housing and Infrastructure Officer
Seasonal Plow Drivers	Responsible for the plowing of Band offices, roads and home from November – April	Housing and Infrastructure Officer
Band Janitorial Staff	Cleaning of Glooscap Band Office, Glooscap Health Centre and Community Complex. Please note the shifts will be scheduled around booked events at the venues when required.	Director of Administration
Health Administrative Assistant	The Health Centre Receptionist is a member of the health team and the first point of contact for those entering the Health Centre. The Receptionist is responsible for ensuring the office runs in an efficient and effective manner by managing the day to day operations.	Health Director

Title	Role	Reports Directly To...
Community Health Nurse	The Community Health Nurse (CHN) is responsible for a wide range of community health services to the members of Glooscap First Nation. The focus is on education, health promotion and protection, and illness and injury prevention. This holistic and comprehensive approach to working with the community supports achievement of the optimum health, well-being and independence of all community members.	Health Director
Mi'kmaq Physical Activity Liaison (MPAL)	To work with Glooscap First Nation on the development and implementation of a Comprehensive Physical Activity Strategy. The Strategy will encompass specific activities to be undertaken by the Glooscap First Nation administration and its partners to improve the overall level of physical activity of the residents of both communities. The Physical Activity Strategy Coordinator will be under the direct supervision of the Glooscap First Nation Health Director.	Health Director
Community Support Worker	Under the supervision of the Health Director; the Community Support Worker works diligently, independently, and conjointly with the health staff team to improve, promote, and provide current healthcare, support, and educational services to all community members. Programming and services are implemented and addressed through educational sessions, workshops, groups, counseling, and referrals. The Community Support Worker engages with community members in various settings to make contact with alienated and 'at risk' individuals who otherwise reject formal settings or activities.	Health Director
Assisted Living Workers	The Assistant Living Support Worker is an individual who assist clients by providing personal care and support service while promoting healthy and independent living in the client's home. Most assistance is given on a one-to-one basis, which helps make this career extremely rewarding for people who enjoy helping others. They will assist the client by providing meals, personal care and household management.	Health Director

3. Hiring – Revised March 2023

A. Policy

It is Council's policy to recruit the best-qualified candidate with the skills, experience, qualifications and competencies required for the position being filled. Where all other things are equal, preference will be given to Indigenous candidates.

B. Purpose

The purpose of this policy is to set out the procedures that provide for fair, transparent and impartial hiring practices that ensure employees have the skills, experience, qualifications and competencies necessary to perform their role and allow Glooscap to meet its objectives.

Glooscap provides equal opportunities for everyone regardless of age, sex, gender identity, colour, race, creed, sexual orientation, national origin, religious persuasion, marital status, political beliefs, or disability.

The intention of the Glooscap hiring process is to recruit the best-qualified and/or experienced candidate. When two or more candidates are deemed to be equal in terms of "best qualified and/or experienced," then preference will be given to the candidate who is Indigenous.

C. Scope

This policy applies to the hiring of employees across Glooscap with the exception of Seafood employees and Fisheries employees.

D. Responsibilities

- (1) Council is responsible for hiring the DOA
- (2) The Ventures Board of Directors is responsible for hiring the CEO.
- (3) All other hiring of positions will be managed by the DOA and the CEO or officers designated by them in consultation with HR.

E. Procedures

- (1) Position Authorization
 - a. All new positions must be identified by the DOA or the CEO and approved by Council or the Ventures Board of Directors.
 - b. Existing positions, other than Officers, will be authorized to be filled by the DOA or the CEO.
 - c. All new positions must receive budgetary authorization and posting authorization by the DOA or CEO before the position can be posted.

(2) Job Descriptions

- a. The Hiring Officer will review and update the job description for the position being recruited to ensure it accurately describes the duties, functions and responsibilities of the position, and it accurately identifies the skills, experience, qualifications and competencies necessary to fulfill the position. Job descriptions will include:
 - i. Position title;
 - ii. Accountability or reporting structure, line of authority;
 - iii. Responsibilities: nature and scope of work, including duties;
 - iv. Experience, abilities, knowledge and skills required; and
 - v. Qualifications: education, training, licenses, certificates required.

(3) Job Posting Procedures

- a. In order to post an existing vacant position and proceed with the hiring process, a Hiring Officer must forward the position profile and job description to HR.
- b. The Hiring Officer and HR will develop a Plan, which identifies:
 - i. The proposed recruitment process and schedule;
 - ii. The scope of search;
 - iii. The selection criteria and ranking methodology;
 - iv. The proposed starting compensation range for the position; and
 - v. Any resources necessary to execute the Recruitment and Selection plan.
- c. Jobs will be posted for a minimum period of two weeks on Glooscap Websites, Facebook pages and Instagram site.
- d. External recruitment advertising may be undertaken concurrent with the posting period at the discretion of HR.

(4) Interview Procedures

- a. HR and the Hiring Officer has responsibility for determining the interview process.
- b. HR and the Hiring Officer will maintain a record of the selection and evaluation process.
- c. Initial screening will occur to assess each applicant's ability to meet the minimum stated standards. Applications of qualified candidates received for a posting will be forwarded to the Hiring Officer to further screen the applications to select individuals to be interviewed for the position. The interview process will be consistent for all applicants.
- d. Once an applicant is determined to be the recommended candidate, HR and the Hiring Officer will conduct and document reference checks, as well as any other check required.
- e. The Hiring Officer will then prepare a Selection Summary Report including:

- i. A list of applicants who were interviewed;
 - ii. The name of the selected candidate and rationale;
 - iii. A summary of reference and any other checks, with any inconsistencies or issues noted and discussed; and
 - iv. The proposed starting date and compensation.
- f. The Director of Administration or the Chief Executive Officer (or Council for the Director of Administration and/or Ventures Board of Directors for the Chief Executive Officer position) will review the Selection Summary Report and approve the proposed candidate for hire.
- g. Any individual who is in a Conflict of Interest (as defined in the Glooscap First Nation Conflict of Interest Disclosure Form) must self-identify and be replaced on the Interview Committee. Please see Governance Policy Section 4 Code of Conduct.

(5) Hiring

- a. HR will prepare a Letter of Offer for the successful candidate. All offers are subject to receipt of a minimum of two acceptable references and a criminal record check combined with a Vulnerable Sector check. For some positions an additional Child Abuse Registry check will be required. The Letter of Offer will include main terms of employment such as:
- i. Offer is subject to references/criminal check/vulnerable sector check
 - ii. Position title;
 - iii. The hours of work;
 - iv. Salary;
 - v. Starting date;
 - vi. The probation period;
 - vii. The benefits package;
 - viii. Any conditions (e.g. confidentiality agreement); and
 - ix. The termination clause (with cause, without cause and resignation)
 - x. Agreement to read, understand and abide by the policies of Glooscap First Nation.
- b. The Letter of Offer will be signed by the Director of Administration or the Chief Executive Officer or for Retail employees, the Business Operations Manager. Two copies of the offer of employment shall be forwarded to the prospective employee. The prospective employee shall be requested to sign and return one copy as an indication of acceptance of the terms of employment.
- c. Upon receipt of the signed Letter of Offer, HR will ensure an employee personnel file is created and will enter the new employee into the payroll system. The request will include the rate of pay and other forms of compensation.
- d. Contracts to independent contractors will only be used to complete special projects and or to deliver specific/specialized professional services. Contractors are not employees and contract

positions must be filled through proper established Glooscap purchasing procedures. See Financial Administration Policy for more details on purchasing procedures.

References and Related Authorities

- (1) FMB's Financial Management System Standards
 - a. Standard 12.6.5 - Hiring Policies
- (1) FMB's Financial Administration Law Standards
 - a. Standard 11.4.4 - HR Policies / Practices
 - b. Standard 11.4.5 - Personnel Competence

F. Appendices

- (1) Appendix C– Glooscap First Nation Template for Job Advertisement
- (2) Appendix D – Glooscap First Nation Template for Job Description
- (3) Appendix E – Glooscap First Nation Template for Interview Process
- (4) Appendix F – Glooscap First Nation Template for Reference Checks
- (5) Appendix G – Glooscap First Nation Template for Letter of Offer

Appendix C– Glooscap First Nation Template for Job Advertisement

GLOOSCAP
First Nation

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Job Posting
Glooscap First Nation – {Title of Position}

Application Deadline:

Term:

Purpose of Position:

Job Description and Details:

▪

Qualifications:

▪

Responsibilities:

▪

Applications:

Please submit a covering letter and resume to the attention of {Insert Name and Title}

Application can be sent by mail, FAX, email or dropped off at the Band Office: Glooscap First Nation, 159 Smith Road, Hantsport, NS B0P 1P0. Fax: 902-684-9890 Email:

Deadline:

If all qualifications are equal, preference will be given to persons of Aboriginal ancestry. While we appreciate the interest of all applicants, only those applicants selected for an interview will be contacted.

Appendix D – Glooscap First Nation Template for Job Description

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{Insert Job Title Here}

Position

Employee Name

Salary

Dates of Employment

Supervisor

Position Objective

Essential Duties and Functions

1.

Performance Measurements

1.

We the undersigned agree that the work laid out in the above Job Description is accurate and complete. Any changes to the Job Description will need the approval of Chief and Council with notice to the employee and plans for any necessary training to ensure skills and abilities associated with new essential functions and duties.

Employee Signature

Date

Supervisor Signature

Date

Appendix E – Glooscap First Nation Template for Interview Process

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Interview Process Checklist

This checklist is designed to assist when there is a new position to be developed or an existing position to be filled.

Action	Description	Responsibility	Completed?
Budget Review	Review the budget to ensure there is funding available to support the position (salary, MERCS, travel, professional development etc.	Director of Administration and the Senior Finance Officer	
Approval of Council	Once budget review is completed, Council must approve the position	Director of Administration, Chief and Council	
Development of Job Advertisement	The job advertisement must be completed (see template) and sent to the Director of Administration for approval	Senior staff who will be supervising the position once hired.	
Approval and Distribution	Director of Administration approves the job advertisement and makes the decision about where the job will be posted. Job is posted publicly.	Director of Administration	
Screening Applications	Senior staff and Director of Administration will screen the applications, eliminating those what are not qualified for the position.	Director of Administration with the member of Senior Staff	
Setting up the Interview	Interview date is set, interview committee established, interviews contacted and confirm interview time.	Director of Administration or Delegate	
Developing Interview Question	Senior Staff member who will be supervising the employee once hired develops the interview questions (see template) and sends to Director of Administration for approval.	Senior staff member and Director of Administration	

Action	Description	Responsibility	Completed?
Interview Packages Developed	Interview packages are developed for the members of the interview committee. These packages include: original job advertisement, cover letter resume, interview questions scoring sheet, any other items such as writing exercise	Senior staff or Director of Administration	
Interviews	Interviews take place. Scoring is completed and an average is developed. Any individual scoring under 70% is immediately disqualified. Personal suitability can be considered a factor but not the only factor. Scores take precedence	Senior Staff or Director of Administration prepare the Interview Committee. Interview Committee completes the interviews	
Recommendation	Interview Committee drafts a formal email recommendation to the Director of Administration	Interview Committee	
Reference Checks	Senior Staff or Director of Administration seek minimum two reference checks (see template)	Senior Staff or Director of Administration	
Offer of Employment	Call is made to the successful candidate to offer them the position. Emails are sent to the unsuccessful candidates.	Director of Administration	
Letter of Offer is Drafted	Letter of Offer is drafted (see template) and sent to the candidate. Negotiation for senior level positions may be necessary. If the candidate accepts, process completed. Next steps, send policies, procedures, job description etc.	Director of Administration	
Documentation	All documentation from the interview process must be scanned into a file and saved for a minimum of two years after end of employment.	Director of Administration	

Signature Once Completed and Included with the Scanned Documentation

Director of Administration

Date



Interview for {Insert Position Title Here}
{Insert Date Here}

Candidate Name: {Insert Candidate Name Here}

Interview Date: {Insert Date Here}

Question	Score	Comments
1. Please tell us a little about yourself (Question designed to relax them)	No score	
2.	/10	
3.	/10	
4.	/10	
5.	/10	

6.	/10	
7.	/10	
8.	/10	
9.	/10	
10.	/10	
11. What is your salary expectation? Do you have a valid driver's license?		
TOTAL POINTS	/100	Final Comments/Overall Impression

Name of Interviewer

Signature of Interviewer

Date

Appendix F – Glooscap First Nation Template for Reference Checks

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Reference Check

{Insert Name of Candidate}

{Insert Date}

{Insert Position Applying for}

Reference: {Insert Referee Name}

1. In your experience is {Insert Name of candidate} a team player? Does he/she work well in a team?
2. Have you ever had any difficulties with his/her work?
3. Is she/he able to prioritize her/his work effectively?
4. How is he/she with dealing with difficult people?
5. Can you tell me about his/her abilities in relation to the position of {Insert Position Here}?
6. Is there anything else you would like to tell me about her/his work? i.e. Work ethic? Absenteeism? Any positive attributes you witnessed?
7. {Opportunity to ask questions specific to the position}

4. Compensation, Benefits and Time off work – Revised March 2023

A. Policy

It is Council's policy to outline the compensation, benefits and time off work provisions available for the employees of Glooscap.

B. Purpose

The purpose of this policy is to outline the compensation, benefits, and time off work provisions to ensure employees understand their entitlements, rights and obligations as well as ensure accountability and equity for all employees.

C. Scope

This policy is divided into sections that apply to Glooscap's Office based employees and Retail based employees. Seafood and Fisheries employees are not included in this HR Policy.

D. Responsibilities

- (1) The Council and Ventures Board or Directors is responsible for reviewing and approving the policy for compensation, benefits and time off work entitlements.
- (2) The Director of Administration or Chief Executive Officer is responsible for administering or delegating the administration of this policy.
- (3) HR is responsible for ensuring all employees are aware of this policy and that the policy is administered in a consistent manner.

E. Procedures

(1) Hours of Work

- a. Office based employees work either 30 hours per week (4 days), 37.5 hours per week (5 days) or a lesser number of hours for those that work part-time, depending on their department/function. The core daily start and finish times are 8:30am-4:00pm each day with a one-hour paid lunch break.
- b. Retail based full-time and part-time employees work shifts agreed with their Manager/Supervisor each week to ensure the efficient operation of the business they work for. Retail managers/supervisors are responsible for providing their employees with a written Schedule of their working hours for the two-week period within 96 hours of the beginning of the Schedule.
- c. For both Office and Retail based employees, days to be worked, hours of work and number of days and hours to be worked are at the discretion of Council, Ventures Board of

Directors and Senior Management and can be amended with sufficient notice provided to employees.

(2) Attendance, Lateness and Breaks

- a. Employees who arrive late at the beginning of the work day or shift, or after any break are required to contact their immediate supervisor and indicate the reason for lateness and the expected time of arrival. If the employee is unable to reach their immediate supervisor they should contact a member of senior management.
- b. Employees who are late will make up the time lost due to lateness by working the missed time in the same pay period. Failure to do so will result in loss of pay. For office-based employees, it is not an option to work through the lunch break provided to make up the time lost. Lunch breaks are important for the health and wellbeing of the employee and should be taken.
- c. An employee who will be absent from work due to unexpected reasons must contact their immediate supervisor as soon as possible to indicate that they will not be at work, the reason for their absence, and their expected date of return.
- d. Employees who are absent without notifying their supervisor or a member of senior management will need to use vacation or personal time owed to them to cover the absence and may be subject to disciplinary action for failure to keep their manager informed.
- e. Canada Labour Code provides for an unpaid break of at least 30 minutes during every period of five consecutive hours of work for federally regulated employees. Glooscap Office based employees are provided with a one-hour paid break at lunch-time. As the break is paid, they can be required to stay on site if needed. Glooscap Retail based employees who are scheduled for an 8-hour shift are provided with two 15 minute paid breaks and a 30 minute unpaid break during the shift.

(3) Overtime

For Office based employees:

- a. Overtime is only available to non-management employees. Salaries for management employees are intended to compensate for any additional hours worked.
- b. All overtime must be approved in advance and in writing by the employee's immediate supervisor and must be taken as compensatory time-off.
- c. Employees are eligible for compensatory time-off at the rate of time and a half (1.5 times) for all hours worked in excess of eight in a day or 40 in a week. With the exception of employees who work approved longer days on a regular basis.
- d. Employees are not eligible to claim overtime for attending conferences, seminars and workshops that may run longer than a typical working day. Overtime will not be provided for time spent travelling to and from the event.

- e. Banked compensatory overtime hours must be used by the employee within three (3) months of being worked and will not be carried over to the next year.
- f. Scheduling of time-off in lieu of overtime worked will be subject to approval by the employee's supervisor and subject to operational requirements.

For Retail based employees:

- a. Under federal labour law the maximum number of allowable working hours per week is 48.
- b. Overtime is only available to non-management retail employees.
- c. All overtime must be approved in advance by the employee's supervisor.
- d. Employees are eligible for compensation for overtime worked at the rate of time and a half (1.5 times) their regular rate of pay for all hours worked in excess of eight hours in a day, or 40 hours in a week. With the exception of employees who work approved longer shifts on a regular basis.
- e. Retail employees must clearly write the number of hours they work on their bi-weekly timesheet so that Payroll can calculate any overtime that may be due to them.

(4) Compensation and Deductions

- a. All employees will be paid bi-weekly.
- b. All employees will receive an Employment Contract when they are hired that will detail the terms and conditions of their employment. They will also receive a written communication in the event of any changes to their pay.
- c. Payroll will make all required statutory deductions each pay including Employment Insurance, Canada Pension Plan, and Income Tax where applicable. Employees who are Status Indians, as recognized by the Indian Act, and who work on Reserve land are exempt from Income Tax.

(5) Group Pension Plan and Group Insurance Benefits Plan

Effective November 2021, a revised **Group Pension Plan Policy and a Group Insurance Benefit Plan Policy** was reviewed and approved by Chief and Council. Both Policies are attached to the end of this HR Policy document for ease of reference for employees.

(6) Workers Compensation

Any incidents involving the injury of employees on work premises or occurring during their work duties will be administered through the Workers Compensation Board of Nova Scotia.

(7) Probationary Period

- a. All new employees are subject to a three (3) month probationary period. A performance evaluation will be conducted towards the end of the probationary period. Prior to the end of the probation period, the employee may be terminated without notice or pay in lieu of notice, with or without just cause.

- b. At the 3 month evaluation new employees will be advised whether they have passed their probation period satisfactorily, whether their probation period is to be extended to allow further observation and evaluation to take place, or that their employment is terminated. An extension of the probation period will be discussed with the employee and Glooscap will ensure that the employee is fully aware of the areas they need to work on and what they need to do to pass probation. An extension of a probation period can be for 1 – 3 months.
- c. During the probationary period employees are not eligible for vacation leave or personal leave however after 30-days of continuous employment they are entitled to up to 3 days of Medical Leave if needed. New employees who are subject to a probation extension will be able to take vacation, sick and personal leave during the remainder of their extended probation after the first 3-months.

(8) Employee Vacation, General Holidays, Medical Leave and Personal Leave Entitlements

- a. Office based employees and Retail Management employees who work more than 7.5 hours per week on a regular basis are eligible for paid time off for vacation.
- b. Retail based employees, and Office based employees who work 7.5 hours or less, are paid a % vacation pay on top of their hourly rate every two weeks based on their length of service with Glooscap.
- c. Unless otherwise agreed to between the employer and employee, all employees are entitled to annual vacation as follows:

Amount	Service	Notes
2 working weeks	0 – 4 years	A working week will depend on the number of hours an employee works each week on a regular basis. E.g. 30 hours, 15 hours, 37.5 hours, 40 hours.
3 working weeks	5 – 9 years	As above
4 working weeks	10 + years	As above

- d. Hourly paid Employees who receive vacation pay every two weeks are entitled to the following:
 - a. 4% vacation pay for service 0 – 4 years
 - b. 6% vacation pay for service 5 – 9 years
 - c. 8% vacation pay for service 10+ years

- e. For Office based employees and Retail management employees vacation leave requests must be submitted via the absence management software at least one week prior to the desired vacation leave. Vacation leave is subject to the approval of the employees' immediate supervisor. Employees are required to use their vacation time within the fiscal year they accrue the time. There will be no carryover of vacation time to the next fiscal year.

The month of January each year will be 'plan and use your vacation time month' to ensure all employees have a vacation plan. The only exceptions to this rule will be where an employee is a new hire and on probation, so unable to take time off, or an employee was unable to take their vacation for an exceptional reason approved by the CEO/DOA.

- f. **General Holidays:** Council have approved the following designated holidays for Glooscap employees (full-time, part-time, hourly and salaried):

- 1) New Year's Day (January 1)
- 2) Heritage Day
- 3) Good Friday
- 4) Easter Monday
- 5) Victoria Day
- 6) National Aboriginal Day (June 21)
- 7) Canada Day (July 1)
- 8) St. Anne's Day (July 26)
- 9) Civic Holiday (First Monday of August)
- 10) Labour Day
- 11) National Day for Truth and Reconciliation (September 30)
- 12) Treaty Day (October 1)
- 13) Thanksgiving Day
- 14) Remembrance Day (November 11)
- 15) Christmas Day (December 25)
- 16) Boxing Day (December 26)

- g. If any of the above holidays fall on a Saturday or Sunday, the following Monday immediately following the holiday will be observed as the holiday.
- h. After three (3) months of continuous employment, Indigenous employees are entitled to up to five (5) unpaid days per calendar year to participate in traditional indigenous practices. (i.e. hunting, fishing, harvesting or any other practice as prescribed by regulation) Employees must provide evidence that they are participating in a traditional indigenous practice.
- i. All employees are entitled to a holiday with pay on the above Holidays. Where employees are required to work on a Holiday the Federal Labour Code will be applied in regard to compensation.

- j. When a day that is a designated holiday falls within a period of an employee's vacation with pay, the holiday shall not count as a day of vacation.

- k. **Medical Leave:**

As per the Federal Labour Code regarding Medical Leave, full time and part time employees are entitled to medical leave as follows:

10 paid working days per fiscal year.

Where an employee's work hours differ from day to day the employer can calculate medical leave pay for these employees by taking the average of the employee's daily earnings, exclusive of overtime hours, for the 20 days the employee has worked immediately preceding the first day of the period of paid medical leave.

Medical leave will cover any time off for **personal illness or injury, organ or tissue donation, medical appointments during working hours or quarantine of the employee.** Medical Certificates will be required after 5 consecutive days of medical leave and will be requested in writing by HR or the employee's Supervisor.

- l. Medical leave will only be approved if the employee has accumulated the needed leave. In the case where there is not enough sick leave accumulated, the employee can request unpaid leave.
- m. Medical leave can be carried over from one fiscal year to the next to a maximum of 10 working days per year.
- n. Unpaid Medical Leave: Employees are eligible for up to 27 weeks of unpaid leave for personal illness, injury, organ or tissue donation, quarantine. The seniority of an employee who is absent due to medical leave will continue to accumulate during the entire period of medical leave absence whether paid or unpaid. Vacation leave, Medical and Personal leave is not accumulated during periods of unpaid leave.
- o. In the event of an injury sustained while at work, the employee and employer will adhere to the rules of the Workman's Compensation Board (WCB) of Nova Scotia on reporting the injury, accommodation and return to work process.
- p. **Personal Leave:** Glooscap provides full time and part time employees with 5 paid days of Personal leave for the following reasons:
 - a. carrying out responsibilities related to the health or care of any of their family members
 - b. Carrying out responsibilities related to the education of any of their family members who are under 18 years of age;
 - c. addressing any urgent matter concerning themselves or their family members;
 - d. attending their citizenship ceremony under the Citizenship Act; and

- e. any other reason prescribed by regulation.

Where an employee's work hours differ from day to day the employer can calculate personal leave pay for these employees by taking the average of the employee's daily earnings, exclusive of overtime hours, for the 20 days the employee has worked immediately preceding the first day of the period of paid personal leave.

(9) Other Employee Leaves:

a. Critical Illness Leave:

- i. An employee, who is a family member of a critically ill child who is under 18 years of age, is eligible to take up to 37 weeks of unpaid leave to provide care or support of the child. If 2 or more children of the employee are critically ill, the employee is eligible for separate unpaid leaves of 37 weeks with respect to each affected child.
- ii. An employee, who is a family member of a critically ill adult who is 18 years of age or older, is eligible to take up to 17 weeks of unpaid leave to provide care or support to the adult.

b. Compassionate Care Leave:

- i. An employee who has a family member who has a serious medical condition with a significant risk of death is eligible to take up to 28 weeks of unpaid leave within a 52-week period.

c. Maternity Leave

- i. A woman who is pregnant shall be granted up to fifteen (15) weeks of unpaid maternity leave.
- ii. Glooscap may provide an employee with up to three (3) days paid leave to attend to issues directly relating to the birth of his/her child. This leave is subject to the approval of the employees' immediate supervisor.
- iii. The employee shall provide her supervisor with a doctor's note certifying that she is pregnant. When a woman returns to work following maternity leave, she shall return to her original position. If that position no longer exists, she will be placed in a position of equal status (seniority) should there be a position is available with no loss of pay and accumulated benefits.
- iv. During pregnancy, an employee may request a modification of her work duties or a reassignment of her position if her present duties possess a potential threat to the health and safety of her unborn child. An employer to whom a request has been made shall examine the request in consultation with the employee and, where reasonable, shall modify the employee's job functions or reassign her. A leave of absence shall be granted if the employee is unable to continue and there is no possibility of reassignment or modified duties.

d. Parental Leave

- i. An employee may be granted up to three (3) days paid leave to attend to issues directly relating to the birth of his/her child. This leave is subject to the approval of the employees' immediate supervisor.
- ii. An employee is entitled to and shall be granted an unpaid leave of absence from employment, subject to the Federal Labour Code regulations to care for a new-born child of the employee or a child who is in the care of the employee for the purpose of adoption under the laws governing adoption in the province in which the employee resides. Employees will also be provided the same leave for Mi'kmaq Custom Adoption.

e. Election Leave:

- i. Full-time and part-time employees are entitled to a maximum of three (3) hours unpaid election leave to participate in any municipal, provincial or federal election.
- ii. If an employee of the Glooscap First Nation or any of its entities or a member of the current Council wish to seek office in any election process (federal, provincial, municipal or Band) they are forbidden to campaign during work hours or utilize any resources of the Band.

f. Bereavement Leave

- i. An employee is eligible for up to ten (10) days of leave, 5 days with pay and 5 days unpaid leave if an employee is absent from work as a result of the death of a member of the employees' immediate family. Immediate family is defined as an "employee's spouse, parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild."
- ii. An employee is eligible for up to three (3) days leave with pay if an employee is absent from work as a result of the death of a close family friend or distant family member.
- iii. Council recognizes that the death of a close relative may be traumatic and that more leave time may be needed. Each instance will be looked at on a case by case basis by the employee's supervisor/manager and additional leave may be granted.

g. Education Leave

- i. Employees who have completed five (5) consecutive years of employment may be granted short-term leave for educational courses with full or partial salaries and travel assistance at the discretion of Director of Administration/Chief Executive Officer.
- ii. Employees wishing to apply for educational leave must do so in writing at least three (3) months prior to the beginning of course(s).

- iii. Employees granted education leave will be required to provide documentation as follows:
- Letter of acceptance to the course(s);
 - Anticipated length of time to complete the course(s);
 - How the course(s) will benefit the employee's professional development and improve performance/abilities relative to their employment as set out in their Job Description.
- iv. Professional examination leave may also be granted with pay and travel assistance to enable employees to sit for professional examinations. Application for approval will require a written request and approval from the employees' immediate supervisor.

h. Court Leave

Employees can be granted up to 5 days leave with pay if:

- the employee is subpoenaed to appear as a witness;
- the employee is required to sit on a jury;
- the employee must appear as an official delegate for the Band Council;

In instances where the employee is required to appear in court for personal reasons, the employee will use vacation time or the absence will be without pay.

i. Leave Related to Death or Disappearance

- Every employee is entitled to and shall be granted an unpaid leave of absence from employment of up to 104 weeks if the employee is the parent of a child who has died and it is probable, considering the circumstances, that the child died as a result of a crime.
- Every employee is entitled to and shall be granted an unpaid leave of absence from employment of up to 104 weeks if the employee is the parent of a child who has disappeared and it is probable, considering the circumstances, that the child disappeared as a result of a crime.

j. Family Violence Leave

An employee who is a victim of family violence or is the parent of a child (aged 18 year or younger) who is a victim, have the right to a leave of up to 10 days per calendar year. If the employee has worked for the employer for at least three (3) consecutive months, the first five (5) days are paid at the regular rate of pay for a normal week. If the employee has not worked at least three months without interruption, they have the right to unpaid leave. Time off is provided to enable the employee to do the following, in relation to the family violence experienced:

- Obtain medical care for themselves or the child with regard to an injury, physical disability, damages or a psychological disability;

- Obtain the services of an organization that provides services to victims of family violence;
- Obtain psychological services or advisory services of another nature;
- Move temporarily or permanently;
- Obtain legal services or the support of organizations tasked with applying legislation, prepare for civil or criminal hearings or participate in such hearings
- Take any measure prescribed by regulations enacted pursuant to the Canada Labour Code.

An employee is not entitled to a leave of absence with respect to any act of family violence if the employee is charged with an offence related to that act or if it is probable, considering the circumstances, that the employee committed that act.

(10) Term, Casual and Seasonal Employees

- a. All term, casual and seasonal employees will be subject to the conditions of employment outlined in their employment contract/letter of offer.

F. References and Related Authorities

Glooscap follows the Federal Labour Code and employees have access to further details on the above time off policies at :

<https://laws-lois.justice.gc.ca/eng/ACTS/L-2/page-28.html#h-1200871>

G. Appendices

- (1) Appendix H – Employee Leave Form

Appendix H – Employee Leave Form

**GLOOSCAP
First Nation**

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Glooscap First Nation Employee Leave Form

Name:
Position:
<u>Leave Requested</u> (please check one) () Annual (Vacation) Leave () Sick/Personal Leave () Other _____
<u>Details of Leave Taken</u> Date(s) of Leave Taken: Hours of Leave Taken (i.e. 3 hours):
<u>Approval of Leave</u> Employee Signature: Date: Supervisor Signature: Date:
<u>Internal Office Use Only</u> Leave logged into HR Database: Yes ☐ No ☐ Director Of Administration Signature: Date:

*This document is to be included in the employees HR file

5. Employee Evaluation & Planning

A. Policy

It is Council's policy to establish a formal system for evaluating employee performance that can assist management to recognize individual contributions to Glooscap First Nation and identify areas for development.

B. Purpose

The purpose of this policy is to set out an effective process of employee performance review and development which links the performance and development of individual employees to the goals and objectives of Glooscap First Nation.

C. Scope

This policy applies to all employees employed by Glooscap First Nation.

D. Responsibilities

(1) Council is responsible for:

- a. Evaluating the performance of the Director of Administration or establishing the process by which the Director of Administration will be evaluated.
- b. Reviewing and approving the plan for any training for First Nation's Officers or employees that have been identified and developed in the performance management process, to meet with Glooscap First Nation's future need and requirements after taking into account succession and any anticipated changes in Glooscap First Nation activities.
- c. Reviewing and approving a document process
 - i. To measure the skills and competencies of the individual First Nation's employees against their assigned employment responsibilities;
 - ii. To determine and training requirements for those employees, and;
 - iii. To adjust their duties and responsibilities as necessary to reflect their respective skills and competencies.

(2) The Director of Administration is responsible for:

- a. Establishing and implementing a plan for any training of First Nation's Officers or employees required to meet Glooscap First Nation's future needs and requirements after taking into account succession and any anticipated changes in Glooscap First Nation's activities;
- b. Establishing and implementing a documented process
 - i. To measure the skills and competencies of the individual First Nation's employees against their assigned employment responsibilities;

- ii. To determine training requirements for those employees, and
 - iii. To adjust their duties and responsibilities as necessary to reflect their respective skills and competencies.
 - c. Monitoring and reviewing the implementation of the evaluation process and ensuring this Policy and Procedures are complied with during the performance evaluation process; and
 - d. Evaluating all Officers and direct reports of Glooscap First Nation.
- (3) Human Resources is responsible for:
- a. Providing day to day assistance and advice to employees and supervisors about this policy and its implementation;
 - b. Providing general training for supervisors and employees to optimize effective implementation of employee performance and evaluation.

E. Procedures

(1) Performance Planning

- a. Immediate Supervisors are to ensure that each employee for whom they have supervisory responsibility has an accurate and up to date job description.
- b. Immediate Supervisors should schedule a performance planning session with individual employees to agree on minimum performance objectives/goals for the next fiscal year based on linkages to the strategic plan priorities, any funding agreement commitments, additional job related responsibilities. This is to be done in conjunction with the employee performance review process;
- c. Once goals have been agreed by the employee and the Immediate Supervisor, key performance indicators and period of achievement should be determined. This constitutes the performance plan.
- d. The performance plan (goals, indicators, and period of achievement) should be documented in duplicate on the Employee Goals / Work Plan / Evaluation Form (Appendix J) and signed off by the Immediate Supervisor and employees and a copy delivered to the HR department to be retained in the employee's personnel file and one copy retained by the employee.
- e. The Immediate Supervisor and employee should identify the training and development needs the employee requires in order to achieve the performance objectives, taking into consideration the resources needed for achieving it. The training plan is submitted from the Immediate Supervisor to the Senior Manager for approval. The approved training and development plan should be included in the performance plan.
- f. The Director of Administration reviews and approves all training plans to ensure future training needs and requirements for the financial management system of Glooscap First Nation is aligned with those needs and requirements.

(2) Performance Review

- a. At each quarter of the performance management cycle (approximately June, September, December) the Immediate Supervisor and individual employee should meet at least once for a check-in to review the progress of the goals and to identify any issues, obstacles or new/amended goals which may have become evident and may impact the achievement of the original goals and training and development plan. After each check-in, the employee and supervisor will initial the box on the last page of the Employee Goals / Work Plan / Evaluation Form (Appendix J) to indicate the check-in has been complete. Any other notes required from each check-in should be captured on this form.
- b. At the end of the performance cycle (i.e. at or near the fiscal year end) the Immediate Supervisors should schedule a year end performance evaluation meeting with each employee.
- c. The Immediate Supervisor will prepare their comments on the Employee Goals / Work Plan / Evaluation Form to provide an assessment against goals agreed to at the beginning of the performance cycle.
- d. The Immediate Supervisor and employee will meet to review the performance assessment and document their comments on the Employee Goals / Work Plan / Evaluation Form.
- e. The Immediate Supervisor and employee sign off on the review in duplicate and the original completed document should be forwarded to the HR department to be retained in the employees personnel file.
- f. If the Employee does not agree with the outcome of the performance evaluation review, the employee can formally request a meeting with their Immediate Supervisor and the Director of Administration and/or Human Resources to come to a settlement. Failing that, the employee can decide not to sign off on the performance evaluation which will be recorded as such in the employee's personnel file, including the meeting notes of the meeting with the Director of Administration/Human Resources.

(3) Performance Management

- a. Unsatisfactory performance will lead to the Immediate Supervisor developing a Performance Improvement Plan. This plan will outline performance expectations, resources available to the employee, and a schedule of completion and re-evaluation.
- b. Immediate Supervisors will closely monitor employee progress in achieving the Performance Improvement Plan and will conduct a formal Performance Evaluation at regularly planned intervals until the end of the performance improvement schedule.
- c. Immediate Supervisors will determine whether the employee has made sufficient improvement to fulfil performance expectations outlined in the performance improvement schedule.

- d. After following a Performance Improvement Plan, if the Immediate Supervisor determines the employee's performance continues to fail to fulfil the performance expectations, the direct supervisor may take further progressive action in accordance with Glooscap First Nation's policy and procedures.

F. References and Related Authorities

- (1) FMB's Financial Management System Standards
 - a. Standard 12.7.3 – Employee Evaluation
- (2) FMB's Financial Administration Law Standards
 - a. Standard 11.4.4 - HR Policies / Practices
 - b. Standard 11.4.5 - Personnel Competence

G. Appendices

- (1) Appendix I – Glooscap First Nation Performance Planning and Employee Evaluation Timeline and Checklist
- (2) Appendix J – Glooscap First Nation Employee Goals / Work Plan / Evaluation Template

Appendix I – Glooscap First Nation Performance Planning and Employee Evaluation Timeline and Checklist

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Performance Planning and Employee Evaluation Timeline and Checklist

This checklist is to be completed throughout the year starting in April. A completed checklist will be completed for each employee and placed in individual employee files.

Employee Name:			
Employee Title:			
Date:		Fiscal Year:	
Action	Description	Date for Completion	Completed?
Assess Completeness of HR Files	Ensure that the employee's HR files contains the information listed in the Glooscap First Nation Human Resource Policy Section 9(E)(3)	April 30	
Mid-Year Performance Check In Preparation	Send the employee their job description and annual goals set up at the end of the previous fiscal year or agreed upon when hired.	End of August	
	Set up an interview time with the employee	First Week of September	
Review the Goals/Obstacles	Review the goals, work together to understand progress being made or work to be done to accomplish goals. Any issues with performance should be addressed and efforts made to rectify them.	Second Week of September	
Sign Off	Mid-Year Performance Check-In and Any Identified Issues Agreed to and Signed off By Immediate Supervisor and Staff Member	Third Week of September	

Documentation	Documentation scanned and placed in Employee file and copy provided to employee	Third Week of September	
Annual Evaluation Process Begins	Director of Administration sends Senior Staff their Employees Job Descriptions, Evaluation Template and Guide to Evaluation for Senior Staff for completion.	Mid-February	
Evaluation	Senior Staff complete the evaluation, note any changes that made need to be made to the Job Description and sends to the Director of Administration for review and approval	First week of March	
Employee Evaluation Delivered	Once approved by the Director of Administration, Senior staff send the evaluation to the employee for review and completion of employee comments and training needs	First week of March	
Evaluation Interview	Senior Staff and Employee meet to discuss evaluation. Senior staff and employee review the job description. Any changes made must also have appropriate training listed (if required) Employee and Senior Staff sign off on evaluation	Second week in March	
New Letter of Offer	New letter of offer is drafted and job description is attached. Letter and Job Description are sent with the Glooscap First Nation Human Resource Policy, Information Management and Privacy Policy, Financial Administration Policy, Code of Conduct for review and sign off.	Second week in March	
Documentation Returned	Employee reviews the letter, job description and all policies and returns to the Director of Administration.	Third week of March	
Documentation	All documents are scanned and placed in the electronic employee file. Paper copies with original signature are placed in the filing cabinet as per the Glooscap First Nation Information Management and Privacy Policy. A copy of all signed documentation is sent to the employee to their work email address.	Third week of March	

Director of Administration

Date

Appendix J – Glooscap First Nation Employee Goals / Work Plan / Evaluation Template



APPENDIX J: EMPLOYEE GOALS / WORK PLAN / EVALUATION FORM

2023/2024 Fiscal Year

Employee's Name: _____

Position: _____

Supervisor: _____

SECTION A: INDIVIDUAL GOALS

1. Based on Strategic Plan Priorities
2. Based on Funding Agreement Deliverables
3. Other

SECTION B: COMMON GOALS

SECTION C: TRAINING AND DEVELOPMENT

SECTION D: SIGNATURES

SECTION A1: Individual Goals – Based on Strategic Plan Priorities

Linkage to Strategic Plan:

Strat Plan Guide Post		Strat Plan Objective		Strat Plan Action		Performance Measurement	Timing
#	Description	#	Description	#	Description		
1	H&S	1	Create programs to encourage physical activity in the community and support well, active community members.	1	Expand hours / availability of existing programs	# programs fully operational # participants	Year 1 and ongoing

Goal # __ :

Supporting Activities Detail (Add as many lines as needed):

Activity		Timing	Anticipated Outcome	Annual Review - Results	Annual Performance Review - Rating
#	Description				
1					
2					
3					
4					
5					

SECTION A2: Individual Goals – Based on Funding Agreement Deliverables

Linkage to Funding Agreements:

Program Name	Dept #	Funder	Total \$

Goal # __ :

Supporting Activities Detail (Add as many lines as needed):

Activity		Timing	Anticipated Outcome	Annual Review - Results	Annual Performance Review - Rating
#	Description				
2					
4					

SECTION A3: Individual Goals – Other

Goal # __ :

Supporting Activities Detail (Add as many lines as needed):

Activity		Timing	Anticipated Outcome	Annual Review - Results	Annual Performance Review - Rating
#	Description				
2					
4					

SECTION B: Common Goals

Each Category is worth a maximum of 5 points.

Unacceptable Performance – performance did not meet expectations and immediate improvement is essential	0-1 points
Development Needed – goals not met satisfactorily, development is needed to meet goals, may be a new employee still in training	2 points
Acceptable Performance – consistently achieves goals and meets job requirements expected of a fully trained and qualified employee	3 points
Above Acceptable Performance – consistently achieves goals/job requirements and often exceeds goals	4 points
Exceptional Performance – consistently exceeds all goals/job requirements, takes on additional responsibilities, consistently achieves high results	5 points

Job Related responsibilities	Employee understands their accountabilities and meets the expectations of their job.
Supervisor's Rating:	
Supervisor Comments	

Office Etiquette	Employee acts in a respectful and professional manner, follows the Seven Sacred Teachings.
Supervisor's Rating	
Supervisor Comments	

Workplace Safety	Employee follows health and safety policies and procedures.
Supervisor's Rating	
Supervisor Comments	

Team Player	Builds partnerships and works collaboratively with others to meet shared objectives and common goals, sharing resources, sharing information, working together on events, etc.
Supervisor's Rating	
Supervisor Comments	

SECTION C: Training and Development

Required/Optional Training or Professional Development for consideration for current year: (Note: if you have identified training you would like to access, speak with your supervisor).

Director of Adminsitration signature to indicate review of Training Plan

Training / Professional Development completed during the current year:



SUPERVISOR’S OVERALL RATING AT THE END OF THE FISCAL YEAR:

Supervisor Comments: *(Attendance, met expectations, quality of work, timeliness of work etc., were goals achieved, is employee on probation, is specific training suggested?)*

Employee Comments: *(Was it a good year, successes, development areas, training needed, did you have the resources needed?)*

SECTION D: SIGNATURES

Item	Date completed	Employee Signature	Date of Employee Signature	Supervisor Signature	Date of Supervisor Signature
Annual Work Plan / Goals Established & Reviewed at					

beginning of fiscal year					
Annual Performance Review Completed at end of fiscal year					

*An employee signature indicates they have reviewed the document and have had the opportunity to discuss it with their manager.

SECTION E: PERFORMANCE CHECK INS

PERFORMANCE CHECK-IN

To be carried out June, September, December each year - Please complete the table below after each check-in

DATE & PURPOSE OF CHECK-IN (Please add date)	NOTES FROM CONVERSATION	ANY ACTIONS AGREED?	INITIALS SPVR/EMPLOYEE
June __, 2023 Quick review of progress towards goals and general how are things going			
September __, 2023 Quick review of progress towards goals and general how are things going			
December __, 2023			

Quick review of progress towards goals and general how are things going			
---	--	--	--

What are Performance Check-ins?

- An opportunity to talk with your supervisor about you, and your goals, and the progress you have made towards meeting your goals.
- June, September and December Check-ins should take up to 30 minutes each.
- Any notes or take away actions from Check-in meetings can be included in the table above
- Both employee and supervisor initial this form after their check-in
- Both employee and supervisor keep a copy of this form to bring to the next check-in

What is the Annual Performance Review

- An opportunity to talk with your supervisor to review performance against established goals/activities over the prior year and to establish your goals/activities for the upcoming year.
- Should be completed before March 31 of each year.
- The annual performance review will take approx. 1.5 hours.

6. Discipline and Dismissals

A. Policy

It is Council's policy to use a progressive and participatory disciplinary approach for dealing with job related behavior that does not meet expected and communicated performance standards.

B. Purpose

The Purpose of this policy is to set out a process to correct and deter unacceptable conduct, behaviour or performance as well as provide flexibility to Council to deal with wide range of circumstances in employees overcoming performance problems and failing that, use progressive discipline to fairly, with due process and with substantial documentation, terminate employment of employees, who are ineffective and or unwilling to improve.

C. Scope

This policy applies to all employees of Glooscap First Nation.

D. Responsibilities

- (1) Council has final authority and responsibility for the dismissal and discipline of the Director of Administration.
- (2) Council and the Director of Administration have joint authority and responsibility for the dismissal and discipline of all Officers.
- (3) The Director of Administration has final authority and responsibility for the dismissal of all other employees (Other than officers).
- (4) The Immediate Supervisor has first responsibility for discipline for employees.
- (5) In the event the Immediate Supervisor is unable to deal with the conduct, behaviour, or performance, the next level supervisor will assume the responsibility for discipline.

E. Procedures

- (1) Employees will be informed of unacceptable conduct, behaviour, or performance prior to the imposition of disciplinary action and will be given opportunities for improvement and as necessary re-evaluated.
- (2) Council (in reference to the Director of Administration) or the Director of Administration (in reference to all other employees) may move to dismiss an employee if circumstances determine the event warrants dismissal even if the steps in the progressive discipline process have not occurred and may also immediately but temporarily suspend an employee with pay pending investigation before moving through the discipline process. Legal Counsel may need to be consulted to ensure fairness and appropriateness.

- (3) If an employee is felt to be in violation of Glooscap First Nation's expected conduct, behaviour, or performance, including adherence to all Glooscap First Nation policies and procedures and initial efforts for corrective action have not worked, the employee will be subject to the progressive discipline process.
- (4) All disciplinary actions will be documented and placed in the employee's personnel file.
- (5) The Progressive discipline procedures will be as follows:

Verbal Warning:

- a. The first violation by an employee will be addressed with a verbal warning.
- b. The direct supervisor will initiate any verbal warnings in a private meeting with the employee
- c. The employee will be given an explanation of when and how the behaviour or action took place and will be given an opportunity to explain the situation and their actions.
- d. The employee will be informed that further disciplinary action, up to and including termination, will follow if unacceptable behaviour continues.
- e. The employee will be informed that the incident will not go into their file, but that it will be taken note of in order to follow up on possible further disciplinary incidents.
- f. An email to the employee outlining the issue and the agreed upon means to resolution. This email does not constitute a written warning.

Written Warning:

- a. Employee will be given a written warning regarding undesirable behaviour or action in the event that the behaviour or action had either been discussed in a previous verbal warning or the behaviour or action was serious in nature.
- b. The employee will be given an explanation of when and how the behaviour or action took place and will be given an opportunity to explain the situation and their actions.
- c. The employee will be informed that further disciplinary action, up to and including termination, will follow if unacceptable behaviour continues.
- d. The employee will sign the document and will be provided with a copy of the written warning and another will be placed in the employee's personal file.

Suspension:

- a. In case of suspension, the employee will be called to a meeting with the Director of Administration and HR and given the opportunity to state their case. If the decision is made to impose a suspension, the employee will be given written documentation regarding the suspension in relation to undesirable conduct, behaviour, or performance in the event that the behaviour or action had either been discussed in a previous verbal or written warning or the behaviour or action was considerably serious in nature.
- b. The employee will be given a written notice of suspension which will include:

- i. The effective date of suspension;
 - ii. The duration of the suspension;
 - iii. The reason(s) for the suspension; and
 - iv. That repetition of the behaviour or action will result in further disciplinary actions up to and including termination.
- c. The Director of Administration has discretion to suspend an employee with or without pay for a period of time, where an investigation is required into allegations of misconduct against that employee. During an investigation and if circumstance dictate, the Director of Administration at any time can:
- i. Reverse the suspension and return the employee to his or her job and compensate for any lost wages while on suspension;
 - ii. Change the nature of the suspension; or
 - iii. Take any other action appropriate to the situation.

Termination:

- a. The Director of Administration may, with reasonable cause, terminate employment by providing a Notice of Termination that details the undesirable conduct, behaviour, or performance leading to and justifying the termination.
- b. Reasonable (just cause) for immediate dismissal can be for:
 - i. Gross misconduct including violation of rules, harassment, carelessness or recklessness resulting in endangerment to self or others, disorderly conduct, theft, under the influence of alcohol or drugs while on the job, falsifying records etc.;
 - ii. Threats of violence where an employee threatens to or causes physical harm to another employee, client or to the members of Council;
 - iii. conviction of a serious criminal code offence;
 - iv. Demonstrating chronic absenteeism or lateness;
 - v. Repeated unsuccessful progressive disciplinary attempts including verbal and written reprimands;
 - vi. Misrepresentation or falsification of information on application of employment; or
 - vii. Contravention of the employee's duties and obligations under Glooscap First Nation's Financial Administration Law including codes of conduct and conflicts of interest.
- c. Documentation should include information on the offence and previous disciplinary communications with the employee.

F. References and Related Authorities

- (1) FMB's Financial Management System Standards
 - a. Standard 12.6.6 – Dismissal Policies
- (2) FMB's Financial Administration Law Standards
 - a. Standard 11.4.4 –HR Policies / Practices
 - b. Standard 11.4.5 – Personnel Competence
 - c. Standard 12.4 – Enforcement

G. Appendices

- (1) Appendix L – Glooscap First Nation Template for Written Warning
- (2) Appendix M – Glooscap First Nation Template for Suspension Letter
- (3) Appendix N – Glooscap First Nation Template for Termination Letter

Appendix L – Glooscap First Nation Template for Written Warning

GLOOSCAP
First Nation

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Employee Written Warning
Glooscap First Nation

Employee Information		
Employee Name:	Date:	
Job Title:	Department:	
Type of Warning		
☐ First Warning	☐ Second Warning	☐ Third Warning
Type of Offense		
☐ Tardiness/Leaving Early	☐ Absenteeism	☐ Violation of Company Policies
☐ Substandard Work	☐ Violation of Safety Rules	☐ Rudeness of Customers/Clients
☐ Other		
Details		
Description of the Infraction:		
Plan for Improvement:		
Consequences of Further Infractions:		
Acknowledgement of Receipt of Warnings		
By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your manager have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with the issuance of this warning.		
Employee Signature:	Date:	
Supervisor Signature:	Date:	
Witness Signature:	Date:	

Appendix M – Glooscap First Nation Template for Suspension Letter

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Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Suspension Letter Template

{Insert Name and Address of Employee}

{Insert Date}

RE: Glooscap First Nation Employee Letter of Suspension

{Insert Employee Name}

This letter is to inform you that as a result of your actions in the workplace, you have been issued a suspension for *{Insert Time Frame i.e. One Week}*

On *{Insert date or timeframe of infractions}* you *{insert a description of the actions or behaviours that have led to the suspension. Be as specific as possible}*

As you know, we have discussed your actions in the past and have attempted to remedy them by *{insert any actions that have been taken to rectify the action or behaviour. If the suspension is serious enough that there have been no warnings yet, delete this section}*

You will *{insert whether this is a paid or an unpaid suspension}*

You will return to work *{insert date that the employee is expected to return to work}*

You are expected to leave the premises immediately and take no work related information or items with you.

When you return to work, I look forward to assisting you to adjust accordingly.

Wela'lin

{Insert Signature}



Jane Doe
123 Main Street
Village
B9P 1H8

January 1, 2045

RE: Glooscap First Nation Employee Letter of Suspension

Jane Doe,

This letter is to inform you that as a result of your actions in the workplace, you have been issued a suspension for one week (5 business days).

On December 31, 2044 you came to work late by more than one hour without an explanation.

As you know, we have discussed your actions in the past and have attempted to remedy them by issuing written warnings and have multiple discussions on the importance of being on time.

You will not be paid for the duration of your suspension.

You will return to work on January 7, 2045 at 8:30am.

You are expected to leave the premises immediately and take no work related information or items with you.

When you return to work, I look forward to assisting you to adjust accordingly.

Wela'lin

The Boss

Appendix N – Glooscap First Nation Template for Termination Letter

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Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Termination Letter Template

{Insert Employee Name and Address}

{Insert Date}

Re: Termination of Employment with Glooscap First Nation

{Insert Name}

This letter is to inform you that your employment with Glooscap First Nation will end as of *{Insert date termination is effective}*

You have been terminated for the following reason(s): *{List factual reasons for termination}*

This decision is not reversible.

You will receive: *{Insert a list of the compensation they will receive, including pay for unused leave, severance pay, salary owed, etc.}*

Your pension and health care benefits will *{explanation of what will happen with their pension and benefits}*.

You are requested to return *{insert list all company property to be returned}*.

Also, please keep in mind that you have signed *{list any agreements employee has signed, such as a confidentiality policy or a confidentiality agreement}*.

If you have questions about policies you have signed, your compensation, benefits, or returning company property, please contact *{insert contact name, typically someone from HR, with contact info}*.

Wela'lin,

{Name of person handling termination}



Jane Doe
123 Main Street
Village
B9P 1H8

January 31, 2045

Re: Termination of Employment with Glooscap First Nation

Jane Doe,

This letter is to inform you that your employment with Glooscap First Nation will end as of February 1, 2045.

You have been terminated for the following reason(s): Habitual lateness resulting in severe reduction in productivity.

This decision is not reversible.

You will receive: your salary up until the date of termination and any pay for unused leave accumulated.

Your pension and health care benefits will terminate on February 1, 2045. You have three months from the date of termination to work with the pension and benefits administrator to transfer your pension.

You are requested to return all equipment and information belonging to Glooscap First Nation including keys, computer, telephone, passwords, documents in your personal care etc.

Also, please keep in mind that you have signed the Glooscap First Nation Code of Conduct and confidentiality agreement and are bound by these even after leaving your employment with Glooscap First Nation.

If you have questions about policies you have signed, your compensation, benefits, or returning company property, please contact John Smith in the Human Resource Department at js@glooscapfirstnation.com or 902-555-5555.

Wela'lin,

The Boss

7. Resignations and Terminations

A. Policy

It is Council's policy to ensure a consistent and fair process for all resignations and terminations with Glooscap First Nation.

B. Purpose

The purpose of this policy is to set out the steps for resignation, terminations and appeals to decisions related to terminations.

C. Scope

This policy applies to all employees of Glooscap First Nation.

D. Responsibilities

- (1) Council is responsible for reviewing and approving the Resignations and Terminations Policy
- (2) The Council also has final authority in the event of an appeal as outlined in Section E(2)
- (3) The Director of Administration is responsible for the day to day administration of the policy except where the policy applies to the resignation or termination of the Director of Administration. In that event the Council has responsibility to oversee the process.
- (4) All employees of Glooscap First Nation are responsible for reviewing, understanding and abiding by the processes outlined in this policy.

E. Procedures

- (1) Resignations and Terminations
 - a. Any employee wishing to resign must provide written notice to their immediate supervisor at least ten (10) working days prior to their resignation.
 - b. Any employee who is subject to the three (3) month probationary period may be terminated at any time prior to the end of that period without notice or pay in lieu of notice, with or without just cause.
 - c. Any employee can be terminated at any time without notice or pay in lieu thereof with just cause (see to Section 6 – Discipline).
 - d. The termination of Term and Casual Employees will automatically occur upon the expiry of the term of their period of employment indicated in their Letter of Offer.
 - e. Part-Time and Full-Time Employees who have completed over three (3) months of continuous employment may be terminated without just cause so long as the employee is provided with at least two weeks' notice or pay in lieu at termination.

- f. Where an employee is terminated and he or she has completed over twelve (12) months of continuous employment, the employee is also entitled to severance pay equal to the greater of:
 - i. two days wages at the employee's regular rate of wages for his regular hours of work in respect of each completed year of employment that is within the term of the employee's continuous employment by the employer, or
 - ii. five days wages at the employee's regular rate of wages for his regular hours of work.
- g. Employees who resign or are terminated are eligible to receive any vacation pay and banked overtime accumulated and salary only up to the date of termination provided that all financial documentation is up to date (i.e. travel expense forms etc.).
- h. All employees who resign or are terminated must return all property of the Glooscap First Nations that was assigned to them during their tenure of work.
- i. A Record of Employment will be issued to an employee who has resigned or is terminated.

(2) Appeals

- a. Decisions of the Director of Administration with respect to suspensions and terminations under this policy may be appealed to the Council within ten (10) working days of the decision.
- b. Employee appeals shall be in writing, outlining the nature of the decision and the reasons upon which it is believed the Director of Administration erred.
- c. The Council shall decide the employee's appeal within thirty (30) days of receiving the request. Council have the right to seek legal advice and counsel on issues of appealing a dismissal.

F. References and Related Authorities

None

G. Appendices

None

8. Workplace Free from Discrimination and Harassment

A. Policy

It is Council's policy to create a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices and harassment.

B. Purpose

The purpose of the policy is to outline prohibited behaviours and as well as establish a framework to address those behaviours should they occur.

C. Scope

The policy applies to the Council and all employees and contractors working for or with Glooscap First Nation.

D. Responsibilities

- (1) The Council is responsible for:
 - a. Ensuring that the rights of employees and contractors are not violated by ensuring that the workplace is free from discrimination and harassment by supporting managers and other employees.
 - b. Ensuring a thorough and comprehensive appeals process is completed in the event that a situation requires an investigation.
- (2) The Director of Administration is responsible for:
 - a. Ensuring employees are aware of their rights and responsibilities under the policy.
 - b. Ensuring that when issues are brought forward that they are handled in a swift but thorough manner and with confidentiality where possible, at all times.
 - c. Assisting the Council during an appeal process in the event of an appeal.
- (3) The Employees are responsible for:
 - a. Reviewing, understanding and adhering to the policy.
 - b. Reporting any abuses that they experience or see a fellow employee experience to the appropriate authority.
 - c. Refraining from malicious and false claims under the policy.

E. Procedures

- (1) Prohibited work-related discrimination or harassment includes:
 - a. Conduct that takes place between members of Council and their employees, between co-workers, between managers and employees, between people of the opposite sex or the

same sex, between an employee and a client, or between an employee and a job applicant;
and

- b. Conduct that takes place in the workplace itself, or outside the workplace in a situation that is in some way connected to work such as off-site meetings or business trips.

(2) Employee Report of Discrimination or Harassment

- a. Employees who believe they have been the victim of work-related discrimination or harassment or believes they have witnessed such conduct should discuss their concerns with their immediate supervisor.
- b. Employees who believe they are being subjected to such conduct are encouraged to advise the offender that his or her behavior is unwelcome and request that it be discontinued. However, an individual may prefer to pursue the matter through their immediate supervisor.
- c. Employees who believe they have been the victims of work-related discrimination or harassment may submit a formal written complaint to their immediate supervisor.
- d. Upon receipt of a formal written complaint of work-related discrimination or harassment, the immediate supervisor shall promptly investigate. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
- e. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.
- f. Following completion of his / her investigation of a work-related discrimination or harassment complaint, the immediate supervisor will complete a report and take appropriate action:
 - i. Where there is not enough evidence to support an allegation of work-related discrimination or harassment, the immediate supervisor will not recommend any further action.
 - ii. Where there is sufficient evidence to support an allegation of work-related discrimination or harassment, appropriate corrective action may include training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination for cause, depending on the circumstances.
- g. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is strictly prohibited and will be subject to disciplinary action up to and including termination for cause.
- h. False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.
- i. If a party to a complaint does not agree with its resolution, that party may appeal to Council under the procedures set out in Section 15 of Glooscap First Nation's Employment Policy.

(3) Appeals Process

- a. The party to the complaint has five (5) business days after a decision to appeal, in writing, the results of the investigation into allegations of harassment or discrimination.
- b. Council must respond to the party within five (5) business days following the appeal notice. Council must outline the steps they will take to ensure a resolution and must report back to the party within thirty (30) business days with their decision.
- c. During the thirty (30) business days, Council will review all of the information, conduct interviews, and consult legal counsel where required to ensure thoroughness and fairness.
- d. Council will deliver their decision in writing to the party to the complaint. The decision of the Council will be final and binding.

F. References and Related Authorities

None

G. Appendices

None

9. HR Records Management

A. Policy

It is Council's policy to formally create, manage, and protect human resource records in accordance with applicable laws and First Nation policy requirements.

B. Purpose

The purpose of this policy is to provide guidance to effectively manage the creation, maintenance, and confidentiality of HR Records of Glooscap First Nation.

C. Scope

This policy applies to Council, the Director of Administration, the Director of Finance, Employees who manager others, and Human Resources of Glooscap First Nation.

D. Responsibilities

- (1) Council is responsible for ensuring a HR Records management system is reviewed and approved.
- (2) The Director of Administration is responsible the establishment and implementation of the approved HR Records Management System.
- (3) Subject to Glooscap First Nation's Financial Administration Law, the Director of Administration is responsible for the leadership, planning, overall policy and the general oversight of the HR Records management, storage and retention system, and for ensuring the security and integrity of that system.
- (4) The HR employees are responsible for the implementation and the operational management of the HR Records management, storage and retention system.

E. Procedures

- (1) Management of HR Records will follow the general record management procedures of Glooscap First Nation.
- (2) Job competition files will clearly and transparently document the evaluation and selection process and will include, at a minimum, the following:
 - a. Job advertisement;
 - b. External recruitment firm agreement (if applicable);
 - c. Job description and required qualifications and skills;
 - d. Interview notes; and
 - e. Selection results.

(3) A confidential employee file will be created for each new employee and will include the following HR Records:

- a. Resume with experience and qualifications;
- b. Results of all background checks (i.e. reference checks, criminal background check, credit check, education check);
- c. Offer letter of employment or contract;
- d. Performance plans and results of performance evaluations;
- e. Current job description;
- f. Leave and attendance records;
- g. Salary adjustments;
- h. Enrolment information for benefits plans; and
- i. Any medical notes and instructions.

(4) Access to HR Records will be restricted to HR personnel in performance of their job function and the Director of Administration; however, employees can access their personal employee file upon request and in the presence of the Human Resources.

(5) Upon employee termination, HR Records for that employee will be retained in accordance with the Records Information Management policy. In the event of litigation, the destruction of HR Records should be suspended until the investigation, audit, or litigation is complete.

F. References and Related Authorities

(1) FMB's Financial Management System Standards

- a. Standard 12.6.1 – Records of functions, etc.
- b. Standard 12.6.2 – Maintenance procedure
- c. Standard 12.6.3 – Records of qualifications / competencies
- d. Standard 12.6.4 – Management of employee records

(1) FMB's Financial Administration Law Standards

- a. Standard 11.4.4 – HR policies / practices
- b. Standard 21.3 – Record keeping, storage, etc.
- c. Standard 21.4 – Requirements for confidentiality, etc.

G. Appendices

(1) Appendix O – Glooscap First Nation HR Record Checklist



Glooscap First Nation Human Resource File Checklist

This document goes in the front of each employee file and is to be completed the first week of April each fiscal year.

Employee Name:	
Employee Title:	
Fiscal Year:	
Document	Included In File
Resume with experience and qualifications	
Results of all background checks (i.e. reference checks, criminal background check, credit check, education check)	
Letter of Offer or employment contract	
Performance plans and results of performance evaluations	
Current job description	
Signed policies	
Signed Code of Conduct	
Leave and attendance records	
Salary adjustments	
Enrolment information for benefits plans	
Acknowledgement and Agreement Regarding the Reporting of Breaches and Financial Irregularities	
This list is not exhaustive. These are the mandatory documents to be included in the file in accordance with the Glooscap First Nation Human Resource Policy. Other documents that may be included are: Certificates of completion for training or education; Professional certifications/designations; Any disciplinary documentation	

10. Whistle Blower Policy for Reporting of Breaches and Financial Irregularities

Commented [A1]: To follow up with Council on if this policy should be updated or not - Tara to send this policy out to Council and Jason and ask if they wanted to have further discussion

A. Policy

All Councillors, Officers and employees of Glooscap First Nation and all contractors and agents engaged in financial administration activities have the responsibility to report instances of misconduct to the Director of Administration or Chairperson of the Finance, Audit and Risk Committee. The identity of individuals who report misconduct will be protected from disclosure to the extent practicable in the circumstances. Individuals who report in good faith will be protected from reprisals. Persons against whom an allegation of misconduct is made will be treated fairly and allegations of misconduct will be fully investigated as efficiently as possible and resolved as appropriate.

B. Purpose

The purpose of this policy is to ensure there is a procedure to report, investigate, and act upon allegations of wrongdoing within the financial management system and to provide protection to persons who come forward with these reports in good faith.

C. Scope

This policy applies to Council, Officers, employees, contractors, agents and members of Glooscap First Nation.

D. Responsibilities

- (1) Council is responsible for:
 - a. Ensuring that this policy is communicated to all affected and interested persons;
 - b. Hiring an independent body/individual to investigate reported misconduct concerning members of the Finance, Audit and Risk Committee of Glooscap First Nation if required;
 - c. Ensuring that the identity of the person who makes a report of misconduct in good faith is kept confidential to the extent practical in all circumstances and not subject to reprisals for making the report;
 - d. Approving policies and procedures required in the Financial Administration Law in respect of such matters; and
 - e. Supporting and fostering an ethical environment.
- (2) The Finance, Audit and Risk Committee of Glooscap First Nation is responsible for:
 - a. Reviewing any reports provided to it respecting inquiries into the circumstances of the reported misconduct, conducting any further inquiry it considers necessary and providing a report to the Council, along with any recommendations;
 - b. Taking all reasonable steps to ensure that the identity of the person who makes a report of misconduct is kept confidential to the extent practical in all circumstances;

- c. Taking necessary steps to ensure that persons who have reported instances of wrongdoing remain protected against any reprisals including but not limited to discrimination, retaliation, threats, harassment or loss of employment or employment opportunities;
 - d. Making recommendations to the Council on how to address and remediate reported instances of wrongdoing; and
 - e. Supporting and fostering an ethical environment.
- (3) The Chair of the Finance, Audit and Risk Committee is responsible for:
- a. Receiving reports of misconduct, making an appropriate and expeditious inquiry into the matter and reporting to the Finance, Audit and Risk Committee as soon as practicable;
 - b. Taking all reasonable steps to ensure that the identity of the person who makes a report of misconduct is kept confidential to the extent practical in all circumstances;
 - c. Taking necessary steps to ensure that persons who have reported instances of wrongdoing remain protected against any reprisals including but not limited to discrimination, retaliation, threats, harassment or loss of employment or employment opportunities; and
 - d. Reporting to Council any contravention or suspected contravention of the prohibition against reprisals.
- (4) The Director of Administration is responsible for:
- a. Communicating the Whistle Blower Policy for Reporting of Breaches and Financial Irregularities to all affected and interested persons;
 - b. Ensuring all employees, and consultants and contractors involved in the financial administration of Glooscap First Nation have signed the Acknowledgement and Agreement Regarding the Reporting of Breaches and Financial Irregularities to acknowledge that they have read, understood, and will abide by the policy;
 - c. Providing a confidential reporting procedure(s) to report violations;
 - d. Receiving reports of misconduct, making an appropriate and expeditious inquiry into the matter and reporting to the Finance, Audit and Risk Committee as soon as practicable;
 - e. Taking all reasonable steps to ensure that the identity of the person who makes a report of misconduct is kept confidential to the extent practical in all circumstances;
 - f. Taking necessary steps to ensure to ensure that persons who have reported instances of wrongdoing remain protected against any reprisals including but not limited to discrimination, retaliation, threats, harassment or loss of employment or employment opportunities;
 - g. Reporting to Council any contravention or suspected contravention of the prohibition against reprisals.
 - h. Securing related records; and
 - i. Fostering an open and supportive ethical environment.

E. Procedures

(1) Fostering an open and ethical working environment

- a. The Director of Administration will communicate this policy to all employees.
- b. Each individual employed or contracted with, or acting as an agent for Glooscap First Nation in respect of the financial administration of Glooscap First Nation will be required to sign the agreement to indicate that they have read, understood and accepted its contents before employment or appointment begins.
- c. On an annual basis, all employees and all consultants involved in the financial administration of Glooscap First Nation will sign and date the Acknowledgement and Agreement Regarding the Reporting of Breaches and Financial Irregularities.
- d. The identity of any person who raises a concern of wrongdoing will remain confidential to the extent practically possible.
- e. A person reporting a breach in good faith will receive fair and unbiased treatment throughout the investigative process and will be protected from reprisals. Council will ensure that the person is protected from any discrimination, threats, retaliation or harassment.
- f. A person against whom a report has been made will receive fair and unbiased treatment. Where a preliminary inquiry into a report indicates a possible finding of misconduct, the person against whom the report has been made will be given an appropriate opportunity to answer the allegation in a manner consistent with the other provisions of this policy.
- g. On an annual basis, the Finance, Audit and Risk Committee will provide Council with a report on the effectiveness of this policy and the Code of Conduct policy. Statistics regarding the number of cases reported, investigated, resolved and outstanding will be included in the report, as well as any lessons learned or proposed changes to the policies.

(2) Methods to report suspected wrongdoing

- a. Council has established the following procedures to receive, retain, investigate and act on complaints and concerns of councillors, Officers, employees, contractors and agents of Glooscap First Nation regarding instances of misconduct or wrongdoing.
- b. The Director of Administration will ensure that the procedures noted above will be included in the contracts of contractors and the appointment of agents and committee members.
- c. Both the Director of Administration and the Chair of the Finance, Audit and Risk Committee are authorized to receive and inquire into reports of misconduct or wrongdoing.
- d. The Director of Administration and the Chair of the Finance Audit and Risk Committee will report their respective findings of an inquiry into a report of misconduct or wrongdoing that they receive.

- e. The Finance, Audit and Risk Committee is authorized to inquire further into any findings reported to it by the Director of Administration and the Chair of the Finance, Audit and Risk Committee.
 - f. Any report received by a First Nation's Officers, employees, contractors or agents from any source inside or outside Glooscap First Nation should be immediately forwarded to the Chair of the Finance, Audit and Risk Committee Chairperson. Councillors should report directly to the Chair of the Finance, Audit and Risk Committee.
 - g. First Nation Officers, employees, contractors or agents should forward their reports to the Director of Administration or the Chair of the Finance, Audit and Risk Committee.
 - h. Instances of wrongdoing can be reported directly to the Chair of the Finance, Audit and Risk Committee in the following ways
 - i. In writing to the attention of the Chair of the Glooscap First Nation Finance, Audit and Risk Committee;
 - ii. Via email;
 - iii. Via telephone to the Chairperson of the Finance, Audit and Risk Committee;
 - iv. Anonymously in writing to the Chairperson of the Finance, Audit and Risk Committee.
 - i. Instances of wrongdoing can be reported directly to the Director of Administration in the following ways:
 - v. In writing to the attention of the Director of Administration, Glooscap First Nation;
 - vi. Via email;
 - vii. Via telephone to the Chairperson of the Finance, Audit and Risk Committee
 - viii. Anonymously in writing to the Chairperson of the Finance, Audit and Risk Committee.
- (3) Inquiring into reported wrongdoing
- a. Promptly upon receipt of a report, the Director of Administration or Chair of the Finance, Audit and Risk Committee, as the case may be, will:
 - i. Confirm in writing to the party who has reported an alleged misconduct that the report has been received;
 - ii. Ensure that the identity of the person(s) making the report is kept confidential to the extent possible and that individuals who report in good faith are protected from reprisals;
 - iii. Include the report on a confidential written docket, summarizing in reasonable detail:
 - a) The nature of the report (including specific allegations made and the names of the persons involved);
 - b) The date of receipt of the report;
 - c) The current status of any inquiry

- d) The report made to the Finance, Audit and Risk Committee;
 - e) Any final resolution of the reported wrongdoing.
 - iv. Decide upon the appropriate action to be taken when conducting the inquiry and start the inquiry as soon as possible. The inquiry should seek to confirm or refute the facts presented. The Band ;
 - v. When the alleged incident is of significant risk (to the operations, reputation, etc. of Glooscap First Nation), related to potential criminal acts by individuals, or of high financial value to Glooscap First Nation, the Director of Administration or the Chair of the Finance, Audit and Risk Committee may retain external expertise to conduct the inquiry;
 - vi. Within a period of eight weeks from the moment the report has been received, inform the party who reported the alleged irregularity of the status of the inquiry and steps that have been taken or will be taken following the results of the inquiry;
 - vii. If the inquiry cannot be completed with the eight-week time frame, inform in writing the person who reported the alleged irregularity and indicate a new time frame for the conclusion of the inquiry;
 - viii. Report on the progress of current inquiries at each Finance, Audit and Risk Committee meeting; and
 - ix. Upon completion of the inquiry, report to the Finance, Audit and Risk Committee on the conduct of the inquiry and the result of the inquiry and recommend actions to be taken.
 - b. Upon receipt of the report from the Chair of the Finance, Audit and Risk Committee or the Director of Administration, the Finance, Audit and Risk Committee will determine if it will conduct any further inquiry into the matter but in any event will make a report to the Council of the circumstances reporting to the Committee including the Committee's recommendations if any.
 - c. The Finance, Audit and Risk Committee will actively monitor inquiries to ensure they are conducted in accordance with this policy.
 - d. If the reported wrongdoing concerns a member of the Finance, Audit and Risk Committee, the other members of the Committee along with the Council of Glooscap First Nation (but not the accused if they are a member of Council) will retain external expertise to conduct the inquiry.
- (4) Responding to wrongdoing and initiating remedial actions
- a. After considering the final report of the results of an inquiry, the Finance, Audit and Risk Committee will recommend a course of action to Council which will make a decision to resolve the issue as soon as practical.
 - b. Resolution actions will be commensurate with the severity of the wrongdoing incurred, and can include reprimands, leave without pay, termination, revocation of appointment or other remediation as determined by the Director of Administration and approved by the Council and subject to the provisions of the Disciplinary and Dismissal Policy.

- c. Police will be contacted if activities of a criminal nature are identified.
- d. Recovery of First Nation funds, either expended or forfeited, as a result of the wrongdoing as described in the Financial Administration Law will be tracked and collected from the responsible individual(s).

F. References and Related Authorities

- (1) The FMB's Financial Management System Standards
 - a. Standard 27.1 - Reporting policies
 - b. Standard 27.2 - Reporting procedures
 - c. Standard 27.3 – Enforcement policy/procedure
- (2) The FMB's Financial Administration Law Standards
 - a. Standard 27.1 - Reporting misconduct
 - b. Standard 27.2 - Obligation to report
 - c. Standard 27.3 - Protection for whistleblowers
 - d. Standard 27.4 - Procedural requirements

G. Appendices

- (1) Appendix P – Glooscap First Nation Acknowledgement and Agreement Regarding the Reporting of Breaches and Financial Irregularities
- (2) Appendix Q - Glooscap First Nation Reporting of Breaches and Financial Irregularities Process Checklist
- (3) Appendix R – Glooscap First Nation Reporting of Breaches and Financial Irregularities Report Template

Appendix P – Glooscap First Nation Acknowledgement and Agreement Regarding the Reporting of Breaches and Financial Irregularities

Acknowledgement and Agreement Regarding the Reporting of Breaches and Financial Irregularities

This is to acknowledge that I have received and read a copy of the Glooscap First Nation’s Reporting of Breaches and Financial Irregularities Policy. I understand that the integrity of the financial information and other information of the First Nation is vital.

I further understand that the First Nation is committed to a work environment free of discrimination, retaliation, threats or harassment for employees and contractors who has raised concerns regarding financial misconduct or wrongdoing and that the First Nation specifically prohibits reprisals against any person who makes a good faith report regarding such concerns. Accordingly, I specifically agree that to the extent I have concerns of financial misconduct or wrongdoing that I reasonably believe to be in violation of the First Nation’s laws or policies, I will immediately report such conduct in accordance with the First Nation’s Reporting of Breaches and Financial Irregularities Policy.

I confirm that I have read this policy and understand the expectations of me contained herein.

_____ Employee’s/Contractor’s Signature

_____ Employee’s/Contractor’s Name [printed]

_____ Date

Appendix Q - Glooscap First Nation Reporting of Breaches and Financial Irregularities Process Checklist

GLOOSCAP
First Nation

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Reporting Breaches and Financial Irregularities Process Checklist Glooscap First Nation

Action	Completed?
1. Create a file for the breach. Secure in a locked cabinet	
2. Confirm in writing to the party who has reported the alleged misconduct that the report has been received.	
3. Begin an inquiry. Inquiry needs to be completed within eight weeks from the time the initial report is submitted. Ensure that you record each step/action taken. Seek legal counsel if unsure.	
4. Make a report on the results of the inquiry to the party that submitted the report. Ensure confidentiality.	
5. If the inquiry cannot be completed in the eight weeks, notice must be provided to the party that submitted the initial report with explanation why it cannot be completed.	
6. Once report is completed, results presented to the Glooscap First Nation Finance, Audit and Risk Committee. GFN FAR Committee will develop recommendations based on the report provided.	
7. Director of Administration will provide the report with GFN FAR recommendations to the Council. This can include warnings up to dismissal. If found to be criminal in nature, RCMP can be called in.	
8. Council approves recommendations.	
9. Director of Administration or Chair of the GFN FAR implement the recommendations. This can include warnings, suspensions, termination. If there is no wrong doing discovered, develop final report without recommendations and close file.	
10. A final report is developed for inclusion into the file including the result of the implementation of the recommendations. Files is retained in accordance with the Glooscap First Nation Financial Administration Law and its associated policies.	
11. A summary of the final report and result of recommendations is provided to the individual who made the initial report.	
12. Close file.	

**All efforts will be made to ensure the identity of the individual(s) making the report is kept confidential. If the confidentiality cannot be maintained, the individual(s) will be protected from reprisals. Persons who an allegation of misconduct is made will be treated fairly and allegations of misconduct will be fully investigated as efficiently as possible and resolved as appropriate.*

Appendix R – Glooscap First Nation Reporting of Breaches and Financial Irregularities Report Template

GLOOSCAP
First Nation

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Reporting Breaches and Financial Irregularities Process Report Form **Glooscap First Nation**

Please note that in this document can be presented to the Glooscap First Nation Director of Administration or the Chair of the Glooscap First Nation Finance, Audit and Risk Committee. Also note that in accordance with the Glooscap First Nation Financial Administration Law and Human Resource Policy “the identity of any person who raises a concern of wrongdoing will remain confidential to the extent practically possible” and “the person reporting the breach in good faith will receive fair and unbiased treatment throughout the investigative process.”

Name: (you do not have to provide a name): _____

Submitted to:

- ☐ Director of Administration
- ☐ Chair of the Glooscap First Nation Finance , Audit and Risk Committee

Provide the name of the person you are reporting and briefly describe the incident(s) you wish to report:

If you would like to be updated on the progress of the investigation and be made aware of the result, please provide contact information below.

Name: _____

Address: _____

Email: _____

Telephone: _____

** Information collected is subject to the privacy and confidentiality provisions under the Glooscap First Nation Financial Administration Law and its associated policies*

11. Employee Social Media and Internet Policy

A. Policy

The Council has established the Glooscap First Nation Employee Social Media and Internet Policy to ensure that the technology provided to employees is not used in a manner that would bring about criminal activities/charges or in any way damage the reputation of Glooscap First Nation.

B. Purpose

The purpose of this policy is to define standards to ensure Glooscap First Nation employees use the Internet in a productive, safe and responsible manner.

C. Scope

This policy applies to all employees of Glooscap First Nation while fulfilling their duties outlined in their job descriptions, representing Glooscap First Nation in any forum and utilizing technology provided by Glooscap First Nation, for the purpose of work.

D. Responsibilities

- (1) The Council of Glooscap First Nation is responsible for reviewing and approving the Employee Social Media and Internet Policy
- (2) The Director of Administration, or a delegate is responsible for the day to day administration of the policy.

E. Procedures

- (1) Use of the Internet in the Workplace
 - a. During the course of work, it is inappropriate for Glooscap First Nation employees to access non-work related web-sites, including the following:
 - i. Adult / pornographic sites;
 - ii. Gambling and gaming sites;
 - iii. Personal and dating sites;
 - iv. Sites promoting intolerance and hate;
 - v. Illegal sites, or sites promoting illegal activities, including child pornography;
 - vi. Instagram
 - b. Employees may use the internet and social network sites (e.g., Facebook, Myspace, Twitter, YouTube, LinkedIn, etc.) during breaks, in accordance with the following rules:
 - i. It is considered inappropriate for employees to blog about or post any insulting, disruptive, offensive, defamatory or harassing information concerning any other employee, client or other person associated with the Band Council. Employee grievances, complaints or issues with any other employee, customer, or other person associated with the Band Council must never be the subject matter of messages sent,

or posted, by an employee on a social networking site. Such grievances, complaints or issues should be addressed internally, through communications with supervisors, or the Director of Administration.

- ii. It is considered inappropriate for any employee to post any confidential information obtained as a result of their employment with the Glooscap First Nation, including information related to other employees, clients, finances, research, operational methods, plans and policies of the Band Council.
- iii. It is considered inappropriate for an employee to hold themselves out on a social networking site, or on any other Internet site, as representing the views, opinions or position of the Band Council on any matter, without clear authorization to do so from Council or the Director of Administration.

(2) Internet Outside of Work

- a. Employee use of the internet social networking sites outside work hours are subject to the same restrictions that apply to employee use of social networking use during work hours set out in Section (c), (d) and (e) above.

(3) Consequences of Policy Violations

- a. Technology and equipment owned by the Glooscap First Nation Band Council is intended for business purposes. All online activities are subject to monitoring, including sites visited.
- b. The Director of Administration may take away the privileges of using the internet and / or social networking sites within any sector or department where they are found to impact workplace performance.
- c. Breach of this policy can result in workplace discipline, up to and including termination, where circumstances warrant. See Section 6 of these policies.

F. References and Related Authorities

None

G. Appendices

None

12. Occupational Health and Safety

A. Policy

The Council of Glooscap First Nation has established the Occupational Health and Safety Policy to ensure that the employees of Glooscap First Nation have a safe and hazard free workplace.

B. Purpose

The purpose of this policy is to prevent accidents and injury to health arising out of, linked with or occurring in the course of employment with Glooscap First Nation.

C. Scope

This policy and procedures apply to Council and all employees and other persons with authority to conduct activities on behalf of Glooscap First Nation

D. Responsibilities

- (1) Glooscap First Nation Council, in accordance with the Canada Labour Code will endeavour to provide preventative measures to ensure the safety of all employees. "Preventive measures should consist first of the elimination of hazards, then the reduction of hazards and finally, the provision of personal protective equipment, clothing, devices or materials, all with the goal of ensuring the health and safety of employees."
- (2) The Director of Administration will be responsible for the initial setting up of the committee and ensuring that they meet and act in accordance with this policy.
- (3) All persons affected by this policy are required to review, understand and comply with the policies and procedures.

E. Procedures

- (1) Establish an Occupational Health and Safety Committee
 - a. The Committee will be comprised of a minimum of 3 individuals. One from each division of Glooscap First Nation: administration, health, economic development
 - b. The OHS Committee will meet quarterly or on an as needed basis.
 - c. Glooscap First Nation Occupational Health and Safety Committee will be responsible to identifying potential hazards and working to remove them.
 - d. All employees are required to advise the OHS Committee of any issues which may present a health and/or safety danger. The Occupational Health and Safety Committee will then work to resolve and /or eliminate the hazard.
 - e. The OHS will annually report to the Council on health and safety issues, the resolution to those issues and any outstanding issues.

F. References and Related Authorities

None

G. Appendices

- (1) Appendix S – Glooscap First Nation Terms of Reference for the Occupational Health and Safety Committee

Appendix S – Glooscap First Nation Terms of Reference for the Occupational Health and Safety Committee

**GLOOSCAP
First Nation**

Band Office

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Glooscap First Nation Occupational Health and Safety Committee Terms of Reference

1. Mandate

The Glooscap First Nation Occupational Health and Safety Committee will work to ensure that the members of Glooscap First Nation Chief and Council and staff have a safe environment to conduct their work.

2. Authority

The OH&S committee has been created to provide recommendations to Chief and Council and staff at Glooscap First Nation to ensure that the employees of Glooscap First Nation have a safe and hazard free workplace. The purpose is to prevent accidents and injury to health arising out of, linked with or occurring in the course of employment with Glooscap First Nation.

3. Composition

The composition of the OH&S Committee is:

- The Glooscap Ventures Health and Safety Officer;
- One member of the administrative staff and;
- One member of the health staff.

4. Responsibilities

The responsibilities are as follows:

- Provide a quarterly report to Council on OH&S issues and concerns;
- Identify and work to rectify any health and safety issues within the workplace;
- Meet quarterly to review the state of Health and Safety at Glooscap First Nation.

The Committee will choose among themselves who will be the Chair of the Committee and report that information to the Director of Administration. The responsibilities of the Chair include:

- Calling the meetings;
- Chairing the meetings;
- Ensuring meeting notes are recorded and forwarded to the Director of Administration;
- Ensuring the report to Council is completed and sent in accordance with these Terms of Reference.

5. Criteria of Eligibility

Must be a member of staff

6. Term

Term for each member is 3 years. Members may continue for another 3 years if they choose.

7. Quorum

Quorum is 2/3 of the members

8. Meetings

Meeting will take place quarterly at least one week prior to the Glooscap First Nation Chief and Council meeting. Quarterly refers to: June, September, December and March.

9. Recording

Minutes will be taken and provided to the Director of Administration at Glooscap First Nation.

10. Reporting

A report to Council must be submitted to the Director of Administration at least one week prior to the Chief and Council meetings in June, September, December and March. The report will include the meeting minutes from the previous meeting and an official report regarding OH&S issues.

11. Termination

A member may be removed from the committee if they miss more than 2 consecutive meetings, if they lose their position with Glooscap First Nation, or if their behaviour is not conducive to good governance.

12. Dissolution of the Committee

The OH&S Committee can be dissolved by the majority vote of the Glooscap First Nation Council. In case of such an occurrence, the Council must have a new Committee established by the next scheduled meeting

Approved at a duly convened meeting on _____, 2019 in _____.

Chief Sidney Peters

Director of Administration

13. Substance Use Policy

A. Policy

The Council of Glooscap First Nation has established the Substance Use Policy to promote a safe and healthy workplace.

B. Purpose

The purpose of the Substance Use Policy is to create a safe and healthy workplace by reducing the risks associated with the use of alcohol or drugs. This policy applies to all conduct capable of impacting the work and reputation of Glooscap First Nation or any of its affiliates.

C. Scope

This policy applies to all members of Council and all employees of Glooscap First Nation or any of its affiliates, regardless of role or job position. This policy also applies to all volunteers, contractors and subcontractors that work with or for Glooscap First Nation.

D. Responsibilities

- (1) The Council is responsible for periodically reviewing, making revisions to and approving the Substance Use Policy.
- (2) The Director of Administration is responsible for ensuring that all employees, volunteers and contractors are aware of the policy. The Director of Administration is also responsible for conducting any disciplinary issues that may arise from violation of the policy.
- (3) All employees, volunteers and contractors are responsible for abiding by the procedures outlined in this policy.

E. Procedures

- (1) Drug Use at Work
 - a. No employee, contractor or subcontractor may be impaired or under the influence of alcohol or recreational cannabis while at work or any event associated with work such as training and conferences where health and safety or the reputation of Glooscap First Nation may be at risk. Employees found to be under the influence will be sent home and may face disciplinary action under Section 6 of this policy up to and including dismissal.
 - b. An employee's immediate supervisor or the Director of Administration may, with reasonable cause, investigate whether an employee is impaired or using alcohol or drugs at work in response to complaints or concerns by co-workers or supervisors, an employee's unexplained declining job performance or erratic or unusual behaviour, an employee's involvement in safety incidents including near misses, or other indications that the employee has substance use issues and may be impaired at work.
 - c. Where an employee's immediate supervisor or the Director of Administration initiates an investigation, they shall meet with the employee privately, ask the employee to explain his

or her behaviour, including if he or she has consumed alcohol or drugs, and if necessary, send the employee home for the remainder of the day [or for such longer time as may be considered necessary].

- d. Employees found to be under the influence may face disciplinary action under Section 6 of this policy up to and including dismissal.
- e. Glooscap First Nation encourages any employee who believes that they live with a drug dependency to disclose their condition to their immediate supervisor or the Director of Administration. Employees may be accommodated for their drug dependency to the point of undue hardship in accordance with applicable human rights legislation. All information reported about a drug dependency will remain confidential and will only be disclosed if required by law.
- f. For greater clarity, employees are not forbidden from consumption of alcohol or recreational cannabis at a work functions such as a holiday party or employees retreat, if these behaviours have been sanctioned by Council.
- g. Illicit Drugs are strictly forbidden for use, distribution and sale at work or any event that may be associated with work (i.e. conferences, training, work functions such as holiday gatherings etc.)
- h. Employees have an obligation to seek accommodation/treatment to ensure that they are not in breach of this policy.

(2) Medical Cannabis Use

- a. Glooscap First Nation understands that employees may be under medical care involving medications, including cannabis that may have impairing effects.
- b. Employees, contractors and subcontractors who use cannabis under medical supervision are required to understand the impacts that the cannabis may have on their work performance. If the work is safety sensitive and has the potential to cause injury or damage if not conducted properly, the employee must contact their immediate supervisor or Director of Administration prior to the start of work.
- c. Where an employee reports their medical use of cannabis to their immediate supervisor or Director of Administration, Glooscap First Nation will work with the employee to determine what accommodation, if any, is necessary and can be made to ensure the employee remains in the position without compromising safety.
- d. Employees have an obligation to seek accommodation to ensure that they are not in breach of this policy.

F. References and Related Authorities

None

G. Appendices

None

14. Working with Children and Elders Policy

A. Policy

The Council of Glooscap First Nation has established the Working with Children and Elders Policy to ensure the safety of Glooscap First Nation members and visitors who participate in on reserve activities.

B. Purpose

The Glooscap First Nation Working with Children and Elders Policy will outline processes for staff and volunteers working with children and elders and who suspect abuse.

C. Scope

The Glooscap First Nation Working with Children and Elders Policy applies to all employees and contractors who work regularly with children and Elders. In some cases, the policy may apply to volunteers. This is to be determined by the Director of Administration or delegate.

D. Responsibilities

- (1) The Council is responsible for the review and approval of the Glooscap First Nation Working with Children and Elders Policy.
- (2) The Director of Administration and the Health Director are responsible for the day to day administration of the policy.
- (3) All employees of Glooscap First Nation are responsible for reviewing, understanding and abiding by the Glooscap First Nation Working with Children and Elders Policy.

E. Procedures

- (1) Legislative Framework
 - a. Employees and volunteers working with employees will make themselves familiar with the *Adult Protection Act* and the safeguards outlined therein.
 - b. Employees and volunteers working with employees will make themselves familiar with the *Children and Family Services Act* and the safeguards outlined therein.
 - c. Employees and volunteers working with employees will make themselves familiar with the role of Mi'kmaq Children and Family Services (MCFS). MCFS is tied to the same child welfare legislation as provincial non-Aboriginal agencies through the *Children and Family Services Act*. MCFS services 13 First Nation communities in Nova Scotia.
 - d. Where necessary, Glooscap First Nation Band Administration and/or Health Centre will provide training and information sessions on the relevant legislation for employees.
- (2) Internal Controls
 - a. Glooscap First Nation employees who regularly work with children will be required to provide a clean record from the Nova Scotia Child Abuse Registry, Criminal Record Check with

Vulnerable Sector Check. If a clean record is not possible, employment will be terminated. Employees are required to update their record every three (3) years.

- b. Glooscap First Nation employees who regularly work with Elders (i.e. Assisted Living, Community Health Nurse) will be required to submit a clean Criminal Record Check with Vulnerable Sector Check. If a clean record is not possible, employment can be terminated depending on the severity of the crime and its relationship to the employees' position. Employees are required to re-submit a clean Criminal Record Check every three (3) years.
- c. Volunteers working with children or Elders will need to be directly supervised by a member of the Glooscap First Nation employees.
- d. Volunteers will be required to submit a clean record from the Nova Scotia Child Abuse Registry and a clean Criminal Record Check with Vulnerable Sector Check prior to completing any volunteer services for Glooscap First Nation every three (3) years.

(3) Duty to Report

- a. Glooscap First Nation employees and volunteers who suspect abuse are required by law to report it to the appropriate authorities. The process for reporting is outlined in Appendix S-V
- b. Failure to report suspected abuse can result in termination of employment

F. References and Related Authorities

None

G. Appendices

- (1) Appendix T – Glooscap First Nation Suspected Abuse Reporting Flow Chart
- (2) Appendix U – Glooscap First Nation Suspected Child Abuse Reporting Form
- (3) Appendix V – Glooscap First Nation Suspect Elder Abuse Reporting Form
- (4) Appendix W – Glooscap First Nation Contact Information for Agencies

Appendix T – Glooscap First Nation Suspected Abuse Reporting Flow Chart

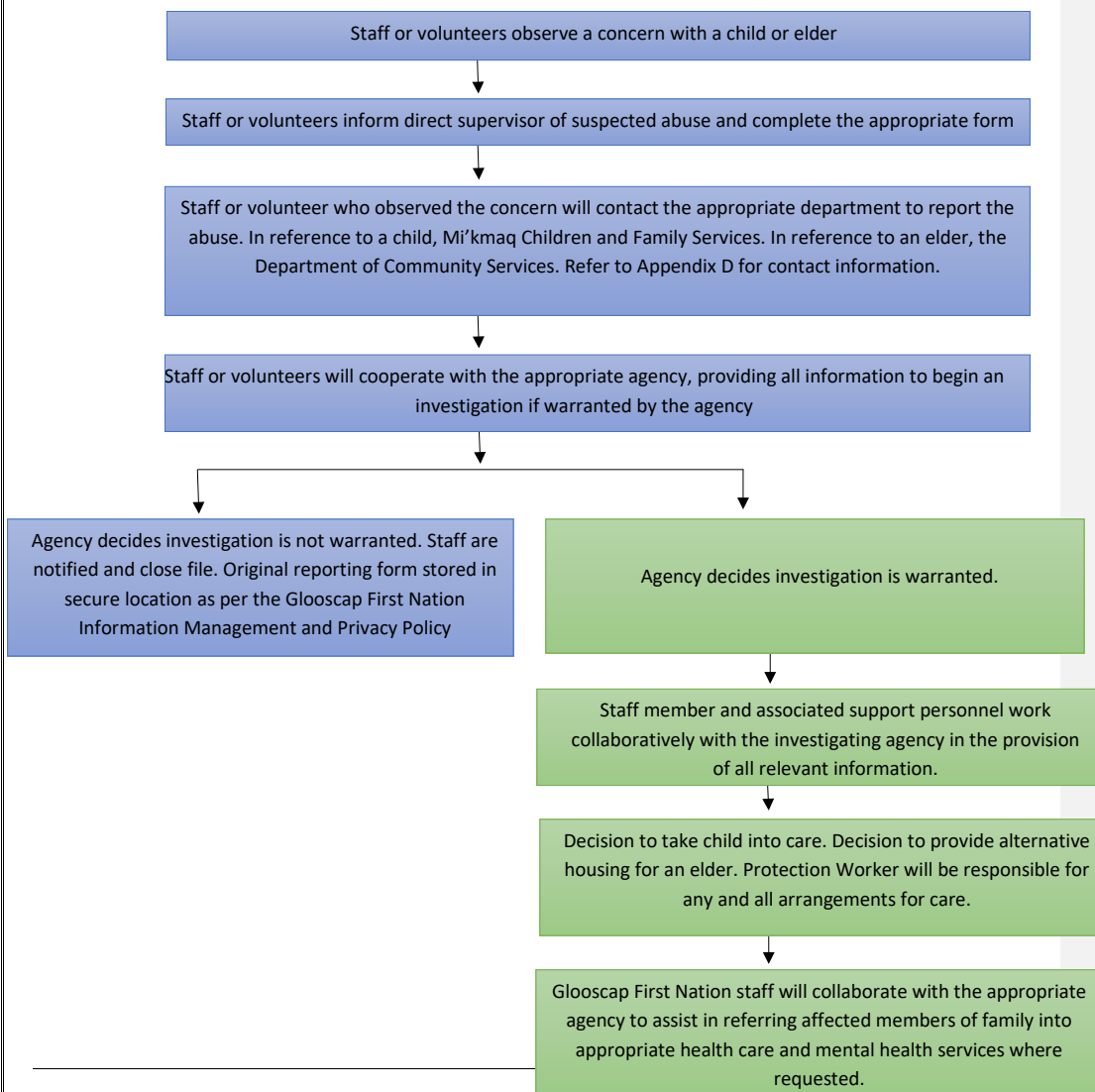
GLOOSCAP
First Nation

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Procedures for Reporting Abuse Flow Chart



Appendix U – Glooscap First Nation Suspected Child Abuse Reporting Form

GLOOSCAP
First Nation

Band Office

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Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Child's Full Name

Date of Birth

M F
Sex

Civic Address

Parent/Guardian Name

Mailing Address

Postal Code

Home Phone (if known)

**Referral Information. Please provide a detailed account. Include date(s) and incident(s)
(Use separate piece of paper if necessary and attached to this form)**

Internal Information

Name of Person Making the Report

Position

Address

Phone Number

Postal Code

Date of Report

☐ I have informed my Direct Supervisor of this report

Once complete, call the authorized representative for the appropriate agency (generally Mi'kmaq Children and Family Services) and provide a copy of this report to them.

If this is an emergency, call 911 before completing the form.

The original will be provided to the direct supervisor for retention

Appendix V – Glooscap First Nation Suspect Elder Abuse Reporting Form

GLOOSCAP
First Nation

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Elders Full Name

Date of Birth

M F
Sex

Civic Address

Guardian/Next of Kin Name

Mailing Address

Guardian/Next of Kin Address (if Different)

Postal Code

Postal Code (if different)

Home Phone (if known)

Home/Cell Phone (if known)

**Referral Information. Please provide a detailed account. Include date(s) and incident(s)
(Use separate piece of paper if necessary and attached to this form)**

Internal Information

Name of Person Making the Report

Position

Address

Phone Number

Postal Code

Date of Report

☐ I have informed my Direct Supervisor of this report

Once complete, call the authorized representative for the appropriate agency (generally Department of Community Services) and provide a copy of this report to them.

If this is an emergency, call 911 before completing the form.

The original will be provided to the direct supervisor for retention.

Appendix W – Glooscap First Nation Contact Information for Agencies

**GLOOSCAP
First Nation**

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943



Suspected Child and Elder Abuse Contact Information for Agencies

In the case of an emergency always dial 911

(1) Mi'kmaw Family & Children's Services

Eskasoni (902) 379-2433
Bear River (902) 467-3970
Box 179, Shubenacadie
Hants County, NS, B0N 2H0
Phone (902) 758-3553 or 1-800-263-8686
Fax: (902) 758-2390

(2) Senior Abuse Information and Referral Line: Call for information about senior abuse or to talk about a situation of abuse. Your call will be kept confidential. Leave a message if a person does not answer the phone. This is not a crisis line. The Department of Seniors cannot investigate, but it can tell you about resources in your community.

1-877-833-3377 *toll-free in Nova Scotia*
902-424-3163 *out of province*

(3) Adult Protection and Protection for Persons in Care: Call if you know of a senior who is being abused or neglected and needs protection. Leave a message. All messages are returned.

1-800-225-7225 *toll-free in Nova Scotia*
902-487-0640 *out of province*

The Department of Health and Wellness will investigate if either of these laws apply:

- Adult Protection Act—for adults who cannot physically or mentally protect or care for themselves
- Protection for Persons in Care Act—if the abuse happens in a licensed health facility, such as a nursing home, residential care facility, or hospital

15. Gifts Policy

A. Policy

The Council has established the gifts policy to ensure fairness and equity to all employees and members of Council, regardless of their position within the organization and to protect the reputation of Glooscap First Nation.

B. Purpose

The purpose of the gifts policy is to outline what is and is not acceptable when receiving gifts from outside organizations or individuals. This will protect the reputation of the Council members, employees and the organization as a whole.

C. Scope

This policy applies to all employees and all consultants and contractors involved in the financial administration of Glooscap First Nation.

D. Responsibilities

- (1) The Council is responsible for reviewing, amending when required and approving the policy.
- (2) The Director of Administration is responsible for informing employees and ensuring compliance to the policy.
- (3) All members of Council and employees are responsible for abiding by the policy.

E. Procedures

Cash/Negotiable Gifts (eg. gift card / cheque)

Any cash/negotiable gift received by an employee from any source in any amount must be turned over to the Band Administrator to be raffled off to staff, donated to a community organization or group, used as part of a Glooscap First Nation program, etc.

Non-Cash/Non-Negotiable Gifts (eg. swag, event tickets)

Up to \$50.00 in value received from any source – employee can keep

Between \$50.00 - \$200.00 in value received from any source – employee can keep but must report the details of the gift to the Band Administrator and Human Resources

Over \$200.00 in value received from any source – employee must give to the Band Administrator to be raffled off, donated to a community organization or group, used as part of a Glooscap First Nation program, etc.

Gifts received as part of a training program

An employee who receives a non-cash/non-negotiable gift as a function of having completed a specific event (ie. a watch for completion of a personal training program), must disclose the details of the gift

to the Band Administrator and may be permitted to keep that gift depending on the nature of the gift. If the gift received (eg. Ipad) is given as part of a training program that is directly related to the job responsibilities of the individual for a Glooscap First Nation program, the item will become property of Glooscap First Nation to be used as part of that program.

Gifts of any kind received in any amount from the same organization within the same fiscal year must be reported to the Band Administrator and Human Resources. In the event that the cumulative total of the gifts received by the same employee from the same organization within the same fiscal year is over \$200.00, the gifts above the \$200.00 value may be turned over to Glooscap First Nation at the discretion of the Band Administrator and Human Resources. If the value of the item(s) received is unknown, but likely to be over \$50.00, then the gift must be disclosed to the Band Administrator and Human Resources who will determine whether the gift may be kept by the employee or turned over to Glooscap First Nation.

Exemptions to the policy include a gift that:

- would be considered within the normal exchange common to business relationships or public cultural events of Glooscap First Nation or other First Nations;
- is of nominal value;
- is given by a close friend or relative as an element of that relationship; or
- would be considered acceptable if offered by Glooscap First Nation to another person.

Employees must inform vendors, suppliers, partners etc. of the gifts policy of Glooscap First Nation.

F. References and Related Authorities

None

G. Appendices

None

16. Group Pension Plan & Group Insurance Plan and Policies:

16A – Group Pension Plan

Chief and Council of Glooscap First Nation/Glooscap Ventures (GFN/GV) recognize the need for employees to financially prepare for their retirement and approved the establishment of a Defined Contribution Registered Pension Plan in 2013. The Plan is intended to help employees and Councillors save towards retirement and ultimately provide them with a portion of their retirement income.

It is mandatory for eligible employees to participate in the Plan. Employees save regularly from their pay and GFN/GV match those savings. Eligible Councillors and employees can contribute and have matched either **2% or 5%** of their pay. They can change the percentage they contribute provided they advise the Plan Administrator by mid-December so that contributions can continue in January of the next year.

The Pension Plan conforms and is subject to the *Pension Benefits Standards Act, 1985 and the Pension Benefits Standards Regulations, 1985*. The plan adheres to the guidelines and requirements as contained within the *Income Tax Act*.

Am I eligible to become a member of the Pension Plan?

- All permanent full-time Employees who work 30 hours or more per week will join the Plan following the completion of their first 3 months of continuous employment which is typically their probation period. This includes:
 - Captains of our fishing vessels who are scheduled to make all trips for that season and future seasons from November through to the end of May each year;
 - Hourly paid employees who have worked an average of 30 hours per week;
 - Elected Councillors
- All permanent part-time employees who work less than 30 hours per week are eligible to join the Plan following completion of 12 months of continuous employment and earnings of at least 35% of the Yearly Maximum Pensionable Earnings in the previous calendar year prior to joining the Plan.
- Any term, casual, seasonal and student Employee shall be eligible to join the Plan following the completion of 24 months of continuous employment and earnings of at least 35% of the Yearly Maximum Pensionable Earnings in each of the 2 consecutive calendar years prior to joining the Plan.

A permanent part-time, a term, a casual, a seasonal or a student employee may suspend membership in the Plan if they choose to. No benefits will be paid to the employee with suspended membership in the Plan until the earlier of their death, termination of employment, retirement, full Plan termination or if affected by a partial Plan termination.

[How much can I save and contribute each pay?](#)

All Councillors and employees can choose to contribute and save either 2% or 5% of their gross earnings per pay. Once an employee has chosen either 2% or 5% to save, this becomes the employee's contribution rate for the year. GFN/GV will match the employee's savings. For example, if an employee chooses to contribute 2%, GFN/GV will also contribute 2% to the employee's savings in the Pension Plan.

Councillors and employees who wish to change their contribution percentage must do so in writing to the Plan Administrator by December 15th latest, and the change will take effect from January of the following year. If the deadline is missed, the Councillor or employee will have to wait a further 12 months to make any change to their contribution percentage.

Councillors and employees can elect to make additional regular voluntary contributions up to limits set in Regulations to the *Income Tax Act*. Additional voluntary contributions are a way to save money for retirement however they are not matched by GFN/GV.

Councillors and employees choose how their savings are invested and the Plan Administrator will arrange for them to meet, confidentially, with a Financial Representative to gather information and advice on investment options. All contributions to the Plan by Councillors and employees become vested for the benefit of the Employee.

What happens if I am off work temporarily?

Employees who are temporarily off work due to long term sickness, maternity leave, paternity leave, temporary layoff due to shortage of work, temporary layoff due to a pandemic, or any other approved leave of absence as defined in the GFN/GV Human Resource Policy will be able to stop their pension contributions for the time they are off work, and restart their savings when they return to work. The organization will also stop making contributions during that time.

If an employee wishes to continue to make contributions while they are off work temporarily, they will need to provide GFN/GV with post-dated cheques (or an appropriate form of payment) in advance of leaving and the organization will continue to provide the matched contributions.

What happens to my Savings if I leave GFN/GV?

There are options available to Pension Plan members who leave the organization. Speak with the Plan Administrator as soon as you decide to leave GFN/GV for whatever reason, including retirement, and they will be able to help you get information on those options and your personal situation so that you can make an informed decision regarding your savings.

The options available are set in accordance with the *Pension Benefits Standards Act* and the *Income Tax Act*. A detailed option statement will be provided to the Councillor or employee leaving the Plan indicating the options and the value of their savings.

Councillors and employees are always entitled to the contributions that have been made to the Plan.

In the event of a Pension Plan members death, information would be provided to the members beneficiary. It is the responsibility of Councillors and employees to keep their beneficiary information up to date by informing the Plan Administrator of any changes.

Councillor/Employee Responsibilities:

It is the responsibility of all members of the Pension Plan to keep the Plan Administrator informed of any changes that occur either with their personal information (address, telephone number, addition to the family etc.) or personal situation (change to beneficiaries, change in relationship status). The Plan Administrator can then update information held. The organization cannot be held liable where the Councillor/Employee failed to advise us of any changes in their personal information.

How will I know what's happening with my Savings?

Councillors and employees have access to tools and resources to keep you informed about your savings and to help manage your savings:

- Contact the Plan Advisor for specific information via email to benefits@harvestwealth.ca or telephone Toll-Free (855) 360-7117
- You have access to a Plan member website – www.manulife.ca/GRO
- Call 1-888-727-7766 – 9 am to 9 pm, Monday to Friday to speak to a Manulife Client Service Representative or email them at gromail@manulife.ca
- Twice a year you will be provided with an electronic member statement
- Annually you will receive a Summary Member Statement mailed to your address – please ensure you provide the Plan Administrator with your up to date mailing address to ensure this reaches you
- Contact the Plan Administrator for general information

16B. Group Insurance Benefits Plan – (GIBP)

Chief and Council of Glooscap First Nation/Glooscap Ventures (GFN/GV) recognize the need for employees to have insurance protection against financial hardship that comes with unforeseen events such as sickness, accidents or death. They instructed senior management to find a plan that provides coverage, and therefore peace of mind for employees, but that is also as affordable as possible. This Plan provides coverage for those types of events and also coverage for everyday health and dental expenses that come up. The Group Insurance Benefits Plan will be reviewed bi-annually to ensure it meets the needs of our employees and the organization.

Am I eligible to become a member of the Group Insurance Benefits Plan (GIBP)?

- All Councillors and permanent employees who work 30 or more hours per week are required to enroll in the GIBP following three months of continuous employment, typically their probation period;

- For permanent hourly paid employees, their average weekly hours over a three-month period will be calculated and if they have worked on average more than 30 hours per week they will be required to enroll in the GIBP;
- Where an employee can show that they are covered under a spouse or partner's GIBP their participation in the Extended Health Care and Dental Care can be waived. They will still be required to enroll in the Employee Life, Dependent Life, Critical Illness, Online Doctors and Accidental Death and Dismemberment coverage in the Plan. Where employees have coverage with NHIB, this does not constitute coverage that allows those employees to waive Extended Health Care or Dental Care. Written proof of coverage elsewhere will be required by the Plan Administrator.
- Permanent employees who work less than 30 hours per week are not eligible to join the GIBP;
- Employees who have a casual, or temporary contract are not eligible to join the GIBP.
- Glooscap Fisheries deckhands are eligible for coverage for Life Insurance and AD&D insurance.

Councillor/Employee Responsibilities:

It is the responsibility of all members of the GIBP to keep the Plan Administrator informed of any changes that occur either with their personal information (address, telephone number, addition to the family etc.) or personal situation (change to beneficiaries, change in relationship status etc.), in writing in a timely manner. The Plan Administrator can then update information held by the GIBP provider. The organization cannot be held liable where the Councillor/Employee failed to advise us of any changes in their personal information.

What does the GIBP cover?

Ask the Plan Administrator for a copy of your GIBP booklet that details what coverage you have available to you.

How much does the GIBP cost?

The cost of participating in this plan will vary depending upon your salary/wages/honorarium and whether you require coverage for yourself or for your family.

The organization pays 50% of the costs and the employee pays the remaining 50%. Premiums are deducted directly from your pay and remitted to the GIBP provider along with the organization's contributions. The GIBP provider typically reviews its premium rates annually and the organization is notified of any changes in May of each year. This may mean a change in premiums however every step is taken to ensure premiums are as affordable as possible and any changes would be communicated to all Councillors and employees at that time.

Employees pay 100% of the premiums for Life Insurance, Accidental Death & Dismemberment, Dependent Life Insurance and Critical Illness premiums and these are considered a non-taxable deduction from pay. Calculations are made by payroll to ensure that overall, the organization pays 50% of total premiums and the employee pays 50% of total premiums.

What happens if I am off work temporarily?

Employees who are temporarily off work due to illness, maternity/paternity leave, temporary layoff due to shortage of work, temporary layoff due to a pandemic, or any other approved leave of absence as defined in the GFN/GV Human Resource Policy will have the option of continuing their premiums for the GIBP. Or, they can elect to stop their GIBP premiums for the time they are off work; the organization will also stop making contributions if that is the case.

If an employee wishes to continue to make contributions while they are off work temporarily, they will need to provide GFN/GV with post-dated cheques (or an appropriate form of payment) in advance of their absence wherever possible and the organization will continue to make contributions on their behalf.

If an employee is off work due to illness or injury*:

GIBP membership can continue for 12-months from the date the employee ceases to work with the employee paying 50% and the organization paying 50% of premiums due. If, after 12-months the employee remains off work due to illness or injury the employee will become responsible for 100% of GIBP premiums due;

If an employee is off work due to Maternity/Paternity or other leave of absence that is mandated by legislation*:

GIBP membership can continue until the end of the leave as legislated with the employee paying 50% and the organization paying 50% of the premiums due;

If an employee is off work due to a temporary lay-off or non-legislated leave of absence*:

GIBP membership can continue for a maximum of 120 days after the employee was last actively at work with the employee paying 50% and the organization paying 50% of the premiums due.

** management discretion may apply.*

What happens if I leave GFN/GV?

If an employee leaves the organization permanently at any time, their GIBP will cease after their last day of employment and they will no longer be covered by the Plan.

In the sad event of a GIBP member's death while employed by GFN/GV, information on the process would be provided to the member's beneficiaries. It is the responsibility of Councillors and employees to keep their beneficiary information up to date by informing the Plan Administrator of any changes.

How can I get more information on my GIBP?

Councillors and employees have access to tools and resources to keep you informed about your GIBP:

- Contact your Plan Administrator with any questions you may have and they will direct you accordingly. Full details of your GIBP and your specific entitlements is available in a booklet from the Plan Administrator;
- Download the Blue Cross App to your cell phone (medaviebc.ca/app) – the Contract Number is 15706 and you will be asked to input your Member Certificate number that can be found on your membership card. You can then submit a claim, check balances and more on your phone;
- Go to www.medaviebc.ca and look for Contact Us at the very bottom of the screen;

- Call 1-888-227-3400 from 8 am to 8 pm Atlantic time, Monday to Friday to speak to a Blue Cross Representative.

Revisions approved by Chief and Council February 2024.

Approved by Chief and Council October 2021.

17. Glooscap Respectful Workplace Policy

A. Policy:

This Policy outlines Glooscap First Nation/Glooscap Ventures (GFN/GV) commitment to enhance and encourage a climate of responsibility and mutual respect for others, to ensure a safe and respectful workplace and environment for all stakeholders. This new Policy replaces and builds on the previous 'Workplace Free from Discrimination and Harassment' Policy.

B. Purpose:

The purpose of this Policy is to assist GFN/GV and its employees and other stakeholders to promote and maintain a respectful work environment where all are treated with respect and dignity and are free from discrimination, harassment, and workplace violence. This Policy outlines the roles and responsibilities of stakeholders in fostering a respectful workplace.

This overarching Respectful Workplace Policy encompasses separate, specific policies, statements, and processes. This Policy will always be a work in progress and will be added to as future needs are identified.

GFN/GV recognizes that Bill C-65 - *An Act to amend the Canada Labour Code (harassment and violence)* raised the obligations on employers to protect their employees from workplace harassment and violence and are committed to those obligations. GFN/GV is committed to carrying out Risk Assessments, reviewing and updating its Policy every 3 years, and providing training. GFN/GV also recognizes that the Glooscap Health and Safety team (GHS) have an important role to play in the process along with HR and managers/supervisors.

Policies, Statements and processes that form part of the GFN/GV **Respectful Workplace Policy** are:

- Equity, Diversity and Inclusion Policy
- Complaints and Conflict Resolution Policy & Process
- Client Rights and Responsibilities Statement – Program
- Client Rights and Responsibilities Statement – GV Retail

Council, GV Board of Directors, and Senior Management commit to the following:

We will create an inclusive workplace where integrity, fairness, collaboration, professionalism and trust are the norm. All employees feel safe, valued, heard, and respected. All employees communicate using the Seven Sacred Teachings as the basis for their interactions with others. Issues and concerns are discussed openly and constructively, and solutions developed and agreed using the Two-eyed Seeing approach.

GFN/GV will not condone harassment, disrespectful conduct, or inappropriate behaviour within our workplaces and will treat violations of this policy as an offence, subject to disciplinary action. Complaints made under this policy will be addressed in a fair and timely manner in accordance with GFN/GV Complaints and Conflict Resolution Policy.

This Policy prohibits retaliation or reprisals against anyone who in good faith reports a violation to this policy or participates in a complaint investigation process. Retaliation or reprisal is considered to be a serious offence and any employee found to have retaliated against another employee in such circumstance will be subject to disciplinary

action, up to and including dismissal. False, frivolous, or malicious complaints are also considered a violation of this Policy and subject to disciplinary action, up to and including dismissal.

C. **Scope:**

This Respectful Workplace Policy applies to all those who govern GFN/GV, those who are employed by GFN/GV, those providing service to GFN/GV and those receiving services from GFN/GV.

D. **Responsibilities:**

Council/GV Board of Directors:

- Approve the Policy and any amendments
- Model the behaviours GFN/GV has committed to.

Senior Management:

- Implement the Policy and ensure accountability with clear consequences for violations. This includes promoting awareness and understanding of the Policy and providing training to employees.

Supervisors:

- Implement the Policy and gain skills through training, to develop a respectful workplace and understand their role in it. Supervisors are responsible for modeling inclusive and respectful behaviours and for dealing with all incidents or allegations in a manner consistent with this Policy and in consultation with Human Resources, the DOA or CEO as necessary.

Employees:

- All employees are responsible for contributing to a respectful work environment by refraining from disrespectful, discriminatory, and harassing behaviour, including retaliation and reprisal. All employees are expected to:
 - understand and comply with this Policy
 - be courteous, polite, respectful, and considerate towards others
 - work cooperatively with others
 - support and protect others by reporting acts of incivility
 - encourage respectful behaviour from clients and other service providers

Employees are encouraged to discuss any behaviour that they believe may be harassing in nature with their supervisor, manager, or Human Resources. Employees who witness harassment or who become aware that an individual is being harassed are encouraged to report the incident to their supervisor or manager or Human Resources.

E. **Procedures**

A) Background – Definitions of Types of Behaviour not accepted by GFN/GV:

- 1) **Discrimination** refers to intentional or unintentional mistreatment of an employee for which there is no bona fide and reasonable justification. Discrimination is any conduct, comment, gesture, or contact which is prohibited by law under the prohibited grounds of discrimination of the NS Human Rights Code and/or Canadian Human Rights Act and that might reasonably be perceived by a person as:

- unwelcome, objectionable, or offensive behaviour
- causing offence to, or the intimidation or humiliation of, another
- detrimentally affecting the work environment
- involving threats or promises of job-related consequences

The prohibited grounds of discrimination in the Canadian Human Rights Act are:

- | | |
|--|---|
| • race | • family status |
| • colour | • criminal conviction unrelated to employment |
| • ancestry | • physical or mental disability |
| • national or ethnic origin | • gender identity or expression |
| • political belief | • sex |
| • religion | • age |
| • marital status | • sexual orientation |
| • genetic characteristics | • disability |
| • conviction for an offence for which a pardon has been granted. | |

2) Harassment includes three types of behaviours, as follows:

- Harassment based on a prohibited ground of discrimination**
- Sexual harassment**
- Personal harassment**

Harassment includes, but is not limited to:

- verbal or written insults, abuse, or threats
- derogatory, demeaning, degrading, or intimidating comments
- racial or ethnic slurs, including racially derogatory nicknames
- unwelcome or offensive comments, jokes, innuendo, taunting, or teasing based upon a person's race, colour, age, disability, or sexual orientation
- unwelcome remarks, questions, jokes, innuendo, gestures, or taunting about a person's body, sex, sexual orientation, sexual attractiveness or unattractiveness, including sexual invitations, requesting sexual favours, or making sexual advances with actual or implied work related consequences
- unwanted physical contact such as touching, patting, pinching, grabbing, brushing up against, hugging, or kissing and any touching with a sexual connotation, including intimidation, threats, or actual physical assault of a sexual nature
- display of sexual or pornographic materials, including email and electronic materials, offensive or sexually explicit pictures, posters, pin-ups, graffiti, cartoons, or sayings
- physical assault (actual or threatened)
- email or other electronic materials containing unwelcome or inappropriate comments, jokes, pictures, or sayings
- patronizing or condescending behaviour
- excluding, shunning, ostracizing

- malicious gestures or actions
- spreading of malicious rumours or lies
- hazing
- practical jokes which cause embarrassment, endanger safety, or negatively affect work performance
- misuse of authority
- unwarranted and excessive supervision or criticism of an individual
- bullying

3) **Bullying** is a type of personal harassment, and a form of aggression, that may include physical, verbal, or emotional abuse. Bullying can negatively impact or poison the work environment. The bully attempts to control, humiliate, denigrate or injure the targeted individual with no reasonable justification or reason for the bullying.

Bullying includes but is not limited to:

- persistent, excessive, and unjustified criticism that intimidates or humiliates
- a deliberate attempt to sabotage a person's ability to do their job properly
- abusive, vindictive, malicious behaviour and misuse of power deliberately aimed at undermining a person's dignity and self-esteem
- repeatedly criticizing the victim's work
- spreading malicious rumours about the victim
- undermining the victim's work by giving wrong information or withholding necessary information
- constantly changing guidelines and expectations applicable to the victim and setting impossible goals
- removing responsibilities from the victim with the result that the victim feels useless
- blocking applications for leave, training, and promotion
- assigning unreasonable duties to the victim
- Lateral Violence is a form of bullying where members of an oppressed group engage in organized, harmful behaviours to each other within families, organizations or communities. Lateral violence occurs when people abuse others in similar ways to how they or others in their family have been abused. This can compound existing intergenerational trauma that First Nations people experience.

4) **Workplace Violence** involves attempted or actual exercise of physical force against a person, or any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against them.

5) **Disrespectful conduct or inappropriate behaviour** is any unwelcome or objectionable conduct or comment(s) that might reasonably be perceived by a person as demeaning, belittling, intimidating, humiliating, or offensive.

Although the conduct may not be deemed harassment or discrimination, it may be found to be disrespectful or inappropriate and will need to be dealt with accordingly. This determination will be based upon the severity, impact, and frequency of the conduct and the relationship between the individuals involved.

All individuals covered by this Policy need to take the time to analyze their own behaviours as they interact with others in the workplace. Unfortunately, it can be fairly easy to make someone feel belittled or to upset someone by using an inappropriate word, joke, or even laughter at the wrong time. As individuals we need to be aware that others can perceive behaviours differently to us, and what we feel is an innocent joke or gesture or phrase

can be perceived as offensive.

It is a challenge for many people, especially as organizations become more diverse and different languages are included. If a person doesn't react to something you have said or done in the way you expect, take a moment to be completely honest and tell them that you didn't mean to be offensive. Ask them to explain why they had that reaction as you want to learn and improve your ability to interact with others. We can all teach and learn from each other in a safe environment.

The following Continuum explains the definitions for types of behaviours that create conflict.

Respectful Workplace Continuum (Dr. Gary Namie's Incivility – Violence continuum)

Misunderstandings	Miscommunication that results in a person feeling wronged
Incivility	Act of rudeness to a peer
Conflict	Verbal or written argument between 2 workers
Covert Psychological bullying	Omission of a peer from activities
Over Psychological bullying	Name calling in-person or online (cyber-bullying)
Physical bullying	Physically preventing a person from moving
Racial Discrimination	Use of racial pejorative terms to describe a peer
Psychological sexual harassment	Making comments to a person about their body
Physical sexual harassment	Touching a person in a sexual non-consensual way
Physical violence	Throwing an object at another person; hitting, kicking etc.

An individual can be at risk of experiencing a mental injury due to exposure to conduct that falls anywhere on the continuum above.

B) Background – Behaviour accepted and expected at GFN/GV:

All individuals covered by this Policy are expected to be guided by the **Seven Sacred Teachings** in all their interactions with others.

Sacred Teaching:	Positive Behaviours expected at Glooscap:
To cherish knowledge is to know WISDOM	▪ Model the behaviour you want to see in others – teach them through your actions ▪ Take the time to learn more about the background and culture of your colleagues to expand your perspective

	- Accept that disagreement and conflict will exist and adopt a positive, solution-driven approach to reach resolution - Consult with Elders to draw on their wisdom
To know LOVE is to know peace	- Listen to others before responding; put yourself in their shoes for a moment before replying - Love and support diversity and learn to grow - Show appreciation and recognize the contributions others make
To honor all of the Creation is to have RESPECT	- Say “no” to any form of gossip – verbal and written - Show respect to all by saying please and thank you, good morning, how are you, common phrases that mean a lot to others - Physical, electronic, verbal abuse of others is never acceptable tell someone if you are aware of abuse so that it can be stopped
BRAVERY is to face the foe with integrity	- Be an ally – stand up for others who need your support and help - Be kind to everyone you come in contact with no matter who they are or what the situation is
HONEST also means “righteousness”, be honest first with yourself – in word and action	- React to situations based on facts and not your assumptions or gossip - Always behave in an ethical, professional and honest way - Understand your own behaviours – be honest first with yourself
HUMILITY is to know yourself as a sacred part of the Creation	- Know yourself and what frustrates you or makes you angry so you can avoid situations or be prepared to modify your behaviour - Manage your tone of voice in conversations and don’t try to be the only one talking - Remember that you are not always right and others are not always wrong - Be humble and allow others to keep their self-esteem even if you disagree with them
TRUTH is to know all of these things	- Speak the truth even if it puts you in a difficult situation – a lie will always make the matter worse in the long term even if it seems to help in the short term - Reflect on your own behaviour and reflect on how it may be perceived by others

C) Consequences of Violating this Respectful Workplace Policy:

GFN/GV take any instances of incivility, bullying, harassment, violence and general disrespectful conduct very seriously and individuals involved may face disciplinary action up to and including dismissal. Clients may face a ban on services.

D) Complaint and Conflict Resolution Policy:

The full **Complaint and Conflict Resolution policy** is included in a separate Policy and process document that forms

a part of this Respectful Workplace Policy.

An individual who believes that they have been subjected to any kind of disrespectful or inappropriate behaviour or who thinks that he or she may be the subject of harassment or discrimination is asked to immediately talk with their Supervisor, Manager or HR so that the Complaint and Conflict Resolution Policy can be followed. There are options for Informal and Formal Resolution processes and traditional Mi'kmaq resolution practices.

Any concern or complaint should be submitted **within 6 months** from the date the alleged incident(s) occurred, unless there are extenuating circumstances, however the sooner a discussion about the incident can take place the quicker a resolution can be reached, and individuals can receive the support they may need. Nobody has to deal with these situations on their own.

F. References and Related Authorities

Dr. Gary Namie's Incivility – Violence continuum. Dr. Namie is Director of the Workplace Bullying Institute in the US, co-author of The Bully at Work, and serves as an expert witness educating courts
NS Human Rights Code
Canadian Human Rights Act
Canada Labour Code and Bill C-65

G. Appendices

N/A

18. **Client / Customer Rights and Responsibilities:**

Every Glooscap client is important. Every Glooscap employee is important. Both parties have rights and responsibilities that when followed will build healthy, respectful and successful relationships. This document details the rights and responsibilities that both parties can expect. Clients will be provided with this document for review and signature when services begin as part of their orientation:

Delivery of Services:

Rights:

- Clients have the right to receive the best service that the Glooscap employee can provide within the boundaries of their position and the Program that they deliver
- Clients have the right to be spoken to respectfully and to have services delivered in a timely manner
- Clients have the right to any accommodation that may be needed to ensure a successful delivery of services

Responsibilities:

- Clients are responsible for actively listening to and working with the Glooscap employee who delivers the Program being accessed
- Clients are responsible for asking for any accommodation that may be needed to ensure a successful delivery of services

Dignity and Respect:

Rights:

- Clients have the right to be treated with dignity, respect, and compassion
- Clients have the right to be provided with service in a safe and respectful environment

Responsibilities:

- Clients are responsible for treating all Glooscap employees with dignity, respect and consideration
- Clients are responsible for speaking and acting respectfully towards all employees, volunteers, and other clients they may interact with, including not using bad language or raising voices

Privacy:

Rights:

- Clients have the right to have personal information kept private and confidential
- Clients have the right to have personal information shared with Glooscap employees on a need to know basis only

Responsibilities:

- Clients are responsible for respecting the privacy and confidentiality of others, including other clients you may interact with, volunteers, Glooscap employees and the services provided to you

Complaints:

Rights:

- Clients have the right to make an informal or formal complaint regarding an employee and should either speak with or write to the Director of Administration or Chief Executive Officer or their designate
- Clients have the right to receive a response to any complaint they may make in a timely manner and according to the GFN/GV Complaints & Conflict Resolution Policy

Responsibilities:

- Clients are responsible for following the informal or formal complaints process and for keeping matters confidential while an investigation takes place
- Clients who share information with others that do not need to know on complaints that are in the process of being investigated, risk having the complaint investigation terminated.

I acknowledge and understand the above Rights and Responsibilities and have signed below to confirm that I have read this document and will follow its contents. I also acknowledge that any failure to follow the contents of this document will be investigated and may result in loss of service to me.

Client Name: _____

Client Signature: _____

Date: _____

Name of Glooscap Employee providing Service: _____

Glooscap Employee signature: _____

Date: _____

Customer Rights and Responsibilities: Glooscap Retail Businesses

Every Glooscap customer is important. Every Glooscap employee is important. Both parties have rights and responsibilities that, when followed, will build healthy, respectful, and successful interactions. This document details the rights and responsibilities that both parties can expect:

Delivery of Services:

Rights:

- Customers have the right to receive the best service that the Glooscap employee can provide within the boundaries of their position
- Customers have the right to be spoken to respectfully and to have customer service delivered in a timely manner
- Customers have the right to reasonable accommodation that may be needed to ensure a successful delivery of customer service.

Responsibilities:

- Customers are responsible for actively listening to and communicating with the Glooscap employee to ensure effective customer service
- Customers are responsible for asking for any reasonable accommodation that may be needed to ensure a successful delivery of customer service.

Dignity and Respect:

Rights:

- Customers have the right to be treated with dignity, respect, and compassion at all times
- Customers have the right to be provided with customer service in a safe and respectful environment.

Responsibilities:

- Customers are responsible for treating all Glooscap employees with dignity, respect and consideration
- Customers are responsible for speaking and acting respectfully towards all Glooscap employees, including not using bad language or raising voices.

Complaints:

Rights:

- Customers have the right to make a complaint regarding an employee and should either speak with or write to the Retail Store Manager and/or the Director of Retail Operations.
- Customers have the right to receive a response to any complaint they may make in a timely manner and according to the GFN/GV Complaints & Conflict Resolution Policy

Responsibilities:

- Customers are responsible for following the Glooscap complaints process and for keeping matters confidential if an investigation takes place

In Glooscap businesses, failure to follow the contents of this document may result in the customer losing access to the business.

19. Equity, Diversity, and Inclusion Policy

A. Policy:

This Policy outlines **Glooscap First Nation/Glooscap Ventures (GFN/GV)** commitment to the values of equity, diversity, and inclusion (EDI) in its workplaces. Glooscap believes that equity, diversity and inclusion go hand in hand and that the organization can leverage benefits by having a diverse workforce.

B. Purpose:

The goal of this Policy is to develop Glooscap workplaces where:

- *Employees feel valued for who they are as individuals and for their characteristics*
- *Employees feel heard and have a voice and feel welcome to contribute and collaborate*
- *Employees feel they belong. They feel they are part of the organization and connected to others.*
- *Employees feel supported by each other and the organization*

Glooscap acknowledges the need to attract and retain a skilled, diverse workforce and value the diversity of our employees by leveraging individual characteristics, experiences, values and skills. Through the implementation of this Policy, we aim to embrace EDI and recognize that different backgrounds, strengths and perspectives will continue to make us stronger. We also acknowledge that Glooscap is fundamentally built on the strengths of Band members and, in accordance with the Aboriginal Employment Preference Policy of the Canadian Human Rights Commission, qualified Indigenous applicants will always be given priority and preference within our recruitment and hiring process.

What do we mean by Equity, Diversity and Inclusion (EDI)?

Equity is defined as “fairness or justice in the way people are treated”, it is about ensuring our workplace policies and practices enable all employees to shine, regardless of their identity group or systemic barriers. Taking actions to ensure parity and equal opportunity for historically underrepresented or marginalized groups of people and diverse communities (ie. BIPOC, persons with disabilities) is imperative.

Diversity is the practice of welcoming, respecting, supporting persons of all backgrounds and characteristics. Particularly persons who have been historically marginalized and excluded based on but not limited to gender identify, disability, race, ethnicity, sexual orientation, culture, ancestry, religion.

Inclusion is making a conscious effort to involve in all aspects of work, people who might be excluded based on their backgrounds or personal characteristics. Inclusion requires proactive steps to identify and remove barriers to inclusion in all processes, policies, plans, practices, programs and services.

C. Scope:

This Diversity, Equity and Inclusion Policy applies to all those who govern GFN/GV and those who are employed by GFN/GV.

D. Responsibilities

Council/BoD:

- Approve the Policy and champion the values of EDI across the organization and its entities.

Senior Management:

- Approve and implement the ideas in this Policy and create accountability with clear consequences for violation
- Lead by example and promote and respect the diversity of people and their skills
- Ensure that EDI principles are integrated into Business/Operations Plans and budget
- Support and encourage employees who request to participate in diversity training

Employees:

- Review and abide by the law and Glooscap Policies and Statements
- Build empathy, compassion and understanding for coworkers
- participate in educational and training programs about EDI
- Assess and modify how they work and make decisions, considering how habits or practices, particularly the impact of unconscious biases may be excluding people from opportunities to contribute and participate
- Help Glooscap celebrate successes in achieving greater EDI

E. Procedures

What, in practical terms, do we commit to?

Equity is tailoring tools and resources to meet the unique needs of each individual and continuously improving our systems and processes so everyone has the opportunity to reach their full potential. In addition, we will do our best to ensure that:

- proportional numbers of employees are represented from groups within the workplace at all levels of the organization
- Resources are distributed to close gaps that exist between groups
- Employees have an awareness of and a willingness to foster equity in the workplace
- Management has processes and training to promote and create a shared understanding of equity
- Historical injustices are taken into consideration, as is historical privilege
- Everyone can reach their full potential

Diversity is about welcoming each individual's unique perspective. It is the practice of accepting, welcoming, respecting, valuing and supporting persons of all backgrounds and characteristics. Diversity demands:

- the organization makes an active effort to remove any barriers that may prevent employees from being part of the organization particularly persons who have been historically marginalized and excluded based on characteristics including but not limited to gender identity, disability, race, ethnicity, sexual orientation, culture, ancestry, religion and any other characteristics
- Evaluation of individual performance on the basis of observable and measurable behaviours and competencies
- Demonstration of consistency in our interactions with everyone
- Creating a safe place for all employees to share ideas, differing views, and explore new methods

- Using a wide variety of recruiting channels to promote open positions
- Maximising employee exposure to different roles and leadership opportunities

Inclusion is creating a sense of belonging where everyone has a voice, feels valued and works together it requires:

- Regularly review of all Glooscap policies and processes through the lens of EDI
- Ensuring that employment-related decisions are free from discrimination
- Demonstrating consistency in our interactions with everyone
- Creating and maintaining a learning culture that keeps EDI top of mind
- Creating workplaces that are respectful and free from bullying, discrimination, harassment and violence
- Creating and maintaining a complaints and conflict resolution process to provide people with the opportunity to have an incident investigated
- Appropriately addressing any behaviours that are not consistent with this EDI Policy or other policies or laws relating to EDI.

F. **References and Related Authorities**

Nova Scotia Human Rights Act
 Canadian Human Rights Act
 Canadian Charter of Rights and Freedoms
 Employment Equity Act

G. **Appendices**

n/a

20. Glooscap Complaints and Conflict Resolution Policy

A. Policy:

This Policy outlines Glooscap First Nation/Glooscap Ventures (GFN/GV) commitment to addressing and providing resolution strategies for any complaints made in Glooscap workplaces. GFN/GV recognises that conflict situations may arise within the workplace and this Policy ensures that all parties involved are heard and treated with respect. Consensus is the goal of the complaints and conflict resolution process wherever possible.

B. Purpose:

The purpose of this Policy is to provide an effective and consistently applied means to address complaints and conflict situations that may arise in Glooscap workplaces and provide all involved with a chance to speak and be heard.

Filing a complaint is a serious step and should not be undertaken lightly. In most instances, employee relations, questions of performance, areas of responsibility etc., should be worked out among the parties involved, with the guidance and assistance of the Supervisor and HR. However, when serious issues emerge which impede work, morale, personal safety or similar, everyone covered by this Policy has the right to initiate a complaint and seek resolution.

The key to this Policy is for individuals or groups of individuals to speak up and be heard so that behaviour can be changed. If someone behaves in a way that offends, harms, humiliates, discriminates or degrades another, that behaviour is unacceptable within a GFN/GV workplace and will not be tolerated.

Often the individual who experienced inappropriate behaviour is not willing to raise the matter and make a complaint. Witnesses to the behaviour can come forward and file a complaint on their behalf. The witness has a right to file a complaint anonymously, provided they give the name of the individual who experienced the incident. HR can then follow up with the individual and provide support.

Problems, misunderstandings, and frustrations can often occur in the workplace. It is GFN/GV intent to be responsive and respectful to all parties involved. Therefore, anyone who is dealing with a conflict situation or has a complaint can use this Policy and processes to resolve the situation.

C. Scope:

This Policy applies to all those who govern GFN/GV, those who are employed by GFN/GV, those providing service to GFN/GV and those receiving services from GFN/GV.

This Policy applies to all GFN/GV workplaces as well as activities connected to the workplaces, for example travel, conferences, online activities related to the workplace, work related activities that happen offsite, social gatherings, social media etc.

D. Responsibilities:

Council/GV Board of Directors:

- Approve Policy and any future amendments
- Adhere to the Complaints and Conflict Resolution Policy and processes and refer others to the Policy

Senior Management including CEO and DOA:

- Implement the processes in this Policy and create accountability with clear consequences for violating the Policy and its processes
- Document any, and all matters they become aware of that could potentially create or lead to a complaint or conflict. Clear, factual, written information can be key to a successful investigation.
- Manage any situation they become aware of as soon as they are aware. This could potentially avoid any further escalation.
- Appoint a person from within the organization or an external independent workplace investigator to carry out any investigations required.
- The CEO and DOA will provide the Final Stage of any Appeal that may be lodged, where employees, clients, others involved are not satisfied with the final decision of the complaints process or conflict resolution strategy. The decision of the CEO and/or DOA will be final.

Supervisors:

- Implement the processes in this Policy and gain skills in doing so through further training
- Seek guidance from Senior Management and HR when a situation arises
- Document any and all matters they become aware of that could potentially create or lead to a complaint or conflict. Clear, factual, written information can be key to a successful end result.
- Manage any situation they become aware of as soon as they are aware. This could potentially avoid any further escalation.

Employees and those who provide service to, and those receiving services from GFN/GV:

- Speak up and share any concerns
- Try to resolve any conflict direct with others before a complaint is necessary
- Understand and follow this Policy and its processes in good faith, providing all information that is requested and being truthful at all times.

For the purpose of this Policy and to ensure clarity, the remainder of this Policy will use the following definitions:

Complainant - Person who is making the complaint and alleging a conflict situation

Respondent - Person who is alleged to have acted inappropriately and created the situation and caused the conflict

Once a conflict situation has occurred and/or a complaint has been made, the Complainant and the Respondent have clear responsibilities to this Policy and its processes.

Complainant has the right:

- To file a complaint and to obtain a review of the response without fear of embarrassment or reprisals;
- To receive fair treatment;
- To be protected from retaliation;
- To provide information within the investigation process;
- To be advised of the findings of the investigation as it related to their complaint. The complainant will not be advised of the outcome against the Respondent, as it relates to discipline or otherwise, as this is the individual's private information;
- To have their complaint kept confidential to the extent possible;
- To contact the Employee Assistance Program for support.

Complainant has the responsibility:

- To make every effort to resolve the issue directly with the Respondent or through the informal complaints process but moving to the formal process;
- To file a complaint within 6 months of the incident;
- To cooperate with those reviewing the complaint;
- To seek assistance from Senior Management, Supervisor or HR to obtain advice on their responsibilities under this Policy;
- To maintain confidentiality of the process and outcomes.

Respondent has the right:

- To be informed that a complaint has been filed against them;
- To be provided with a written statement of the allegations made against them when a formal complaint is lodged and be given the opportunity to respond in writing;
- To be informed of the progress of the complaint;
- To receive fair treatment;
- To have the complaint kept confidential to the extent possible;
- To contact the Employee Assistant Program for support.

Respondent has the responsibility:

- To cooperate with those conducting the process;
- To maintain confidentiality of the process, information shared and outcomes;
- To seek assistance from Senior Management, Supervisor or HR to obtain advice on their responsibilities under this Policy.

E. Procedures:

1. Steps 1, 2, and 3 to resolve Complaints and Conflict in the GFN/GV Workplaces:

The Supervisor and HR can meet with the Complainant to discuss their concerns and the situation that has occurred, provide information about this Policy, and discuss options for resolution at any time during the following processes, as needed. The Supervisor and HR will provide support to the individuals involved.

If HR is involved in the investigation as a Complainant, Respondent, or witness, the DOA or CEO (or their designate) will fulfill the role of HR as it relates to this Policy.

Step 1 – SPEAK UP and be heard

The Labour Code states that a complaint should be made within 6 months of the incident happening and within 3 months of an employee leaving the organization, unless there are extenuating circumstances.

Wherever possible and safe for the individual to do so, **Step 1** is for the Complainant to speak to the Respondent to let them know how their behaviour made them feel and that their behaviour was inappropriate and unwelcome. Frequently, people are not aware that their conduct is offensive and all that is required to prevent its repetition is a simple statement from the Complainant that the conduct is unwelcome. However, power disparities between the individuals and the severity of the incident in question may make it impossible or unreasonable for the Complainant to have a one on one discussion with the Respondent.

If the Complainant is not comfortable having that conversation, they can involve their supervisor/HR who can be part of that initial informal conversation. If the concern or complaint is about their immediate supervisor, they can contact HR direct.

If, after the Complainant has spoken with them, the Respondent continues the behaviour, then there is an Informal and a Formal process, detailed as **Step 2 and Step 3** below, that can be followed, and there are strategies that can be implemented to resolve conflict situations.

Step 1 - Actions:

- Report the incident/inappropriate behaviours as soon as possible and within 6 months unless extenuating circumstances.
- Speak with the individual who offended you and tell them how they made you feel and ask them not to make you feel like that again. Everyone has a right to feel safe and respected in a GFN/GV workplace.
- If you are not comfortable speaking with the individual yourself notify your supervisor/HR of any concern or complaint as soon as possible after the incident occurred. Your supervisor/HR will support you and share your options with you.

Step 2 - INFORMAL complaint resolution process

If **Step 1** above did not work to the satisfaction of the Complainant and the Respondent has continued the inappropriate behaviours, the Complainant must discuss the matter with the Supervisor/HR to get their support and guidance on moving to **Step 2**, the Informal complaint process.

Step 2 provides an opportunity for the matter to be resolved without resorting to a Formal complaint process and having to document and investigate the matter in detail. The Complainant will have the opportunity to speak with the Respondent with their Supervisor and/or HR present, in a facilitated discussion or they can choose a Talking Circle format or mediation can take place. The goal is to offer a safe environment for the people involved to talk, clear the air and address the concerns of the Complainant and the behaviour of the Respondent. Typically, there is no detailed investigation carried out and no written complaints are required. The only documentation would be a note on file within the HR office that explains the overall situation and that the Informal approach was either successful, unsuccessful, or skipped in preference of the Formal complaint process.

If a decision is made to proceed with an informal complaint process and a mutually acceptable resolution is reached between the Complainant and the Respondent, the matter is considered to be resolved informally. If any of the individuals feel that the informal complaint process would not be an appropriate or effective option, or the informal resolution process is not successful, then the matter may proceed to the **Step 3** formal complaint process.

Supervisors and HR involved in an Informal complaint process that is resolved, will monitor the situation over coming weeks/months to ensure that there has been no reoccurrence of any incident and that parties involved feel safe and are able to carry out their work.

Step 2 - Actions:

- Speak with the Supervisor/HR to get their advice on how you can deal with the situation in a more **informal** way without the need for a full investigation, written documentation and involving other colleagues.
- Have a facilitated discussion with the Respondent, or a Talking Circle, or getting a trusted mediator involved, perhaps an Elder, to allow you to share your concerns and be heard within a safe environment with the goal of reaching resolution.

Step 3 - FORMAL complaint resolution process

If **Step 2**, does not bring resolution to the Complainant or any kind of consensus between the parties then **Step 3**, a Formal complaint resolution process is needed.

Step 3 would also be the starting point of the process if the incident/behaviour in question is potentially of a very serious nature, for example, harassment, sexual harassment, bullying, violence, discrimination.

- Formal complaints have to be **put in writing and fully investigated** and can lead to implementing progressive discipline up to and including dismissal, depending on the severity of the behaviour and the results of the investigation. The process can also take more time to follow than Steps 1 and 2 and there are timing restrictions on the various parts of the process to be followed.
- A formal complaint should be **lodged with the Supervisor/HR within thirty (30) working days** of the failure of attempts at Step 1 or Step 2.
- The complainant will need to **write up** a formal complaint. They will:
 - describe the incident in detail and whether the behaviour was a one-time event or there had been more than one incident.
 - describe when the incident happened, where, who was involved, what happened, were there any witnesses.
 - describe how they were made to feel as a result of the incident.
- The formal complaint document can be an email, word document, handwritten statement, whatever is easiest for the Complainant and should be provided to their Supervisor/HR for review as soon as completed. Complainants can request assistance with writing their formal complaint from HR.
- Once a Formal written complaint has been received by the Supervisor/HR they will **immediately notify the DOA or CEO** to ensure they are aware of the situation and that a full investigation will need to take place. The Supervisor and HR will schedule a formal meeting with the Complainant to go through their written complaint within **seven (7) working days of receipt of the written complaint**.
- Following the meeting with the Complainant the Supervisor and HR then have up to **sixty (60) working days to carry out a full investigation** of the incident. The investigation will be kept confidential to the extent possible and involve only those individuals who need to be involved. HR will typically lead the investigation and talk with all parties involved however, depending on the incident, GFN/GV can also bring in an independent workplace investigator if it is considered necessary.

What is the Investigation Process?

- HR or another designated investigator, will conduct a thorough and fair investigation of the complaint. They will interview the Complainant, the Respondent, and any witnesses who may have relevant information.
- The investigation will be conducted in a manner that ensures both the Complainant and the Respondent each have an opportunity to know what the other is saying and have the opportunity to be heard. The Respondent will be provided with a copy of the written complaint and will have the opportunity to respond in writing to the allegations made.
- Employees have an obligation to participate in the investigation where they are witnesses to the

incident or have information pertinent to the incident or situation.

- At any time during the investigation, the option to return to **Step 2** – the Informal process may be requested. For example, an investigation may be suspended for a mediation to occur. If mediation is unsuccessful, the investigation will continue.

Findings Report:

Once the investigation has been completed, a Confidential Findings Report will be written setting out the nature of the complaint and the investigation's findings, and recommendations on remedial actions. If the investigator is someone other than HR, the investigator will provide a confidential report to HR, to share with the DOA, or CEO.

a) If the Complaint is shown to be true:

Where the investigation results in a finding that the complaint is substantiated and is true and accurate, the DOA or CEO will authorize an appropriate remedial action, based on the nature and severity of the violation, the GFN/GV progressive disciplinary process or other remedial action that is listed later in this Policy.

Where the complaint is shown to be true, the confidential outcome of the proceedings will be recorded in the Respondent's personnel file and may be used in any investigation of any subsequent complaint should one occur.

b) Complaint is shown to be untrue and not accurate

If the investigation results in a finding that the complaint is unsubstantiated and not true and accurate, no record will be placed in the Respondent's personal file. All other documentation will be kept in a locked filing cabinet by HR.

If an investigation results in a finding that the Complainant made a malicious complaint, the DOA or CEO will implement an appropriate remedial action, based on the nature and severity of the violation. The outcome of the proceedings will be recorded in the Complainant's personnel file and may be used in any investigation of a subsequent complaint.

c) Outcome of the investigation - Findings Report and Recommendations:

The Complainant and Respondent will be informed separately of the outcome of the investigation and the remedial action that will impact them personally.

Step 3 - Actions:

- Complainant writes a formal complaint and passes to the Supervisor/HR within thirty (30) working days of the failure of attempts at Step 1 or Step 2
- Supervisor/HR will meet with the Complainant **within seven (7) working days** of receiving the written

complaint to gather more info and provide guidance on this Policy

- HR or a designated investigator then has **sixty (60) working days** to carry out a full investigation
- Once the investigation is complete the findings will be provided to the Complainant and the Respondent
- The DOA or CEO will implement remedial action needed.

2. Strategies that can be used to resolve complaints and conflict:

The following strategies to resolve conflict and complaints can be used at GFN/GV. Strategies used will depend entirely upon the specific circumstances of the case, and will be discussed with the parties to the complaint.

GFN/GV encourages employees to take a more culturally relevant approach to resolving conflict and complaints in the workplace. GFN/GV is supportive of requests to use an approach such as bringing in an Elder Advisor to participate in any of the suggested strategies below.

A) Mediation

Mediation is a voluntary process whereby the Complainant and the Respondent each meet with a chosen mediator, acceptable to both parties, to assist them in addressing the matter between them and to determine if the complaint can be resolved in a mutually satisfactory manner. The Mediator may meet with the parties individually or both together. Any resolution would have to be satisfactory to both parties. Mediation may not always be appropriate, especially in a situation where the incident in question is severe, or involves discrimination or harassment that if proven will involve disciplinary action being taken.

B) Facilitated Discussion

Facilitated Discussion is used as a method for creating productive and collaborative discussion and problem solving between the parties in the room with the goal of talking through their dispute and better understanding each other. It is a similar process to Mediation however the facilitator is typically a manager or HR in the organization.

C) Talking Circle

The Talking Circle is a traditional Indigenous strategy for conflict resolution. The nature of the circle itself, as well as what occurs in the circle, helps achieve the goal of building relationships and is intended to be a safe place to speak your mind and heart. The Seven Sacred Teachings will guide participants through the process and all individuals who form the circle must agree to respect confidentiality.

The circle creates:

- Equality – everyone has equal seating
- Safety and trust – everyone can see each other
- Inclusion and responsibility – everyone has a chance to participate and can be heard
- Connection – provides an opportunity to hear from others and shows how one person's actions

- affect many other people and not just the individual harmed
- Community – a connection where connections may not have existed before
- Wholeness – an opportunity to show that actions can restore as well as harm

Connected people can work together to repair harm, restore dignity, and feel whole again. It empowers the person who did harm to see that they can have a positive effect on others. Circles are facilitated and a talking-piece is used and passed from one member of the circle to the next. Circles can be facilitated by an Elder, a member of Council, or someone independent from an external organization experienced in the process.

D) Negotiated Resolution

The Complainant and the Supervisor/HR can meet to discuss the situation and agree possible resolution strategies. They can agree whether the complaint can be resolved at an early stage, informally or whether it is serious enough to warrant a Formal complaint process. The former may mean that the Respondent would not be made aware of the complaint. The consensus following the discussion may be that the preferred way to handle the situation is for the Respondent's supervisor to monitor the situation moving forward. All will depend on the circumstances and severity of the incident that created the complaint.

3. General Considerations:

- Complaints can be initiated by individuals or groups of individuals
- GFN/GV reserves the right to impose appropriate disciplinary action for any conduct it considers to be disruptive or inappropriate carried out during the processes detailed in this Policy
- Complainants have the right to withdraw their complaint at any stage of a complaints process. However, GFN/GV may continue to act on the issues identified during the process to comply with its obligations.
- Employees will inform clients about their rights pertaining to making complaints and conflict resolution during the client orientation to GFN/GV services
- The Supervisor/HR will inform employees about their rights pertaining to making complaints and conflict resolution during the HR orientation for new hires
- The DOA, CEO and HR will conduct an annual review of complaints to determine trends, areas for performance improvement, training needs and actions to be taken.

4. Possible Remedial Actions:

Remedial action maybe agreed and delivered at any time during the processes described above and can include:

- a) A verbal or written apology;
- b) Educational training;
- c) Counselling;

- d) A job transfer, reassignment to a different department where this is feasible and practical for the organization;
- e) Probation for 3 – 6 months involving monitoring and regular check-ins;
- f) A Verbal or Written Warning, Final Written Warning or suspension, with or without pay;
- k) Dismissal with or without cause – depending on the severity of the incident.

F. References:

CMM HR Policy
Nokiiwin Tribal Council Employee Resource Toolkit
Law Society of BC
FMB
Bill C-65 – Amendment to Canada Labour Code