

Human Resources Policy

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Preamble

This policy takes effect on October 16, 2018, and will not be retroactive. The adoption of the policy coincides with a redefined strategic plan (June 2018), updated job descriptions to be completed following the adoption of this policy and the recognition of current federal and provincial legal responsibilities related to employment benefits and employer regulations.

The purpose of this policy is to provide

1. Guidelines

- a. To set forth the terms and conditions of employment and working conditions affecting employees covered by the Council, and
- b. To provide a means for settling disputes; and
- c. To promote harmonious relations within the organization.

2. Authority

This policy is authorized by the Board of Directors of the Ottawa Arts Council and delegates responsibilities for implementation to the Executive Director in conjunction with the Executive Committee and the Lead Board Member responsible for Human Resources.

3. Fairness

The Council supports the principles of merit and fair employment.

4. Organization

The Executive Director will prepare an annual staffing/organizational plan for Executive Committee approval. The plan will be presented to the Board of Directors.

Policies

1. Conditions Of Employment

The Ottawa Arts Council has the following status of employees: Indeterminate, determinate, contract, student and volunteer placements. This Human Resources policy applies to the first two categories. Contract staff will have their benefits and terms of employment stipulated in their contracts. Within this policy the term employee shall refer to any person employed by the Ottawa Arts Council and having an indeterminate or determinate status.

Following an appropriate selection process and upon the selection committee's recommendation and appropriate level of approval, the successful applicant will be given a letter of offer stating the following terms of employment:

- Salary or Rate of Pay;
- Length of Term (if applicable);
- Health and Dental Benefits available (if applicable);
- Hours and conditions of work (terms may be non-negotiable if the position has been offered through a specific granting program).

The letter of offer must be signed by the Executive Director, and/or the President and countersigned by the employee. A copy of the job description and the Human Resources Policy must accompany the Letter of Offer.

The Board will be informed of the hiring of all employees. Hiring of the Executive Director requires Board of Directors final approval.

2. Hours Of Work

For indeterminate employees the standard work-week is 37 ½ hours (which does not include a lunch or morning/afternoon breaks). Generally, office hours are 9:00 am to 5:00 pm, Monday to Friday. Subject to management approval, a flexible workweek can be offered and daily start and finish times can be negotiated. Contract employees are required to work as per the terms of their contract.

3. Vacation Benefits

For Full-Time Employees in years 1 and 2, 3 weeks of paid vacation, accumulated at the rate of 1 ¼ days per month is offered. After two years, four weeks of paid vacation is offered accumulated at 1 2/3 days per month. Vacation days not used within the fiscal year (beginning of

March to end of February) cannot be accrued to following years unless a written request has been made and permission from the Executive Director has been given.

Vacation schedules will be negotiated with and approved by the Executive Director. Efforts will be taken during vacation periods to ensure that the Council continues to operate, provide public services and that priority office duties are assigned to other staff during an employee's vacation period.

Contract and Temporary employees will receive compensation as per conditions stipulated in contracts or grants agreements.

4. Holidays

The Council will provide 9 public holidays in accordance with the Ontario Employment Standards Act, and offers 2 additional days (Easter Monday and the Civic Holiday) to indeterminate and determinate Full-time and Part-time employees. These public holidays will be paid at the employee's regular rate of pay. The Council also respects the observance of special days by diverse cultures and populations. Staff that wish to observe a specific holiday should speak to the Executive Director to examine options.

5. Expenses

Employees shall be reimbursed for expenses incurred in connection with services to the Council, for which prior authorization has been given and which are supported by receipts.

6. Personal Emergency Leave

A total of 10 days of personal emergency leave are available each year, 2 of which are to be paid. These days can relate to illness of the employee or a family member, death or urgent matter that could cause serious negative consequences.

Domestic violence and sexual assault leave provides for 5 paid days after 13 weeks of employment for reasons related to domestic violence or sexual assault, including the threat of violence. An employee is entitled to up to 15 weeks unpaid leave in each calendar year for these reasons.

7. Parental & Pregnancy Leave

Pregnant employees have the right to take pregnancy leave of up to 17 weeks of unpaid time off work.

New parents have the right to take parental leave as unpaid time off work when a baby or child is born or first comes into their care. Birth mothers who took pregnancy leave are entitled to up

to 61 weeks' leave. Birth mothers who do not take pregnancy leave and all other new parents are entitled to up to 63 weeks' parental leave. Employees will be able to return to their former job at the end of their pregnancy or parental leave.

8. Bereavement Leave

Employees will be granted leave of absence for three consecutive working days in the case of a death in the immediate family. Further consideration beyond three days will be made at the discretion of the Executive Director or Executive Committee.

9. Discretionary Leave

Employees may request to take one or more days' unpaid leave. Occasionally employees may request longer periods of unpaid leave; normally no more than a maximum of one year's unpaid leave will be granted. The Executive Director or the Executive Committee must approve all discretionary leave. Employees who take unpaid leave are still considered to be employed by the Council during their leave and therefore are required to comply with the Council's Code of Conduct /Conflict of Interest Policy

10. Benefits

Indeterminate and determinate employees will receive EI and CPP coverage as well as the Council's shared employer/employee health, dental and insurance benefits program. Contract and other employees will have their terms specified in their contracts.

11. Overtime

Overtime is work in excess of the regular workweek. Overtime which has been authorized or requested by the Executive Director is compensated on the basis of time off for overtime worked. The time off should be addressed within 60 days of the overtime worked. Overtime is not transferable from one 60-day period to the next.

12. Performance Appraisals

Probationary Period

After a three-month probationary period the Executive Director will provide the employee with a performance appraisal in writing and they will be informed if they will be given indeterminate status.

Annual Performance Evaluation

The Executive Director will provide written evaluation of employees' work performance on an annual basis. Verbal discussions and periodic reviews will assist to gauge any issues or areas for improvement. The Executive Committee will conduct the Executive Director's appraisal. The motivation for the appraisals is to review areas for improvement or changes related to responsibilities, goals, and work-plans.

Salary Increases

Pay increases will be reviewed on an annual basis in conjunction with the approval of an annual budget and in consideration of annual performance appraisals. Although the Council recognizes the importance of cost of living adjustments, there should be no expectation for salary increases on an annual basis.

13. Termination Of Employment

With respect to a termination of employment, the Council will respect the procedures and guidelines provided by the Ontario Employment Standards Act (ESA). In most cases, employees are entitled to a written notice of termination and/ or termination pay as outlined by the ESA as a minimum. Any vacation pay owing will also be paid. Employees may be terminated by the Executive Committee on the recommendation of the Executive Director.

Employees who are guilty of wilful misconduct, disobedience, or wilful neglect of duty that is not trivial and has not been condoned by the Council may not be entitled to termination benefits.

A person's employment is terminated if the Council dismisses or stops employing an employee, including where an employee is no longer employed due to the bankruptcy or insolvency of the Council.

14. Employer/Employee Relations

Employees are expected to maintain high professional standards in the discharge of their duties at the Council's premises, or at any event or public function at which they are representing the Council. The business of the Council is to be held in strictest confidence and employees are expected to support the best interests of the Council as outlined in policies, job descriptions and plans.

18. Disputes

For the purpose of this Policy, a grievance is defined as a complaint which has been submitted in writing and which respects the meaning of this Policy and its provisions. With respect to a

specific complaint, the issue should be addressed as quickly as possible and brought to the attention of the Executive Director for resolution. If no resolution is forthcoming, grievances are to be submitted to the Lead Board Member responsible for Human Resources or to the Executive Committee for resolution.

Definitions

A **Determinate Position** applies to an employee who is appointed for a fixed period of time often associated with a specific project. The employee may be assigned to work a set number of hours per week or through a flexible schedule.

An **Indeterminate Position** applies to an employee who is appointed on a continuous basis. There is no pre-set end date to the appointment. The employee hired on an indeterminate basis is normally assigned to work a set number of hours per week, established at the time of hiring.