huu ay aht

ANCIENT SPIRIT, MODERN MIND

HUMAN RESOURCES POLICY REGULATION

OFFICIAL CONSOLIDATION
Current to April 19, 2024

Provisions of the *Financial Administration Act*, HFNA 7/2011, relevant to the enactment of this regulation: section 84.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation* was passed by Executive Council on:

April 1, 2011

Chief Councillor Robert Dennis Sr.

I certify that the *Human Resources Policy Regulation* is enacted as law on:

April 1, 2011

Ta'yii Hawilth Derek Peters

I certify that the *Human Resources Policy Regulation* came into force on:

April 1, 2011

Law Clerk Connie Waddell

REGISTRY OF LAWS CERTIFICATION

Certified True Copy

I certify that the *Human Resources Policy Amendment Regulation, 2013* was passed by Executive Council on:

Mar 28/2013

Chief Councillor Jeff Cook

I certify that the *Human Resources Policy Amendment Regulation, 2013* is enacted as law on:

Mar 28/2013

Ta'yii Hawilth Derek Peters

I certify that the *Human Resources Policy Amendment Regulation, 2013* came into force on April 1, 2013:

Deborah Smith

for **Law Clerk Connie Waddell**

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2014* was passed by Executive Council on:

Jan. 30th, 2014

Chief Councillor Jeffrey Cook

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2014* is enacted as law on:

Jan 30 2014

Ta'yii Hawilth Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2014* came into force on:

February 3, 2014

Deputy Law Clerk Deborah Smith

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2014* was passed by Executive Council on:

November 28, 2014

Chief Councillor Jeffrey Cook

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2014* is enacted as law on:

November 28, 2014

Tom Happynook

Tom Happynook, in place of Ta'yii Hawilth

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2014* came into force on:

November 28, 2014

Deborah Smith

Deputy Law Clerk Deborah Smith

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2016* was passed by Executive Council on March 23, 2017:

Chief Councillor Robert Dennis Sr.

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2016* is enacted as law on March 23, 2017:

Ta'yii Hawilth Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2016* came into force on March 23, 2017:

Law Clerk

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2017* was passed by Executive Council on:

July 7, 2017

Chief Councillor, Robert Dennis Sr.

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2017* is enacted as law on:

July 7, 2017

Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2017* came into force on:

Acting Law Clerk - July 3-7, 2017.

Law Clerk

July 7, 2017.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 3), 2017* was passed by Executive Council on:

October 12, 2017

Chief Councillor, Robert Dennis

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 3), 2017* is enacted as law on:

October 12, 2017

Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 3), 2017* came into force on:

October 12, 2017

Law Clerk, Virginia Shrimpton

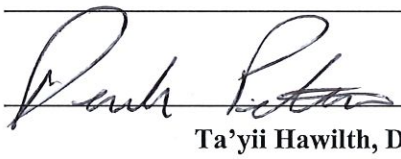
REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2018* was passed by Executive Council on:



Chief Councillor, Robert Dennis

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2018* is enacted as law on:



Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation , 2018* came into force on:



Law Clerk

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2018* was passed by Executive Council on:

November 14, 2018

Chief Councillor, Robert Dennis

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2018* is enacted as law on:

November 14, 2018

Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2018* came into force on:

November 14, 2018

Melinda Skeels, Acting Law Clerk

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2020* was passed by Executive Council on:

June 11, 2020

Chief Councillor, Robert Dennis

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2020* is enacted as law on:

Rob Dennis jr for

Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment, 2020* came into force on:

June 11, 2020

Coraleah Bauer, Law Clerk

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2021* was passed by Executive Council on:

February 25,2021

Chief Councillor, Robert Dennis

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2021* is enacted as law on:

February 25, 2021

Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2021* came into force on:

February 25, 2021

Law Clerk, Coraleah Bauer

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2021* was passed by Executive Council on:

March 30, 2021

Chief Councillor, Robert Dennis

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2021* is enacted as law on:

March 30, 2021

Ta'yii Hawilth, Derek Peters

I certify that the *Human Resources Policy Regulation Amendment Regulation (No. 2), 2021* came into force on:

March 30, 2021

Law Clerk, Coraleah Bauer

REGISTRY OF LAWS CERTIFICATION

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2024* was passed by Executive Council on:

April 19, 2024

Chief Councillor John Jack

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2024* is enacted as law on:

April 19, 2024

Theresa Nookemus on behalf of the Ta'yii Hawilth

I certify that the *Human Resources Policy Regulation Amendment Regulation, 2024* came into force on:

April 19, 2024

Alexis Young, Acting Law Clerk

HUMAN RESOURCES POLICY REGULATION

Contents

1 Definitions
2 Application
3 Human resources policy
4 Conflict of laws
5 Organization of administration
6 Wages and salaries
7 Human resources report
8 Transitional

Definitions

1 In this regulation:

"Act" means the *Financial Administration Act;*

"employee" has the same meaning as government employee as defined in the Act.

Application

2 This regulation applies to all employees, to government and to federally-regulated Huu- ay-aht bodies.

Human resources policy

3 (1) The Human Resources Policy set out in the Schedule is adopted in accordance with section 84 of the Act and has the force of law.

(2) In the event of a public health emergency, the Executive Director may put in place such temporary policies as in the Executive Director's sole discretion are reasonably necessary to ensure the safe and effective functioning of the workplace.

(3) If there is a conflict between a policy under subsection (2) and the Human Resources Policy in the Schedule, the policy under subsection (2) prevails.

HFNR 2/2020, s. 1(a).

Conflict of laws

4 (1) If there is a conflict between the *Canada Labour Code* and this regulation, the *Canada Labour Code* prevails.

(2) If there is a conflict between the *Constitution Act* or Huu-ay-aht legislation and this regulation, the provisions of the *Constitution Act* or the Huu-ay-aht legislation, as applicable, prevail.

Organization of administration

5 (1) Government administration is divided into the following departments and offices:

(a) Government Relations Office

(b) Community and Citizen Services;

(c) Child and Family Wellness;

(d) Lands and Resources;

(e) Infrastructure and Capital;

(f) Finance and Property Tax;

(g) Economic Development;

(h) HFN Government Law and Implementation;

(i) Human Resources and Administrative Services;

(j) Oomiiqsu Centre.

(2) The Government Relations Office is responsible for all of the following:

(a) administrative support to Executive Council;

(b) correspondence to external partners;

(c) administrative support to non-legislated committees or working groups;

(d) administration of all Public Complaints;

(e) administration for Executive Council meetings;

(f) responding to media requests.

(3) The Community and Citizen Services Department is responsible for all of the following:

(a) community health services;

(b) social services;

(c) secondary and post-secondary education;

(d) trades and employment programs;

(e) counselling services; outreach support, drug and alcohol and clinical counselling services;

(f) culture and language.

(4) The Child and Family Wellness Department is responsible for all of the following:

(a) prevention and protection support services for children and families;

(b) early childhood development;

(c) youth programming.

(5) The Lands and Resources Department is responsible for all of the following:

(a) lands administration;

(b) natural resource management;

(c) species at risk and impact assessment;

(d) cultural resource management;

(e) licensing, leases, and permitting;

(f) natural resource management and trade.

(6) The Infrastructure and Capital Projects Department is responsible for all of the following:

(a) construction, maintenance and operation of community infrastructure;

(b) maintenance and operation of government assets;

(c) provision of local services to those living on Treaty Lands;

(d) citizen housing;

(e) information technology services for government.

(7) The Finance and Property Tax Department is responsible for all of the following:

(a) financial matters including accounting, bookkeeping and providing financial advice;

(b) funding specialist services;

(c) property and other taxes associated with real property.

(8) The Economic Development Office is responsible for all of the following:

(a) the powers, duties and functions of the economic development officer as set out in the *Economic Development Act*;

(b) policy and project analysis.

(9) The HFN Government Law & Implementation Department is responsible for all the following:

(a) providing advice, direction and support regarding Huu-ay-aht law;

(b) providing guidance and assistance to committees, including in respect of administration and legislative responsibilities;

(c) providing guidance and support to the Ḥaẇiih Council;

(d) records management;

(e) policy analysis and development;

(f) the powers, duties and functions of the Law Clerk as set out in Huu-ay-aht legislation.

(10) The Human Resources and Administrative services Department is responsible for all the following:

(a) human resources management;

(b) administrative and support services;

(c) all internal and external communications of the government, except for those the Government Relations Office under subsection (2).

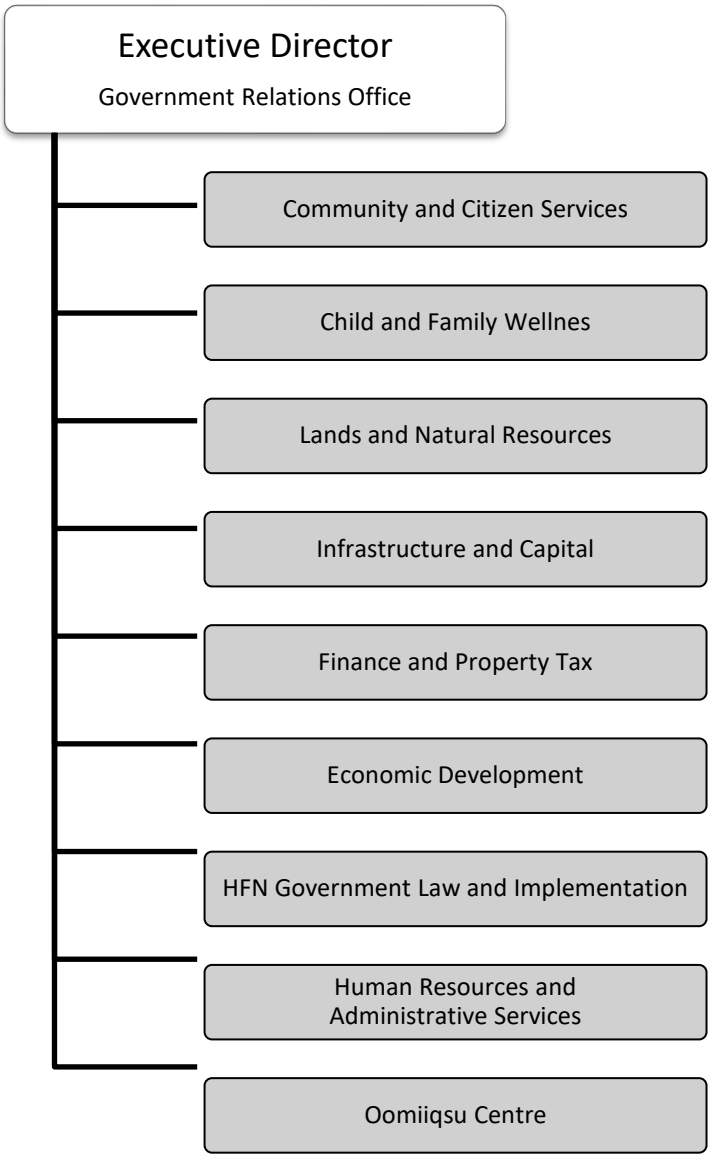
(11) Oomiiqsu Department is responsible for the following:

(a) delivery of transitional housing at the Oomiiqsu centre

(b) childcare for the Oomiiqsu centre

(c) all operations and program delivery at the Oomiiqsu centre

(12) The government's organization chart is as follows:



HFNR 3/2017, s. 1; HFNR 6/2017, s. 1; HFNR 3/2018, s. 1(a); HFNR 2/2020, s. 1(b); HFNR 1/2021, s. 1; HFNR 2/2021, s. 1; HFNR 2/2024, s. 1 (1) (a).

Wages and salary structure

6 (1) The following table sets out the range of annual salaries available for each employment description and job level listed:

Employment Description	Minimum	1st increment (1.5%)	2 increment (1.5%)	Mid-point	3rd increment (1.5%)	4th increment (1.5%)	Maximum
Executive Director	$ 170,000	2,550 $ 172,550	5,100 $ 177,650	$ 179,000	2,685 $ 181,685	5,370 $ 187,055	$ 190,000
Chief Financial Officer /Associate ED	$ 130,000	1,950 $ 131,950	3,900 $ 135,850	$ 137,000	2,055 $ 139,055	4,110 $ 143,165	$ 145,000
Director 1	$ 95,000	1,425 $ 96,425	2,850 $ 99,275	$ 101,000	1,515 $ 102,515	3,030 $ 105,545	$ 108,000
Director 2	$ 85,000	1,275 $ 86,275	2,550 $ 88,825	$ 90,000	1,350 $ 91,350	2,700 $ 94,050	$ 95,000
Manager	$ 75,000	1,125 $ 76,125	2,250 $ 78,375	$ 80,000	1,200 $ 81,200	2,400 $ 83,600	$ 85,000
Specialist	$ 72,000	1,080 $ 73,080	2,160 $ 75,240	$ 77,000	1,155 $ 78,155	2,310 $ 80,465	$ 82,000
Supervisor	$ 60,000	900 $ 60,900	1,800 $ 62,700	$ 64,000	960 $ 64,960	1,920 $ 66,880	$ 68,000
Coordinator	$ 50,000	750 $ 50,750	1,500 $ 52,250	$ 54,000	810 $ 54,810	1,620 $ 56,430	$ 60,000
Administrator	$ 48,000	720 $ 48,720	731 $ 49,451	$ 53,000	795 $ 53,795	807 $ 54,602	$ 58,000
Technical	$ 43,000	645 $ 43,645	1,290 $ 44,935	$ 46,000	690 $ 46,690	1,380 $ 48,070	$ 51,000
Assistant/ General	$ 36,000	540 $ 36,540	1,080 $ 37,620	$ 40,000	600 $ 40,600	1,200 $ 41,800	$ 43,000

(2) A part-time employee may be paid on an hourly basis at an hourly rate consistent with the wage and salary structure set out in subsection (1).

(3) The following table sets out the range of hourly wages available for each employment description and job level listed:

Description	Minimum	1st increment (1.5%)	2 increment (1.5%)	Mid-point	3rd increment (1.5%)	4th increment (1.5%)	Maximum
Maintenance (Technical)	38.00	0.57 38.57	1.14 39.71	40.00	0.60 40.60	1.20 41.80	43.00
Specialist	40.00	0.60 40.60	1.20 41.80	42.00	0.63 $ 42.63	1.26 $ 43.89	45.00
Cordinators	32.00	0.48 32.48	0.96 33.44	34.00	0.51 $ 34.51	1.02 $ 35.53	37.00
Technicial general	31.00	0.47 31.47	0.93 32.40	33.00	0.50 $ 33.50	0.99 $ 34.49	36.00
Administrators	29.00	0.44 29.44	0.87 30.31	31.00	0.47 31.47	0.93 32.40	33.00
Youth/ Students	17.50	0.26 17.76	0.53 18.29	20.00	0.30 20.30	0.60 20.90	22.00

(4) Youth and student wages are to be determined by the Executive Director based on factors the Executive Director considers relevant, including level of education and experience.

HFNR 7/2014, s. 1(a); HFNR 8/2017, s. 1; HFNR 2/2020, s. 1(c), HFNR 2/2024, s. 1 (1) (b).

Human resources report

7 (1) At least once every 6 months, the Executive Director must provide a report to Executive Council and the Finance Committee on all material human resource matters affecting government and Huu-ay-aht public bodies since the previous report, including the following:

(a) new hires;

(b) promotions;

(c) employees moving to new positions at the same job level;

(d) employees whose positions have been terminated;

(e) employees who have been dismissed for cause;

(f) employees who have resigned;

(g) the total number of employees, by office location;

(h) the number of employees who are Huu-ay-aht citizens;

(i) any other human resources information requested by the Finance Committee or Executive Council.

Transitional

8 (1) Individuals who are employees on March 31, 2011 continue employment on the same terms and conditions after Effective Date.

(2) Despite subsection (1), if there is a conflict between the terms and conditions of an employee's employment and this regulation, this regulation prevails.

SCHEDULE

Huu-ay-aht First Nations
EMPLOYEE POLICY MANUAL

huu ay aht

ANCIENT SPIRIT, MODERN MIND

Welcome to Huu-ay-aht First Nations

This handbook has been prepared to help answer some of the questions that you may have concerning Huu-ay-aht First Nations and its policies. This handbook is intended as a guide. Please take the time to read it thoroughly. If you have any questions about anything, please let us know; we are committed to developing an environment of open communication.

We hope you find your time with us to be both an exciting and rewarding experience.

Regards,

Karen Haugen
Huu-ay-aht First Nations Executive Director

WELCOME TO HUU-AY-AHT FIRST NATIONS 2
TABLE OF CONTENTS..... 3
PURPOSE OF THIS MANUAL..... 4
Limitations & Exceptions 4
Delegation..... 5
Manual Revisions..... 5
THE HUU-AY-AHT FIRST NATIONS STORY..... 6
CONDITIONS OF EMPLOYMENT..... 8
Huu-ay-aht First Nations Code of Conduct 8
Conflict of Interest..... 9
Anti-Nepotism..... 9
Confidentiality..... 11
Media Policy..... 15
Privacy..... 14
Staff Whistleblower 14
RESPECTFUL WORKPLACE.....16
Bullying and Harassment..... 16
Equitable Treatment of Employees..... 23
Duty to Accommodate 23
RECRUITMENT, SELECTION, AND ONBOARDING 24
New Employee Orientation and Onboarding..... 24
Huu-ay-aht First Nations Recruitment Practices 24
PROMOTIONS, DEVELOPMENT, AND PERFORMANCE MANAGEMENT 27
Employee Promotions 27
Temporary/Interim Assumption of Position 27
Performance Reviews and Growth Plans..... 28
Training and Development..... 29
Performance Issues 30
WORKPLACE STANDARDS AND EXPECTATIONS 32
Employment Categories 32
Attendance and Work Hours..... 32
Rest Periods 33
Absences and Lateness..... 34
COMPENSATION, BENEFITS, AND PAYROLL 35
Wage & Salary..... 35
Overtime.....36
Call Back Procedure.....37
Employee Benefits 38
Travel Time & Expenses 40
TIME AWAY FROM WORK 41
Vacations 41
General Holidays 42
Personal Days 43
Sick and Family Illness Days 43
Other Leaves of Absence 44
ORGANIZATION RESOURCES 49
Acceptable Use of Information Technology 50
Data Breach and Reporting Procedure.....52
Loss or Damage to Organization Property.....53
Vehicles for Organization Use.....53
HEALTH AND SAFETY.....54
OHS Rights & Responsibilities 54
Joint Health and Safety Committee (JHSC).....55
Entering the Premises 56
Smoking and Vaping.....56
Substance Misuse Policy 56
Organization Events and Social Functions.....61
ENDING EMPLOYMENT WITH HUU-AY-AHT FIRST NATIONS 63
Termination for Cause 63
Resignation.....63
Layoff and Recall 64
EMPLOYEE ACKNOWLEDGEMENT 65
APPENDIX 1 – HUU-AY-AHT OATH.....66
APPENDIX 2 – KEY DEFINITIONS 67

Purpose of This Manual

This handbook is designed to tell our employees about our philosophy of doing business, and to provide you with a guide to policies and procedures that affect your employment relationship with Huu-ay-aht First Nations.

While it is not always possible to cover all the questions you may have, the Handbook is designed to be a convenient reference concerning your relationship with Huu-ay-aht First Nations. We encourage you to read this booklet carefully and take the time to make yourself familiar with each section as it describes all matters concerning your employment.

If you have any questions about the content of this Employee Manual, feel free to talk to your supervisor, manager, or Huu-ay-aht First Nations Human Resources Representative.

This edition of the Employee Handbook replaces any earlier version, as well as other material such as memos and letters dealing with our organization and employment policy. The Manual will be revised in the future to reflect changes in organization policies or employment laws or regulations.

Limitations & Exceptions

The terms and conditions within this policy manual were derived in conjunction with the Financial Administrations Act HFNA 7/11, the Canada Labour Code, and any other applicable legislative requirements. All policies residing within this manual are in direct alignment with the applicable legislation. Should you have questions or require interpretation, contact Huu-ay-aht First Nations Human Resources Representative.

It is not meant to be, nor is it, an agreement or contract for employment, or an offer or guarantee of employment to any employee.

Exceptions may have to be made in the future to policies described in this Manual on a case-by-case or permanent basis. Such changes are required to be reviewed by and approved only by Executive Council.

If any statement or policy in this manual conflicts with any employment law or regulation, the law will be observed and the affected part of this Manual will be invalid. However, all other parts will remain in effect.

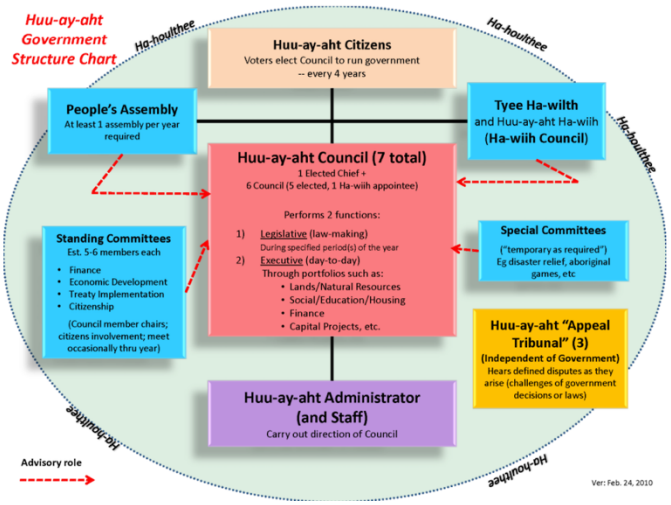
What's Expected from You

If you are a new employee, we would like you to read this Manual carefully to understand Huu-ay-aht First Nation's policies and philosophy of administration. It is your responsibility to observe all organization rules and ask for help from your supervisor if you are unsure about the meaning of anything in this manual.

Delegation

Executive Council

Executive Council has ultimate responsibility for the governance of Huu-ay-aht First Nations as set out in the Government Act. This Employee Handbook, as well as the Human Resources Policy Regulation, may only be amended by Executive Council.



Executive Director

The Executive Director is directly responsible for all activities related to the management of personnel and for the efficient operations of the Huu-ay-aht government administration. The Executive Director may delegate her/his responsibilities but remains responsible for ensuring that they are properly carried out.

In the event that the Executive Director is on a leave of absence, those responsibilities will be met by the interim Executive Director, including reporting any concerns, and recommendations for addressing those concerns, to Executive Council. It is the responsibility of Executive Council to monitor the interim Executive Director.

Participatory Feedback

We welcome feedback and encourage our employees to share any suggestions they have regarding the Employee Handbook and Human Resources Policy Regulation. Recommendations regarding human resource policies are to be given, in writing, to the Executive Director, who is authorized to make recommendations to Executive Council regarding amendments.

Directors

The Directors report directly to the Executive Director and are granted their authority through Huu-ay-aht law, their individual position descriptions, policy, and Employment Agreements with the employer.

Manual Revisions

Date	Name	Section Revised	Revision Comments

The Huu-ay-aht First Nations Story

Huu-ay-aht First Nations is a self-governing, modern treaty Nation whose lands are located in the Barkley Sound region on the west coast of Vancouver Island, at the entrance to Alberni Inlet. The lands and waters making up our traditional territories (ḥahuuɬi, pronounced “ha-houlthee”) have been occupied by us since time immemorial. Today, Huu-ay-aht citizens number close to 750 and primarily reside around the village of Anacla, the Nation’s principal community close to Bamfield, as well as in Port Alberni, the closest population centre. The balance of our citizens live across Vancouver Island, in the Vancouver area, and beyond.



Huu-ay-aht First Nations is a member of the Nuu-chah-nulth Tribal Council and one of the five First Nations signatories to the Maa-nulth Final Agreement, the first modern-day treaty to be concluded on Vancouver Island. The treaty came into effect on April 1st, 2011, when the five Maa-nulth First Nations’ laws came into effect, marking a new era of ownership and self-government. Today, our Nation operates under a “made in Huu-ay-aht” Constitution, which supports the laws and policies that establish how the Huu-ay-aht government makes decisions on behalf of its citizens. As a result of the treaty, Huu-ay-aht First Nations has full ownership and jurisdiction over more than 8,200 hectares of land within our territories and continues to have rights throughout our ḥahuuɬi.

With full control over these undisputed lands owned in fee simple, our Nation is able to govern the lands under our own laws. Seeking to leverage this strength, Huu-ay-aht First Nations Council and Hereditary Chiefs (Ḥaẃiiḥ) have been actively seeking opportunities to engage in responsible and sustainable economic development in order to forward the Huu-ay-aht vision of working together to establish a healthy, prosperous, and self-sustaining community. Maintaining their historic role as caretakers of the lands, waters, and resources of their ḥahuuɬi, the Huu-ay-aht Ḥaẃiiḥ work closely with Elected Council to ensure that all development considerations are informed and guided by the long-held principles of iisaak (respect), uu-a-thluk (taking care of), and hišuk ma c̓awak (everything is connected). Furthermore, Huu-ay-aht citizens themselves contribute to the governance of the Nation through regular People’s Assemblies, which employ a “direct democracy” model.

Building on a rich history, Huu-ay-aht First Nations is working to build a bright future for generations to come.

Mission

As a leader among First Nations, Huu-ay-aht First Nations will create certainty for its people and generate wealth for financial independence by providing economic opportunities, social, cultural, and recreational programs for all Huu-ay-aht people.

Naaca maʔaɬ Huuʔeeʔatḥ ḥaaʔak ʔuukʷaqḥwitas ʔuuʔaaɬuk quuʔas minḥ ʔiisaakstaɬ ʔuusaḥqƛin čačimhi Hupuḵʷanim, ciqyak, ɬiḿaqsti, tanaqiɬ minḥukqin



Vision

Huu-ay-aht First Nations envisions a strong, self-governing, and self-reliant Nation. Iisaak will guide us as we work together to foster a safe, healthy, and sustainable community, where our culture, language, spirituality, and economy flourish for all.

Community Wellness Vision

Our citizens are grounded in our culture, teachings, and sacred principles. Through healing, wellness, celebration, and the understanding of our Treaty, we are connected, empowered, responsible, accountable, and motivated.

Core Values

As Huu-ay-aht, we commit ourselves to the values of our Nation:

- reverence for the Creator (Naas);
- honour for our ancestors;
- respect for our elders, our children, our families, our future generations and our kinship system;
- recognition of an internal order based on our Ha'wiih and Ha-houlthee;
- a deep pride in our identity;
- our unique language;
- appreciation of our unique and vibrant culture, a culture that embraces our myths, stories, ceremonies and traditions;
- a profound respect for nature, our lands and waters and all living things within our territory;
- an acceptance and reverence for a spiritual basis to life;
- a common and mutually supportive economic foundation; and
- acceptance of our obligation to safeguard our special relationship with the Creator, the spirit world and the earth for future generations.

Conditions of Employment

At Huu-ay-aht, we foster an open, mutually supportive, and inclusive environment where a fundamental principle is an expectation that all individuals be treated with respect. Everyone is expected to know and adhere to the Huu-ay-aht First Nations Code of Conduct and policies outlined in this Manual. These policies are put in place to protect the best interests of Huu-ay-aht First Nations, its employees, and its citizens. If you spend a fraction of a second questioning the appropriateness of your actions, carefully reconsider the action – above all, we expect you to respect the rights and feelings of others and demonstrate personal integrity and professionalism.

This section derives from the *HFNA Code of Conduct and Conflict of Interest Act* which employees are expected to abide by. If you have any questions, an HR Representative or your manager can assist you.

Huu-ay-aht First Nations Code of Conduct

One of our fundamental principles is an expectation that employees shall conduct and present themselves in a professional manner at all times. This includes while performing work for the employer, representing the employer, participating in employer-organized activities or events, and when dealing with outside organizations or persons.

You are expected to act respectfully and hold a cooperative attitude at all times. You will be expected to avoid behaviour that causes artificial and unnecessary workplace tensions. A friendly, courteous and civil manner is required at all times toward fellow Huu-ay-aht employees, community members, and all those who you interact with in respect to your job. We will not tolerate abusive or threatening conduct. Harassment in any form is strictly prohibited (See also Bullying and Harassment).

All employees must take the Huu-ay-aht oath, which includes the requirement to honour the principles of ii-saak (respect), uu-a-thluck (taking care of future generations) and hish-uktsawak (everything is one). More specifically, Huu-ay-aht employees are expected to:

- Fulfill duties, as required by our laws to:
    - fulfill the Huu-ay-aht oath (which is attached as Appendix 1 to the HR Policy Manual);
    - uphold, respect and obey Huu-ay-aht laws;
    - uphold and respect lawful decisions of a Huu-ay-aht body;
    - treat Huu-ay-aht citizens, other public officers, and members of the public equitably and impartially;
    - perform their official duties in a conscientious and professional manner; and
    - prepare for and attend meetings related to the performance of their duties.
- Help advance Huu-ay-aht ’s interest in any way they can.
- Diligently care for Huu-ay-aht First Nation’s facilities, property, and supplies; and respecting their intended use.
- Follow the principle of Hish-uk-tsawak by displaying a level of integrity and professionalism that exemplifies a pride in their work with Huu-ay-aht.
- Be safe and ensure the safety of others.
- Demonstrate loyalty to Huu-ay-aht on and off the job, and in keeping with the teachings of ii-saak.
- Carry out the duties and responsibilities of their positions to the best of their ability.
- Co-operate with management in fulfilling our mission and work as a team with other employees.
- Accept direction and supervision.
- Practice good hygiene.
- Conduct themselves in a manner that brings credit to themselves, their program, and Huu-ay-aht.
- Abide by our standards and guidelines, as well as our applicable regulations, rules, and Laws, and help others do so as well.

Conflict of Interest

We expect all our employees to use their best efforts to promote the interests of Huu-ay-aht First Nations, and not place themselves in a position of conflict, either actual or apparent, by being in a position where their personal interests have the potential to conflict with the interests of Huu-ay-aht First Nations and its administration.

Specifically, employees must avoid any outside business or other interest that in our view creates:

- Any opportunity to further their direct or indirect private interest through their employment.
- An excessive demand upon the time and effort of the employee, thereby depriving the Organization, or the Nation, of the employee's best effort on the job; or
- A situation where the employee's outside interest could conflict with the best interest of the Organization or the Nation.

Employees shall not accept any fees, gifts, or other tangibles offered in reward or payment for duties performed by virtue of their position, notwithstanding traditional values, or recognition, except as permitted by the *Code of Conduct* and *Conflict of Interest Act*.

Process for Disclosing a Conflict of Interest

Employees who believe they may be in a conflict of interest must disclose the matter to their direct Manager or Director and complete a *Conflict of Interest Disclosure Form*. All Conflict of Interests will be disclosed to HFN's Law Clerk. This disclosure should proceed according to the following steps:

1. Identification of possible conflict by the Employee;
2. Confirmation of possible conflict by the Employee's Manager or Director, in collaboration with the Executive Director;
3. Review and determination by the employer and/or Law Clerk.
4. Law Clerk enters Conflict of Interest Disclosure to public records.

Failure of an employee to disclose, bring forward to remedy a potential, apparent or actual conflict of interest will be subject to progressive discipline, up and to termination. All allegations of potential, apparent or actual conflicts of interest shall be investigated promptly by the Executive Director to protect the integrity of both the employee and the employer and, where appropriate, to determine the necessary disciplinary and remedial courses of action.

Anti-Nepotism

At Huu-ay-aht First Nations, we value the unique contributions that each individual brings to our workplace, including the strong familial connections that are part of our community fabric. We strive to nurture the positive aspects of family dynamics such as knowledge sharing, cultural heritage, and mutual support, ensuring they contribute to our collective success as an organization and as Huu-ay-aht First Nations.

While we recognize that the benefits, the employment of family members can cause various challenges (i.e. potential, actual, or perceived instances of favoritism, conflicts of interest, and family discord) that may work to the disadvantage of both the organization and its employees. Our policy is designed to cultivate a workplace where merit—performance, knowledge, skills, and abilities—is the cornerstone of hiring, success, and advancement, and integrity and transparency are inherent in our organizational practices. It ensures that professional decisions and work outcomes serve the best interests of the Huu-ay-aht First Nations and safeguard the legitimacy of those actions.

For the purpose of this policy, "familial relation" is defined in the Definitions section.

Application

This policy must be considered when acting or making decisions on behalf of Huu-ay-aht First Nations, specifically when:

- hiring, promoting, or transferring any employee; and
- dealing with outside stakeholders, such as vendors, community members, or service providers.

All relationships within the organization should enhance, not disrupt, our work environment. It is the goal of the organization is to avoid creating or maintaining circumstances in which the appearance or possibility for favoritism, conflicts, or management disruptions exist. Familial relations covered by this policy, regardless of the positions and professional relationship of those persons involved, must not:

- create a disruption or potential disruption in the work environment;
- create an actual or perceived conflict of interest;
- be prohibited by any legal or regulatory mandate; and
- make decisions as a representative of Huu-ay-aht First Nations that pertain to a family member or relative (i.e. audit, approve, and/or evaluate in any manner each other's work, performance, compensation, and/or timesheets).

Exceptions

Huu-ay-aht First Nations may allow existing familial relationships to be maintained or employ individuals with familial relationships to current employees under conditions where:

- The relationship does not create a direct supervisor/subordinate relationship with a relative;
- The relationship will not create an adverse impact on work productivity or performance;
- The relationship will not create an actual or perceived conflict-of-interest; and
- The relationship complies with legal and regulatory standards.

Employee Responsibility

It is the responsibility of every employee to disclose to a Human Resources representative any potential or existing personal relationship which falls under the definitions provided in this policy. Those who fail to disclose personal relationships covered by this policy will be subject to corrective action, up to and including the termination of employment.

Reporting and Resolution Procedure

1. Should relationships addressed within this policy be identified, the matter should be immediately reported to the respective Human Resources representative.
2. With consultation with the executive director, a determination will be made whether the relationship is subject to the Anti-Nepotism Policy, based on the conditions described above.
3. If the relationship is determined to fall within one or more of the conditions described in this policy, a representative from Human Resources and the Executive Director, in consultation with the affected employees, will attempt to resolve the situation through:
    a) the transfer (if feasible and appropriate) of one employee to a new position; or
    b) identifying an alternative action (e.g., supervisory re-assignment, recusal from hiring process) which will correct the conflict and/or issue(s) identified.

In the situation that the affected employee(s) do not accept and agree to the proposed resolution options, the employees in question will agree to resign from the organization. This is considered a voluntary resignation and does not qualify the individual for transition benefits.

The organization reserves the right to exercise appropriate managerial judgment to take such actions as may be necessary to achieve the intent of this policy. The organization reserves the right to vary from the guidelines outlined in this policy to address unusual circumstances on a case-by-case basis.

Confidentiality

In the course of your employment, you will have access to the organization property and confidential information (printed, electronic or otherwise) that is critical to our operations including financial information, citizen information, employee information, etc. Your confidentiality is necessary because protecting our property and information is critical to our ongoing success and thus your employment.

Furthermore, we are all under the privacy obligations and protections by the Huu-ay-aht *Freedom of Information and Protection of Privacy Act*, and have the responsibility to the compliant collection and release of information, ensuring records are open, accountable, and transparent; while ensuring the personal privacy of individuals is protected.

Purpose

Huu-ay-aht First Nations administration will identify why personal information is being collected and used, either before, or at the time of, collection. An explanation will be given if the information is to be used again for a different purpose at a later date. This policy also summarizes the criteria for selecting Huu-ay-aht public records, as well as the exemptions from disclosing records.

Information Collection & Retention

Personal information will only be collected by the government when authorized by Huu-ay-aht Law, for the purposes of law enforcement, or when it relates directly to and is necessary for a government program, service, or activity of the Nation. The information will generally be used only for the purpose for which it was collected and will be kept only as long as necessary.

Huu-ay-aht First Nations has guidelines and procedures in place for record retention and destruction. Once the information is no longer needed, and a reasonable time period has passed, it will be destroyed, erased or made anonymous.

Protection of Personal Information

"**Personal information**" refers to recorded information about an identifiable individual. "Personal information" does not include the contact information of a public officer.

Except as otherwise authorized by Huu-ay-aht legislation, Huu-ay-aht First Nations will identify why personal information is being collected from employees, either before, or at the time of, collection. Personal information collected from employees will only be used and disclosed in accordance with the *Freedom of Information and Protection of Privacy Act*.

Limit Use & Disclosure

There are exceptions when the organization may use personal information for purposes other than those for which it was obtained without the individual's knowledge or consent, (see Huu-ay-aht *Freedom of Information and Protection of Privacy Act,* s. 18 for details), such as, but not limited to:

- to comply with a subpoena, warrant, or Court or other similar order.

- if the personal information is reasonably necessary for the public officer (i.e. government employees or contractors) to exercise their powers or perform their duties and functions,
- to protect the health or safety of the individual, a public officer, or a Huu-ay-aht citizen.
- to assist a government or a law enforcement agency in a specific investigation likely to result in law enforcement proceedings.
- to provide a lawyer representing the organization relevant information.
- to collect a debt the individual owes to the organization.
- if it is publicly available and/or compliant with transparency or right of access requirements under the *Freedom of Information and Protection of Privacy Act*.
- in accordance with Huu-ay-aht legislation or a treaty or other agreement.
- to contact the next of kin or a friend of an injured, ill, or deceased individual and/or in the event of an emergency or potential threat to that individual.
- is required by Huu-ay-aht, British Columbia, Canada, or foreign law.

.

Accuracy

The organization will endeavor to ensure that their information is as up-to-date and accurate as possible when making decisions concerning an individual or disclosing information to third parties.

Safeguards

The organization will do their best to ensure the safekeeping of personal information against loss, theft, copying, disclosure, modification, or unauthorized use, in whatever format it is kept.

Openness

Citiziens, clients, and employees are to be made aware of the policies and procedures that Huu-ay-aht First Nations has in place regarding the collection and management of personal information.

Individual's access

Individuals have the right to obtain a copy of personal information that they have provided the Huu-ay-aht government for record-keeping.

There are exceptions when the organization must refuse an individual access to personal information, such as, but not limited to:

- If it would reveal personal information about another individual; unless there is consent or a life-threatening situation. (If this information can be removed, the organization will release the remaining information.)
- If it would harm the commercial or financial interests of another party.
- If the organization has disclosed information to a government institution for law enforcement or security reasons. (Upon request, the government institution may instruct the organization to refuse access or not to reveal that the information has been released).
- When the information falls under one of the following:
    - Solicitor-client privilege.
    - Confidential commercial information (if this information can be removed, the organization will release the remaining information).
    - It was generated in the course of a formal dispute resolution process.

Organization Confidentiality

It is expected that all employees respect the confidentiality of information received or gained as an employee that is designated below as confidential or which may in the future be designated as confidential under the *Freedom of Information and Protection of Privacy Act*, including personal information about other employees, Huu-ay-aht citizens, and others. Any inquiry about whether information is confidential or not is to be made to the Executive Director prior to the release or disclosure of that information. If there is any conflict between this Policy and the *Freedom of Information and Protection of Privacy Act, t*he Act shall take precedence to the extent necessary to resolve the conflict.

Confidential information includes but is not limited to:

- Organization operating procedures and methods.
- Information on the organization's financial or profit position.
- The organization's plans for the future.
- Any information about fellow employees, public officers, or Huu-ay-aht citizens.
- Any other sensitive internal information.
- Any personal information held by the government.

Confidential information expressly may not be given to, among others:

- Competitors.
- Suppliers.
- Customers.
- Government officials or representatives.
- The press, radio, television, or other media.
- Other employees who are not authorized to receive it.
- Any other person or entity who could use it to the organization's detriment.

Information given to the organization by its suppliers or partners is also considered confidential and is not to be released.

Failure by any employee to respect confidentiality will result in disciplinary action, up to and including termination. In addition, the organization may be forced to resort to legal action against the employee.

Employee Confidentiality

Each employee or applicant for employment associated with Huu-ay-aht First Nations has the right to have all information about them kept strictly confidential.

Subject to the exceptions set out in the *Freedom of Information and Protect of Privacy Act*, No personnel file shall be made available, and no reports shall be made on any other person unless the affected person has given written permission to management, or such other duly appointed person, for such information to be disclosed unless the file is required during the course of disciplinary action.

Any information received in an employee capacity is the property of Huu-ay-aht First Nations. No such information shall be disclosed unless required by law or authorized in writing by management, or a Human Resources representative.

A person whose file is in the possession of Huu-ay-aht First Nations may access their file while on Huu-ay-aht First Nations premises and may request to have any or all of it photocopied but may not remove any or all the original file from the premises.

Personnel Records

Your personnel records are kept in a secured filing cabinet within a secured room, where they are securely stored and confidentially maintained. We are required by law to maintain up-to-date personnel records.

Changes to Personal Information

It is the employee's responsibility to notify and keep Huu-ay-aht First Nations updated on any changes to your address, telephone number, marital status, exemptions, bank account, or emergency contact information. All changes must be submitted in writing as soon as the change is known. The Emergency Contact form must be completed and returned to the HR department.

Privacy

As a general principle, we should all consider that anything we do while on Huu-ay-aht First Nations premises, create on Huu-ay-aht First Nations time, or using Huu-ay-aht First Nations resources might be read, checked, or monitored by management or Security individuals at any time.

Your work output is considered Huu-ay-aht First Nations property. Thus, others in Huu-ay-aht First Nations may review your work at any time. In addition, business equipment belonging to Huu-ay-aht First Nations and supplied for the purposes of your work (for example: computers, tools, paper, etc.) should not be considered your private property. There may be occasions when an individual is required, for business purposes, to access these items in your absence. Email and internet activity conducted using Huu-ay-aht First Nations property is subject to monitoring at any time.

Huu-ay-aht First Nations is committed to respecting the privacy rights of our consumers and our employees. We have implemented a variety of security measures to maintain the safety of this information. It is the responsibility of every employee to respect the privacy of our consumers and fellow employees. Access to and use of employee and client information is limited to only that which is required to do your job. Employee and consumer information should not be used for personal benefit or the benefit of others.

Staff Whistleblower

Huu-ay-aht First Nations seeks to cultivate a culture in which employees can report and raise concerns, without fear of retaliation, any wrongdoing or misconduct which they suspect or believe may be occurring at the Organization. By doing so, they help the Organization mitigate their own risks, and manage any personal risk to employees.

A whistleblower, as defined by this policy, is an employee who reports an activity that they consider to be improper conduct. Improper conduct herein includes conduct that involves illegal, fraudulent, dishonest or unethical behaviour, or serious negligence in the performance of their duties.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact their immediate supervisor, or follow the 'Complaints Procedure' as outlined in the Respectful Workplace policy below. The employee must exercise sound judgment to avoid baseless allegations. The reporting process will abide by the same procedures and confidentiality commitments as outlined in the Respectful Workplace policy to provide employees with a channel to raise concerns without fear of ramification. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Media Policy

Unless specifically authorized to do so, you should refrain from speaking publicly on Huu-ay-aht First Nations behalf or publicly disclosing proprietary or confidential information about Huu-ay-aht First Nations, including on social media. Employees may not use any personal social media during working hours. Those permitted to speak on our behalf must be truthful, accurate, and respectful in their communications and maintain any duty of confidentiality.



Respectful Workplace

Huu-ay-aht First Nations is committed to fostering a professional, respectful, safe, supportive, and productive work environment where all employees are treated with respect and dignity and are free from harassment, discrimination, and violence. The Employer, Huu-ay-aht First Nations, will act positively and confidentially to investigate and resolve allegations of harassment, discrimination, and violence.

The intention of this policy and its procedures is to prevent harassment, discrimination, and violence from taking place. Huu-ay-aht endeavors to address and resolve disputes, complaints, and grievances in a prompt and equitable manner.

Bullying and Harassment

Huu-ay-aht First Nations is committed to fostering a discrimination and harassment free workplace where all employees are treated with respect and dignity.

Employees who are found to have harassed another individual may be subject to disciplinary action. This includes any employee who:

- Interferes with the resolution of a harassment complaint or interferes with another person's participation as a witness.
- Retaliates against an individual for filing a harassment complaint.
- Files an unfounded harassment complaint intended to cause harm.

Violation of this policy will not be tolerated and will result in discipline, up to and including termination.

Application

This policy applies to all employees, including supervisors, management as well as elected and appointed officials. Contractors, suppliers, service providers and members of the community will, where necessary, be made aware of this policy.

This policy applies whether the harassment, discrimination or violence occurs at or away from the workplace, whether in person, verbal or written or through other means such as, telephone calls, voicemail, texting, on-line activity (e.g. cyber bulling) and whether during or outside normal working hours.

This Policy and Procedure will be administered in accordance with the Canadian Human Rights Act and Canada Labour Code Workplace Harassment and Violence Prevention Regulations and does not preclude an employee from filing complaints under the legislation.

The Law

Employees have a right to work without being harassed. The *Canadian Human Rights Act* protects us from harassment on prohibited grounds. The *Criminal Code* protects us from physical and sexual assault and criminal harassment.

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

- Race.
- National or ethnic origin.
- Colour.
- Religion.
- Age.

- Sex.
- Sexual orientation.
- Gender identity or expression.
- Marital status.
- Family status.
- Genetic characteristics.
- Disability.
- Conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

Definitions

Defining Bullying and Harassment

Is 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. Harassment usually involves repeated incidents or a pattern of behaviour which has the effect of intimidating, offending, degrading or humiliating a particular person or group of people. Bullying can, but does not always, involve an abuse of power.

Examples include:

- display or circulation of offensive pictures or materials, including by electronic means;
- unwelcome gifts or attention;
- constant teasing, alienating, ostracizing or isolating an employee; giving the employee the silent treatment; or encouraging others (through words or actions) to behave in any of these ways towards another;
- making or spreading insults, rumours, derogatory comments, inappropriate jokes;
- aggressive, threatening or intimidating behaviour, including verbal threats or abuse;
- physically assaulting or unwelcome touching, invading personal space;
- going beyond the bounds of one's authority and/or job description to influence others;
- tampering with or vandalizing a person's personal belongings or work equipment; and/or
- undermining, sabotaging or deliberately impeding a person's work.

NOTE: Rude or disrespectful behaviour, interpersonal conflict and/or speaking less than tactfully, which may not meet the definition of harassment, is not acceptable and will not be tolerated. Disrespectful behaviour violates the *Code of Conduct* and if left unresolved, can escalate into harassment or violence.

If the dispute involves disrespectful behaviour or, does not involve an allegation of harassment or discrimination, employees are directed to the Dispute Resolution section of this policy.

Defining Discriminatory Harassment

Is discriminatory conduct or comments that the person knew or reasonably ought to have known would be unwelcome and which relates to any of the prohibited grounds of discrimination under the *Canadian Human Rights Act*, as listed above.

Defining Sexual or Gender Based Harassment

Is any conduct, comment, gesture or contact of a sexual or gender-based nature that is likely to cause offence or humiliation to any employee or which might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion. Sexual harassment can occur between people of the same gender.

Examples include:

- unwanted invitations to socialize;
- unwelcome sexual interest;
- persisting in pursuing a relationship;
- leering, staring, or making sexual, obscene or derogatory gestures;
- unwanted physical contact such as touching, pinching, patting, hugging;
- persistently putting oneself into another's workspace or personal space; and
- negative comments directed towards someone because of their actual or perceived gender, gender identification or sexual orientation.

Defining Discrimination

Is an action or decision, conduct or comments that treats a person or a group of persons negatively for reasons relating to any of the prohibited grounds of discrimination under the Canadian Human Rights Act, as listed above.

Roles and Responsibilities

All employees, supervisors, managers, appointed and elected officials, as well as any other representatives of the Employer, as well as anyone providing services for or on behalf of the Employer, must not engage in harassing or discriminatory behaviours, conduct or decision making, or workplace violence.

The Employer's commitment

The Employer will do its part by not tolerating or condoning discrimination, harassment, including sexual harassment, or violence in the workplace. This includes making everyone in our organization aware of what behaviour is and is not appropriate, investigating incidents and complaints and imposing suitable corrective measures.

Duties of directors / managers / appointed or elected officials ("Supervisors")

Supervisors must ensure the activities and tasks performed by workers are completed in a respectful and safe manner. Supervisors must recognize and address disrespectful conduct and potential incidents of harassment, discrimination, and violence, and where appropriate, formally report and/or apply investigation and resolution procedures.

Duties of all employees

All employees must follow the Respectful Workplace Policy and all policies and procedures addressing respectful and appropriate workplace behaviours. Employees must report if they observe or experience harassment, discrimination. or violence, being mindful of the definitions in this policy. Employees are expected to fully participate and cooperate with investigations and to not impede, obstruct or behave in a manner that potentially jeopardizes the integrity of the investigation.

Risk Factors

Internal

The internal risk factors that contribute to workplace harassment and violence are regular, close interpersonal contact between employees often on matters of urgency and importance, which may contribute to stressful and challenging working conditions.

External

The external risk factors that contribute to workplace harassment and violence are the requirement to have regular interactions with members of the Employer, the wider public, contractors, and other government officials, often on matters of urgency and importance.

Confidentiality

Complaints of harassment, discrimination and violence involve sensitive disclosures. Confidentiality must be respected so that the matter can be properly and fairly addressed. Confidentiality means that any disclosures must be on a strict need to know basis. The Employer will only release as much information as is necessary to investigate and respond to complaints.

Confidentiality must be distinguished from anonymity. Although witnesses may make anonymous complaints, depending on the circumstances, it may be impossible or unfair to investigate those allegations and maintain anonymity throughout the process.

Training

All staff will receive training and communications on this Policy upon commencement of employment and at least once every three years afterwards. The training will be specific to the culture, conditions and activities in the Employer's workplace and staff will gain an understanding of:

- the elements of this Policy;
- the relationship between workplace harassment and violence and the prohibited grounds of discrimination; and
- how to recognize, minimize, prevent and respond to workplace harassment and violence.

Complaint and Reporting Procedure

A person who believes they are experiencing bullying, harassment, discrimination, and/or violence (the "Complainant") or who witnesses this behaviour, may choose to address this issue through Early Resolution or go directly to the Complaint Process with negotiated resolution or investigation.

It is important to keep notes of what you are experiencing or have witnessed (what happened, when it happened, where the situation(s) were, who may have seen or heard (witnessed) the event, how it makes you feel). As well, keep any proof that you may have of any unwelcome behaviours (ex. text messages, pictures, online or social media activities, etc.).

Early Resolution

If safe to do so, attempt to address the situation by speaking with the individual directly. Unless there are safety concerns, it may help to have this conversation in a private space. Explain to the individual how the behaviour makes you feel and/or why it is unacceptable and that you want it to stop.

If this strategy does not address the situation or you do not feel safe speaking to the person directly, speak to your supervisor, Human Resources, the Executive Director, or a member of Council who is not in a conflict of interest in relation to the situation. The situation will be discussed with the intent of providing coaching, guidance, and/or support in achieving early resolution or moving forward to the complaint process.

Complaint Process

Employees may make written complaints of workplace harassment, bullying, discrimination, and/or violence (the "Complaint") if they receive or witness this behaviour. The Complaint should be submitted to Human Resources or the Executive Director. If the Complaint is against the Executive Director, the Complaint is to be submitted to Human Resources or a member of Council who is not in a conflict of interest in relation to the situation. The Complaint should include:

- names of the principal party (recipient of problematic behaviour) and responding party (individual engaging in the problematic behaviour);

- a description of the problematic behaviour(s) with date(s) of occurrence;
- witness names;
- a list of any supporting documents and records; and
- any other relevant information.

The Employer will make contact with the principal party and any witnesses who filed complaints, within seven (7) days of receiving the Complaint to confirm receipt and inform the principal party of the Complaint resolution process.

At its discretion, the Employer may choose to investigate potential incidents of harassment, discrimination, or violence without a written complaint.

Negotiated Resolution

The Employer will make every reasonable effort to commence resolution processes within 45 days of receipt of the Complaint. This includes reviewing the Complaint with the principal party to determine whether the offences alleged may constitute harassment, discrimination, and/or violence; and whether conciliation or an investigation is appropriate. A Complaint that does not constitute harassment, discrimination and/or violence will be considered resolved.

For Complaints that proceed, the parties may agree to engage in a conciliation through a facilitator. Potential resolutions at this stage are only limited by the parties' commitment and willingness and may include:

- Recognition of responsibility/accountability;
- Entering into commitments (verbally or in writing as appropriate), apologizing or making amends (e.g., "making it right");
- Coaching, mentoring, peer support and/or feedback;
- Participation in conflict resolution/mediation; and
- Participation in counseling and/or training (internal or external).

If a resolution is agreed upon, the Complaint will be considered resolved and if an investigation is ongoing, the investigation will be discontinued. If a Complaint has been investigated, it cannot be resolved through Negotiated Resolution.

Investigation Procedure

If negotiated resolution is not appropriate or the principal party requests it, the Complaint will be investigated. The investigation will be conducted through Human Resources or the Executive Director, or if the Complaint relates to the Executive Director, through Human Resources and/or a quorum of Chief and Council, comprised of members who are not in a conflict of interest respecting the Complaint.

Investigator

The investigator appointed to investigate the Complaint will be agreed upon by the Employer, the principal party and the responding party. An appropriate investigator may be internal or external and will have requisite knowledge, training and experience and not be in a conflict of interest in respect of the Complaint and provide the parties with a suitable Statement of Qualifications. If agreement on the investigator cannot be reached with 60 days of submission of the Complaint, the Employer may appoint an investigator from those qualified through the Canadian Centre for Occupational Health and Safety.

Interim Measures

At the Employer's sole discretion, where appropriate, interim measures may be undertaken once the Complaint has been made and during the investigation. Examples include authorizing a leave of absence with pay, temporary transfers or schedule changes, temporary changes to reporting relationships, or requiring those involved to have no or limited contact with each other.

a) The investigation may include:
- interviewing the principal party (or parties) and responding party to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations.
- interviewing witnesses deemed relevant by the investigator, if any
- reviewing any related documentation
- making detailed notes/recordings of the investigation and maintaining them in a confidential file

b) Once the investigation is complete, the investigator will prepare a detailed report of the findings for review by the Employer.

c) The Executive Director, in conjunction with Human Resources and/or legal advisors, as well as impacted managers, if necessary, will determine what action should be taken as a result of the investigation.

d) The investigator will also prepare a summary report that will be provided to the principal party and the responding party. The summary report must not reveal the identity of persons involved in the Complaint or the resolution process. The summary report must include:
- a general description of the Complaint
- conclusions, including those related to the circumstances in the workplace that contributed to the Complaint; and
- recommendations to eliminate or minimize the risk of a similar occurrence.

Time Limits

The Employer understands that being a party to a Complaint can be stressful and challenging. During the resolution process, the Employer will provide, at a minimum, monthly status updates to the principal party and the responding party.

The Employer strives to complete any resolution measures and communicate investigation results to the principal party and responding party as quickly as possible after a Complaint is received. However, the timeframe within which resolution measures and investigations can be completed varies depending on the circumstances of each Complaint. The Employer will complete the resolution process within one year of receipt of the Complaint, unless one or more of the parties is temporarily absent from work for more than 90 consecutive days, in which case the deadline is the later of one year from receipt of the Complaint or six months after the day the party returns to work.

Corrective Action

If it is determined the Harassment, Discrimination and Violence Prevention policy and/or other Employer policies have been violated, an unacceptable level of workplace conflict exists, confidentiality regarding the Complaint has not been respected, or any individual has engaged in retaliatory or unacceptable behaviours, corrective action will be taken, such as:

- coaching, provision of information about expectations;
- participation in training, education (internal or external);
- participation in conflict resolution/mediation/facilitation sessions;
- performance management;
- recommendations or requirements to undertake counseling;

- discipline (ranging from formal warnings to suspensions with or without pay, to transfers or demotions, to termination of employment); and,
- other actions and/or combination of actions determined appropriate.

Corrective actions may be specific to an employee, certain employees, or provided to all staff.

Following a Complaint, the Employer will review and, where necessary, update the workplace assessment and its policies and procedures in accordance with the requirements of the *Canada Labour Code*. The Employer will also implement any accepted investigator recommendations.

What To Do If You Are Accused of Unwelcome Behaviour

You may become aware that your words or actions have, or may have, caused someone to feel offended or upset. This includes situations where a co-worker or an individual covered by this policy asks you to stop behaviours which could reasonably constitute harassment or discrimination.

Consider the other person's perspective and evaluate your behaviour. Even if you did not intend to cause offense or upset, if your behaviour has been perceived as offensive and/or upsetting, immediately stop that behaviour and apologize. Failure to stop when made aware that the behaviour was unwelcome increases your responsibility and makes disciplinary action more likely if it is determined the behaviour is inappropriate or constitutes harassment or discrimination.

If you believe the incident has been reported or the complaint has been made in bad faith or is malicious in nature, discuss this with your Manager, Department Director, Human Resources, or the Executive Director.

Protection from Retaliation/Reprisal

The Employer will not tolerate retaliations, taunts, or threats against anyone who complains about harassment, discrimination or violence or takes part in an investigation. Any person who taunts, retaliates against, or threatens anyone in relation to a harassment complaint may be disciplined up to and including termination of employment.

If you report an incident or make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Employer will, however, discipline anyone who brings a false, malicious, or bad faith complaint up to and including termination of employment.

Emergency Procedures

When an occurrence, or threat of an occurrence, poses an immediate danger to the health and safety of an employee, the employee must immediately notify a supervisor or Human Resources. The Employer will take all reasonable emergency procedures to protect the employee and others in the workplace. This may include, but is not limited to:

- involving emergency services such as the RCMP.
- implementing additional security measures such as security personnel, parking lot escorts, locked entries.
- instituting a building lock down.
- offering assistance for connecting with professional and community support services.
- approving leaves of absence.

Support Measures

The Employer recognizes that being involved in workplace conflict, harassment, discrimination, violence and/or participating in a workplace investigation can be a difficult and stressful experience. The Employer's group benefits

plan includes an Employee Assistance Program (EAP), and we encourage employees to utilize this service if needed. Employees who require additional support should speak with their supervisor or Human Resources.

Equitable Treatment of Employees

Huu-ay-aht First Nations is passionate about the fair and equitable treatment of all of its employees. The statements below speak to how Huu-ay-aht First Nations plans to treat each of their employees equitably.

Equal Employment Opportunity

We do not discriminate at Huu-ay-aht First Nations. We welcome diversity and the synergy stemming from all perspectives as a result of different backgrounds and experiences. We provide respect and equal employment opportunities for all Organization individuals and applicants for positions regardless of race, religious belief, color, gender, physical disability, mental disability, marital status, ancestry, age, place of origin, family status, or sexual orientation.

Preference for recruitment decisions is given to qualified Huu-ay-aht citizens. Other First Nations will be given secondary preference.

Our practice has been, and will continue to be, one of honest evaluation of each individual's qualifications and business contributions. Decisions pertaining to recruitment, hiring, training, transfers, dismissals, layoffs, counselling, compensation, hours of work, benefits, and performance reviews are based on job performance, merit, and qualifications.

Any individual who feels they, or another individual, has been the subject of discriminatory treatment should report it immediately to their supervisor or refer to the 'Complaints Procedure' as outlined in the *Bullying and Harassment* policy in this manual.

Duty to Accommodate

Huu-ay-aht First Nations will meet all legislative requirements in providing accommodation to job applicants. Any applicant or Employee that communicates the need for accommodation shall be considered in a manner that is non-discriminatory and respectful of our Human Rights obligations. Huu-ay-aht First Nations will work with individuals that request accommodation in an effort to ensure that the measures taken are both effective and mutually agreeable.



Recruitment, Selection, and Onboarding

New Employee Orientation and Onboarding

It is important that new people joining us understand our business, what we expect from our employees, and what employees can expect from Huu-ay-aht as an employer. To share this information, all employees go through our orientation and safety programs within their first five (5) working days. This orientation process contributes to safe workplace practices and a harmonious entry to the organization for new employees.

The core purpose of orientation is:

- To welcome new employees to the organization;
- To share knowledge about the business, philosophies, culture, products, structure, services, and processes that relate to all employees; and
- To understand core organization policies and programs.

Whenever new employees are hired, our existing staff are expected to welcome them into the organization, treat them in a friendly and courteous way, and help them to learn their job functions.

90-Day Performance Coaching and Review

Huu-ay-aht is committed to supporting new employees in their success in their new role. All new hires will receive a launch plan designed to identify training needs, provide key contacts and resources, clarify expectations, and outline specific goals and areas of focus for the first 90 days. During this time period, the new hire and their manager will meet on, at minimum, a monthly basis, where they will have the opportunity to discuss achievements, challenges, and strategies for continued success.

All new hires will receive a written performance evaluation no later than the week following the completion of their first three (3) months. For more information on this evaluation, see Performance Reviews and Growth Plans.

Probationary Period

The first three (3) months of employment at Huu-ay-aht First Nations are probationary.
Where an employee's performance during the probationary period is unsatisfactory, employees may have their probationary period extended for up to three (3) additional months in an effort to continue to monitor and support the employee in meeting performance expectations.

Employment during this time may be terminated by the organization without notice because:

- A new employee is not suited to the job.
- Job performance or ability is not satisfactory.
- Qualifications, experience, or education have been misrepresented.

Huu-ay-aht First Nations Recruitment Practices

Huu-ay-aht First Nations is an equal opportunity employer that promotes and practices fairness in the recruitment and selection of employees. Every effort will be made to employ the most suitable/qualified candidates, based on pre-determined bona-fide occupational requirements with preference given to qualified Huu-ay-aht citizens. Other First Nations will be given secondary preference.

Initiating the Recruitment Process

Hiring Managers are responsible for preparing a *Hiring Plan*, posting job advertisements, interviewing candidates, and are required to conduct reference and background checks for positions within their relative departments. A hiring plan ensures that all parties understand the hiring strategy and their role and responsibilities throughout the hiring process.

Backfilling a Position

If an existing position becomes vacant, the hiring manager does not require pre-approval to begin the recruitment process, however they must notify their Department Director and Human Resources.
Any core modifications to an existing job (e.g. key duties, job requirements, reporting relationship, pay band) must be approved by the Department Director and Human Resources.

Creating a New Position

If a new position is necessary to create, Hiring Managers must seek approval on the position description and position qualifications from the Huu-ay-aht First Nations Executive Director. Any new casual, seasonal, or temporary positions can be approved by the direct Manager or Director of the department.

Job Postings

Should a vacancy occur for a permanent position, it will be posted internally for a period of five (5) working days before external advertising may be undertaken. The vacancy will be circulated to all employees through email. Where positions are advertised externally, applications will be accepted for a period of at least ten (10) days.

A Note on Term Employees
In the case that there is an opportunity for additional term(s), an existing term employee may be offered the opportunity, dependent on positive performance as indicated in their performance evaluations and records. In this case, the position will not be posted.

Selection Committee

A selection committee will be appointed for the final decision-making process. This committee is responsible for reviewing and understanding the relevant position description and qualifications, determining the list of applicants for interview, interviewing, and reviewing applicant references.

The selection committee strives to interview a minimum of three (3) applicants for each vacant or new position, except when hiring a temporary or casual employee.

In the event that the list of applicants includes an immediate family member, or any other person with whom the member has a close personal relationship that may be perceived as a conflict of interest, members of the selection committee must disclose the conflict to Human Resources and withdraw of the committee. For more information, see Anti-Nepotism Policy and Conflict of Interest Policy.

Direct Hires

Huu-ay-aht First Nations reserves the right and authority to, under specific conditions, directly appoint an employee or independent contractor to undertake the responsibilities of a position. This policy is designed to be a temporary measure to address urgent needs and ensure that the organization can fill positions that are essential for the safety, security, or operational continuity of the organization.

Application

The following work opportunities are eligible for Direct Hire and are not required to go through a formal recruitment process:

- The position is transitional or short-term in nature; and
- There is an immediate need to fill the position due to unforeseen circumstances.

Policies that need to be considered before implementing the direct hire policy are: Anti-Nepotism, Conflict of Interest, Equal Employment Opportunity, and Huu-ay-aht First Nations Recruitment Practices.

Process

The hiring manager must complete the Direct Hire Authorization Form and submit it to the Executive Director, in consultation with the human resources department, for signed approval. Once approved, the direct hire will be classified as a temporary employee or independent contractor.

The direct hire will be onboarded in a manner consistent with Huu-ay-aht new hire practices.

All short-term opportunities where a direct hire is made should be evaluated after 30 days to assess whether regular recruitment processes should be initiated or if the following 30 days will be sufficient to complete the deliverables.

All transitional opportunities where a direct hire is made will have, or continue to have, the permanent job opportunity posted per Huu-ay-aht First Nations Recruitment Practices. Direct hires will have the opportunity to apply for these permanent positions.

Contract Limitations

The contract will have a maximum value of $10,000, and a maximum time limit of 60 days with no renewals.



Promotions, Development, & Performance Management

Employee Promotions

All promotions, including those by job posting, will be made on a trial basis or on a temporary basis. If an employee is promoted to a different job and fails to meet the performance expectations outlined in the first three (3) months, they may be returned to the job and compensation rate held prior to the promotion. If that job no longer exists, the employee may be placed in a similar job position for which they are qualified.

Temporary Assumption of Other Position

Huu-ay-aht seeks to provide its employees the opportunity and mobility to develop and gain experience in different roles where possible through the temporary or interim assumption of another position's responsibilities; and believes employees should be fairly compensated during the time they fulfill those duties.

Pay for Assuming Responsibilities

If an employee is transferred to a different position temporarily for a period of two (2) or more workdays, that employee will receive fair rate of pay for that job in accordance with the defined wage structure pending, authorization from the Department Director. In the event that an employee assumes the responsibilities of their Director, the Executive Director will approve the temporary increase.

Performance Reviews and Growth Plans

In order to evaluate workplace accomplishments as related to performance goals, foster employee self-development, and to aid in identifying performance areas of development as well as recognize extraordinary service, employees will have regular and scheduled performance evaluations.

While Huu-ay-aht is committed to a continuous performance management process where goals, results, and feedback are discussed on an ongoing basis, it's still important to periodically zoom out and look at the big picture. Performance reviews serve as an in-depth snapshot of accomplishments and challenges over a specific time period and, along with growth plans, ensure alignment between what a person's been up to, where they're going, and business needs.

Generally, performance reviews (and growth plans) are used to:

- ensure team members and their managers are aligned on expectations,
- set new goals,
- course-correct professional development roadmaps,
- recognize growth and contributions to the organization, and
- reconnect team members with the purpose of their work.

Performance Management Reviews

A performance management review is an iterative process between individual and their manager where they discuss a snapshot assessment of the individual's performance over the cycle period. Performance reviews are informed by the manager's own observations (including previous discussions with the individual), the individual's self-assessment, competencies (behaviours based on HFN guiding principles), and where appropriate, feedback collected by the manager (from peers, direct reports, committees, and/or external parties).

The Performance Management Cycle

Performance management sessions are done three (3) times per year:

1) Beginning of cycle: Growth Plan & Performance Agreement
   Process includes a 1-on-1 meeting with the individual and their immediate manager to discuss HFN objectives and how the individual contributes to them, discover (with the intent to align) professional development goals, and collaboratively determine individual performance measures that support HFN goals.
2) Mid cycle: Progress Check-in & Review
   Process includes a 1-on-1 meeting with the individual and their immediate manager to review the performance agreement and progress towards set goals. This is a time to discuss successes, challenges, and to collaboratively brainstorm strategies for success.
3) End of cycle: Performance Appraisal (Review of the year).
   The process includes a written evaluations developed by the employee's immediate manager and presented to the individual in a 1-on-1 meeting where they discuss the assessment and performance within the cycle period. These meetings are also intended to align expectations before drafting a new growth plan.

Factors considered during performance reviews include (not necessarily in this order):

- Attendance.
- Quantity and quality of work performed.
- Initiative shown by employee.
- Effort and industriousness.

- Behaviour and conduct.
- The employee's knowledge of their work and the organization.

Growth Plans

Growth plans are foundational tools designed to pave the way for both professional development and organizational success. Your growth plan will contain not only goals, but it will also outline the roadmap to succeeding in them. All goals set within a growth plan are SMART - Specific, Measurable, Achievable, Relevant, and Time-bound. This approach ensures that each objective is clear, actionable, and aligned with both individual aspirations and organizational needs.

Creating a growth plan is a collaborative process – every growth plan is discussed and mutually agreed upon by the individual and their manager. To maintain transparency and momentum, a written copy of the growth plan will be provided to the employee no later than one month following their last performance review.

60-day Review for New Hires

As a part of your onboarding, your manager will provide you with a launch plan that gives an overview of your important goals and milestones over your first 60 days. In the week following your two (2) month anniversary with Huu-ay-aht, you will meet with your manager to discuss your 60-day performance assessment and receive a written assessment.

Training & Development

Huu-ay-aht First Nations values its employees and recognizes the benefits to the employee of the ongoing development of the employee's abilities, skills, and knowledge. Professional training and development are a shared responsibility between the employer and employee.

An employee requesting training will submit the *Training and Development Request Form* to their immediate supervisor, to be reviewed and authorized by both the Supervisor and HR. The request should be submitted at least thirty (30) days before the commencement of the training, and will include details describing the content, benefits it will provide to both the employer and employee and any cost and/or time commitments. The Executive Director may require an employee to take training.

Applications will be assessed in accordance with the following criteria:

- availability of funds
- relevance to the employee's current position
- relevance to the growth of the employee
- relevance to the current and future needs of the employer
- ability to integrate training into the work schedule
- recommendations of immediate supervisor
- suitability of timing (e.g. time of year)
- motivation and past performance of the employee
- previous training supplied to employee by the employer
- length of service with the employer

Generally, time spent traveling and attending training beyond the regular workday/week will not be compensated. The cost of training related travel, enrollment, and the reasonable cost of accommodations and meals will be paid by the

employer in the form of expense reimbursement on condition of a signed agreement between the employer and employee. Please see the Travel Time and Expense Policy for further information.

Upon completion of training, the employee is required to submit a report to their supervisor and the Executive Director, as appropriate, describing the direct application of the professional training and development to their position and the employer, and the suitability of the training for other employees.

Performance Issues

An individual performance issue may arise from time to time and may vary from a relatively minor issue to a very serious breach of performance standard. As part of the guidance, training, and supervision process that makes our organization more efficient and competitive, disciplinary action may be necessary to remedy performance issues. It is not intended to punish employees; rather, any disciplinary action taken will be fair, rehabilitative, and where necessary progressive, thereby leading to increasingly firmer warnings. Performance issues that may bring about disciplinary measures include:

- any infraction of organization policy or any action detrimental to the organization, whether deliberate or otherwise, mentioned in this manual or not.
- any action harmful to other employees and insubordination are other reasons for possible disciplinary action.
- inappropriate situations, behaviour and actions conducted by an employee during or outside the regular workday.

Corrective Action before Progressive Discipline

Prior to taking disciplinary action, the employee's immediate manager will initiate a conversation with the employee to allow them the opportunity to explain the conduct in question. This includes gathering all the details in the form of witness statements and supporting documentation.

If the response, or evidence, presented is insufficient in justifying the conduct in question, the employee's supervisor will make reasonable efforts to counsel the employee by explaining the nature and impact of the questionable conduct and suggestive correction action. Corrective action may be addressed via a growth plan, which can involve any combination of cross-training, assistance, redirection, and support, which will be given as methods in improving performance. Should the conduct take place again, the employee will be subject to discipline.

Progressive Discipline

The following five sections are steps in the disciplinary process:

Verbal Warning

If, after corrective counselling, an employee's performance or conduct does not improve to the level required, the employee's immediate supervisor will provide the employee with a verbal warning. The verbal warning will be noted in the employees Personnel File, with the details of the warning recorded.

Written Warning

Where a verbal warning does not result in the required level of performance or conduct correction, the employee's immediate supervisor, in consultation with the Director or Human Resources, shall issue a written warning. Where poor performance or questionable conduct continues, one further written warning shall be provided by the Director upon consultation with the Executive Director.

Disciplinary Probation

Supervisors and Directors, upon consultation with the Human Resource and the Executive Director where applicable, shall have the authority to place an employee on disciplinary probation for a period of not more than three (3) months. Such action shall be in writing and must contain the specifics of the conduct for which the employee is being placed on probation. Also included must be the conditions and performance requirements, which must be met, for an employee to be removed from probation. A copy signed by both the employee and the Executive Director shall be placed permanently in the employee's Personnel File, with a copy provided to the employee.

Suspension

Where poor performance or questionable conduct continues, Supervisors and Directors, upon consultation with the Human Resource and the Executive Director where applicable, shall issue a notice of suspension without pay to the employee. Depending upon the disciplinary act, the suspension may be from two days to two weeks in duration.

Dismissal

Where all previous discipline and counselling efforts have failed to resolve continuous poor performance or questionable conduct, or where the disciplinary act is sufficiently serious, the employee may be dismissed with cause.

No employee will be terminated before the Executive Director has reviewed their entire situation. Only the Executive Director has the authority to approve the dismissal of an employee and the Executive Director may only delegate this authority in situations that create a conflict of interest. The Executive Director shall immediately notify the employee, in writing of the dismissal and the reason for it.

Disciplinary steps may be repeated before going to the next level. The nature and severity of disciplinary measures will depend on the seriousness of the infraction and whether the case is a repeated instance or there is a habitual pattern. All intermediate steps will not necessarily be observed in order, especially in extreme cases (e.g. breach of certain provisions of the *HFNA Code of Conduct and Conflict of Interest Act* will result in immediate dismissal).

All warnings, whether verbal or written, will consist of the following details:

- An explanation of the poor performance or misconduct that has resulted in a warning being given;
- An explanation of what the employee must do to correct their performance or misconduct so that the employee understands the standard they must meet going forward; and
- A caution that if the required standard is not met or misconduct is repeated, the employee will be subject to further discipline, up to and including termination of employment with cause.

Workplace Standards & Expectations

Employment Categories

We have the following employee categories at Huu-ay-aht First Nations:

- Full-time permanent (working 37.5 hours *or more* per week)
- Part-time permanent (working 35 hours *or less* per week)
- Term (full-time or part-time for a pre-determined period of time)
- Seasonal (full-time or part-time for a pre-determined period of the year, reoccurring each year.)
- Temporary (fixed term agreement for *less than 6 months*)
- Casual (utilized on an as needed basis, no guarantee of hours)

The terms and conditions of employment for each employee are outlined in a written employment agreement, including pre-determined end dates for term, temporary, and seasonal employees.

Attendance & Work Hours

Huu-ay-aht manages attendance and punctuality, following the company philosophy of being equitable and fair. The purpose of this policy is to set forth Huu-ay-aht's policy and procedures for team member absences and tardiness to promote efficient operations and minimize unscheduled absences. This policy intends to establish reasonable and necessary controls to ensure adequate attendance and meet business needs.



Regular Working Hours

Huu-ay-aht recognizes that in order to best serve our community, we must have established core business hours. These hours have been set as **Monday to Friday, 8:30 am to 4:00 pm**. This window of operation ensures that we are consistently available to meet the diverse needs of our community and provide timely support and services.

The nature of some roles and tasks may necessitate variations from these standard hours. As such, there are employees whose schedules might look different from the core business hours. Roles that involve tasks such as field assignments may require a flexible work schedule as determined by your manager.

Maximum Hours of Work

Your hours of work are not to exceed forty (48) hours in a week, unless an averaging agreement or modified work schedule agreement is in place, or in the case of an emergency as determined by your immediate manager.

Flex Hours

Huu-ay-aht believes in fostering a flexible work environment that supports the diverse needs of our workforce. Where possible, individual shift times and working hours may be flexible from person-to-person, contingent on business needs, availability, and accommodations where necessary.

Responsibility for establishing these flex hours lies with the Executive Director and Directors, who must ensure that a sufficient number of employees remain on duty to maintain essential services during working hours. Managers must remember that requests for flex hours are not to be unreasonably refused. You will need to get prior approval from your direct Manager for any work schedule modifications, who will work with you to determine the appropriate schedule.

Rest Periods

Regular breaks from work are not only beneficial for individual well-being but also critical for sustained work engagement and productivity. Studies have shown that periodic breaks can rejuvenate the mind, reduce stress, and improve overall job satisfaction. Recognizing the significance of this, Huu-ay-aht ensures that all employees are entitled to meal breaks and/or rest breaks, determined by the total hours they are scheduled to work each day.

It's essential to note that these breaks should not shorten your workday and thus shouldn't be taken just before concluding the workday. For clarity on break durations and timings, please refer to the table provided below:

		BREAK	DURATION	WHEN
CORE WORK SCHEDULE	7+ hours	Rest Break	15 mins	Within 1st half of shift
		Meal Break	30 mins	11:30pm-1:00pm *(or as approved by your direct manager, no more than 5 hours after beginning your shift)*
		Rest Break	15 mins	Within 2nd half of shift
	5 + hours	Meal Break	30 mins	11:30pm-1:00pm *(or as approved by your direct manager, no more than 5 hours after beginning your shift)*
	3 + hours	Rest Break	15 mins	
	Less than 3 hours	N/A	N/A	N/A
OVERTIME	*As assigned*	Rest Break	15 mins	After eight (8) hours of regular work and prior to beginning overtime hours
		Rest Break	15 mins	After 2 hours of paid overtime

a) A paid rest period will be provided during each half of the shift. Such rest periods will consist of not more than fifteen (15) minutes of work interruption.
b) Each employee will be provided with a paid thirty (30) minute lunch break normally to be taken daily from 12:00pm to 12:30pm or as approved by the employee's immediate Manager or Director.
c) Employees working overtime will be provided with a paid rest period of not more than fifteen (15) minutes prior to their overtime period following eight (8) hours of regular hours provided that at least two (2) hours overtime will be worked. A paid rest period of fifteen (15) minutes will be provided for each subsequent two (2) hours of paid overtime.
d) No paid rest period is allowed for overtime of less than two (2) hours.

Absences & Lateness

Punctuality reflects a positive interest and attitude towards your job and the impact you have on the community. We strive to be understanding in cases where lateness or unexpected absence is unavoidable, but we ask that you make every effort to provide notification.

If you are going to be late for work, please notify your manager by phone or e-mail at least 20 minutes prior to your regular starting time. Employees who need to leave early will need to receive preauthorization from their immediate manager. In the absence of your manager, you are expected to notify the acting manager.

If you are leaving the premises during your work shift for personal business or other appointments, where possible you are expected to receive pre-authorization from your manager. You are responsible for notifying your manager when leaving and upon your return; and ensuring that your work is covered during your absence.

Medical Documentation

Huu-ay-aht reserves the right at all times to require a doctor's note to support absences. A doctor's note must be produced when returning to work after an absence of five (5) days or more due to illness or if a pattern of absenteeism arises. In the event of excessive medical absences without providing a physician's certificate upon request, the absences may be deemed unexcused. See the Leaves section for more information on the requirements for the Leave that applies to you and your circumstance.

Unexcused, Habitual, and Repeated Lateness and Absenteeism

Lateness and absenteeism are unfair to the organization, other team members, and the community, as operations are disrupted if employees are late, leave early, or don't show up for work at all. Unexcused, habitual, and/or repeated lateness and absences may result in loss of wages and/or disciplinary action up to and including dismissal.

Employees who are unable to observe appropriate attendance standards will be provided timely feedback and will be engaged in a conversation to discuss the lateness/absenteeism and uncover what is prohibiting the team member from effectively meeting standards. HR and/or your manager will work with you to support you in getting back on track. This may involve implementing a Growth Plan, flexible work hours, or other fitting accommodations.

If you are absent from work without notice for four (4) consecutive days, you will be considered as having abandoned your job. Huu-ay-aht First Nations will process your work separation as a voluntary resignation on your part.

Compensation, Benefits, & Payroll

Wage & Salary

At Huu-ay-aht First Nations, we believe in fairness and equity for our valued team members. We diligently adhere to pay equity laws as we interpret and understand them where these apply; and strive to develop a wage and salary structure and administration program that provides for equal pay for work of an equal value. We aim to pay competitively amongst similar organizations including local and First Nation governments of a similar size. Beyond just compliance, our policies are crafted with the intention of attracting and retaining talented individuals like you. We appreciate and reward your dedication, years of service, and outstanding performance. Always know that your contributions are recognized and valued here.

Our organization strictly observes minimum wage laws and will review the wage and salary administration program, including the wage and salary structure at least every three (3) years. The Executive Council has the authority, upon recommendation of the Executive Director, to amend the program and structure, without notice.

Pay Periods and Pay Days

- Each pay period is for a two (2) week period, running from Saturday to Friday.
- Pay days are every second Friday, one week after the pay period ends to allow time for processing. (If you start during a pay period, you will be paid for the hours worked within that pay period on that corresponding pay day).
- Payment is by direct deposit. Information is provided upon being hired and the form is to be completed and returned within your first pay period.
- Wage statements are distributed via email every second Friday. The payroll statement will show wage rate, hours worked, deductions, as well as eligible accruals (i.e. vacation).
- Overpayment of wages will be recovered in the form of a payroll deduction.

If you have any questions or if you believe there has been an error on your pay cheque, we expect you to immediately address the matter with payroll. You can reach payroll at: [INSERT CONTACT INFORMATION]

Timesheets

Huu-ay-aht uses timesheets to process payroll for our employees. All employees are required to accurately fill and submit timesheets by the due date.

Timesheets will be approved by the employee's immediate supervisor. In their absence, the designation acting Manager or Director will assume the responsibility of approving timesheets. In the case that timesheets are inaccurate, incomplete, or not submitted/approved by the due date, it will not be processed until the following pay period.

Reporting Leaves of Absences

During any approved leave of absence, you are required to accurately note the date(s) of your leave and identify the type of leave on your timesheet.

Compensation Review

Wages and salaries for all employees are reviewed by management annually. Compensation is also reviewed at time of promotion, transfer, rearrangement of duties, or increased responsibilities or qualifications/education. A compensation review does not automatically mean an increase in wages or salary. Executive Council shall have the authority to approve a salary increase or adjustment for the Executive Director.

Overtime

We aim to accomplish all work within a normal work week, however in extraordinary circumstances, you may be asked to work additional hours. From time to time, based on emergencies and/or workload, there may be the need for some employees to work overtime.



The *Canada Labour Code* defines the minimum standard for administering overtime and sets different overtime entitlements and exemptions for certain employee types. Huu-ay-aht is committed to meeting, and, where possible, going above and beyond. We are proud to offer our employees the privilege of earning OT above and beyond the standard entitlements (See CLC entitlements for more information)

All overtime work must be approved by the employee's immediate manager prior to work commencing, except in the case of emergency, and will not be compensated without the completed "*Overtime Authorization Form"*. In the case of an emergency, the *Overtime Authorization Form* must be submitted retroactively alongside timesheets. Overtime will not be regularly scheduled.

Team Members ("Non-Managerial Employees")

Overtime is paid to all non-managerial employees on the following basis:

- At time-and-one-half of regular pay over 7.5 hours per day.
- At time-and-one-half of regular pay over 37.5 hours per week.

Overtime earned will be banked for employees to use as time off with pay. Employees are encouraged to take the banked overtime within three (3) months of having earned it. Any time-off must be pre-authorized by the employee's immediate Manager or Director at least one week in advance. Overtime may be banked up to a maximum of 37.5 hours of accrued time off with pay (equivalent to 26 hours of overtime worked). Any overtime accrued beyond this limit will be automatically paid out in the same pay period it was earned.

Overtime Bank Pay Out

While Huu-ay-aht advocates time off for rest and rejuvenation, Huu-ay-aht will pay out an employee's banked overtime within 30 days when the employee:

1) Requests a payout of their overtime bank;
2) Has unused OT time-off banked at the end of a calendar year;
3) Is transferred or promoted to a new position; or
4) Leaves the organization.

All pay outs will be equivalent to 1.5 times the regular hourly wage at the time the OT was earned.

Huu-ay-aht First Nations may, in accordance with the Canada Labour Code, implement an overtime averaging agreement or a modified work schedule agreement.

Managers & Directors ("Managerial Employees")

Managerial lieu time is a benefit and privilege Huu-ay-aht is proud to offer employees. In the case managerial employees work beyond 40 hours in a week, they may be provided reasonable managerial lieu-time provided at straight time (hour-for-hour basis), as approved by their direct Manager or Director.
Managerial employees must take their managerial lieu-time within three (3) months of having earned it. The scheduling of this lieu-time must be approved by their immediate Manager or Director at least one week in advance.

It's the responsibility of the manager to ensure there is operational continuity during their lieu time and that their absence does not impact the business negatively.

In extenuating circumstances, overtime may be paid to managerial staff, as authorized by the Executive Director.

The Chief Councillor shall have authority to approve managerial lieu-time for the Executive Director.

Call Back Procedure

Employees who are called to work by the employer, and who actually report to work, whether they work or not, shall receive a minimum of three (3) hours pay. This applies to employees scheduled and/or called back for in-office, remote, or field work.

When an employee has worked a normal work week of 37.5 hours (note for managers: a normal work week is 40 hours) and is called back to work, the overtime policy will apply. This does not apply to employees who voluntarily provide services to the community.

Employee Benefits

Huu-ay-aht First Nations believes in providing employees and their families with access to a Benefit Plan that provides for health and protection.

Employees who maintain 20 hours per week and who are classified as full-time, part-time, or term, are eligible for the Huu-ay-aht First Nations Group Insurance Benefit Plan and the Group Pension Plan provided through Canada Life via Eagle Bay Financial Services.

Huu-ay-aht offers a phased approach for access to benefits:

- Extended Health and Dental Benefits after thirty (30) days of continuous employment.
- Long-term Disability Benefits after three (3) months of continuous employment.
- Pension Benefits after three (3) months of continuous employment.

Upon being hired, each new employee is given the required enrollment forms for completion.

The premiums for the group insurance benefits are cost shared; 65% paid by the employer and 35% paid by the employee, with the employee's share deducted from their pay. Management's group insurance benefits are paid fully by the employer.

If an employee has alternate coverage through a spouse or partner, the *Benefit Opt-Out Form* must be completed and handed in to the payroll department. The employee must still enroll in the personal insurance package.

During any period of leave the employee may retain coverage under the group medical, dental, and extended health plans provided the employee maintains the payment of any benefits premiums they normally would have paid. The employer will maintain their portion of the benefits premiums provided the employee maintains their portion. There will be a choice for payment – all up front or post-dated cheques. Huu-ay-aht First Nations does make an exception to this policy for employees on maternity/parental leave.

If an employee is on a Worker's Compensation Board claim, the employee will pay their portion of the accrued medical premiums in advance or by post-dated cheques.

For more information regarding the benefits available to you, please refer to the Canada Life Benefits Package, or reach out to Human Resources for more information.

Universal Employee Assistance Program

Huu-ay-aht First Nations promotes the well-being of all its valued employees and is proud to offer wellness supports for all employees classified as full-time, part-time, term, temporary, casual, or seasonal. All employees will receive access to Homewood Health, making trauma counselling and cultural supports available after thirty (30) days of continuous employment. Any employee afflicted with problems or concerns that affect their home, work, or personal environment are encouraged to identify a program that will lead to complete rehabilitation and wholeness. Huu-ay-aht First Nations may, if appropriate, assist with such a rehabilitation program.

Continuous Benefits for Long-Term Disability

If a full-time employee is unable to perform the full and total duties of the own job, due to an injury or illness that occurred on or off the job, then all benefits on the Employee Benefit Plan will continue for a period of time, depending on length of service.

Period of Full-Time Employment	Continuation of Plan Benefits
3 months – 5 years	6 months
5 years – 10 years	12 months
10 years – 20 years	18 months
2o years +	24 months

Employees must continue to pay their portion of the premiums in the form of post-dated cheques to be eligible for continuation of benefits. Post-dated cheques must be provided in advance of beginning benefits continuation. If the employee chooses to not pay their portion of the premiums, the benefits will cease on the employee's first day of absence from full-time work. The employee must sign a waiver stating they chose to discontinue the plan.

There are certain conditions that may apply regarding waiting periods, etc. To access this coverage, or pose questions, contact HR.

Travel Time & Expenses

Employee's travel expenses at Huu-ay-aht First Nations are managed in accordance with the requirements of the *Travel Expenses Regulation*. If you have any questions, please contact your manager or HR.

Travel time while on employer business or while attending professional development should be scheduled during normal working hours and will be compensated as part of the regular workday. Travel time outside of the normal workday and normal working hours will only be compensated with pre-approved authorization by the employees direct Manager or Director.

Travel time from one employer office to another employer office at a different location should take place during regular working hours. Travel time for the regular daily commute to the employer's office is not eligible for reimbursement.



Any legitimate personal expenses per the Travel Expenses Regulation incurred when an employee is required to travel on business or while attending conventions, trade, or industry events, will only be reimbursed when it has been pre-authorized by the employee's direct Manager or Director. Any legitimate personal expenses incurred when an employee is traveling for professional development opportunities will be reimbursed in accordance with the Professional Development Leave policy, included in this manual.

Time Away from Work

Vacations

We view vacation time as not just a benefit, but as an integral part of our employee's overall well-being. By fostering a culture that values and promotes work-life balance, we aim to create a positive and fulfilling work environment where our employees can thrive both personally and professionally. Employees are provided with the needed opportunity to relax and enjoy time away from work by receiving annual vacation leave.

Vacation Entitlements

All employees are entitled to vacation time off with pay. All employees earn vacation as a standard percentage of earnings and progress based on years of continuous service. See below for how vacation entitlements are calculated based on the position held with the organization.

Directors and Management					Non-Management Team Members				
Years of Continuous Service	Vacation Entitlement (% of earnings)	Vacation Entitlement (# workdays per year)			Years of Continuous Service	Vacation Entitlement (% of earnings)	Vacation Entitlement (# workdays per year)		
		Full-Time	Part-Time & Term	Temporary & Casual			Full-Time	Part-Time & Term	Temporary & Casual
One (1) through Three (3)	**6%**	15	Pro-rated	N/A	One (1) through Three (3)	**4%**	10	Pro-rated	N/A
Four (4) through Eight (8)	**8%**	20	Pro-rated	N/A	Four (4) through Eight (8)	**6%**	15	Pro-rated	N/A
Nine (9) through Fourteen (14)	**10%**	25	Pro-rated	N/A	Nine (9) through Fourteen (14)	**8%**	20	Pro-rated	N/A
After fifteen (15) years	**12%**	30	Pro-rated	N/A	After fifteen (15) years	**10%**	25	Pro-rated	N/A
After twenty (20) years	**12%**	30	Pro-rated	N/A	After twenty (20) years	**12%**	30	Pro-rated	N/A

Part-time, seasonal, and term employees are entitled to the same amount of vacation as full-time employees; however, their vacation entitlement shall be pro-rated based on their earnings.

Temporary and casual employees are entitled to the same amount of vacation as full-time employees; however, vacation pay will be pro-rated based on their earnings and will be paid out on each paycheque. Any vacation time will be taken as unpaid leave.

If you have questions about how much vacation time you have at any given time, please reach out to payroll. Accrued vacation time is calculated as the pro-rated entitlement based on hours worked up to the previous pay cheque for the given period, less any vacation time used.

Accessing and Scheduling Vacation

Vacation leave will accrue based on the anniversary date of your start date. Following three (3) months of continuous employment, you can begin to access your accrued vacation entitlements and use your pro-rated vacation time.

We encourage our employees to prioritize rest and relaxation away from work. Employees must take their earned vacation leave as time off within the year of employment (i.e. the same calendar year) in which it is earned. To ensure each employee takes an annual vacation; managers, with approval of the executive director, may schedule your vacation time, providing at minimum two (2) weeks' notice.

Vacation may only be carried over, waived, or paid out by mutual agreement and written authorization by the Executive Director, except upon termination of employment. Any vacation approved to carry over into the next calendar year must not exceed five (5) days and must be used within the first three (3) months of that year.

To schedule vacation time, submit a request, in writing to your manager. The request should made at least two (2) weeks in advance of the desired vacation time. Managers will consider the request, business needs, and operational continuity at their sole discretion; however, they will not reasonably withhold approval and will make all reasonable efforts to accommodate the request.

General Holidays

The following days are designated as paid General Holidays:

- New Year's Day
- Family Day
- Easter Monday
- Victoria Day
- National Indigenous Peoples Day
- Canada Day
- Labour Day
- National Day for Truth and Reconciliation
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

Executive Council shall have the authority to declare additional general holidays, which shall be done by way of amendment to the HR Policy Regulation.

Eligibility

In accordance with the Canada Labour Code, all employees are eligible for general holiday pay. All employees will have their general holiday pay calculated in accordance with the Canada Labour Code.

Statutory Holiday on a Day Off

When a statutory holiday falls on a non-working day for an eligible employee (i.e. a scheduled day off), the employee will be provided a lieu day off with pay. The lieu day off may be on a Friday or Monday, depending on mutual acceptance from both management and employees. In instances where a Statutory Holiday falls on a day the organization and its employees widely observes as time away from work (i.e. Saturday or Sunday), the Executive Director will determine whether the Friday or Monday will be provided as a lieu day.

Personal Days

All employees are entitled to five (5) days of personal leave per calendar year to:

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

All non-probationary employees, who have completed three (3) months consecutive months of employment, are entitled to the first three (3) days of absence to be paid and in accordance with the Canada Labour Code. The remaining two (2) days offered to employees are unpaid. This leave does not carry over to the following year and resets annually on January 1st.

Sick and Family Illness Days

In addition to the personal days provided as per the Canada Labour Code, Huu-ay-aht First Nations will provide all employees with paid sick leave.

All full-time, employees will accrue sick leave at a combined rate of one and a quarter (1 ¼) days for each month of employment in which the employee received their regular pay for at least fifteen (15) workdays. Part time employees accrue sick leave on a prorated basis consistent with their scheduled regular hours of work. Casual employees are not eligible to accrue sick leave, beyond the five (5) days provided as per the Canada Labour Code (see above, *Personal Days)*.

An employee will not earn or be eligible for sick leave for any period of time in which the employee is on leave without pay or on lay off. An employee will continue to earn sick leave while on approved or certified sick leave, or other leave where the employee received their regular pay.

Accrued and unused sick leave will continue to accumulate from year to year to a maximum of thirty-five (35) days.

The employer reserves the right at all times to require a doctor's note to support absences of five (5) or more days due to illness. Failure to provide the required documentation will result in the employee not being paid for the related period of Sick Leave and may result in discipline up to termination. Please refer to the *Absence and Lateness policy* section of this handbook for further information.

Donating Your Sick Days

Employees who have more than thirty (30) days in their leave bank may donate days to other employees in need. Employees in need are defined as employees who must take time off work due to surgery, accident, chronic or

terminal illness for themselves or a member of their immediate family. Days are valued equally regardless of the salary or wage of donor or recipient. The Executive Director is required to approve all leave bank donations.

To be eligible to receive the donation, the recipient must have no days left in their leave bank and must have exhausted any applicable insurance coverage. Employees using the days for their own illness may use a maximum of sixty (60) donated days per event. Employees who are using the days to look after an immediate family member may use a maximum of 10 donated days per event.

Sick days are not eligible for payout in any circumstance. In the situation that an employee resigns from Huu-ay-aht First Nations, their bank of sick days will be automatically forfeited.

Other Leaves of Absence

Huu-ay-aht is committed to providing Leaves for its employees that meet, and where possible, exceed the standards set by Canadian employment law. For more information and a list of all Leaves of Absence available to employees, please visit the Canadian Government's website by clicking on this link.

Documentation

Huu-ay-aht seeks to remove any barriers to accessing available leaves and aims to administer leaves in good faith. Huu-ay-aht may, in writing and no later than 15 days after an employee's return to work for a leave of absence, request the employee provide documentation to support the reasons for the leave. The employee will only be required to provide documentation if it is reasonably practicable for them to obtain and provide it.

Extended Personal Leave

Huu-ay-aht First Nations recognizes the need to be flexible in situations where employees require an extended personal leave for a variety of reasons.

- Requests for a leave of absence for more than one (1) week, must be made in writing to the employee's immediate supervisor and requires the Executive Director to review and authorize the leave.
    - An extended leave of absence generally should not exceed three (3) months.
    - All other forms of leave must be utilized before an extended leave of absence will be considered (i.e. vacation and overtime leave)
    - An extended leave of absence will be unpaid.
    - Authorization of the leave will be based on
        - the reasons for the leave
        - operational requirements and commitments
        - availability of other leave(s) or earned time off.

During the period of the leave the employee may retain coverage under the group medical, dental, and extended health plans, provided the employee maintains the payment of any benefits premiums they normally would have paid. The employer will maintain their portion of the benefits premiums, provided the employee maintains their portion.

Short Term Disability Leave

Employees may be able to access the government funded Employment Insurance (EI) Benefits for medical reasons. For more information on EI Benefits, please visit the Service Canada website.

Long Term Disability Leave

Long-Term Disability coverage is available for eligible employees. There are certain conditions that may apply regarding eligibility, conditions, waiting periods, etc. Please refer to the Benefits section of this Handbook or contact HR for more information.

Employees not eligible for benefits may be able to access the government funded Employment Insurance (EI) Benefits for medical reasons. For more information on EI Benefits, please visit the Service Canada website: https://www.canada.ca/en/employment-social-development/corporate/portfolio/service-canada.html

Maternal, Parental, and Adoption Leave

Maternity/Parental/Adoptive and other government-supported family related leaves shall conform to the provisions of the Canada Labour Code. Notice of leave is required to be submitted in writing, at least four (4) weeks in advance. The full period of the leave is granted without pay. Huu-ay-aht First Nations will issue a Record of Employment (ROE) on commencement of leave, which allows the employees to make a claim for Employment Insurance Benefits.

During the period of the leave the employee may retain coverage under the group medical, dental, and extended health plans provided the employee maintains the payment of any benefits premiums they normally would have paid. The employer will maintain their portion of the benefits premiums provided the employee maintains their portion.

When the employee returns to work, employment is guaranteed in a similar position with at least the same salary level. Every attempt will be made to return employees to a position of equal responsibility on return from leave status; however, no guarantees exist that the exact position left will be available upon return.

It is extremely important that you obtain information about your rights to EI benefits if you are considering taking a maternity or parental leave under the applicable Employment Standards Act. For information about maternity and parental benefits, contact Service Canada's Employment Insurance Automated Telephone Information Service , visit their online services, and see the Maternity and Parental Benefits page for further information.

Bereavement Leave

When a death occurs in the immediate family (see definitions) an employee is entitled to a ten (10) day leave. As per the Canadian Labour Code, three (3) days will be paid, and the remaining seven (7) will be unpaid. Under exceptional circumstances this leave may be extended, provided it is approved in advance by the Executive Director.

An employee may also be granted up to three (3) consecutive workdays leave with pay for the purpose of travel and/or to administer the affairs of the estate, as approved by the Executive Director or; if the leave is for the Executive Director, as approved by the Chief Councillor.

Honouring Loss at Huu-ay-aht

To mourn the death of a Huu-ay-aht First Nations Ḥaẃ iɬ, a sitting member of Executive Council, a current employee, or an elder of Huu-ay-aht First Nations, the Executive Director will close the offices for a half-day on the day of the funeral or memorial service. Employees will be paid for the half-day at their regular rate of pay. Employees will receive advance notice detailing the time of the office closure following the confirmation of the memorial schedule.

In certain instances, an employee may be provided bereavement leave with pay for up to one-half (1/2) day to attend the funeral of a Huu-ay-aht citizen other than an immediate family member. This leave must be approved by the Executive Director.

As a tribute and in observance of the community's loss, flags at all government offices will be flown at half-mast from the announcement of the Huu-ay-aht First Nations Ḥaẃ iɬ, sitting member of Executive Council, or elder's passing until sunset on the day of the memorial service.

Leave for Survivors of Family Violence

Huu-ay-aht is a strong proponent of a safe and supportive environment for our employees, especially when facing the complex challenges of family violence. This leave aims to empower the employee to address the impacts of family violence by providing opportunities for healing, support, and necessary actions towards safety and well-being. Every employee who is a victim of family violence or who is the parent of a child who is a victim of family violence is entitled to and shall be granted a leave of absence from employment of up to ten (10) days in every calendar year. Specifically, this leave provides employees the support, in respect to such violence,

- to seek medical attention for themselves or their child in respect of a physical or psychological injury or disability;
- to obtain services from an organization which provides services to victims of family violence;
- to obtain psychological or other professional counselling;
- to relocate temporarily or permanently;
- to seek legal or law enforcement assistance or to prepare for or participate in any civil or criminal legal proceeding; or
- to take any measures prescribed by regulation.

Employees who have been continuously employed for three (3) months are entitled to the first five (5) days of the leave with regular rate of wages.

Education Leave

Huu-ay-aht First Nations encourages employees to upgrade their qualifications via formal education. Full and part time employees are eligible for Education Leave.

Written applications are required to be submitted to the employees direct Manager or Director for review and authorization of leave. Written applications should include:

- Nature and cost of course(s) or program of study;
- Institution of study;
- Duration of the course(s) or program of study;
- Benefit to the employee's current position and the employer; and
- Certificate, Diploma or Degree to be achieved.

Applications will be assessed in accordance with the following criteria:

- availability of funds
- relevance to the employee's current position
- relevance to the growth of the employee
- relevance to the current and future needs of the employer
- ability to integrate training into the work schedule
- recommendations of immediate supervisor
- suitability of timing (e.g. time of year)

- motivation and past performance of the employee
- previous training supplied to employee by the employer
- length of service with the employer.

Education Leave is eligible to be paid for four (4) paid hours per week, provided there is authorization by the employees direct Manager or Director.
If the leave request is authorized, the employee agrees to collaborate with their direct Manager or Director prior to initiating their leave to outline current work status, including any ongoing work, projects and deadlines that will arise during their leave.

During the period of the leave the employee may retain coverage under the group medical, dental, and extended health plans provided the employee maintains the payment of any benefits premiums they normally would have paid. The employer will maintain their portion of the benefits premiums provided the employee maintains their portion.

Upon completion of education leave, the employee is required to submit documentation for each semester outlining course hours and will be required to submit copies of official transcripts for each course.

Should an employee withdraw from their studies, they will no longer qualify for education leave, and are expected to return to work or apply for another form of leave.

Professional Development Leave

Huu-ay-aht values its employees and recognizes the benefits to the employee of the ongoing development of the employee's abilities, skills, and knowledge. Huu-ay-aht views professional development and training as a shared responsibility between the employer and employee.

Professional Development can be initiated by either the employer or the employee. When an employee is initiating a request for professional development, written applications are required to be submitted to the employees direct Manager or Director for review and authorization. Written applications should include:

- Nature and cost of course(s) or program of study;
- Institution of study;
- Duration of the course(s) or program of study;
- Impact on the employee's ability to maintain regular work hours;
- Benefit to the employee's current position and the employer; and
- Certification, licensing or training to be achieved.

As training is a joint responsibility and benefit, time spent in travel and attending training beyond the normal workday and normal work week, will not be compensated.

The cost of approved training-related travel, enrollment, and the reasonable cost of lodging and meals where required, shall be paid by the employer.

Upon completion of the training, the employee shall provide a report to their direct Manager or Director describing the direct application of the professional development and training to their position and the employer, and the suitability of the training for other employees.

Campaigning Leave

In accordance with *The Elections Act*, employees who intend to run for Huu-ay-aht elected office are required to give notice of their intention to consent to nomination and have the option to take an unpaid leave of absence during their campaign period. Should they be elected, they are required to resign from employment.

Employees are reminded to abide by the *Conflict of Interest* policy and the *Elections Act* 'Campaign Code of Conduct', in regards to political activity while at work.

Notice of Consent to Nomination

An employee who intends to seek nomination for a Huu-ay-aht elected office position must provide written notice to their direct Supervisor/Manager prior to their nomination. Employees are encouraged to provide as much notice as possible, and no less than one week of notice.

The employee must indicate in their notice whether they intend to take a protected leave of absence. If their wish to continue their employment during the campaign period, the employee's manager or director will consider whether the powers, duties, and functions of the employee give rise to an actual or perceived advantage in the elections process and will amend the job description accordingly for the duration of the candidacy period.

Conditions of Campaigning Leave without Pay

During the period of the leave the employee may retain coverage under the group medical, dental, and extended health plans provided the employee maintains the payment of any benefits premiums they normally would have paid. The employer will maintain their portion of the benefits premiums provided the employee maintains their portion.

End of Employee Candidacy Period

The employee will return to their positions beginning on the next first regular workday after:

- They are not nominated before the end of the nomination period;
- They withdraw as a candidate;
- Is not elected.

If the employee is elected, the employee is required to resign from their position prior to taking the Oath of Office. If an employee takes the Oath of Office prior to resigning, Huu-ay-aht will deem the employee to have resigned effective the date the Oath of Office was taken.

Traditional Indigenous Practices Leave

Indigenous employees with at least three (3) months of continuous employment are entitled to take up to five (5) days of unpaid leave per calendar year. This leave is for employees to take part in traditional indigenous practices including fishing, hunting, harvesting, and any other practices prescribed by regulation. This leave can be taken over more than one period; however, employees are required to take at least one full workday at a time (i.e. half day leaves will not be authorized).



Organization Resources

In this section of the policy manual, you can find information, guidelines, and your responsibilities regarding the use of Huu-ay-aht resources or the use of personal resources while at work.

Huu-ay-aht expects that you will not use Huu-ay-aht owned or leased equipment, vehicles, and/or software for your personal use or pleasure, without the expressed pre-authorization of the Executive Director. If you have any questions, do not hesitate to ask your manager or director.

Acceptable Use of Information Technology

Personal Phone Call, Mail, and E-Mail

Personal telephone calls during work hours are allowed for urgent family or similar purposes only.

Please keep all personal calls as short as possible. Do not carry on phone conversations while trying to work at the same time. Purely social calls, whether originated or received by the employee, are not allowed and should be done at break time.

Personal mail is not to be received at the organization address. Personal mail may not be sent out using the organization postage meter. This includes mail on behalf of an employee's volunteer or community activities unless express permission has been obtained, and also electronic mail (e-mail) using organization computers and e-mail accounts.

Employees also may not use organization photocopy and fax machines for personal purposes without the manager or director's prior permission.

Personal Electronic Devices

Use of personal electronic devices in the workplace can negatively affect productivity and, in some circumstances, workplace safety. In order to maintain a safe, harmonious and productive work environment, use of personal electronic devices in the workplace is strictly forbidden under any circumstances except with management approval.

There is a danger of theft or loss of sensitive organization data stored on personal electronic devices, so no organization information is to be downloaded to employees' personal electronic devices unless specifically authorized by management for organization business.

Cell phone and Smart phone use is subject to management approval and may be used if conducting organization business.

Computer and Internet Conduct

Huu-ay-aht First Nations provides electronic devices and services as important tools to support day-to-day business and assist individuals in performing their job duties.

All technology provided by Huu-ay-aht First Nations, including computer systems, communication networks, organization-related work records and other information stored electronically, is the property of Huu-ay-aht First Nations and not the employee. The employee does not have the right to privacy when using organization tools/technologies. In general, use of the organization's technology systems and electronic communications should be job-related and not for personal convenience. Huu-ay-aht First Nations reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files, and all other content, including Internet use, transmitted by, or stored in its technology systems, whether onsite or offsite.

It is the responsibility of every individual to ensure that Huu-ay-aht First Nations communication systems are used for authorized purposes only in accordance with our policies. Any communication in which Huu-ay-aht First Nations communication systems are used, including correspondence such as email, constitute Huu-ay-aht First Nations property. Any unauthorized use of Huu-ay-aht First Nations communication systems is strictly prohibited. Huu-ay-aht

First Nations has the right to view all files that have been downloaded and to monitor all electronic, internet and email usage at any time.

Further, Huu-ay-aht First Nations wishes to protect its computer systems from attack by malware and viruses exposed to its systems and unauthorized use of its computers through personal emails, instant messaging, blogs and unauthorized websites. The systems must be used in a fashion that does not improperly disclose confidential or sensitive information to unauthorized individuals or in violation of federal, provincial or local law. Email, network or related electronic communication passwords or security passwords with their colleagues except as described below. To protect password security, employees should log off when their computers are unattended and should periodically change their passwords.

Individuals must conduct themselves honestly and appropriately on the internet and respect the copyrights, software licensing, property rights, privacy, and prerogatives of others just as in any other business dealings.

All software must be downloaded by the employer's computer technologist who can be contacted at 250-723-0100.

Authorized Use

- Appropriate communicating with colleagues, customers, prospects, and suppliers regarding business matters in a professional manner
- Researching topics relevant to your specific job requirements
- Conducting other business activities that are directly relevant to your specific job requirements or productivity.

Unauthorized Use

Although this list is not exhaustive, the following activities are considered prohibited:

- Transmitting chain letters or threatening letters
- Using the internet for illegal activities
- Disabling or circumventing security measures put in place by Huu-ay-aht First Nations such as firewalls, authorization, virus protection, etc. and thereby putting Huu-ay-aht First Nations computers and information at risk
- Visiting sites that are considered inappropriate, pornographic, or "obscene"
- Using the internet at any time for sending jokes or obscenities, downloading music or movies, chat sessions and downloading any kind of executable software
- Downloading and/or emailing employment information from any organization issued device onto a home computer and/or device

Computer Use

Organization computers may be used only by employees who need them in their work.

Computers are not to be used for employees' personal purposes. This also includes personal use of organization Internet, e-mail, and social media accounts. Organization policy also prohibits playing of computer games at any time.

Only software programs and hardware, including accessories, supplied, and authorized by the organization are to be installed in organization computers. Do not copy or remove computer software from organization premises. The organization respects software copyright rules.

Please report any computer malfunction to your supervisor immediately; do not try to solve computer problems unless you are fully qualified to do so.

Data Breach and Reporting Procedure

The purpose of this policy is to provide Huu-ay-aht First Nations employees with a process to follow should they need to report a data breach, theft of data, or exposures.

A data breach exposes confidential, sensitive, or protected information to an unauthorized person. The files in a data breach are viewed and/or shared without permission or unintentionally, including theft of data or unwarranted exposures. Exposures may include accidentally providing unauthorized access, use, or disclosure to an inappropriate individual, or recognizing that an organization computer, network, or any other Huu-ay-aht First Nations systems containing sensitive information, have been exposed to viruses or malware.

This policy also relates to a data breach which may occur due to the loss or theft of a device which contains sensitive or protected Organization information.

Sensitive and/or protected information includes but is not limited to:

- Financial information
- Bank account information
- Employee information
- Social security numbers
- Payroll information
- Client information
- Organization plans or strategy

Any individual who suspects that a theft, breach, or exposure of Huu-ay-aht First Nations protected, or sensitive data has occurred must immediately provide a description of what occurred via email or telephone to the Huu-ay-aht First Nations Computer Technologist, who can be contacted at 250-723-0100 or [email].

Data breach reports will be reviewed by the Executive Director/IT Department. This individual will investigate all reported thefts, data breaches and exposures to confirm if a theft, breach, or exposure has occurred. If a theft, breach, or exposure has occurred, they will follow the appropriate procedure depending on the class of data involved.

Steps for Response and Remediation

1. Contact appropriate incident responder(s).
2. As soon as a theft, data breach or exposure containing protected or sensitive information is identified, the process of removing all access to that resource will begin as soon as possible.
3. Responder to assess the scope of the incident and initiate pre-defined response plan specific to the severity and type of the incident.
4. Complete initial scoping assessment to determine systems and data affected by the incident.
5. If applicable, investigate alerts from active security tools and acknowledge any new detections.
    a. In case of virus or malware, isolate affected endpoint(s) from the network to prevent from moving laterally throughout the environment.
    b. For suspicious activity, investigate details within endpoint data and determine if behavior is legitimate or malicious.
6. Notify appropriate personnel if scoping assessment determines that the sensitive data was affected by the incident.
7. Notify relevant stakeholders when the incident has been successfully remediated.
8. Prepare after-action report documenting response process and distribute to appropriate personnel.

Loss or Damage to Organization Property

Employees are expected to take all reasonable care to protect organization property from loss, damage, destruction or excessive wear and tear. Employees must keep track of the exact whereabouts of portable or transportable items at all times, especially off organization premises.

Report any incident resulting in loss or damage to your supervisor immediately. You will be expected to fully co-operate with the police, insurance representatives or other authorities in any investigation.

Vehicles for Organization Use

In some cases, related to the duties and responsibilities of an employee's position, or for business travel, employees may be approved to utilize personal vehicles for organization use. To meet the requirement as authorized personnel, the employee must meet the following:

- Have a valid driver's license;
- Maintain an acceptable driving record;
- Is a regular employee of Huu-ay-aht First Nations; and
- Follow the guidelines stated in this policy at all times.

Employees are required to purchase liability insurance with a value of at least $2 million and supply the employer with proof of such coverage. Employees are also required to submit a driver's abstract at time of hire or authorization of personal vehicle use for organization business and inform management immediately if any changes to the abstract occur during their employment.

Authorized drivers are responsible for driving personal vehicles for business purposes in a safe and professional manner. Traffic fines and parking tickets are the responsibility of the driver and will not be reimbursed by the organization unless special approval is given by the Executive Director. In the situation that an employee has rented a vehicle for business travel purposes, and the vehicle is involved in an accident or is otherwise damaged due to employee negligence, the employee is responsible for any repair costs not covered by vehicle insurance.

Health and Safety

Huu-ay-aht First Nations acknowledges the right of employees to work in a healthy and safe environment. The organization will ensure the development and management of a safe and healthy workplace, with the Executive Director having overall responsibility for the development and management of the Health and Safety Program. The employer's Occupational Health and Safety Program shall be developed and administered in accordance with Part II of the *Canada Labour Code.*

OHS Rights & Responsibilities

Huu-ay-aht is committed to upholding the rights afforded to our employees in ensuring their health and safety. Both employer and employees share in a responsibility to promote and uphold a healthy and safe workplace, and to ensure that our employee's rights are protected.

Employee Rights

Right to know of any known or foreseeable hazards and to be provided with the information, instruction, training, and supervision necessary to protect their health and safety.
Right to participate in identifying and correcting job-related health and safety concerns, through the "Complaint and Reporting" Procedure, or through participation in the JHSC.
Right to Refuse dangerous work in the event there is reasonable cause to believe a condition, activity, tool, or equipment presents a danger to the employee or a co-worker.

Employee Responsibilities

- Taking all reasonable and necessary precautions to ensure their own safety and health and that of anyone affected by their work;
- Complying with employer instructions concerning safety and health;
- Reporting any accidents or potential hazards in the workplace to their immediate supervisor;
- Using safety materials, equipment, devices, and/or clothing either furnished by the employer or prescribed by a Regulation.

Employer Responsibilities

- Reviewing and acting on the recommendations of the JHSC and providing a written response within 30 days that outlines how the issue will be resolved.
- Providing a safe and healthy work environment, including necessary information, first aid and supplies, appropriate safety equipment and clothing, protective devices for machinery, tools and equipment, and the proper level of ventilation, lighting, and noise.
- Training and education of all employees (i.e., hazardous materials, fire and emergency procedures, and the safe operation of equipment and tools).
- Additional training and education for managers and supervisors (i.e. inspections, refusals to work, accident and potential hazard investigations and reporting).
- Developing a program to manage workplace hazardous materials.
- Designating a qualified person to investigate, record, and report any accidents.
- Submitting reports to the Labour Program, as required.

Joint Health and Safety Committee (JHSC)

A Joint Health and Safety Committee (the "Committee") will be established, maintained, and composed of at least two (2) non managerial employees, and one (1) manager/coordinator. The Committee will report to the Executive Director.

The Committee will comply with and enforce all health and safety regulations and provisions within the *Canada Labour Code, B.C. Workers Compensation Act*, and the provisions under W.H.M.I.S. (Workplace Hazardous Materials Information System).

The JHSC will be responsible to:

- Schedule and meet at regular intervals, and during emergencies when required;
- Receive, review, and participate in all job hazard analyses, investigations, or complaints related to the health and safety of employees;
- Conduct monthly inspections and make recommendations for avoiding unsafe, hazardous or dangerous conditions; ensuring that every part of the workplace is inspected at least one a year;
- Ensure that adequate records are maintained for any work accidents, injuries, health hazards and/or complaints;
- Request information from the employer identifying existing or potential hazards with respect to materials or equipment in the workplace;
- Provide recommendations to the employer regarding requirements for health and safety equipment and supplies (i.e., first aid supplies);
- Provide recommendations on the training and education of employees on health and safety in the workplace;
- Assist in developing procedures to ensure employee safety and protection.
- Prepare Labour Program reports, as required.

JHSC Meetings

The Joint Health and Safety Committee will meet at least nine (9) times a year at regular intervals, during regular work hours. If circumstances, such as emergencies, make additional meetings necessary, they may be held during or outside regular hours, whatever is required. All committee members will receive the necessary training and be compensated at their regular rate of pay for attending JHSC meetings and/or carrying out JHSC duties.



JHSC Chairpersons

A workplace health and safety committee is led by two chairpersons, one of whom is chosen by the employer-members and the other by the employee-members. Terms of office are not to exceed two years.

Entering the Premises

Unauthorized people are not permitted to be in "employee only" office areas during work hours, and into all facilities after office hours. The Executive Director will designate an employee to be responsible for managing the distribution and return of building keys.

For safety and security reasons, please inform your immediate supervisor in advance should there be an extraordinary need to access offices outside of office hours.

Smoking and Vaping

Smoking and/or vaping is only permitted in the designated smoking area and only during coffee and lunch breaks. These rules apply to everyone equally – clients, visitors, other personnel, as well as Employees and Management.

Substance Misuse Policy

Huu-ay-aht First Nations is committed to providing a safe and healthy work environment for our employees and visitors. The Organization recognizes the inappropriate use of drugs, alcohol, controlled substances, medications, or other impairing substances can have serious effects on the safety and well-being of employees and can jeopardize the integrity and safety of our employees, visitors, and facilities.

As used in this policy, the following terms shall have the following meaning:

- Alcohol: Includes wine, beer, distilled spirits, and any liquid containing ethyl alcohol, whether or not intended as a beverage. It is not intended to include other products containing alcohol which are not intended for consumption, provided such products are used as directed.
- Drug Paraphernalia: Any equipment, product or material intended or designed for use in manufacturing, compounding, converting, concealing, processing, preparing, or introducing drugs (including cannabis) or alcohol into the human body. This also refers to any product or device that may be used to attempt to mask, tamper with or adulterate an alcohol and drug testing sample. Drug Paraphernalia includes but is not limited to user specific objects (e.g., glass pipes, silicon pipes, smoking masks, bongs, syringes, roach clips, etc.) and dealer specific objects (e.g., digital scales, vials, etc.).
- Drug(s): Any substance taken to change the way the body or mind functions. Drug(s) includes any controlled substance included in the Controlled Drugs and Substances Act, as amended, cannabis and its derivatives, prescription drugs, over-the-counter drugs, and solvents and other substances that can be ingested, inhaled, or otherwise consumed. Drugs include the categories defined below:
    - Illicit Drugs: Any Drug or substance not legally obtainable and whose use, sale, possession, purchase, or transfer is restricted or prohibited by law (e.g., street drugs such as cocaine, heroin, etc.)
    - Cannabis: Cannabis products lawfully obtained and lawfully used, including cannabis products such as edibles, oils, teas, and creams.
    - Medication/Prescription: Any drug obtained legally, either over the counter or through a doctor, or a licensed medical professional's prescription or authorization. This includes cannabis authorized for medical purposes under the Cannabis for Medical Purposes Regulations. Prescriptions must be in the name of the employee.
- Substance Misuse Dependency: A condition in which the recurrent use of Alcohol or Drugs causes clinically and functionally significant impairment, such as health problems, disability, and failure to meet job requirements.

Policy Guidelines

Employees are prohibited from reporting for duty or be on duty while impaired by Alcohol or Drugs, or the after-effects of the same. Drugs, Alcohol and/or any other illicit substances including Drug Paraphernalia are not permitted on Organization property, during Organization work hours or within personal vehicles being utilized for business travel.

Employees are required to report Fit for Work and remain Fit for Work while present at Organization premises. For purposes of this Policy, being "Fit for Work" means employees can perform the duties of their jobs safely and are not impaired by any substance that has the potential to change or adversely affect the way a person thinks, feels, or acts. Employees scheduled to be on-call are expected to remain Fit for Work during such times. Employees called in for overtime are expected to be Fit for Work when accepting the call in. During work hours employees are prohibited from consuming, possessing or distributing alcohol or cannabis. While engaged in work-related activities, outside of regular shifts, employees are prohibited from consuming, possessing or distributing Illicit Drugs and Illicit Drug Paraphernalia.

Employees must immediately notify the Organization when their cognitive or motor skills may be impaired for any reason prior to commencing work, including from the use of Alcohol or Drugs.

Where the Organization has reasonable cause to believe an employee may be not Fit for Work and/or is in possession of Drugs, Alcohol or Drug Paraphernalia, it reserves the right to search any belongings located on Organization property.

Self-Declaration

It is the duty of each employee to advise Human Resources of any Substance Misuse Dependencies and/or medically prescribed Drug(s) that have the potential to impair the employee's ability to safely perform the essential duties of their job, prior to any breach of this Policy. This information will be kept strictly confidential and shared only on a need-to-know basis, in accordance with applicable privacy legislation.

An employee who requires reasonable accommodation to perform the essential duties of a job has a responsibility to communicate their limitations and the need for such reasonable accommodation to the Organization in sufficient detail. The affected employee is expected to indicate the type and duration of accommodation required and to cooperate fully in the Organization's efforts to respond to the request. The request should be supported by a physician's guidance and supporting documentation will be required. The Organization is committed to accommodating employees with a Substance Misuse Dependency to the point of undue hardship. The Organization will work with the employee to ensure the measures taken are effective.

An employee will not face retaliation or disciplinary action as a result of the employee's decision to self-declare a dependency and/or seek assistance from the Organization. Employees who are experiencing a Substance Misuse Dependency are encouraged (and may be referred) to contact the Organization's Employee Assistance Program provider for evaluation, counselling, or rehabilitation assistance. Such referrals will be treated with full confidentiality. Information obtained during a counselling session will not be shared without written permission, unless inconsistent with safety or security considerations or otherwise required by law.

Violations

All employees have a responsibility to notify their Supervisor, Manager, Director, Executive Director and/or Human Resources of any situation in which they believe they themselves or a fellow employee or visitor are in breach of this Policy. Exceeding or abusing the prescribed dose of a medically required Drug is a violation of this Policy and may

subject the employee to corrective action, up to and including termination for cause, subject to the Organization's obligation to reasonably accommodate any disability or dependency.

Impaired employees will be asked to leave the premises and will be provided transportation to ensure they arrive safely to their destination. The Organization may require an employee to undergo a Drug and/or Alcohol test if there is reasonable suspicion the employee has reported to work not Fit for Work.

Refusal to submit to reasonable cause testing and legitimately participate in the rehabilitation process will be viewed as a breach of Organization Policy and a fundamental breach of the employee's contract of employment and may subject the employee to corrective action up to and including termination for cause – subject to the Organization's obligation to reasonably accommodate any disability or dependency.

Where there is positive evidence of the possession or sale of Drugs, Alcohol and/or any other illicit substances on Organization premises, the employee will be terminated and the authorities will be contacted, as necessary.

Procedure for Suspicion of Impairment

The following procedure may be enacted if there is reasonable belief an employee is not Fit for Work:

1. If possible, the employee's Manager or Supervisor will first confidentially seek another Manager or Supervisor's opinion to confirm the employee's status.
2. The Manager/Supervisor will contact the Human Resources department immediately.
3. The Manager/Supervisor will consult privately with the employee with a management or supervisory level witness present to determine the cause of the observation, including whether substance misuse has occurred. Suspicions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behaviour including but not limited to slurred speech, difficulty with balance, watery or red eyes, or dilated pupils, or if there is an apparent odor of Alcohol or Drugs, the employee will not be permitted to return to their assigned duties to ensure their safety and the safety of other employees or visitors to the workplace. The employee will be placed on an unpaid leave pending the results of the investigative procedure.
4. If an employee is considered impaired or deemed not Fit for Work, this decision is made based on the judgement of two members of management and does not require a breathalyzer, blood test, or urine sample. The Organization will arrange for a taxi to safely transport the employee to their home address or to a medical facility, depending on the determination of the observed impairment. This may include attending a facility to undergo a drug and alcohol test. The employee may be accompanied by a Manager, Supervisor, or another employee if necessary.
5. An employee who is deemed not Fit for Work will not be allowed to drive. The employee will be advised that if they choose to refuse the Organization's organized transportation and decide to drive their personal vehicle, the Organization is obligated to and will contact the authorities to inform them of the situation.
6. A meeting will be scheduled for the following workday, or as soon as reasonably possible, to review the incident and determine the course of action which may include a monitored referral program as part of the treatment plan.

Rehabilitation

If the Organization becomes aware that an employee's Drug and/or Alcohol dependency is interfering with the ability to perform the essential duties of the job, is affecting performance, or results in excessive absenteeism or tardiness, etc., the Organization will aim to provide reasonable accommodation to the point of undue hardship. This may include but not be limited to the temporary re-assignment of duties to such that these duties do not present a safety risk, or the grant of an unpaid leave of absence to meet the employee's rehabilitation-related needs. This may lead to a

mandated referral for further assessment. The employee will not be allowed on the Organization's premises until deemed Fit for Work.

When the employee returns to work following treatment for a Substance Misuse Dependency, the Organization may develop and implement a return-to-work plan that includes testing for consumption/use of impairing substances.

No employee with Alcohol or Drug dependency will be disciplined or terminated solely due to a request for help in overcoming the problem or because of involvement in a rehabilitation effort (this does not apply to someone caught violating the Policy and using the Policy as a means after the fact). Employees should understand accessing assistance or declaring a problem does not eliminate the requirement for maintenance of satisfactory performance and safety levels.

In appropriate circumstances, employees may be referred to our Employee Assistance Program.

Recreational Alcohol or Drug use by employees does not constitute an illness or disability giving rise to rehabilitation response by the Organization and will be treated as a coachable moment or corrective action as per the Organization's performance coaching program in effect.

Reasonable Cause Testing

Reasonable Cause is defined as any information that would lead one to reasonably believe an individual is under the influence and/or in possession of Drugs and/or Alcohol in violation of this Policy. This includes, but is not limited to, direct observation of Drug and/or Alcohol use or possession, irrational or unusual behaviour, and reporting to work in an apparent not Fit for Work condition (based on specific, clear observations concerning the individual's appearance, behavior, speech, or body odors).

When the Organization has reasonable cause to believe an employee has violated this Policy and is unable to work in a safe manner due to suspected Drug and/or Alcohol use and/or possession, it will advise the employee accordingly and may require the employee submit to testing for Drugs and/or Alcohol. The Organization will arrange for testing (on or off site, at the Organization's discretion) as soon as reasonably practical.

An employee who is required to take a Reasonable Cause Test will be considered not Fit for Work and will be placed on immediate unpaid suspension pending the results of the test.

Post Incident Testing

Post Incident Testing for Drugs and/or Alcohol will be required immediately following an accident, a near miss or other potentially dangerous incidents, or as soon as is practical under the circumstances, where there is Reasonable Cause to suspect that Drugs and/or Alcohol may have been a contributing factor, or where the law requires it. Incidents will be investigated by the Organization in conjunction with a representative from the Health & Safety Committee.

Testing Procedure

Reasonable Cause and Post Incident Testing will be collected, analyzed, and interpreted by certified professionals in accordance with the approved standards specific to Drug and/or Alcohol testing.

Reasonable Cause and Post Incident Testing will be conducted as soon as reasonably practical following the incident. No testing for Drugs and/or Alcohol shall occur more than 8 hours after the time of the incident.

The results of an employee's Alcohol and/or Drug test will be the property of the Organization and will be kept in a separate personnel file in respect of that employee, accessed thereafter only by Human Resources/Health and Safety/Senior Management employees on a need-to-know basis in accordance with applicable privacy legislation.

Refusal to Test

An employee's refusal to submit to, or provide samples for, an Alcohol and/or Drug Test may lead to a fundamental breach of this Policy and result in corrective action up to and including termination of employment for cause. The circumstances of each such refusal will be examined on a case-by-case basis, considering the reasons for refusing the test, the incident triggering the need for the test, and other relevant factors.

Corrective Action and Positive Test Results

A violation of this policy may result in progressive coaching up to and including termination of employment with cause. If an employee violates a provision of this policy an investigation will be conducted before corrective action is taken. The appropriate corrective action in all cases depends on the facts surrounding each case, including the nature of the violation, prior violations, response to corrective programs and the severity of the violation. The severity of the violation may also warrant initiating the corrective action process at different levels.

Some violations are considered sufficiently serious that dismissal for cause is warranted on first occurrence. Examples include, but are not limited to, trafficking in or possession of illicit Drugs or consumption of illicit Drugs on Organization premises or property, or when operating an organization vehicle or equipment.

Negative Test Results

In the event a negative result is obtained from the screening test and if required by the employee's Manager, a medical assessment of the employee will be required to determine if there are health related reasons for the situation or incident in respect of which the test was conducted. If the employee is found to be medically Fit for Work, then the employee will be cleared to return to work. In the event the employee is not Fit for Work, the employee will be sent home on a medical absence.

Confidentiality

Information concerning an employee's involvement with a rehabilitation program, Organization designated physician or medical service provider will be held in strict confidence. Such information will not be disclosed except as authorized by the written, informed consent of the employee in accordance with applicable privacy legislation.

All situations will be evaluated on a case-by-case basis. All information reported will be dealt with in the strictest confidence except where disclosure is required for immediate protection of the health and safety of the individual in question or others in the vicinity, is mandated by law, or is required to fully and properly investigate the incident reported.

Training

The Organization recognizes the importance of making employees aware through education of the actual and potential risks, both on and off the job, related to the consumption or use of Alcohol and/or Drugs and other illegal substances. The Organization intends to use employee education and awareness to ensure commitment to and compliance with this Policy and to reduce workplace health and safety concerns associated with non-compliance. Such education, including a complete copy of this Policy, will be provided to all employees upon hire.

The Organization will also train its Managers and Employees on how to monitor and identify behavior and performance problems that may be linked to substance misuse.

Responsibilities

Employees

- Read, understand, and abide by this Policy, as well as your responsibilities under it
- Do not bring any type of Illegal Drugs or Alcohol to any worksite or office
- Attend work as Fit for Work and remain Fit for Work while present on Organization premises
- Manage potential impairment during work hours due to the legitimate use of prescription drugs or over-the-counter medication by contacting your personal physician or pharmacist to determine if such use may have a negative impact on job safety or performance. Advise your supervisor of your possession or use of prescription and over-the-counter drugs if the drugs have the potential to impair performance or safety
- Advise the organization of any requirement for modified work or temporary reassignment and to provide appropriate medical verification regarding work restrictions and/or any limitations
- Participate in the Drug and Alcohol testing program where applicable
- Abide by the public intoxication laws, impaired driving laws and smoking bylaws; and
- Notify the organization if you believe an employee, contractor or visitor is not Fit for Work or is otherwise in violation of this Policy. No employee shall be reprimanded, disciplined, or otherwise punished for reporting a violation of this Policy in good faith.

Directors and Managers

- Ensure team members are/remain Fit for Work
- Ensure all team members are educated about the Substance Misuse policy
- Enforce the Substance Misuse policy
- Maintain an “open door” policy for team members wishing to come forward with a drug and/or alcohol related report including but not limited to self-disclosures and observed situations
- Be alert to any behavioral changes in persons who report to them. Inquire any person, within reason, whom they reasonably suspect has a potential substance abuse problem or who has otherwise breached this Policy

Organization Events and Social Functions

Huu-ay-aht First Nations recognizes you may wish to arrange, engage, or attend organization events, trainings, meetings, or social functions during the course of your employment. These events may take place on or off organization premises, during or outside regular business hours. Regardless of the type or location of the event, the Organization expects everyone to always act appropriately and professionally and to comply with all Organization policies, including the Code of Conduct. Nothing in this policy should be read to limit your rights under Federal, Provincial or Employment Laws.

You are ultimately responsible for your choices and behavior regarding the consumption of alcohol and/or cannabis when it is available at Organization events and other social functions including trainings and meetings. You should be aware that you will be held individually or collectively liable for incidents from the uncontrolled or illegal use of alcohol or cannabis during Organization events, training sessions, meetings, or social functions.

The sale, availability or distribution of alcoholic beverages and cannabis products to anyone under the provincial legal age is strictly prohibited. You are required to produce identification to verify you can legally consume alcoholic beverages when requested.

Regardless of the number of participants, service of alcoholic beverages at Organization-sponsored events, meetings or trainings shall be regulated to reduce the risk to the safety or well-being of team members, guests, the public, property, and the employer.

All alcoholic beverage products must be consumed within the area in which it is served or within the designated consumption area. No containers, either open or closed, may leave the event area.

Games or other activities which encourage the rapid consumption or the consumption of large amounts of alcohol are prohibited.

The presence or consumption of alcohol and/or cannabis are not permitted on transportation vehicles used during or to support organization-sponsored events, including shuttles and bus services used for both local and long-distance transport of participants.

At all events, meetings, and trainings where alcohol is served, the sponsoring department or management team in collaboration with the server must ensure obviously intoxicated persons are not further served and are sent home safely.

It is always your sole responsibility, and not the employer's, to ensure you do not operate a vehicle if your blood alcohol level exceeds the legal limit in the jurisdiction in which the event, meeting or training is being held. The Organization will provide transportation options when alcohol products are being served at events for employees, in the form of taxi's, shuttle services, etc. In some cases where the event is held out of town, hotel accommodation may be provided.

While representing Huu-ah-ayt First Nations at events, you must be responsible regarding your use of alcohol and abiding by the laws and policies of the jurisdiction and the organization you are visiting. The Organization may take corrective action against individuals whose use of alcoholic beverages and/or cannabis products negatively impacts the Organization's brand, business operations or the health, safety and welfare of the organization and its members.

You are responsible for the conduct and actions of your guest(s) at all Organization-sponsored events as well as ensuring they remain in compliance with this and other organization-related policies.
If you do not comply with this policy, you may be subject to corrective action up to and including termination of employment.

Ending Employment with Huu-ay-aht First Nations

Termination for Cause

Huu-ay-aht First Nations reserves the right to dismiss, without notice, any employee for just cause. The organization does not have to give written notice or compensation for length of service to an Employee who is dismissed for "just cause", however the onus is on the organization to prove that just cause for termination exists.

Resignation

An employee planning to leave Huu-ay-aht First Nations is requested to provide notice of the resignation in writing to management. Notice should be given at least four (4) weeks in advance for Directors, professionals, senior, technical, and administrative employees, and at least two (2) weeks in advance for all other employees. Any variation to an employee's notice period will be included in the employment contract. The notice period may be waived upon mutual consent.

Resignations are binding on the Employee and Huu-ay-aht First Nations and cannot be changed except by mutual agreement.

Pay in Lieu of Working Notice

Once notice is given by an employee, Huu-ay-aht First Nations may wish to pay out the notice period rather than have the employee complete the working notice. This will be at the discretion of the employee's immediate supervisor, pending approval from their director.

Job Abandonment

The organization also considers that an Employee has resigned their position if they have abandoned their job. Job abandonment is defined as the failure to report back to work after four (4) consecutive business days missed without prior notification to the employee's immediate supervisor.

Final Pay

The final cheque shall include all accrued wages or salary, including regular pay, preauthorized overtime pay, accrued vacation pay, and any other compensation due to the employee. Accrued sick and family illness days are not eligible for pay out.

Exit Interview

Upon tendering resignation notice, an employee may be requested to attend an exit interview with a Human Resources representative. The Exit Interview is an optional exercise for the employee and provides the organization an opportunity to gather feedback from the employee's perspective.

Return of Organization Property

Any property issued to an employee must be returned in good condition to the Huu-ay-aht First Nations at the time of termination, lay off, dismissal or resignation. The following list is not exhaustive but includes the following:

- Computers, laptops and drives;

- Company issues cell phones
- Credit Cards
- Cameras;
- Intellectual property;
- Files, documents and records;
- Keys;
- Vehicles;
- Office supplies;

The direct Manager, Director and/or a Human Resources representative will ensure that all organization property assigned to an employee is recorded and signed for by the employee when issued by, and when return to, the employer.

Layoff and Recall

Layoffs and recalls will be administered in accordance with the Canada Labour Code. An employee may be subject to a layoff where there is a temporary shortage of work or temporary shortage of funding. Layoffs will constitute termination of employment when the layoff is for greater than three (3) months.

Huu-ay-aht First Nations management shall determine the order in which employees are laid-off by considering the Organization's requirements for skills and abilities.

Huu-ay-aht First Nations shall give notice of lay-off as described in the C*anada Labour Code.*

Employee Acknowledgement

Understanding and Acknowledging Receipt of the Huu-ay-aht First Nations Employee Policy Manual

I have received and have been given an opportunity to read a copy of the Huu-ay-aht First Nations Employee Policy Manual, and I understand that it is my obligation to be aware of the policies contained therein. I understand that the policies and benefits described in it are subject to change at any time at the sole discretion of the organization. I understand and agree that nothing in the Employee Policy Manual is intended to be, or serve as, a contract or other form of express agreement with regard to my employment.

Changes and Questions Regarding the Manual

Finally, I understand that from time to time, the organization may change, modify, add to, or delete any or all of the policies and benefits contained in the Employee Policy Manual. No change, addition, or deletion is effective unless in writing from the organization. Choosing to remain with the organization after being given reasonable notice of such changes means that I have accepted the changes and have agreed to abide by them. If I have any questions regarding the policies or how they apply to my employment, I understand that I have the right to ask my supervisor or the personnel manager.

*Both Huu-ay-aht First Nations and the employee shall receive a copy of this acknowledgement. A copy will be placed into the employee personnel file.

	Employee	Organization Representative
Name		
Signature		
Date		

Appendix 1 – Huu-ay-aht Oath

Huu-ay-aht Oath

I, , do solemnly affirm (or swear) that:

I will act in the best interests of present and future generations of Huu-ay-aht citizens,

I will honour the vision, values and sacred principles of Huu-ay-aht –

Uu-a-thluck (taking care of future generations), and
Hish-uk-tsawak (everything is one),

I will be a positive role model, following the principle of **ii-saak** (conducting myself honestly and respectfully), and

I will uphold the Constitution and obey Huu-ay-aht laws.

Affirmed/Sworn before me at
In the Province of British Columbia this day of
_____, 20____.

Name of Public Officer

A Commissioner of Oaths in and for the
Province of British Columbia.

Appendix 2 – Key Definitions

- Canada Labour Code - means Part II and III of the Canada Labour Code, an Act that defines both the occupational health and safety requirements and the minimum labour standards that apply to employer and its employee;
- Casual Employee - means a temporary employee who has no guaranteed hours and who is called in to work only when needed;
- Citizen - means a Huu-ay-aht citizen whose name is entered in the Citizenship Register;
- Common Law - means a person who has been cohabiting with an individual in a marriage-like relationship (married state) for at least one (1) year, or who had been cohabitating with the individual for at least one (1) year before the person's death;
- Compensation - means all financial rewards including salaries, wages and time off in-lieu, that an employee receives as a result of her/his employment;
- Designate - means a person that is chosen or appointed to assume the responsibility or authority of another person;
- Director - means a person employed by the employer to be responsible of the day-to-day operations and management of a specific program and/or department;
- Discipline - means a corrective or punitive action taken by the employer towards an employee for just cause;
- Elder - means a citizen who is 60 years of age or older;
- Employee - has the same meaning as "government employee" as in the Financial Administration Act (a person who holds a position as an employee of the Huu-ay-aht Government or a federally regulated Huu-ay-aht public body);
- Employer - means the Huu-ay-aht Government or a federally regulated Huu-ay-aht public body;
- Executive Council – means the Executive Council established under the Government Act;
- Executive Director - means the Executive Director appointed under the Financial Administration Act, to manage, supervise and be responsible for the overall administration and operations of the Huu-ay- aht Government;
- Exempt - means where an employee is not eligible to receive a provision or benefit defined within HR Policy, as determined by the employer, and where applicable, consistent with the provisions of the Canada Labour Code, Part III;
- Human Resource Manager – means an employee appointed by the Executive Director to be the Human Resource Manager
- Huu-ay-aht Body – includes government and Huu-ay-aht public bodies;
- Huu-ay-aht Public Body – means an entity other than Huu-ay-aht business enterprise that is controlled or created by the government.
- Familial Relation – shall mean:
    - Spouse (including common-law)
    - father and mother (natural, step, common law, foster, or in-law)
    - child(ren) (including natural, step, common law, foster, or in-law)
    - sibling (including natural, step, common law, foster, or in-law)
    - grandparent
    - father-in-law or mother-in-law (including common-law)
    - grandchild
    - biological uncle or aunt
    - biological niece or nephew

    - any other person who resides permanently in the employee's household or with whom the employee permanently resides.
- Immediate Supervisor – means the person the employee takes primary direction from, has their work controlled by, receives day-to-day support and leadership from, and the person the employee reports to;
- Individual Contributor – as defined by the Canada Labour Code pertaining to overtime as non-exempt employees;
- Just Cause – means responsibility of the employer to take corrective and punitive discipline or measures, based on clear, compelling and justifiable reasons;
- Managerial Employees -- as defined by the Canada Labour Code pertaining to overtime as exempt employees;
- Overtime Work – means the preauthorized time an employee works beyond the employer defined full time day and full-time work week and includes working on general holidays where the employee is entitled to the holiday;
- Probationary Employee – means an employee who is serving a probationary period as defined within this policy;
- Public Officer - means a government member, Huu-ay-aht employee, contractor, director or volunteer of a Huu-ay-aht body;
- Resignation of Employment – means a voluntary termination of employment by an employee;
- Service – means the years of continuous service that an employee has accumulated;
- Temporary Employee – means an employee who is hired for a period of less than six months;
- Term Employee – means an employee who is scheduled to work full-time or part-time for a pre-determined period of time – may also be referred to as seasonal when the end of the term coincides with the end of a season.