

Employee's Manual

This manual is adopted as an official policy of the Kent Regional Service Commission (KRSC). It is used as a guide and directive for work organization, the distribution of duties and the management process of the KRSC employees.

To be noted that the present manual can be improved, modified, or compensated at any time by a negotiation or a contract between the KRSC and one of their employees.

It is the responsibility of each full-time employee of the KRSC to read and respect the present manual while accomplishing their duties for the KRSC.

Administrative policy 22-03

Adopted: August 11, 2022

CHAPTER I—DEFINITIONS

1(1) Interpretation

In this document:

“Act” means the laws of the Province of New Brunswick, the laws of Canada and the regulations arising from them, the Canadian constitution and the applicable judicial precedents;

“Assistant Executive Director” means the incumbent of the Assistant to the Executive Director position, as appointed by the Executive Director, to support or replace them in their duties, and manage human resources;

“By-laws” means the Kent Regional Service Commission’s by-laws;

“Candidate” means all persons applying for a position with the KRSC;

“Chairperson” means the person elected by the Commission as its representative;

“Commission” means the board of directors of the Kent Regional Service Commission;

“Compensation” means a flat rate amount paid by the Minister of Finance in accordance with section 33 of the Jury Act or anyone legally authorized to call witnesses and this does not include travelling expenses, meals and other expenses incurred for the appearance;

“Employee” means all persons hired by the Kent Regional Service Commission;

“Employer” means the Kent Regional Service Commission;

“Executive director” means the person with the title of CEO, in accordance with section 13 of the *Regional Service Delivery Act*;

“Full-time employee” means all employees that are hired yearly for an undetermined amount of time, and this in accordance with paragraph 14 of the *Regional Service Delivery Act*;

“KRSC” means the Kent Regional Service Commission is a corporation in accordance with the *Municipalities Act* and the *Regional Service Delivery Act*;

“Management team” means any incumbent of a director’s position;

“Policies” means all administrative documents adopted by the Commission in order to insure the proper management of the Kent Regional Service Commission and its employees;

“Daily employee” means all employees whose services are retained daily and have no permanent position;

“Seasonal employee” means all employees hired full time but for a period of less than one (1) year;

“Spouse” means all individuals that are married in accordance the *Marriage Act* or that are common-law partners;

“Subordinate” means the employees other than management hired through job creation projects, student employees or other employees that report directly to a management position within the KRSC other than the Executive Director.

1(2) Compliance with the Act and by-laws

This document must, at all times be, in compliance with the Acts and by-laws. All sections of this document which are not in compliance with the acts and by-laws are automatically null and void.

1(3) Field of Application

The objectives of the current document are as follows:

- a)* Define the responsibilities of each employee of the KRSC;
- b)* Define the powers of the KRSC and of the Executive Director as an employer;
- c)* Clarify the work ethics required by the employer;
- d)* Establish a conflict resolution system between employees and the KRSC;
- e)* Define certain employees’ management processes, in particular the evaluation, the control and the staffing;
- f)* Establish a process for hiring temporary, contractual, or supernumerary employees.

1(4) Application

Generally, and without limiting the employee’s responsibility to conform to this document, the Executive Director is responsible for ensuring that this document be followed, and except for the ultimate responsibility, can delegate any duties that are their responsibilities according to this policy.

1(5) Contractual estoppel

- a)* Notwithstanding any of the provisions in this document, the Commission may, by contractual agreement with an employee, offer benefits or advantages other than those prescribed in this document. In case of a conflict between this document and the contractual agreement between the KRSC and an employee, the contractual agreement will prevail.
- b)* Notwithstanding any of the provisions in this document, the Commission may, in a contractual agreement with a company or a supplier, provide benefits other than those prescribed in this document. In case of conflicts between this document and the contractual agreement between the KRSC and the company or supplier the contractual agreement will prevail.

CHAPTER II—DESCRIPTIONS OF DUTIES

2. Duties for members of the management team

2(1) General

In addition to the job description of a specific position, all members of the KRSC's management team must conform to the general duties descriptions. The management team duties include the present document and the specific position description.

2(2) Notices and policies

All members of the management team act as advisors in their respective fields to the Executive director and all elected officials. For this reason, they:

- a)* Advise the Executive Director on all matters that are relative to their duties;
- b)* Recommend to the Executive Director of any regulations, policies and acts that could help improve the services which they manage;
- c)* Interpret the acts and policies which they are responsible;
- d)* Recommend and participates in the negotiations of all new service agreements which relate their field of work.

2(3) Information and communication

All management employees must report on the performance of their duties, to their superiors by:

- a)* Producing reports (annual report) on the administration of their department at the frequency required by the Commission;
- b)* Communicating with the Executive Director on any relevant information pertaining to the proper conduct of the KRSC's business, including information on matters which the Commission or the Executive Director may be called upon to answer;
- c)* Advising the Executive Director of any incident that could result in a civil liability claim against the KRSC;
- d)* Monitoring the follow-up on any necessary documents, by keeping updated folders and documents relating to their departments and by recording in writing any information likely to be of any importance to archives or central files;
- e)* Maintaining close links with professional associations in their work field that can legitimately bring added value to the services and projects of the KRSC.

2(4) Implementation of the standards and decisions

All members of the management team must oversee the implementation and compliance with standards and decisions relating to their direction. In this capacity, they monitor:

- a)* The implementation of the decisions of the Commission which relate to their departments;
- b)* The implementation and compliance with orders and policies relating to their departments;
- c)* The administration of services and facilities particular to their department;
- d)* Keep confidential information which is provided to them in confidence.

2(5) Finances

In addition to the specifically distributed tasks, any members of the management team must ensure the good financial management that has been entrusted to them, when they:

- a)* Oversees the expenditures for which they are responsible and ensure they are authorized by the Executive director and are consistent with the estimated budget amount;
- b)* Participates in the annual budget preparation;
- c)* Provide efficient and effective administration of the responsibilities that have been conferred upon them.

2(6) Supervision

Members of the management team is responsible for the supervision of their staff. In this regard they:

- a)* Ensures that their subordinates comply with the orders, policies and the usual practices of the KRSC;
- b)* Complete the job description of their subordinates;
- c)* Undertakes all the necessary steps to obtain funding which will permit the hiring of seasonal staff;
- d)* Informs the Executive Director of any information and documents necessary to claim and manage any funds related to the creation of jobs or any received government subsidy;
- e)* Direct any hiring committee for their subordinates;
- f)* Foresees the human resources needed in their department and in this regard makes recommendations to the Executive Director.

2(7) Planning

All members of the management team must see to the planning of the activities under their management:

- a)* Oversee the drafting and implementation of development strategies for the services arising from their departments;
- b)* Oversee the management of their departments, including the preparation and implementation of a strategic plan for the KRSC and an action plan;
- c)* Evaluate the performance, relevance, and the effectiveness of any service in their departments.

2(8) Duty of due diligence and integrity

As staff members of the Kent Regional Service Commission, all members of the management team must exercise their functions with due diligence and integrity. In this regard, they must:

- a)* Ensure that their administration does not cause any prejudice or injustice to any citizen;
- b)* Ensure that their department is administered in a fair and equitable manner and that it does not offer any special treatment or privileged access to anyone;
- c)* Always fulfill their responsibilities to the best of their abilities;
- d)* Fulfill their duties promptly;
- e)* Ensure full access to public information on any work accomplished under their management;
- f)* Demonstrate transparency and accountability in all that they do on behalf of the KRSC.

CHAPTER III—RELATIONSHIP BETWEEN THE ELECTED OFFICIALS AND THE ADMINISTRATION

3 (1) Declaration of the principles for the roles of the elected officials and the administration

The Commission, in order to carry out its duties and responsibilities with the powers conferred to it by the law, must hire personnel to whom they delegate these responsibilities and powers to accomplish the work. When this delegation of authority occurs, it involves the removal of elected officials from the day-to-day, detailed administration of these powers. Since it is important that everyone have a clear definition of their prerogatives and obligations, it is important to draw the line between what is in the political arena and what is in the realm of administration.

First and foremost, we can move ahead with the following principles.

The responsibilities of each party (political and administrative) are very closely linked, and wither cannot work without the other. The lines of communication and the lines of authority must be clearly established. Hence it may be established that the Commission is the final authority on all decisions that are accepted by the law.

The responsibility between the Commission and the administration must be clearly understood. The Commission in its collective term is the superior of the administration and not the individual members of the Commission. Although good and productive communication between members of the Commission and administrative employees is encouraged, directives and/or duties must be communicated in a formal way. It is through the medium of resolutions, policies, or by-laws that decisions are made. Those decisions may approve budgets, plans, strategies, mission statements, visions, etc. The Commission exercises its authority by determining the norms and guidelines that the Executive Director must follow.

As for the Executive Director, they must oversee and respect all the decisions taken by the Commission. The Executive Director has all the rights and attributions necessary to accomplish their duties but cannot make major orientation and strategic decisions. Evidently, they have a major role in the decision-making process through recommendations and the management of the decision-making process; nonetheless all political decisions are the responsibility of the Commission. Also, it is not in the best interest of the organization that a member of the Commission takes administrative duties and assumes responsibility, and a staff member takes political decisions and assume responsibility. It should be noted that it is not in the best interest of the organization that a member of the Commission does not assume administrative duties and responsibilities, nor that a staff member assumes responsibilities and make political decisions.

Since all the powers of the Executive Director are relegated from the Commission, they are accountable for all the decisions undertaken on its behalf and have to report to them for any decision or action taken. Since the administration has the knowledge and the expertise regarding the files of the Commission and remains in position when elections are held, they must inform the incoming Commission members of their rights and indicate which are delegated to the administration. Without this approach the Commission would not be capable of making responsible decisions.

The most important link between the Commission and the Executive Director is the relationship between the Chairperson and the Executive Director. The chairperson has some day-to-day decision-making powers of the Commission, and the Executive Director is the entry point of the administrative part of the organization.

To recapitulate, the Executive Director answers the Commission from which it receives its directives and working guidelines. They, in turn, ensure that the organization's mandate answers the needs and wishes of the Commission. Decisions and directives are communicated through policies, by-laws, plans, budgets, etc. When a decision or directive needs clarification or modification, the Executive Director requests the chairperson or, in some cases, the Commission to clarify the issue. Should the question be brought to the Commission, the Executive Director must call a meeting and prepare a recommendation to the Commission. The Executive Director does not at any time decide the orientations nor the rules and regulations of the Kent Regional Service Commission. Conversely, the members of the Commission cannot individually determine the workload of the staff or delegate responsibilities.

CHAPTER IV—HOURS OF WORK

4(1) Hours of Work

- a) The hours of work for staff are seven hours and forty-five minutes (7.75 hours) per day, Monday through Friday.
- b) Staff must work an additional 30 minutes per week, either finishing at 5:00 p.m. on Thursdays or finishing two nights per week at 4:45 p.m.
- c) Staff shall receive a fixed day off with pay every two weeks (usually Monday or Friday).
- d) For a total of 70.75 hours per two weeks. The surplus of 0.75 hours per two weeks is accumulated for the summer period (see next point).
- e) During the summer period, between the end of classes and Labour Day, the hours of work for the staff are four hours and 15 minutes (4.25) per day on Fridays.

4(2) Flexible schedule

- a) It must be understood that the work schedule has to be flexible in light of the particular needs of the Kent Regional Service Commission.
- b) Following the approval of the Executive Director, the employees can perform certain tasks and functions outside the office.

4 (3) Closing of the office

- a) The Executive Director or delegate may close the offices when:
 - i) They deem it necessary for the safety of the employees and the citizens;
 - ii) A state of emergency is declared in the communities where the KRSC offices are located;
 - iii) It is necessary to ensure the good management of the KRSC.
- b) When the Executive Director or delegate close the offices according to subparagraph i), they must advise all members of the management team without delays.
- c) When the Executive Director or delegate close the offices according to subparagraph i), they must broadcast a message to this effect through various media.
- d) When the closure of the office is predictable, the Executive Director or delegate must take all possible actions to advise the residents living within the territory of the KRSC prior to the office closure.
- e) In order to keep stability in administering benefits and payroll, the employees shall be paid a normal workday when the offices are closed according to paragraph a).

4 (4) Overtime

- a)* Overtime is described as any period which an employee has worked more than their normal work hours or week, or during a statutory holiday, and this on the demand or on the authority of a member of the management team.
- b)* All overtime will be paid an hour for an hour in time off for staff who worked overtime during the week.
- c)* Any overtime accumulated by staff during the weekend, namely from 4:30 p.m. on Friday to 8:00 a.m. on Monday, will be compensated as follows: for each hour accumulated, 1.5 hours will be offered as time off.
- d) Other*
 - i)* If staff are required to work between 12:15 and 1:00 p.m., they may take their lunch break at another time during the day or accumulate this time.

CHAPTER V—TIME OFF

5. Annual Vacations

5 (1) Duration of annual vacations

- a)* All permanent employees that have worked without any interruptions for twelve (12) months (1 year) can accumulate annual paid vacation for three (3) weeks, which is fifteen (15) business days.
- b)* All permanent employees that have worked without any interruptions sixty (60) months (5 years) can have four (4) weeks, twenty (20) business days of annual paid vacation.
- c)* All permanent employees that have worked without any interruptions one hundred and fifty-six (156) months (13 years) can have five (5) weeks, twenty-five (25) business days of annual paid vacation.
- d)* All permanent employees that have worked without any interruptions two hundred and forty (240) months (20 years) can have six (6) weeks, thirty (30) business days of annual paid vacation.
- e)* All permanent employees continue to accumulate annual vacations according to the paragraphs a), b), c), d), e), and f), when they are taking time off for other reasons than annual vacations and approved by this policy.
- f)* If a statutory holiday, according to article 6(1) occurs during the annual vacation of an employee, he must accumulate one day of annual vacation for this day.

Any accumulated annual vacation day according to paragraph h) may be taken to prolong an annual vacation period or may be added to their annual vacation account.

5(2) New employees

- a)* Any new employee who begins to work before the 16th day of the month starts to accumulate annual vacation credits for the current month.
- b)* Any new employee who begins to work after the 15th day of the month starts to accumulate annual vacation credits at the following month.

5(3) Accumulation and transfer

- a)* Annual vacations normally have to be taken following the twelve months in which they were accumulated.
- b)* The Assistant Executive Director may, upon request from the employee received prior to the end of the fiscal year in which the vacation was accrued, transfer some or all of the unused vacation time. This action shall only be taken when extenuating work-related circumstances prevented the staff member from taking up to two weeks (10 working days) of vacation time.

5(4) Authorization

- a)* Any employee who wants to take annual vacation time off must advise the Assistant Executive Director of their preferred dates.
- b)* When an employee is requesting annual vacation dates, the Assistant Executive Director may:
 - i.* Accept the request as it is.
 - ii.* Grant a portion of the requested annual vacation.
 - iii.* Refuse the requested dates.
- c)* When evaluating the requested annual vacation dates, the Assistant Executive Director must consider:
 - i)* The quantity and the urgency of the work that must be completed by the employee during the requested period.
 - ii)* The possibility for the employee to take time off at another period during the current fiscal period
 - iii)* The impact on the functioning of the KRSC deriving from the absence of the employee during the requested period.
- d)* When determining the period when the employee can take annual vacations, the Assistant Executive Director cannot, unless there are extremely unexpected circumstances, force any employees not to take their time off in the current fiscal period.

6. Statutory Holidays

6(1) Recognized statutory holidays

The following days are statutory holidays recognized by the KRSC:

- a)* New Year's Day
- b)* Family Day
- c)* Good Friday
- d)* Easter Monday
- e)* Victoria Day
- f)* Canada Day
- g)* New Brunswick Day
- h)* Acadian Day (if the day falls on a regular business day)
- i)* Labour Day
- j)* Truth and Reconciliation Day
- k)* Thanksgiving Day
- l)* Remembrance Day
- m)* Christmas Day
- n)* Boxing Day

The business days between Christmas and New Year's Day will be given to employees without loss of salary.

6(2) Working on a statutory holiday

- a)* Employees that must work on a statutory holiday (at the request of the Executive Director or a member of the management team) must be remunerated two (2) hours in time off for every hour they have worked that day.

6(3) Statutory holidays during a scheduled leave.

- a)* When a statutory holiday happens during a parental leave, time off to take care of children, time off without pay, a suspension period without pay or during a long-term leave for training, it cannot be compensated.

7. Health Leave

7(1) Accumulation of health days

- a) Every employee has the right to accumulate health days at one and a quarter (1 1/4) day per civil month without interrupted work at the maximum of one hundred and twenty (120) regular business days. This clause does not apply to the employees of the previous Kent District Planning Commission that have accumulated a maximum of one hundred and fifty (150) days as of the official approval date of this policy.
- b) Every employee has the right to health leave with applicable benefits when they are not capable of performing their functions because of illness, because they were exposed to a contagious disease, because they are suffering from physical or mental fatigue, or they were the victim of an accident for which no compensation is paid out according to the Health and Safety Act or the long-term disability insurance plan.
- c) In order to calculate the accumulation of health days, we have to count the following days as regular working days:
 - i. Annual vacations.
 - ii. Paid leaves according to this policy
 - iii. Health days
 - iv. Statutory holidays or days taken in substitution of these.

7(2) New employees

- a) Every new employee that begins to work before the sixteenth (16th) day of the month may start to accumulate health days for the current month.
- b) Every new employee that begins to work after the fifteenth (15th) day of the month begins to accumulate health days the following month.

7(3) Calculation of the health days

- a) At the beginning of every month, the Assistant Executive Director will add to the employee's accumulated health leave account the credits earned to date.
- b) A deduction shall be made from an employee's accumulated health leave credits for each working day that the employee is absent on health leave.
- c) When an employee is absent for part of the workday because of sickness, only the number of hours taken will be deducted from the accumulated health leave credit.

7(4) Authorization

- a) An employee who is obliged to take time off due to illness must promptly advise the Assistant Executive Director and their immediate supervisor.

- b) It is also recommended that the staff member notify the administrative assistants as soon as possible.
- c) When an employee is absent from work for more than five consecutive days due to sickness, the Executive Director may request a physician's report confirming the inability to work.

8. Medical Appointments

- a) When an employee's appointment is outside of the region from Miramichi to Moncton and they can receive services from a specialist in the region, only the time of the appointment and up to an hour of travelling time will be given to the employee as permitted time for an appointment.

9. Bereavement leave

- a) Every employee has the right to paid leave due to a death in the family has specified hereunder:
 - i) Up to five (5) business days in the event of the death of the father, mother, or legal guardian, wife, husband, son, daughter, father-in-law, mother-in-law, brother, sister or grandchildren of the employee.
 - ii) Up to three (3) business days in the event of the death of the brother-in-law, sister-in-law, grandparents or the grandparents of the spouse or any person living under the same household.
 - iii) Up to two (2) business days in the event of the death of an uncle, aunt, niece, nephew, or cousin.
- b) Should the funeral referred to in paragraph (a) takes place outside the immediate area (Kent, Southeast or Miramichi Region), the staff member may be granted, upon request, reasonable time for the required travel, up to a maximum of two (2) additional working days.

10. Leave for jury duty or witness in a court proceeding

- a) Every employee has the right to have a paid leave to:
 - i) Be part of a jury;
 - ii) Attend court proceedings as a witness in an inquiry:
 - A) Or upon a mandate from a justice tribunal or an arbitration tribunal or before a grand jury.
 - B) Before a legislative committee, the legislative assembly or one of its committees that are authorized by law to call for witnesses.
 - C) In front of an arbitrator or a person or a group of persons authorized by law to hold an inquiry and call for witnesses.
- c) If the employee received an indemnity from the court or any other group for assisting at a proceeding, he will receive for the time of the proceeding, less the amount of the indemnity.

11. Parental leave

11(1) Length of the leave and adjustment

- a) A permanent employee who leaves on parental leave is assured 85% of their pay during the first fifteen (15) weeks of leave over and above their employment insurance benefits granted according to the Employment Insurance Act. The employee must submit, at the request of the employer, their employment insurance statements for the first fifteen (15) weeks mentioned above. The employer will grant to the employee that has become a parent of a newborn child or a child that is yet to be born, a leave without pay for thirty-seven (37) consecutive weeks or shorter (under the request of the employee) in order to take care of the child.
- b) At the request of the permanent employee, a parental leave can begin at any time within eight (8) weeks before the delivery or adoption date.

When the employee is incapable of doing their normal work duties because of the pregnancy, the employer will try to bring adaptive measures. If the adaptive measures are not possible, the employer may order the employee to go on parental leave.

When, at any time, prior to the start of the parental leave that was requested, the employer orders the employee to go on parental leave, or, when their physician orders them to go on parental leave, the employee may, after presentation of an appropriate medical certificate, use their accumulated health days up to the date of the expected date of the requested parental leave.

- c) The leave identified in paragraph b) is added on to the parental leave described in paragraph a).
- d) Any employee who becomes a parent, and will not take an extended parental leave, have the right to a leave with pay for a period of ten (10) business days beginning at the delivery or adoption day.

11(2) Benefits during the leave and reinstatement

- a) The employee that is on parental leave cannot be dismissed, suspended, or laid off during the leave or for reasons resulting from the parental leave.
- b) During the parental leave, the employer will continue to contribute to the employee's portion of the group insurance and the RRSP.
- c) At the end of the parental leave, the employee will be reinstated to the position they had before their absence without any reduction in salary.

11(3) Authorization

- a) Every employee who wants parental leave will have to advise the Executive Director at least four (4) months before the expected delivery date.
- b) The employee who will be on parental leave shall notify the Executive Director of the anticipated start date of the leave and return to work.
- c) The employee who will be on parental leave due to adoption must notify the Executive Director of the anticipated start date of the leave and return to work.

12. General leaves

12(1) Physicians, Optometrists and Dentists

- a) Every employee may obtain paid time off for an appointment with a physician, an optometrist, or a dentist when an appointment cannot be obtained after regular hours of work. The time off is only available for a visit to a physician, an optometrist or a dentist practising in the Moncton to Miramichi region. The time taken for the appointment will be reported on the time-management system as appointment leaves. The use of health days is not necessary for the type of appointments mentioned above.
- b) The Executive Director or delegate may grant paid time off in case of an emergency where circumstances beyond the employee's control prevent them from coming to work for part or all of a workday.

12(2) Deferred Study Leaves

- a) Should an employee wish to take time off for training or education of up to a year, they must give at least one year's notice prior to the beginning of the leave which has to be approved by the Executive Director.
- b) The Commission must defer a portion of their salary until this leave is completely paid for and this, before their departure.

12(3) Elections

According to the article 86 of the Elections Act, every employee that has the right to vote must be given three consecutive hours to go vote while the polls are open on Election Day. If they cannot be provided with three consecutive hours because of hours of work, their supervisor must give them the necessary time so that they have three consecutive hours to vote.

12(4) Leave without pay

- a) Every employee can obtain a leave without pay for a prolonged period for any reasonable cause, provided this leave does not disturb the functioning of the administration of the KRSC or the services delivered to the citizens.
- b) Every employee desiring leave without pay must obtain the approval of the Executive Director.

12(5) Extended leave

- a) When an employee is absent from the office for more than three (3) consecutive weeks (15 working days) for vacation or illness, they are obligated to leave their computer at the office, as well as the passwords attached to it, and transfer emails and calls to a member of the management team, or at least change their voicemail and automatic replies, to ensure the smooth running of the department.

12 (6) Absence of the Executive director

- a) When the Executive director is out of the office in a meeting, out on vacation or on health leave, they will have to appoint an employee to assume the role of interim executive director. They shall promptly notify the staff and the Commission of the name of the person who will assume the role during their absence.

12 (7) Family Leave

Each employee will be entitled to five (5) days per year as family leave. This leave can be:

- a) To fulfill obligations related to the care, health or education of their child or the child of their spouse.
- b) Due to the state of health of a parent or a person for whom the employee acts as a caregiver, as must be certified by a professional in the health and social services sector.

These days cannot be carried over from one year to another and cannot be converted into cash.

* “Parent” means the child, spouse, father, mother, brother, sister, grandchildren and grandparents of the employee or their spouse, as well as the spouses of these persons, their children, and the spouses of their children.

CHAPTER VI—SEVERANCE PACKAGES FOR A RETIRING EMPLOYEE AND THE DEPARTURE OF AN EMPLOYEE

13. Retirement and departure package

In order to reward the employees for their contribution to the KRSC, a retirement or departure package will be granted when any employee terminate their employment. The retirement or departure package is calculated based on the number of accumulated health days not taken.

Every staff member who has accrued health days will be entitled to a reimbursement of 75% of their health leave as a retirement or severance allowance up to a maximum of 90 days at the staff member's hourly rate just prior to departure.

The sum given to the employee will be contributed to an RRSP only.

CHAPTER VI—TRAINING

14. Training while working

14(1) Authorization

- a)* Every employee that wants to pursue training while working must advise the Executive Director at least one month before commencement.
- b)* When the Executive Director evaluates the training request, they must consider:
 - i.* The pertinence of the training according to the duties of the employee.
 - ii.* The cost of the training, including the cost of travelling, if necessary, the availability of funds in the accounts dedicated for this purpose.
 - iii.* The impact on the functioning of the KRSC when the employee is absent for the requested period.
- c)* The expenses paid for the training, including the tuition fees, the registration fees, the purchase of textbooks, have to be authorized by the Executive Director, as any other expense made by the employee.

14(2) Training sessions

From time to time, the KRSC can organize training sessions at the offices of the KRSC and pay it through the training budgets of the employees.

CHAPTER VIII—PENSION FUNDS

15. Pension funds

15(1) Every permanent employee can contribute to an RRSP.

15(2) This policy must respect all the conditions established by Revenue Canada.

15(3) Staff members determines the percentage of their annual salary that they will contribute to an RRSP.

15(4) The KRSC annual contribution to the pension fund matches the one made by the staff member to a maximum of 7.00% of their annual salary.

15(5) The contribution of the employee is subtracted automatically from their biweekly pay by the person responsible for the finances of the commission and a note are indicated on the employee's pay stub.

CHAPTER IX—GROUP INSURANCE

16. Group insurance

16(1) Every permanent employee can benefit from a group insurance that includes life insurance, long-term disability insurance and health and dental insurance.

16 (2) The type of insurance and the value of the group insurance is determined by the KRSC through a contract with a provider.

16(3) The KRSC shall cover 90% of the cost of enrollment in health and dental insurance and staff shall cover the remaining 10%. Staff, to enroll in life insurance and long-term disability insurance, shall pay 100% of the enrollment fees.

16(4) The KRSC will continue to pay its share of group health and dental for employee coverage and dependent coverage for a maximum of two (2) months while the employee is on a disability leave of absence.

While the employee is on any other type of unpaid leave of absence from the KRSC, they are responsible for paying the total premiums for their coverage and that of their dependants while on leave. Failure to do so may result in loss of coverage and possible refusal by our insurance carriers to allow their coverage to be reinstated. The employee will be responsible for filling the form that will be provided by the KRSC.

CHAPTER X—COMPLAINTS AND GRIEVANCES

17. Complaints

17(1) General

- a) Every employee has the right to submit a complaint for the following:
 - i) That the workplace is dirty or dangerous or a duty is asked that will likely harm their health or their safety or of any employee.
 - ii) That the KRSC requests from the employee to accomplish work duties that they cannot reasonably perform.
 - iii) That their workload is abusive and may harm their health.
 - iv) That they are subjected to discrimination or receives sexual or sexist harassment.
 - v) That they are subject to an abuse of power from their superior, including the abusive administration of this policy or any policy of the KRSC.
 - vi) That a decision from their superior concerning the benefits they receive according to this policy that may be abusive and or limits their reasonable access to these benefits.
 - vii) That a dispute regarding their work, other than a question of orientation or philosophical order is not resolved by their superior.
- b) When a complaint is made against the Executive Director, it must be treated as a request for mediation in person to the Board of Directors of the Commission.

CHAPTER XI—DISCIPLINE

18. Discipline

18(1) Responsibilities

- a) The Executive Director has to inform every new member of the management team the importance of this policy and every regulation, policy or by-law that the employee has to respect in accordance to this article.
- b) Every member of the management team must communicate the obligations and responsibilities that fall to their subordinates according to this policy and any other regulation, policy or by-law of the KRSC.
- c) Every member of the management team that must impose a disciplinary sanction according to this article has to advise the Executive Director immediately with an internal memo.

18(2) Violations

- a) Commits a violation of the first level, any employee who for the first time:
 - i) Deliberately hides necessary information for the good management of the KRSC, including any information that involves a mechanical break, an accident in the workplace or that could involve a civil action against the KRSC, that could lead to a judicial proceeding against the KRSC or any claims against the insurers of the KRSC;
 - ii) Refuses to complete any duties included in their work description or that is reasonably connected, with the exception of the right to refusal described in the work according to the *New Brunswick Occupational Health and Safety act*;
 - iii) Divulges information of a confidential nature contrary to the directives of their superior or in the policies of the KRSC;
 - iv) Utilizes equipment, material or employees of the KRSC for personal purposes without benefiting monetary gains;
 - v) Doesn't accomplish their duties in a reasonable time frame, and this repeatedly;
 - vi) Generally, acts in a clearly unreasonable way;
 - vii) Fails to make reasonable efforts to correct errors.
- b) Commits a violation of the second level, any employee who:
 - i) Reoffends for a first time, after having been sanctioned under paragraph a);

- vii)* Deliberately causes damages to material and equipment of the KRSC;
- viii)* Commits perjury during an inquiry according to this policy or according to a regulation, a policy, a by-law or required by the law;
- ix)* Makes or contributes to the preparation of falsified statements in order to obtain employment insurance, or benefits deriving from the group insurance;
- x)* Deliberately destroys official documents of the KRSC, with the exception of those that are authorized by their superior or the Commission.

18(3) Sanctions

- a)* When an employee commits a violation of the first level, they are subject to a verbal warning, a written warning and a one-day suspension without pay.
- b)* When an employee commits a violation of the second level, they are subject to a severe written warning and three-day suspension without pay.
- c)* When an employee commits a violation of the third level, they are subject to a suspension for an indefinite period, including possible dismissal.

18(4) The disciplinary process

- a)* When the superior of an employee, notices in their opinion, that an employee committed a violation of the first or second level, they must advise the employee in the briefest delay, impose the sanction that matches the violation, and advise the Executive Director.
- b)* When the superior of an employee, notices in their opinion, that an employee committed a violation of the third level, they must advise the Executive Director in the briefest delay by written memo.
- c)* When the Executive Director receives the memo according to subparagraph b), they must undertake a reasonable and justified inquiry in order to report a written decision within ten business days after the reception of the memo.
- d)* If they have reasons to believe that keeping the employee in position, even for a temporary period and this, in virtue of the nature of the act in which the employee was accused of, would harm the interests of the KRSC or the public safety, the Executive Director can suspend the employee with pay for the period of the inquiry according to the subparagraph c).
- e)* If, at the conclusion of the inquiry according to subparagraph c), the Executive Director considers that the employee has committed a third level violation, they must suspend in writing the employee without pay for an indefinite period.

- f) When the Executive Director suspends an employee according to subparagraph e), they must recommend in writing, to the Commission that the employee in question must be dismissed for cause and must submit a copy of the recommendation to the affected employee.
- g) The recommendation of the Executive Director according to subparagraph f) must include:
 - i) The name of the employee.
 - ii) The position occupied by the employee.
 - iii) The description of the violation.
 - iv) A report of the Executive Director's inquiry.
 - v) The location and the date of the next meeting of the Commission where they will address this recommendation.
 - vi) A clear and precise indication of the rights of the employee to be present during the meeting of the Commission where they will address the recommendation.
- h) Throughout the discussion by the members of the Commission, the natural justice regulations must be respected, especially:
 - i) The right of the employee to present proof in their defence, including calling witnesses;
 - ii) The right of the employee to be heard by the decision-making body who will make the official decision;
 - iii) The right for an impartial hearing;
 - iv) The right for a presumption of innocence;
 - v) The right to have the presence of their lawyer or legal councillor.
- i) When the Commission studies the Executive Director's recommendation, they may:
 - i) Accept the recommendation and dismiss the employee;
 - ii) Reduce the level of violation;
 - iii) Refuse the recommendation, if in their opinion, there isn't overwhelming proof in favour of the recommendation.
- j) When the Commission has rejected the recommendation, the superior cannot call upon another violation of less degree according to the same acts as those that motivated the recommendation of dismissal.
- k) When the Commission reduces the level of violation, this constitutes a regular violation at that level and is subject to repeated sanctions.

CHAPTER XII—EVALUATION

19. Evaluation

19(1) Deadlines

- a)* Every employee must be evaluated once every year, preferably before the beginning of the budget process.
- b)* According to subparagraph 20(9) e), every new employee must be evaluated six months after being hired.
- c)* When an employee has been evaluated according to subparagraph b), it is not necessary to evaluate him again according to subparagraph a) during the same financial year.

19(2) Process

- a)* After the interview, the Executive Director, or the member of the management team (if applicable), must make its recommendations in a report that includes:
 - i)* The recommendations emanating from the evaluation, including changes to the benefits or the salary of the employee, changes to the work description of the employee, and any proposed changes to the status of the employee;
 - ii)* The financial consequences of this recommendation.

19(3) Evaluation of the Executive Director

- a)* Once every year, the Commission will evaluate the Executive Director.
- b)* The evaluation of the Executive Director will be guided by the chairperson of the board, the vice-chair of the board and the President of the Finance, Administration and Human Resources Committee, that will report back to the board.
- c)* During the evaluation of the Executive Director, the Chairperson of the Board will have to meet the employees of the KRSC to determine the supervision, planning, and motivation skills of the Executive Director.
- d)* The Chairperson of the Board, the Vice-chair of the board and the President of the Finance, Administration and Human Resources Committee will prepare an evaluation report of the Executive Director, which they will submit to the Commission.
- e)* In order to support the evaluation process, the Commission may hire a consultant specialized in management of human resources.

CHAPTER XIII—HIRING

20. Hiring employees

20 (1) Hiring Process

- a) When a management team position is vacant, the hiring process generally follows the following steps:
 - i) Evaluation of the position;
 - ii) Call for candidates;
 - iii) Creation of a selection committee (if needed);
 - iv) Receiving and selecting candidates;
 - v) Meeting the retained candidates for an interview by the selection committee;
 - vi) Recommendations of the selection committee;
 - vii) Hiring.

- b) During the vacancy of a subordinate position, or when creating a new position, the hiring process generally follows these steps:
 - i) Definition of the job description;
 - ii) Call for candidates;
 - iii) Receipt and sorting of applications;
 - iv) Meeting of candidates selected for an interview by the selection committee;
 - v) Hiring.

20(2) Evaluation of a position

After a management team position has been vacant, the Executive Director must evaluate the position and propose any modifications needed on the job description, salary scale, and required qualifications.

20 (3) Call for candidates

- a) For every management team position, the Executive Director will have to announce, in respective delays, a call of candidates including:
 - i) Identification of the position;
 - ii) A summary of the job description;
 - iii) The necessary requested qualifications and qualities;

- iv)* The salary scale;
- v)* The deadline to receive applications;
- vi)* The KRSC coordinates.

20(4) Selection committee

- a)* For management team positions, a selection committee is put in place that can include:
 - i)* A member of the Commission, preferably a member of the Finance, Administration and Human Resources Committee as Chair;
 - ii)* The Executive Director or their delegate;
 - iii)* A member of the Commission that has knowledge and experience in the vacant position.
- b)* For the other positions, a selection committee can be created under the directives of the Executive Director. Such a committee can be comprised of:
 - i)* The member of management team that is responsible for the vacant position as the Chair of the Committee;
 - ii)* Other members of the management team;
 - iii)* Members of the Commission or Standing Committee depending on the position to be filled;
 - iv)* Other staff members.

20(5) Reception and sorting the candidate list

- a)* In the case of a management team position, from the list of candidates, the Executive Director can proceed with a first sorting according to:
 - i)* Their compliance with the required qualifications; and
 - ii)* The reception of their candidacy by the required deadline.
- b)* In the case of another staff, the member of the management team that is responsible for the vacant position, will sort the candidate list and retain the desired number of candidates for an interview.

20(6) Interviews

- a)* The selection committee will do a sorting of the candidacies received that are admissible and retain three to five for an interview.

- b) During the interviews, the selection committee must be sure that the questions or interventions of the committee will not favour one candidate over another.
- c) Upon receipt of the recommendation of the Selection Committee, the Executive Director will decide on the recommendation of the Committee.
- d) If the Executive Director adopts the recommendation of the selection committee, they will communicate this decision in writing to the selected individual
- e) If the position to be filled is the Executive Director:
 - i) Upon receipt of the recommendation, the Commission will decide on the recommendation of the selection committee;
 - ii) The hiring resolution adopted by the Board shall contain a reference to the clause in the *Municipal Act* and the *Regional Services Delivery Act* that empowers them to make said hiring;
 - iii) If the Commission adopts the recommendation of the selection committee, the Chairperson will communicate this decision in writing to the selected person.

20(7) Neutrality and Fairness

- a) At no time can one be on a selection committee when that person has a family tie with one of the candidates for a position.
- b) When it is judged that it would be an advantage for the good of the selection process, or when a candidate retained for an interview and has a family tie with the Executive Director, a member of the management team of the KRSC can be delegated to act on the selection committee.
- c) The content of the candidacies, the name of the candidates that were not retained, the resumes and the cover letters, the references, the deliberations of the selection committee and the negotiations between the KRSC and the employee that is hired, are all confidential and cannot be communicated by the members of the selection committee, the members of the Commission, the Executive Director, and the staff of the KRSC other than those directly involved in the process. Any breach to this subparagraph constitutes, in the case of an employee, a violation according to the subparagraph 18(2) a) iii) or, in the case of a member of the Commission, a breach of confidentiality that must be brought to the chairperson's attention in the quickest delays.
- d) Every employee or member of the Commission that has responsibilities in the hiring process must always abide by this present policy and according to paragraph 3(1) of the *Human Rights Code* cannot make any discrimination due to race, skin colour, religious beliefs, origin, age, physical or mental incapacity, marital status, sexual orientation or gender of the candidate.

20(8) Budgetary impacts

When hiring an employee requires a modification to the budget or an important change to the distribution of funds, the Executive Director must submit the hiring project to the Commission.

20(9) Assuming the position

- a) When newly hired employees begin their functions, the Assistant Executive Director must submit a copy of this policy and explain their obligations and responsibilities deriving from it.
- b) For every new member of the management team, the Executive Director will organize a training session of at least two days on the administration and the functioning of the KRSC, the budgetary controls, the policies, the regulations and the pertinent by-laws and any other matters necessary for their integration in the workplace.
- c) When the newly hired employee begins their functions, the finance department is responsible to explain to them the modalities regarding the group insurance and the pension plan and communicate their options if needed.
- d) During the first six months, day for day, after they have begun their functions, the newly hired employee is in a probation period and does not benefit of permanence.
- e) At the end of the probation period as described in subparagraph d), the Executive Director or a member of the management team must evaluate the employee according to article 19.
- f) According to subparagraph g), the Executive Director can:
 - i) When they believe the employee has reasonably completed all their duties that were conferred to them and doesn't need rigorous supervision to execute their functions at an equivalent or superior level for that type of work, recommend the termination of the probationary period and the beginning of the permanence of the employee;
 - iv) When they believe the employee doesn't complete their duties at an equivalent or superior level for that type of work but will probably attain the expected level of work in a reasonable time period, recommend the prolongation of the probationary period for the next six months;
 - v) When they believe the employee doesn't complete their duties at an equivalent or superior level and that it is not reasonably predictable that the employee will attain this level of productivity in a short term, recommend the termination of employment with the employee.
- g) The termination of the employment because of low productivity level at the end of the probationary period does not constitute a disciplinary measure.
- h) The Executive Director shall communicate in writing to the affected staff member the termination of the employment relationship within ten working days of the date the decision is made. The Executive Director will communicate this decision to the Commission.