

SECTION 2: WORKING CONDITIONS AND EMPLOYMENT STANDARDS

2.1 Confidentiality - Obligation and Oath of Confidentiality

Tikinagan will ensure the confidentiality of financial, personal, employee, client, and any Agency-related information. Employees, Elders, Board Members, contractors, members of committees and any other persons who may be entrusted with written or verbal confidential and other information will keep that information confidential and comply with this Policy. All information obtained, received or acquired while in the course of employment or involvement with Tikinagan is and shall be treated as confidential. It is a serious offence to breach that trust and any breach of confidentiality will result in disciplinary action up to and including dismissal. All employees, Elders, Board Members, contractors, and members of committees will be required to swear an Oath of Confidentiality Form before a Justice of the Peace, judge, lawyer or a Commissioner of Oaths.

Tikinagan has a statutory mandate under the *Child, Youth and Family Services, 2017, S.O. 2017, c. 14* to protect children and promote and ensure their well-being. In carrying out its statutory mandate, Tikinagan receives, collects, uses and discloses personal information, including health information about clients, their families and other individuals. The *Personal Health Information Protection Act, 2004, S. O. 2004, c. 3* imposes restrictions and limitations on the collection, use or disclosure of personal health information. These restrictions do not apply to Children's Aid Societies such as Tikinagan when information is being collected, used or disclosed in the course of carrying out statutory obligations. Tikinagan therefore requires that employees only access, collect, use or disclose personal information, including personal health information, only when it is necessary to do so in order to carry out their duties and responsibilities as employees of Tikinagan.

Tikinagan is committed to protecting the privacy of personal information relating to employees and personal information accessed, collected, used or disclosed in the course of its dealings with commercial partners. Tikinagan therefore requires that employees only access, collect, use or disclose personal information about employees or other individuals when it is necessary to do so in order to carry out their duties and responsibilities as employees of Tikinagan.

Any electronic storage or transmission of confidential records or information shall be subject to this confidentiality policy and Policy 2.29 – Acceptable Computer, Email, Social Media and Internet Use and shall only occur on a secure or encrypted device.

Correspondence sent to the Agency marked or stamped, "To be opened only by", "C/O" or "Personal and Confidential" will be opened only by the intended recipient, unless the recipient cannot be located or in the case of an emergency.

All employees are to refrain from discussing confidential or personal information relating to a client, to an employee, to any other individual or to the Agency with anyone in inappropriate circumstances or in circumstances where the confidentiality of the same can not be guaranteed (eg. in the presence of non-staff, on a cell phone, in a public place). Such discussions can easily be overheard by members of the public. Except in emergencies, employees should make every attempt possible to find privacy and/or a secure phone prior to discussing confidential information.

The obligation to keep information confidential continues after a person's employment or involvement with Tikinagan is terminated.

Definition - Confidential and Personal Information

“Confidential and Personal Information” includes, but is not limited to:

- information which contains an individual’s name or identity, including any clinical information, judgments or statements about an employee or client;
- personal health information;
- information such as salaries, budgets or relating to an employee’s work performance;
- any other financial and administrative information pertaining to Tikinagan;
- personal information about employees and clients;
- personal information about individuals that is accessed, collected, used or disclosed in the courses of Tikinagan’s dealings with commercial partners; and
- all information obtained, received or acquired while in the course of employment or involvement with Tikinagan.

“Personal Information” about an employee, client or a commercial partner of Tikinagan may also include:

- information relating to the race, nationality or ethnic origin, colour, religion, age, sex, sexual orientation, marital or family status, of an individual;
- information relating to education, medical, psychiatric, psychological, criminal or employment history of an individual;
- information relating to financial transactions in which an employee, client or other individual has been involved;
- a personal address or telephone number.

Exceptions to Obligation to Maintain Confidentiality

An employee may only disclose confidential information where the same is necessary to enable an employee to fulfill Tikinagan’s mandate under the *Child, Youth and Family Services Act* or as permitted by law.

Any disclosure beyond that permitted by the *Child, Youth and Family Services Act* or permitted by law shall not be made without prior approval from a Supervisor, Manager or Director, unless obtaining that approval would jeopardize the safety of any person.

Where it is not possible to obtain prior approval from a Supervisor, Manager or Director, an employee shall only disclose confidential information in accordance with the principles set out in the Policy 2.3 (Confidentiality - Access to and Disclosure of Client Files). Where such disclosure is made, the employee shall thoroughly document the circumstances and the relevant Policy provisions relied upon in the client file and immediately provide a copy to the employee’s Supervisor.

2.2 Confidentiality - Access to and Disclosure of Employee and Client Files and Information

Tikinagan will protect employees' and clients' right to privacy and the confidentiality of their personal and other information. Tikinagan will only permit access to personal information and information obtained, received or acquired while in the course of employment or involvement with Tikinagan where appropriate and where permitted by law. Release of any information about and employee, client or other individual associated with Tikinagan, either orally or otherwise, without the appropriate prior consent is strictly prohibited, unless the same is done in the lawful execution of an employee's duties.

This policy applies to all employees, Elders, Board Members, members of committees and any other person by whom information is obtained, received or acquired while in the course of employment or involvement with Tikinagan or to any person to whom any such information is used, disclosed or released.

(a) Access to Adoption Information

Adoption information is confidential and shall not be disclosed other than with the written approval of the Associate/Executive Director. Access to adoption information is strictly regulated by legislation including the *Child, Youth and Family Services Act*, and any authorization to release adoption information shall only be given by the Associate/Executive Director in accordance with and as permitted by law.

(b) Access to Records by a person who is twelve (12) years of age or older

A person who is twelve (12) years of age or older has a right to and shall on request be given access to:

1. their individual records;
2. the records of his or her child who is under the age of twelve (12) years; and
3. the records of a child who is in their lawful custody and is under the age of twelve (12) years without the person's parent's consent, provided that access is authorized by the Child Care Worker.

Before granting access, the Child Care Worker must confirm that none of the following exceptions apply:

1. The young person's parents have been contacted and have not designated specific information that is contained in the child's record and relates to the parent as information to be withheld from their child, and such designated information shall not be disclosed to the child;
2. A person who is twelve (12) years of age or older shall not be given access to records of a child of theirs or a child who is in their lawful custody, if the record was created in connection with the provision of counseling services to a child, which records may only be disclosed with the child's written consent;
3. If, in the judgment of a Tikinagan's employee in consultation with their Supervisor, full access to a client record would be likely to cause physical or emotional harm to the child requesting access or the child with respect to whom access is being sought, the Tikinagan's employee in consultation with their Supervisor, may, use

- discretion to withhold all or part of the record;
4. If, in the judgment of a Tikinagan's employee in consultation with their Supervisor, full access to a client record would be likely to cause physical or emotional harm to another person, the Tikinagan's employee in consultation with his/her Supervisor, may, discretion to withhold parts of that record including the name of the other person and other information relating to that other person;
 5. An employee of Tikinagan, in consultation with their Supervisor may withhold parts of the record that identify by name or otherwise an individual who has provided information but is not engaged in providing services;
 6. An employee of Tikinagan, in consultation with their Supervisor may withhold parts of the record if, in their judgment, full access would violate the right to privacy of a third party.

(c) Guidelines for Disclosure of Client Information

As a general rule, client files and client information is to remain confidential.

However, in the provision of services to a child or family, Tikinagan is often called upon to provide information to other agencies and individuals. Other than as required or permitted by law, the preferred practice is to obtain the consent of the parents and children over 12 years of age prior to any disclosure of information. Where consent is not provided by both a parent and the child, such a situation should be referred to a Supervisor prior to providing any disclosure of client information. If the child is in the care of the Agency, child care workers can provide consent for the disclosure of information.

Information Sharing with Community Leadership and Resources

Tikinagan's practice of working collaboratively with the First Nations and their service providers raise issues about confidentiality. Effective partnership with First Nations requires information sharing.

First Nations have the right to participate in the planning for and delivery of services to their families as parties to child protection proceedings under Part III of the *Child, Youth and Family Services Act* and under the Native provisions of Part X of the *Child, Youth and Family Services Act*.

Tikinagan's workers should adhere to the following guidelines:

Community Case Conferences

Before entering into a community case conference involving a family and children, the family and child over 12 years of age should agree to participation in the process and the sharing of information.

The client or the client's parent/guardian/substitute decision maker/person having a legally recognized authority to act on behalf of the client should sign an Information Sharing Consent Form. All parties should sign including Chief and Council, resource workers and elders.

Where the information to be shared includes medical information, medical records, psychological or psychiatric records, Tikinagan will not disclose the content of the report or other personal health information or provide copies of the report to the First Nation or its service providers without the client's written consent or the consent of the client's parent/guardian/substitute decision

maker/person having a legally recognized authority to act on behalf of the child if the child is not capable of giving consent and an Information Sharing Consent Form must be signed.

Where Tikinagan determines that it is necessary to do so given the content or nature of a report, a report will not be released or disclosed without also obtaining the express written permission of the author and/or the clinical/medical/hospital facility in which it was prepared, except as required or permitted by law for court proceedings or otherwise.

No documents can be disclosed to the First Nation or its service providers on the authority of a verbal consent.

Case conference notes or minutes may be provided to the First Nation and its service providers after an Information Sharing Consent Form has been signed.

Information Sharing with Extended Family

Tikinagan may share information about a client with members of the family of the client with the written consent of the client (over 12 years of age).

Information Sharing with Police/Crown Attorney may be done as follows:

1. With the written consent of the person (parent, worker or child over 12 years of age).
2. In a joint Police/Tikinagan investigation pursuant to a protocol between Tikinagan and the Police Service.
3. Pursuant to a warrant or court order.

(d) Persons who may Consent to Disclosure of Records

A person who is twelve (12) years of age or older and who is capable may consent to the disclosure of their individual records.

Parents of a child or young person under the age of twelve (12) years or a society, where the child is in a society's lawful custody, may consent to the disclosure of the record of the child or young person upon providing written consent, with the following exceptions:

- A record created in connection with the provision of counseling services to a child may only be disclosed with the child's written consent;
- Where the parent of a child is under the age of twelve (12) years, disclosure of the records of their child shall be in accordance with Section (b) above.

(e) Person(s) to whom client records and client personal information may be disclosed without the consent of child or parent

Tikinagan may disclose its records to the following third parties without the consent referred to in Section (d) above:

1. Tikinagan's employees or agents who are the client's care or service providers while Tikinagan is serving the client, where such information is necessary for the performance of their duties.
2. A record-keeper of Tikinagan.
3. An employee of Tikinagan who is responsible for performing a study or review for internal Agency use involving the client's information.

4. An employee, officer or professional advisor of Tikinagan who requires access to the person's record for the performance of their duties.
5. An affiliated care provider, a service provider, a professional advisor, or a consultant whose involvement is necessary to the provision of service to the client.
6. A peace officer, if it is believed on reasonable grounds that:
 - (i) failure to disclose the person's record is likely to cause the person or another person physical or emotional harm, and
 - (ii) the need for disclosure is urgent;provided, however, that disclosure pursuant to this provision shall be promptly followed by the giving of written notice of the disclosure to the person whose record was disclosed.
7. To a person who is providing medical treatment to the person whose record is concerned, if the service provider believes on reasonable grounds that:
 - (i) failure to disclose the person's record is likely to cause the person or another person physical or emotional harm, and
 - (ii) the need for disclosure is urgent;provided, however, that disclosure pursuant to this provision shall be promptly followed by the giving of written notice of the disclosure to the person whose record was disclosed.
8. With the Ministry's written approval obtained in accordance with the Regulations to a person engaged in research, but that person shall not:
 - (i) use or communicate information from the record for any purpose except research, academic pursuits or the compilation of statistical data; or
 - (ii) communicate any information that may have the effect of identifying a person whose record is released.
9. Any person mandated under legislation or Court Order to have access to records, including Ministry of Children and Youth Services review, the Children's Lawyer, an ombudsman, coroner, etc. This would include the parties to a court proceeding where the parties are entitled to have disclosure of the documents Tikinagan is relying on in its case. These documents may be provided to the parties, including the parents and the First Nation, by legal Counsel representing Tikinagan or with the written approval of the Associate/Executive Director or the Director of Finance & Administration or designate.
10. Members of Tikinagan's Board of Directors and its committees only when, without such disclosure, it would be impossible for the Board of Directors to carry out its' ultimate responsibility for the administration of services provided by the Agency. Such disclosures will occur only upon the request of the Board of Directors of the Committee as a whole.
11. A foster parent, if the person is a child who is in the foster parent's care.
12. To a Society, if the person is a child who is in the Society's care pursuant to the *Child, Youth and Family Services Act*.
13. To a Child Protection Review team appointed pursuant to the *Child, Youth and Family Services Act*.

(f) Release of Records in Tikinagan's Possession

Reports in the possession of Tikinagan that have been prepared by outside authors, including

medical and psychiatric reports and any report stamped “DO NOT COPY”, may not be released without a Consent to Release of Personal Health Information Form signed by the client or by the client’s parent/guardian/substitute decision maker/person having a legally recognized authority to act on behalf of the child if the child is not capable of giving consent. Where Tikinagan determines that it is necessary to do so given the content or nature of a report, a report will not be released or disclosed without the express written permission of the author and/or the clinical/medical/hospital facility in which it was prepared, unless the release of disclosure of the report permitted or required by law.

2.3 Confidentiality - Security and Maintenance of File Room Facilities

Tikinagan will ensure that security procedures are adhered to for the care and safe keeping of all file documents contained in the file room.

In order to maintain file/document security, the following procedures must be followed:

1. All doors to the file room will be locked at all times.
2. No employee other than a File Clerk is allowed to enter the file room. File clerks are not allowed to authorize access to the file room. A file clerk will be present in the file room at all times during office hours, including coffee and lunch breaks.
3. Files must be returned to the file room by the end of the day. If a file is required for the weekend, the employee will request the file on Friday and it must be kept in a locked desk or office when not in use.
4. All original files from community-based offices must be sent to the Sioux Lookout office for filing in the central filing room and to be laserfiched.
5. For those files not already laserfiched the above procedures must be followed.

2.4 Confidentiality - Security and Maintenance of Office Facilities and Equipment

Tikinagan will ensure security procedures are adhered to for the care and safe keeping of all Tikinagan's equipment and offices.

In order to maintain office security, the following procedures must be followed:

1. All doors to offices and the building must be locked other than during office hours. Employees accessing the office after hours will ensure doors are kept locked at all times.
2. All internal offices must be kept locked when an employee is away from the office for an extended period of time (i.e. lunch, meetings or travel). It is the employee's responsibility to keep their office secure. Tikinagan will not be responsible for loss of any personal items.
3. All filing cabinets, desk drawers, and any other locking storage container must be locked after office hours, when the employee is travelling, or will be away from their desk for any extended period of time.
4. Proper care must be taken when using equipment. Equipment belonging to Tikinagan may only be removed from the premises for business purposes. All employees must immediately report any repairs and maintenance required for equipment or the office building to the Finance Department.
5. No employee may install any office locks without prior written authorization from Tikinagan.

Personal Items

Tikinagan will not be responsible for any lost or stolen items including money. Employees are encouraged to safely store purses or wallets while at work and not leave personal items unattended.

2.5 Confidentiality - Media

Only the Associate/Executive Director may release information to or appoint a designate to communicate with any form of the media.

Other than for the purpose of advertising vacant positions or recruiting foster homes, no Tikinagan employee shall discuss with or disclose any information relating to the Tikinagan and/or its staff or clients to the media.

An employee should respond to any question by referring the matter to Tikinagan's Communication Department.

2.6 Conflict of Interest

Tikinagan requires all employees, Elders, Board Members, contractors, and members of committees to disclose, at the time of joining the Agency and on an ongoing basis thereafter, any business, personal or financial interest, where such interest might be construed as being in conflict with their duties or Tikinagan's mandate, goals or objectives.

It is expected that all employees, either during personal time outside of office hours or when dealing with clients, will maintain a high standard of professionalism and avoid any potential conflict of interest.

Employees are required to complete a Conflict of Interest Disclosure Form, when they first join Tikinagan. Employees may be required to annually or at the time of each performance appraisal confirm that they do not have any conflict of interest that has not been disclosed.

Definition – Conflict of Interest

Conflict of interest arises when any action, decision or activity, may affect the quality of services provided, the goals and objectives of the Agency, or conflicts with the Agency's policies and procedures.

All actual or potential conflicts of interest must be disclosed at the earliest opportunity, and if a conflict is found the employee in the conflict must:

1. remove themselves from any participation in the decision;
2. refrain from attempting to influence the decision, including any conversations with any of the decision makers, or any other person who may influence the decision.

A conflict of interest for any employee may include the following:

- to sit as a member of the Agency's Board of Directors unless the individual chooses to resign;
- to run/sit as a member of a Band Council, Town Council, Chief or Mayor;
- to sit on any Board or Committee in any community without the written consent of the Associate/Executive Director;
- to be involved in the screening, interviewing or hiring of any immediate family member;
- to supervise, complete performance evaluations on, authorize payment to, transfer or promote an immediate family member;
- to work in the same department as the immediate family member without the written authorization of the Associate/Executive Director, a copy of which shall be filed in both employees' personnel files;
- to have any material, direct or indirect ownership, interest, or profit participation in outside business enterprise who have or may have dealings with Tikinagan, unless such interest is disclosed to the employee's Supervisor and the appropriate Director advises in writing that the same does not constitute a conflict of interest;
- to accept any gift of material value given as a result of the employee's position with Tikinagan;
- to perform on-call duties or one-to-one relief services for any organization without prior authorization;
- to take part in any activities (voluntary or paid) where the Agency's credibility or its ability to effectively function is undermined;

- to become involved in an intimate, romantic or permanent relationship with a client, a parent or a foster parent of a client of Tikinagan;
- to foster clients of Tikinagan without the written consent of the Associate/Executive Director or the Executive Director;
- if a child of the employee is taken into care by Tikinagan due to the inability of the parent/employee to care for their child;
- in some circumstances, if a child of the employee is taken into care by another Children's Aid Society due to the inability of the parent/employee to care for their child;
- if the employee is involved in an investigation resulting in an open protection file.

Potential Conflict

It is a potential conflict of interest for an employee to be engaged in off-duty conduct or events identified in Policy 2.11 (Off-Duty Conduct and Events). Where that Policy applies, the circumstances should be reviewed with the employee's Supervisor to determine the proper course of action to be taken.

Procedure for Addressing Acting While In A Conflict of Interest

Whenever possible, all discussions and investigations of a conflict of interest or a potential conflict of interest will be treated as confidential and the following procedure set out below should be followed:

1. The HR Manager, Supervisor and/or Investigator is responsible for discussing and/or investigating the conflict with the employee as soon as they are aware of the issue. The HR Manager, Supervisor and/or the investigator will document these discussions.
2. The HR Manager, Supervisor/Investigator is responsible for notifying the Directors of any conflict of interest.
3. If the Director determines that no actual or perceived conflict of interest exists, the employee will be notified in writing.
4. If it is concluded that a conflict or breach does exist, the Director or designate will invoke the following disciplinary measures:
 - advise the employee to relinquish any involvement or right to the activity determined to be in conflict of interest or to stop the questionable conduct;
 - advise the employee to transfer the involvement or right to a neutral third party;
 - ask the employee to make public, in a written document and in any other appropriate manner deemed necessary, the actual or perceived conflict of interest so that further harm is avoided;
 - suspend the employee temporarily from the actual or perceived conflict of interest situation;
 - accept the employee's resignation, or begin disciplinary proceedings.

Responding to Reports of Child Protection Concerns Involving Tikinagan Employees

It is the policy of Tikinagan to respond to all reports of child protection concerns in accordance with Tikinagan Intake and Family Service policies and service standards. Where these child protection concerns involve Tikinagan employees, it is Tikinagan's policy to ensure the quality of

the child protection response is not compromised and that all child protection standards are met.

It is Tikinagan policy to ensure that the rights of employees are maintained, the Agency's human resource policies are adhered to, and employees are supported throughout the investigation process.

It is Tikinagan policy to ensure that all child protection investigations concerning Tikinagan employees are conducted with full confidentiality and in a timely manner.

Where child protection concerns involve Tikinagan employees, Tikinagan is responsible:

- To conduct the investigation according to the policies and procedures in the Intake and Family Services manual;
- To treat the employee fairly and with dignity and respect at all times, adhering to Human Rights legislation and Tikinagan Human Resources policies;
- To ensure that the investigation is conducted in a timely manner and that all information is kept confidential; and
- To keep Chief and Council informed according to the Tikinagan policy.

Intake

1. All child protection concerns that are received regarding an employee will be forwarded to the Intake worker. The Intake worker will document the information according to the intake policies and procedure used for all referrals. The referral will be passed to the Intake Supervisor to review the information.
2. The Intake Supervisor will advise their Service Manager who will in turn advise the Director of Services that a referral has been received and they will determine whether a child protection investigation is required.
3. If a child protection investigation is required, the Director of Services will advise the Human Resources Manager immediately after receiving the referral.
4. Intake will block access to the employee information on the database and advise the Information Systems Supervisor that they have done so.

Initial Case Review and Case Assignment

1. The Service Manager and the Intake Supervisor (or designate) may determine the investigation plan and case assignment with consultation of the Director of Services.

The following factors will be taken into consideration:

- i. To develop a plan as to how the investigation will be conducted;
 - ii. To determine case assignment;
 - iii. To ensure that the matter will be dealt with in a confidential manner;
 - iv. To determine what the employee's employment status will be during the investigations; and
 - v. To determine how the employee will be advised.
2. The employee will be informed verbally or in writing about the pending investigation. The Supervisor/designate is responsible to advise the employee, with or without the assistance of the Human Resources Supervisor or Manager, about their employment status during

the investigation. Sufficient details of the child protection allegations will be disclosed to the employee during the investigation.

Employment Status During the Investigation

Depending on the nature of the child protection concerns, the employee may be placed on desk duties without any contact with children, or the ***employee may be suspended with or without pay for the duration of the investigation.*** If the allegations were not verified, and the employee had used their vacation time or accumulated CTO during the suspension, then this time will be reimbursed back to the employee.

The Investigation

1. The Director of Services will determine who will conduct the investigation, and assign that person.
2. Given the sensitive nature of these situations, it is important to complete the investigation within 10 days, and, in exceptional circumstances, up to a maximum of thirty (30) days, in order that all the necessary decisions can be made as quickly as possible.
3. The investigation shall be conducted in a way that ensures full confidentiality of the investigation.
4. The investigating Intake Supervisor will report to their Service Manager. Their Service Manager will consult with their Director of Services throughout the investigation.
5. The investigating Intake Supervisor is responsible for making decisions about the safety of the child in the home, the verification of protection allegations and the level of risk to the child in that home.
6. If there are outstanding safety, protection or risk issues, the Family Services protection file will remain open until these issues are resolved.

Outcome

1. A case review meeting may be convened following the completion of the investigation prior to a final decision. The case conference will be chaired by the Service Manager. Within five (5) days of completion of the investigation, the investigating Intake Supervisor, Service Manager and Director of Services will convene a Case Conference to discuss and make decisions in the following areas:
 - i. To determine whether the protection allegations are verified or unsubstantiated and as to whether there are outstanding child protection or risk issues;
 - ii. To determine whether the case file will be closed following completion of the investigation or whether it will be transferred to ongoing Family Services;
 - iii. To make decisions about the worker and Unit to which the case will be assigned if it is to remain open as an ongoing Family Services case;
 - iv. To make decisions or to review any decisions made about placement of any child into care;
 - v. To decide how the employee will be notified of the results of the investigation;

- vi. To make decisions as to communication of the above decisions to the Chief and Council involved.
2. The case review discussion and decisions must be documented in writing.
3. If the investigation has been completed by an agency other than Tikinagan, the employee shall provide consent to the other agency for Tikinagan to have access to the investigation report.
4. The Investigator will provide notice to the Human Resources Manager of the results of the investigation.
5. The Associate/Executive Director will advise the employee, in writing, of their employment status based upon the outcome of the investigation.
6. Tikinagan has an Employee Assistance Plan that is available to provide confidential counselling and support to an employee to address their own healing and treatment issues. The requirements are described in Tikinagan's Finance and Personnel Policy and Procedures (Please refer to Section 3.14).

2.7 Seniority

Seniority shall mean continuous service with Tikinagan from the most recent date of hire as a permanent full-time employee. Part-time employees will accrue seniority on a pro-rated basis.

Employees will have no seniority rights during their probationary period. After successful completion of their probationary period, the commencement of an employee's seniority shall coincide with the most recent date of hire and shall include the probationary period.

An employee will lose their seniority when the employee leaves the employ of Tikinagan.

Casual employees do not accumulate seniority. If a casual or term contract employee is subsequently hired as a permanent full-time or permanent part-time employee, they begin to accumulate seniority on the date of hire as a permanent employee.

Seniority shall continue to accrue while an employee is:

- actively at work,
- on vacation or on public holiday,
- on sick leave, for so long as employment continues,
- on bereavement leave,
- on an authorized short term leave of absence (see Policy 3.5 – Leave of Absence without Pay)
- on pregnancy or parental leave in accordance with the provisions of the *Employment Standards Act, 2000*.
- on suspension, with or without pay

An employee shall be entitled to retain seniority earned but shall not accrue seniority when the employee is:

- on an authorized long term leave of absence (see Policy 3.5 – Leave of Absence without Pay)
- on an approved education leave (see Policy 3.12 – Education Leave)
- on a lay-off (see Policy 1.25 – Lay-Offs)

An employee shall lose seniority when:

- the employee leaves employment with Tikinagan for any reason.

2.8 Staff Conduct

Employees of Tikinagan are required to present a positive image to their co-workers, the clients and the communities the Agency serves.

All employees should be familiar with Tikinagan's statement of principles and philosophical framework, and agree to support these values. Employees providing services to families and children are expected to carry out all personal contacts with clients and members of the public in a clearly professional manner. These contacts must be characterized by sensitivity, courtesy and appropriate concern for the recipient(s) of service. An employee's behaviour should never detract from their professional role, or negatively impact the reputation of Tikinagan.

All employees will be sensitive to and respectful of cultural, racial, language and religious differences at all times. Employees will promote Indigenous cultural practices and traditional teachings. Employees will encourage the use of the first languages of the Indigenous people we serve and employees will communicate in the Indigenous languages whenever possible and appropriate. As described in the Agency's Values statement, employees will support children and families to develop spiritual strength through spiritual practices that reflect their chosen belief systems. Employees will not at any time promote or work to advance their own spiritual practices or religious beliefs in their work with children, families or communities.

All employees must be without prejudice in providing services and responding to the needs of children, families and other individuals requesting or requiring assistance. A breach of ethical conduct may constitute just cause and may result in immediate termination.

Code of Conduct

An employee must abide by the following Code of Conduct:

1. An employee must conduct themselves in a professional, courteous and appropriate manner, while on or off duty, including conduct on social media.
2. An employee must perform all duties in ways that are consistent with the Agency's philosophy, goals and values.
3. An employee must perform assigned duties and/or travel requirements in an efficient, thorough and timely manner.
4. An employee must disclose any conduct or information which comes to their attention which will significantly affect the performance of their duties or the integrity of the Agency.
5. An employee must respect the laws and standards of the First Nation communities.
6. An employee must maintain confidential all information received by the employee in the course of their employment.
7. An employee must take care of equipment and vehicles and ensure their office and work area are kept neat, tidy and secure.
8. An employee must adhere to the Dress Code.
9. An employee must abide by the policies and procedures of Tikinagan contained in this Manual, as amended from time to time, and all other policies and procedures of Tikinagan.
10. An employee shall not misuse sick time.
11. An employee shall be free from any impairment from alcohol or drugs of any kind, and

shall not consume any alcohol or inebriating drugs of any kind, while on duty. Further, an employee shall not use any alcohol or inebriating drugs of any kind to a degree, and in a manner, while off duty which negatively impacts the reputation of Tikinagan.

12. An employee must not transport alcohol, drugs or any other controlled substances while on duty.
13. An employee must not accompany an individual into any First Nation Community for the purpose of transporting alcohol, drugs or any other controlled substances.
14. An employee must refrain from use of personal cell phones, personal computers or other personal electronic devices during working hours. Any use of personal cell phones, personal computers or other personal electronic devices for work related purposes must be approved by an employee's Supervisor. All computer, email, social media and internet use must comply with Tikinagan's Policy 2.29 – Acceptable Computer, Email, Social Media and Internet Use.

Dress Code

Employees will dress in a manner appropriate to their duties, the work-setting and to situations as they arise, keeping in mind that they represent Tikinagan.

When attending court, conferences, meetings, etc., business attire is required to be worn.

Clothing may reflect individual tastes, sensibilities and personal expression as long as a reasonable standard of neatness, hygiene and modesty are maintained and overall general appearance is neat and tidy.

Please use the following list as a guideline for clothing that would not be acceptable attire:

Muscle shirts, uncovered tank tops with small straps, low-cut blouses, transparent clothing, old and faded T-Shirts, gym pants (only acceptable for traveling), clothing or jewelry with inappropriate slogans or advertising inappropriate products such as alcohol and drugs; immodest shorts or skirts or any skin exposure of the midriff area.

Safe footwear must be worn at all times.

It is the responsibility of the Supervisor to address any dress code infractions. On-going non-compliance may result in disciplinary measures.

2.9 Alcohol and Non-prescribed Drugs While “on Duty”

Tikinagan employees are prohibited from being under the influence of, transporting, or using alcohol, non-prescribed drugs or any other controlled substance while on duty. A violation of this policy may be grounds for immediate dismissal.

Definition

For the purposes of this Policy only, being “on duty” includes:

- working during office hours or during any other scheduled hours of work such as overtime, on-call and relief;
- travelling to and from and working in communities;
- paid time spent travelling on Tikinagan business;
- all time spent driving a Tikinagan’s vehicle;
- working with or escorting clients;
- all time spent at staff training, workshops, conferences, board meetings or any other occasion where an employee’s attendance is required.

It is grounds for immediate dismissal when an employee takes or sends alcohol or drugs into a First Nation community or into any of the Tikinagan’s premises (this includes Agency-Operated Homes or any of the Agency’s offices or workplaces).

When an employee transports parcels for others it is that employee’s responsibility to ensure they are not transporting alcohol, non-prescribed drugs or any other controlled substance. If the employee’s luggage is checked at the airport and any illegal substances are found, the employee will be immediately dismissed. Any employee who has knowledge of such an incident must report it to their Supervisor immediately.

2.10 Off-Duty Conduct and Events

Due to the mandate and the nature of the services provided by Tikinagan, the following off-duty conduct will be deemed to negatively affect the Agency's reputation and its ability to carry out its mandate. Accordingly, the following off-duty conduct will preclude an applicant from being considered for employment or service and may prevent a current employee from continuing in active employment, unless and until the same is disclosed to and considered by Tikinagan:

- Inappropriate behavior in public places;
- use of non-prescribed drugs or other conduct that violates Policy 1.9 - Drug Testing;
- the inability of an employee to care for their child which results in the child of the employee being taken into care by a Children's Aid Society;
- the employee becomes involved in an intimate, romantic or permanent relationship with a client, a parent or a foster parent of a client of Tikinagan;
- the employee suffers from a mental, physical or emotional disability or illness, including alcohol or other addictions, that could compromise the employee's ability to perform their job duties;
- the employee's personal circumstances compromise the employee's ability to perform their job duties;
- any off-duty conduct or events that negatively affect the Agency's reputation and/or its ability to carry out its mandate, including inappropriate comments/pictures etc. on social media, on other internet applications or in any public place.

When any of the above-mentioned conduct or events occurs regarding an employee, Tikinagan must consider each situation on its merits to determine the effect, if any, the same will have on the employment or continued active employment of the employee. Where an employee is involved in any of the above-noted conduct or events, the employee will, unless otherwise advised, be suspended with or without pay by the Associate/Executive Director pending a determination of the continued suitability for employment by Tikinagan. Where appropriate, the Disciplinary Procedure set out in Policy 1.23 shall be followed. In determining whether the conduct or event warrants discipline or continue to employ a person or to use the person's services, Tikinagan will consider the particular circumstances of each case, including:

- the nature of the off-duty conduct or event;
- the length of time since the off-duty conduct or event occurred;
- the position applied for or the position held by the employee;
- any other relevant considerations.

Any decision to hire, use the services of, continue to employ or continue to use the services of a person who has been involved in the types of off-duty conduct or events listed above must be approved in writing by the Director.

Failure to disclose the happening of any of the above-noted off-duty conduct or events immediately upon the happening of any the same during the course of employment may result in discipline up to and including dismissal.

No employee may report to work after any of the above-noted off-duty conduct or events until authorized to do so by the workers' Supervisor, Manager or Director.

The Human Resources Department will be notified by the employee's Manager or Director of the authorization to return to work and have the necessary documentation for the employee's personnel file.

2.11 Outside Employment and Other Activity

Off Duty Activities

It is the policy of Tikinagan to allow employees to be employed at another job or engage in self-employment or volunteer activities provided your immediate Supervisor, Manager or Director of Services is advised in writing when such activities have the potential of affecting the employee's work performance or may constitute a conflict of interest. A copy of this letter must be submitted to the Human Resources Department.

The other job, self-employment or volunteer activity cannot take place during working hours.

Where an employee accepts a nomination and campaigns in an election, the employee will immediately request an Authorized Leave of Absence, without pay, or to utilize any accrued vacation or CTO leave, until the day of election. If the employee is successful in an election then the employee will resign from Tikinagan.

All pre-election related activities must be done while the employee is on leave and must not be conducted using any of Tikinagan's equipment or office space.

When an employee has been requested to provide services for another organization during Tikinagan's regularly scheduled hours of work, and where the same has been authorized in writing by Tikinagan, which authorization shall be in the Associate/Executive Director's complete discretion, the following will apply:

- When an employee is paid for their services outside of Tikinagan, they are entitled to keep any monies paid providing they are on approved time off such as vacation or Compensating Time Off (CTO).
- The employee must follow the regular procedure to gain approval for a leave. Tikinagan will not be responsible for any expenses such as travel, meals, accommodation, etc.

Community Events and Activities During Working Hours

First Nations regard their local Tikinagan office as a part of the community. To foster this connection and retain and improve a collaborative working relationship, involvement in important community events is expected.

Many events can be connected to the services that Tikinagan provides for children and families. For instance, a community feast, Christmas gathering, or summer festival involve the participation of parents and their children. These can be used as opportunities to promote healthy family lifestyles, promote awareness about Tikinagan's services, and building connections with other local service providers.

Some Examples:

- Have a booth to promote Tikinagan and its services, or an open house at the Tikinagan office
- Activities for children: face painting, teddy bear picnic, games, etc.
- Activities for parents (i.e. parenting support group or workshop)
- Tea and Bannock for the Elders, include children for cross generational interaction
- Co-ordinate land based activities for children in care, or families

For some events, it may not be necessary to have a Tikinagan specific activity but just general participation in the event e.g. Community Clean Up days, help with the cooking or serving at a community feast.

Funerals: As a part of the community, there may be times that participation in a funeral service would be expected of Tikinagan staff. Tikinagan can help families through this difficult time by providing assistance to the family directly or in meal preparation for a funeral gathering. There are lots of supportive roles that can be provided. The Agency may recognize first year memorial events.

For all the above, our service cannot be abandoned. Staff participation should be appropriate to the nature of the event – sometimes a few staff members, sometimes most of the staff, sometimes for portions of the event, or for the full event. However, at a minimum our community based office should remain open with someone answering the phone to notify staff of any urgent matters that might arise. Also staff need to be actively participating and assisting with the event while absent from the office for these events. These are not to be treated as paid days off – staff have to be helping or participating in the event.

Guidelines for consideration include but are not limited to:

- Ensure Managers are informed of the event well in advance.
- Managers together with their Supervisors can decide on which events Tikinagan should become involved in and which staff to include. Coverage to operate the office must be arranged.
- In making decisions about which staff to include, it is important to consider any urgent work that needs to be addressed.
- Managers together with their Supervisors decide on how Tikinagan staff will assist and participate in the event. It is not to be used for a paid day off to spend at home – staff must be assigned a role and/or attend.

It is important that Tikinagan continue to be seen as a strong and active resource in the community – a part of the First Nations we serve.

2.12 Attendance

Tikinagan will require all employees to report for work on time. If the employee is going to be late or absent then the employee must inform their immediate Supervisor of this at the earliest opportunity.

Absence from Work

An employee must inform their immediate Supervisor or designate by communicating their whereabouts and the reason for being absent from work at the earliest opportunity, and in any event prior to the start of their shift.

Throughout the employee's absence, they must speak directly to their immediate Supervisor each day regarding their absence.

If an employee cannot contact their Supervisor directly, the employee must leave a voice mail message at the office for their immediate Supervisor with a contact number where the employee can be reached. In the absence of voice mail, a message may be left with the Manager and/or Human Resources Department.

An employee may contact their Supervisor at home if this has been previously approved. The employee may contact their Supervisor via text if the cell number has been provided for such purposes, or by email.

Maintenance of good attendance is a condition of employment.

Failure to comply will result in disciplinary actions as per Policy 1.23 – Disciplinary and Corrective Measures.

2.13 Hours of Work

Depending on an employee's position and job requirements, hours of work at Tikinagan may vary, and change. Employees must be available to work flexible hours, which may include hours outside the normal hours or days of work, when the employee's position and the needs of Tikinagan require it. Tikinagan reserves the right to change the Employee's hours of work and days of work.

Every employee has a standard number of hours of work and will record the actual number of hours worked.

The provisions below are subject to the terms of individual contracts of employment, which may have different provisions, in which case the terms of the individual contracts will govern.

Hours of Work

a) **Senior Management/Managers**

The Associate/Executive Director, Director of Finance and Administration, Directors of Service, Assistant Directors, Assistant/Managers, Finance Controller and the Executive Assistant are not subject to the hours of work provisions and may work flexible hours when required.

b) **Administrative Employees**

Administrative Supervisors, training coordinators and administrative full-time employees work seven (7) hours per day, thirty-five (35) hours per week, for a total of seventy (70) hours in a two (2) week period. Hours shall be worked during the applicable office hours.

c) **Residential Counsellors/Case Aide Workers**

These employees may work 12-hour shifts.

d) **Front-Line Employees**

Front-line Supervisors and full-time front-line workers will work seventy (70) hours in a two (2) week period. These employees often work outside of office hours with approval from their Supervisor and may be required to work flexible hours throughout the week. Hours and days of work will vary in accordance with the operational needs of the Agency. The Agency reserves the right to require these employees to work during regular office hours when necessary, without the payment of callback pay.

e) **Part-time Employees**

The hours of work will be addressed on a case-by-case basis for part-time employees.

f) **Casual Employees**

Casual employees may work up to a maximum of forty-eight (48) hours in a week. Casual employees are not guaranteed the same or any minimum number of hours of work each week. Casual Relief Workers can only work six (6) days consecutively providing they do not exceed forty-eight (48) hours in a week.

Call-Back

Tikinagan is entitled to call an employee back to work outside the employee's scheduled hours of work when necessary. This shall not apply to Casual employees. Supervisor authorization will be required other than in an emergency situation. Employees called back will be guaranteed a minimum of three (3) hours pay when called back to the office.

Maximum Number of Days and Hours of Work

SECTION 2: WORKING CONDITIONS AND EMPLOYMENT STANDARDS

An employee shall have a period of at least eleven (11) consecutive hours free from work each day, other than where the *Employment Standards Act, 2000* does not require the same.

All employees shall take a minimum of two (2) days off during a two (2) week period.

An employee's maximum number days and hours of work shall be in accordance with the provisions of the *Employment Standards Act, 2000*, or as it may be amended.

Paid Breaks

Every employee is entitled to one-hour unpaid lunch hour per day if the employee works a seven (7) hour day.

Every employee is entitled to two (2) paid breaks of fifteen (15) minutes each if the employee works a seven (7) hour day. When an employee works a half-day, the employee is entitled to one (1) paid break of fifteen (15) minutes.

Employees cannot accumulate unused breaks, nor can they use break time to leave early, arrive late or to extend any other break.

HOURS OF WORK (based on a two (2) week pay period)

POSITION	REGULAR HOURS OF WORK	FLEXIBLE HOURS REQUIRED
Front-line Assistant Supervisors Front-line Supervisors Front-line Workers Trainers	70	Yes
Administrative Employees Administrative Supervisors Information Resource Workers Training Supervisors/Assistants	70	No
Associate/Executive Director Director of Finance & Administration Directors of Services Executive Assistant Managers	Unlimited	Yes
Case Aide Workers Residential Counsellors	12-hour shifts	No

Note: Tikinagan's employees may not work more than ninety-six (96) hours total in a two (2) week period. All employees, with the exception of Directors/Managers and Supervisors, require approval to work overtime hours.

2.14 Overtime and Compensating Time Off (CTO)

Employees may be required to work in excess of the Employee's normal hours of work. Tikinagan compensates eligible employees for working overtime with time off in lieu of payment of overtime by allowing employees to accumulate Compensating Time Off (CTO) when they are authorized to work overtime.

Permanent full-time employees are eligible to accumulate CTO. Permanent part-time employees may be entitled to accumulate CTO as determined on a case-by-case basis. Full-time term contract employees will only be permitted to work overtime if the employee's employment contract specifically permits the same.

The Associate/Executive Director, Assistant/Directors, Assistant/Managers and the Executive Assistant are expected to work overtime as required without accumulating CTO, however they are entitled to two (2) Management Days [fourteen (14) hours] off per month. Management Days must be used in the month they are earned, except where approved otherwise.

Other Employees who are not eligible to accumulate CTO are Casual, Prevention Co-ordinators and term/contract employees and After Hours employees. These employees may work overtime and will be paid out at a rate of 1.5 times the employee's regular rate for hours worked in excess of 44 hours per week.

Prior Authorization Before working Overtime is Required

Employees must receive prior authorization from a Supervisor, Manager or a Director prior to working overtime. Authorization may be obtained using an Overtime Request Authorization Form.

Accumulation, Use and Pay Out of CTO

Employees are encouraged to use CTO as soon as possible after it is earned, and in any event, no later than March 31st in each year.

Tikinagan may pay out all accumulated CTO at regular intervals, as long as funds are available and unless an employee has obtained written approval to use CTO prior to the payout date.

CTO will be paid out for special projects when employees are assigned to work at these events in addition to their regular duties.

Rate at which CTO is earned for Working Authorized Overtime

Eligible employees who have received prior authorization to work overtime will accumulate CTO for working authorized overtime.

Eligible employees, other than employees whose hours are averaged over a stipulated number of weeks, will be entitled to CTO earned at straight time rate for the first eight (8) hours worked on any regular work day. Work in excess of eight (8) hours on any day other than a regular work day or work on statutory holidays will be considered overtime and employees will be credited with CTO earned at a rate of one and one-half (1.5) CTO hours for each overtime hour worked.

Employees whose hours are averaged over a stipulated number of weeks will be entitled to CTO earned at a rate of one and one-half (1.5) CTO hours for each additional hour worked over the employee's scheduled daily hours of work and for each hour in excess of the average number of hours per week provided for in the Employee's averaging agreement.

Where additional hours worked are hours that exceed the employee's scheduled daily hours of

work and cause the employee's average weekly hours to exceed the average number of hours per week provided for in the Employee's averaging agreement, CTO hours will only be credited once for the same hour of work.

The provisions below are subject to the terms of individual contracts of employment, which may have different provisions, in which case the terms of the individual contracts will govern.

CTO Accumulation Limits

It is the responsibility of the Supervisor, Manager or Director authorizing the overtime to ensure that by working the overtime the employee does not exceed the applicable maximum allowable CTO accumulation limit set out below. Failure by a Supervisor, Manager or a Director to properly monitor the accumulation of CTO may be grounds for disciplinary action. It is the responsibility of the Supervisor to monitor accumulated CTO so that an employee does not accumulate in excess of seventy (70) CTO hours.

a) **General Accumulation Limit**

Unless otherwise stated in this Policy, CTO of over seventy (70) hours may only be accumulated by employees with specific authorization from the appropriate Supervisor.

b) **All Supervisors**

Supervisors will be entitled to accumulate a maximum of fourteen (14) CTO hours (at straight time) in lieu of any additional hours worked over seventy (70) hours/pay period. Only actual hours worked [hour for hour – up to fourteen (14) hours] can be accumulated for CTO at any one time.

c) **Residential Counsellors**

CTO of over seventy (70) hours may only be accumulated by Residential Counsellors with specific authorization from the appropriate Supervisor or Manager.

d) **Front-Line Employees**

A maximum of seventy (70) hours of CTO can be accumulated by front-line workers. It is the responsibility of the Supervisor to monitor accumulated CTO so that an employee does not accumulate in excess of seventy (70) CTO hours. All overtime will be reviewed monthly by the Manager.

Employees will not be compensated with CTO for time an employee chooses to spend attending Tikinagan's Board of Directors' meetings.

Use of CTO

CTO hours will be used as soon as possible after they are earned.

Employees requesting to use CTO must complete an Application for Leave Authorization Form and have it approved by their Supervisor. Where a Supervisor requests CTO, the same must be approved by the appropriate Director or Manager. If an employee takes leave without first obtaining approval, the employee will be considered AWOL and the employee will be subject to discipline up to and including dismissal for just cause.

Payout of CTO

Tikinagan may pay employees for any of their accumulated CTO in excess of their maximum at any time. In addition, Tikinagan may pay out all accumulated CTO at the end of a fiscal year.

SECTION 2: WORKING CONDITIONS AND EMPLOYMENT STANDARDS

Employees will be advised of the payout dates and must have completed an Application for Leave Authorization Form and obtained approval to use CTO at least two weeks in advance of the payout date, failing which all accumulated CTO will be paid out.

2.15 Recording Hours of Work

Tikinagan requires all employees to record actual daily hours worked, authorized overtime and call-back hours worked on a Time Management Report (time sheet) which shall be submitted to the employee's Supervisor at the end of each pay period.

Each pay period ends on Friday at 4:30 p.m. If an employee is called back to work after having submitted their Time Management Report for the week, the employee will add the additional hours to the next weeks' Time Management Report.

Regular salary staff must submit their timesheets by 12:00 noon on Thursday at the end of each pay period.

When CTO hours are used, the number of hours taken off shall be recorded on the Time Management Report.

Supervisors will verify the hours recorded on each Time Management Report before authorizing the same with their signature. Payroll Clerks will not calculate monthly balances; this is the responsibility of the Unit Supervisor to ensure accuracy of timesheets prior to submitting to Payroll.

When an employee fails to submit timesheets by the deadline, Payroll will issue the employee's pay cheque on the next scheduled pay day.

2.16 Training and Development

Tikinagan will establish a workable and practical program of internal training and development to acquire the necessary skills to perform their job duties.

Mandatory Training

Mandatory training will be conducted during regular work hours whenever possible. Employees will attend as requested.

Request for Training

Employees may request specific job-related training to improve or develop their skills by filling out a Training Request Form and submitting it to their Supervisor for approval. The Supervisor will forward an approved request to the Training Unit.

All applications received are brought to the Training Unit for processing. Using the selection criteria, the Training Unit Manager and/or Director decides which Agency staff will attend upcoming training sessions. The Training Unit informs each employee about the decision regarding a request for training in a memo with a copy forwarded to the employees Supervisor.

Any employee who chooses not to complete a training program shall complete a Withdrawal from Training Form and deliver it to the Training Unit.

When an employee fails to attend or complete a paid workshop, seminar, conference or course, without legitimate reasons, disciplinary action could result.

The Training Supervisor will ensure that copies of certificates, diplomas, degrees, etc., are given to the Human Resources Department for inclusion in the employee's personnel file.

2.17 Performance Appraisal

A Performance Appraisal may be completed prior to a new employee completing three (3) months of work, prior to the twelve (12) month anniversary date of being hired, and every twelve (12) months thereafter. When work performance is unsatisfactory at the time of any performance appraisal, an additional appraisal must take place within three (3) months of the unsatisfactory performance appraisal.

A performance appraisal shall not be conducted by an immediate family member of the employee whose performance is being reviewed.

At any time during the course of employment at Tikinagan an employee may be required to, and/or may request to, participate in a performance appraisal.

The purpose of a performance appraisal is to:

- express appreciation for a job well done;
- identify areas for improvement, where training is required and identify areas where Tikinagan can assist the employee;
- monitor work performance;
- provide the employee and the Supervisor with an opportunity to review and update the job description;
- determine the employee's interest in their present position;
- discuss goals and how they might be achieved.

In the event of an unsatisfactory performance appraisal the Supervisor can recommend that a salary increase be withheld until performance improves. A detailed Performance Improvement Plan must accompany the performance appraisal identifying all—unsatisfactory issues with timelines when items must be completed.

Supervisors' Responsibilities

1. A Supervisor is required to co-ordinate and complete a performance appraisal, including the completion of a written performance appraisal for each of the employees supervised in order to ensure employees receive on-going feedback about their work performance. Failure of the Supervisor to do so may result in disciplinary action.
2. Performance appraisals should be signed by the employee, the Supervisor, and the Manager/ Director.
3. Where necessary, the Supervisor must address and document any issues related to work performance and any behaviour issues as they occur.
4. Performance appraisals may be required more frequently when there are performance issues.

Employees' Rights and Responsibilities

1. Employees have the option of completing a self appraisal at the time of any performance appraisal.
2. Employees have the right to add their comments to the performance appraisal and to request a photocopy of the signed Form.
3. Employees are required to sign the performance appraisal once it has been completed,

regardless of whether they agree with it or not. An employee's signature simply acknowledges that they have read the comments and that work performance has been discussed with the employee.

4. If an employee does not agree with the performance appraisal, the employee has the right to respond in writing within five (5) days outlining the reasons for the disagreement. In this case, the employee's comments will be attached to the performance appraisal document.

When the Performance Appraisal is signed, it will be given to the appropriate Manager.

Performance appraisals will be placed in employees' personnel files. An employee and Supervisor have access to past performance appraisals.

2.18 Harassment

Tikinagan recognizes that every employee has a right to a work environment free from harassment. Tikinagan will not tolerate any form of harassment within the Agency. The Agency will make every reasonable effort to ensure no employee is subject to harassment. Harassment will be grounds for disciplinary measures up to and including dismissal.

It is not possible to describe each and every type of conduct which may constitute harassment. Harassment is generally behaviour which is excessive and/or persistent and is offensive, unwelcome, intimidating, humiliating or malicious. What constitutes harassment will need to be judged on a case-by-case basis. For example, requiring employees to perform the duties of their positions, or conform with the expected standards of workplace conduct, is not harassment.

The Agency will endeavour to recognize the unique nature of different situations and will be guided by the principles of fairness, due process, and respect for all individuals involved.

Summary of the Process to be followed in dealing with a Harassment Complaint

An explanation of each of the following steps is set out in this Policy and should be reviewed in its entirety for further particulars and time limits:

1. The Human Resources Department shall be advised of any harassment complaint immediately. The complaint should be discussed with the Supervisor/Manager/Director or the other employee to attempt to resolve the matter informally.
2. Supervisors shall report all complaints to the Human Resources Department, when received, whether or not a written complaint is filed. If the complaint is not resolved informally the Human Resources Department will forward it to the Director of Finance and Administration.
3. The Director of Finance & Administration or designate will first determine if the alleged conduct is capable of constituting harassment. If not, the complaint will be dismissed at that stage. If so, an investigation will be conducted, and a decision rendered.

Definitions:

“Work Environment” and “workplace” includes:

- offices and buildings of Tikinagan, including any location where the Agency business/service is being conducted;
- any land, premises, location or thing at, upon, in or near which a worker works;
- work-related environments include the locations of meetings, conferences, workshops or while traveling;
- a work environment includes any place outside the workplace where conduct might have repercussions in the work environment thereby potentially affecting working relationships.

Harassment

a) Work-related and Workplace Harassment

Work-related conduct may be considered harassment if it:

- threatens continued employment or opportunities for training, advancement or other employment benefit;

- negatively affects work performance;
- undermines personal dignity.

Workplace harassment means:

- engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

b) Personal Harassment

Personal harassment may include:

- abusive language;
- unwelcome and derogatory remarks about a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offenses, marital status, family status, sexual orientation, or handicap;
- threats made against an employee;
- a display of racist, derogatory or offensive pictures or material;
- refusal to work with an individual because of some personal characteristic, such as ethnic background.

c) Sexual Harassment

Sexual harassment is a form of misconduct that is coercive and one-sided. It is any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation to an employee or that might be perceived as placing a condition of a sexual nature on employment, and/or an opportunity for training or promotion.

The Ontario *Human Rights Code* provides that "every person who is an employee has a right to freedom from harassment because of sex by their employer or agent of the employer or by another employee". An employee may seek redress under the Ontario *Human Rights Code* in the event of sexual harassment.

Sexual harassment includes but is not limited to:

- demands for sexual favours, accompanied by implied overt promises of preferential treatment, or threats concerning an individual's employment status;
- subtle and overt pressure for sexual activity;
- unwanted touching;
- suggestive remarks, jokes or other verbal abuse;
- offensive material on display;
- conduct, comment, gesture or contact of a sexual nature:
 - that is likely to cause offence or humiliation to any employee; or
 - that 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.

d) Abuse of Authority

Abuse of Authority is a form of harassment and misconduct in which a Supervisor or person in authority, without justification uses the authority of their position to undermine, sabotage, or otherwise interfere with, or influence the career of another. This includes:

- intimidation, threats, blackmail and coercion;

- unfair distribution of work assignments or training opportunities;
- misuse of the performance appraisal review process;
- favouritism of one employee to the disadvantage of another.

RIGHTS AND RESPONSIBILITIES

a) Agency Responsibilities:

1. Make every reasonable effort to ensure that no employee is subjected to any form of harassment, including sexual harassment, in the workplace.
2. Ensure that information and instruction on the contents of Tikinagan's Harassment Policy is provided to employees;
3. Make every reasonable effort to ensure that an employee who has the authority to prevent or discourage harassment and fails to take action is disciplined.
4. Make every reasonable effort to ensure that all complaints are investigated.
5. Ensure that disciplinary measures are imposed against employees who subject another to harassment.
6. Inform the Board of Directors of severe harassment complaints and investigations, providing only the details and particulars required in the circumstances.

b) Supervisors' Responsibilities:

1. Make every reasonable effort to ensure that no employee is subjected to any form of harassment, including sexual harassment, in the workplace.
2. Ensure that all complaints are investigated and resolved. If the issue cannot be resolved at the Supervisory level, in consultation with the Manager/Director or with the Human Resources Department, the Director of Finance & Administration or the Associate/Executive Director will be requested to assist. Supervisors are required to report all complaints.
3. Impose disciplinary measures against any employee who subjects another to harassment.
4. Ensure that both the victim and the employee accused of alleged harassment are protected from retaliation as a result of the investigation.
5. Ensure that the name of the complainant and the circumstances related to the complaint remain confidential, other than where disclosure is necessary to investigate the complaint or impose discipline where necessary.
6. Inform the Human Resources Department of all complaints and investigations. The Human Resources Department shall inform the Director of Finance & Administration and the Associate/Executive Director of all complaints and investigations.

c) Alleged Victim's Rights and Responsibilities:

1. Make known, if possible, their disapproval or objection to the person accused of alleged harassment immediately;
2. Discuss harassment concerns with a Supervisor/Manager/Director or the Human Resources Department.

3. File a formal written complaint to the Supervisor/Manager/Director, in accordance with this procedure, if all other measures to resolve the situation fail;
4. Co-operate with all those responsible for dealing with the investigation of the complaint;
5. Obtain a review of their complaint without fear of embarrassment or reprisal;
6. Be represented and accompanied by a person of the individuals choice during the interviews related to the complaint;
7. Be assured that their written complaint or comments, related to the fact that the employee has lodged a complaint, be excluded from their individual personnel file;
8. Be kept informed throughout the process.

d) Person Against Whom a Complaint of Harassment has been Lodged Rights and Responsibilities

1. To be informed immediately that a complaint has been made and the nature of the complaint.
2. To be afforded the opportunity to respond to the allegation(s), in writing, and through the investigative interview process;
3. To be represented and accompanied by a person of the individuals choice during the interviews related to the complaint;
4. To receive fair treatment in an environment free of harassment and discrimination;
5. Co-operate with all those responsible for dealing with the investigation of the complaint; and
6. To be kept informed throughout the process.

e) Responsibilities of Employees who Believe There is or may be Harassment in the Workplace

Employees who believe that a co-worker is being subjected to harassment must report this belief to their Supervisor. The Supervisor/Manager/Director after consulting with the Human Resources Department will then meet with the individual who is believed to be the subject of harassment and proceed with the harassment procedures.

Procedure for Dealing with Workplace Harassment

Note: All employees are encouraged to report any incidents of workplace harassment immediately. They may report these to their immediate Supervisor, or if the Supervisor is the alleged harasser, directly to the Human Resources Department, or any Manager/ Director.

Step 1: Informal Resolution

Any individual who believes they are being subjected to any form of workplace harassment is encouraged to attempt to resolve the situation informally before lodging a formal complaint, if they are comfortable doing so. This may include:

1. Approaching the individual, personally or in writing, informing them that the behaviour is unwelcome, and must not continue.
2. Consulting with their immediate Supervisor if approaching the individual is inappropriate

or intimidating; in the event the Supervisor is the alleged harasser, the employee should consult with the Human Resources Department or a Manager/Director.

If possible, written documentation of the incident(s) and the attempted resolution process should be kept by the individual alleging the harassment, and in any event the Human Resources Department should be advised of the complaint.. All documentation and discussions will remain confidential whenever possible.

Step 2: Formal Harassment Complaint Process

If the attempted resolution is not satisfactory, or the behaviour continues, a written formal complaint may be lodged by setting out the complaint in a letter. This should be done as soon as it becomes apparent that the matter cannot be resolved informally and must be done within 1 week of the incident(s) complained of occurring, if possible. Where a written complaint is not filed within one (1) week of the incident(s) complained of occurring, the employee is required, whenever possible, to make a verbal report within that one (1) week period to the Human Resources Department. The written complaint or a summary of the complaint by the employee's Supervisor/Manager/Director will be forwarded it to the Human Resources Department. The Human Resources Department will forward it to the Director of Finance & Administration who will investigate, or cause to be investigated, the harassment complaint. The names of the people involved and all information obtained during the investigation will be held in strict confidence whenever possible.

Throughout the course of the investigation, and until a decision is released by the Supervisor, the employment of the complainant, any individual interviewed in the course of the investigation and the person against whom the complaint has been made, will not be adversely affected by reason of invoking of this policy. However, during the investigation it may be necessary to review the work location of the person accused of the alleged harassment pending completion of the investigation. This action is not disciplinary in nature and will not adversely affect the employment of the individual. It is for the protection of the person against whom the complaint is made, the complainant, any other witnesses relevant to the investigation, and the integrity of the process.

The employee or any other person involved is encouraged to ask for the assistance of the Human Resources Supervisor at any time.

Review by Director of Finance & Administration or the Assoc/Executive Director

Upon receipt of a complaint, the Director of Finance & Administration or their designate will conduct an investigation as follows:

1. Advise both parties that the allegations are being investigated.
2. Interview both parties.
3. Interview witnesses.
4. If, as a result of the investigation, there is clear and factual evidence of harassment, appropriate disciplinary measures will be taken up to and including dismissal and/or removal from the individual's position within the Agency. Where dismissal may be warranted the matter shall be referred to the Assoc/Executive Director for a final decision. Documentation regarding the harassment will be filed in that employee's personnel file.
5. If, as a result of the investigation, there is no conclusive evidence to support the complaint, no documentation will be recorded in the alleged harasser's file and no disciplinary

measures will proceed.

6. If as a result of the investigation, there is clear and factual evidence that the complaint was not substantiated and evidence is accumulated which suggests that the allegations were not honestly made, or were made with malicious intent, disciplinary measures will be taken against the complainant up to and including dismissal and/or removal from the complainant's position within the Agency.

The findings and reasons for the decision shall be documented. The Director of Finance & Administration or their designate shall inform the complainant, and the person accused if they are an employee of Tikinagan, in writing of the results of the investigation and of any corrective action taken, or that will be taken as a result of the investigation.

If a Supervisor has a complaint regarding a Manager/Director that has not or cannot be resolved informally, the Supervisor shall set out the complaint in writing in a letter and deliver it to the Director of Finance & Administration or to the Associate/Executive Director for review.

Any complaints against the Associate/Executive Director can be forwarded to the Director of Finance and Administration who will then consult with the Board Chair.

2.19 Internal Employee Complaints Review Process

Tikinagan's Internal Complaints Review Process may be used by currently employed employees to communicate issues and resolve problems arising in the workplace.

Tikinagan's Internal Clients Complaints Review Process, Policy 2.22, is to be used to deal with complaints from outside the Agency, including client and service-related complaints, and complies with the requirements of section 18 of the *Child, Youth and Family Services Act, 2017*.

Summary of the Process to be followed in dealing with an Internal Complaint

An explanation of each of the following steps is set out in this Policy and should be reviewed in its entirety for further particulars and time limits:

1. The complaint should be discussed with Supervisor/Manager/Director or other employee to attempt to resolve the matter informally. Supervisors shall advise the Human Resources Department of all complaints received whether or not a written complaint is filed.
2. If the complaint is not resolved informally and the employee wants to pursue the matter, a formal written complaint must be delivered to the employee's Supervisor who will provide the Human Resources Department with a copy. If the Supervisor/Manager/ Director or the Human Resources Department cannot resolve the matter, the Human Resources Department will forward it to the appropriate Director who will review the matter and render a decision.
3. An employee may ask for a review of the decision made by the Director of Finance & Administration. A request for this further review shall be delivered to the Human Resources Department.

Step 1: Discussion with Supervisor and/or other Employee

Employees are encouraged to discuss any complaint or concern they may have, including any complaint they have regarding discipline imposed, with their Supervisor or if a co-worker is involved, with the co-worker. Often issues can be quickly solved informally without the need to initiate the formal Internal Complaints Review Process. Supervisors should advise the Human Resources Department of all complaints received.

When the complaint is about a policy or procedure, the employee must first clarify their individual understanding of the policy or procedure with their Supervisor. If the employee is not satisfied, the employee may ask the Human Resources Department to bring the issue to senior management for discussion. The employee may ask to not be identified.

When the complaint is about discipline imposed, the employee must discuss the matter immediately with the Supervisor or person who imposed the discipline.

If the matter is not immediately resolved to the employee's satisfaction, the employee shall set out the complaint in writing and provide it to the employee's Supervisor within 3 working days of the discipline being imposed. The Supervisor/Manager/Director should provide the Human Resources Department with a copy of any complaint received. The employee's complaint will then be dealt with in accordance with the Formal Internal Complaint Process.

When the complaint concerns a co-worker, the employee should first meet with the co-worker in an attempt to find a resolution. If the problem is not resolved or if approaching the co-worker is not practical, the employee should take the complaint to his/her Supervisor and attempt to find a

resolution.

The employee or any other person involved is encouraged to ask for the assistance of the Human Resources Department prior to initiating the Formal Internal Complaint Process.

Step 2: Formal Internal Complaint Process

If the issue is not resolved after a meeting with the Supervisor who has consulted with the Human Resources Department, the employee must decide whether the employee wishes to pursue the matter by initiating the Formal Internal Complaints Review Process by setting out the complaint in writing in a letter.

Review by Director and/or Director of Finance & Administration

The written complaint shall be delivered to the employee's Supervisor who will forward it to the Human Resources Department if the matter cannot be resolved by the Supervisor in consultation with the Human Resources Department within one week of receipt of the written complaint the Human Resources Department will forward a copy of the complaint to the appropriate Director. The Director will review the complaint, discuss the matter with the Supervisor and the Human Resources Department and if necessary meet with the employee or undertake any other investigation that is necessary in the circumstances. The Director will document the findings and the reasons for the decision made. The Director shall advise the employee of the decision within 10 working days of the written complaint being delivered to the Director.

If the matter is not resolved to the employee's satisfaction, within 3 working days of receipt of the decision the employee may ask that the decision be reviewed by the Director of Finance & Administration. The Director of Finance & Administration shall advise the employee of the decision. A request for a review by the Director of Finance & Administration shall be delivered to the Human Resources Department.

If a Supervisor or a Manager/Director has a complaint regarding another Supervisor or a Manager/Director that has not or cannot be resolved informally, the Supervisor or Manager/Director shall set out the complaint in writing within 3 working days of the matter giving rise to the complaint occurring in a letter and deliver it to the Director of Finance & Administration for review.

Any complaints against the Associate/Executive Director can be forwarded to the Director of Finance and Administration who will then consult with the Board Chair.

2.20 Internal Client Complaints Review Process

The values and principles of Tikinagan emphasize the need to respect the views and concerns of our clients and to listen with an open mind and a non-judgmental attitude. Tikinagan recognizes that clients have the right to express their dissatisfaction with the services provided by, or services which are not available from, the Agency. Tikinagan also recognizes the importance of hearing these complaints. Tikinagan strives to offer the best service possible and complaints can be indicators of problems requiring change in our services or the manner in which services are delivered.

Tikinagan has established a review procedure to deal with complaints about any aspect of our service, or allegations that the rights of children in our care have been violated. The review process provides an opportunity for complaints to be brought forward and dealt with in a fair, timely and organized manner. It is also designed to put into practice Tikinagan's core values and work in the true spirit of the Mamow Obiki-ahwahsoowin service delivery model – "Everybody Working Together to Raise our Children", and also to fully comply with section 18 of the *Child, Youth and Family Services Act, 2017*.

Summary of Client Complaints Review Process

An explanation of each of the following steps is set out in this Policy and should be reviewed in its entirety for further particulars:

1. Complainants are encouraged to discuss any complaint with the employee and supervisor who are responsible for providing services in an effort to resolve concerns and complaints. Discussion with the Service Manager and Director of Services can also be arranged.
2. If the Complaint is not resolved in Step 1, the complainant has the right to request a review of the complaint. The request must be in writing and include an outline of the complaint and should be forwarded to the Director.
3. The Director will assess the written request and determine if the complaint is eligible for review by an Internal Complaints Review Panel. The complainant will be notified of this determination in writing. The determination must be made within seven (7) days of the receipt of the written complaint.
4. If the Complaint is not eligible for review by an Internal Complaints Review Panel, it may be reviewed by Management. If the complaint is eligible for review by an Internal Complaints Review Panel, the Executive Director will appoint a Panel. A mutually convenient date will be selected for the Panel to meet with the complainant within fourteen (14) days of the date of the determination of eligibility and a notice of the date and time will be provided to the Complainant. The Panel will send a written summary of the results of the meeting within fourteen (14) days of the meeting to the Complainant and to the Director.
5. In some situations, the Complainant has the option of bringing their individual concerns to the provincial Child and Family Services Review Board.

Legislation/Regulations

Tikinagan's Internal Client Complaints Review Process is intended to fulfil the requirements as set out in section 18 of the *Child, Youth and Family Services Act, 2017*.

Eligible Complainants

The Internal Client Complaints Review Process is available for complaints from:

- a) a child in care or a group of children in care;
- b) the parent of a child in care;
- c) another person representing the child in care; or
- d) a person affected by a condition or limitation imposed on visitors, or a suspension of visits.

Rights of the Complainant

To ensure the Internal Client Complaints Review Process is fair and effective, complainants will have the following rights throughout the process:

- Every complainant has the right to request to have a Tikinagan employee assist them in documenting the complaint.
- Every complainant has the right to pursue a complaint beyond the individual employee as outlined in this procedure.
- Every complainant has the right to have a friend or advisor assist or be present throughout any of the following steps.

Principles

The Internal Client Complaints Review Process will take the following principles into consideration:

1. Disagreement and dissatisfaction are normal components of any human relationship and may occur in a worker-client relationship.
2. Clients, parents, primary caregivers, foster parents, children in care and other persons representing a child have the right to air their complaints and must be informed they have the right to do so.
3. Complaints will be responded to promptly and Agency personnel should endeavor to find a resolution in a timely manner. Verbal complaints will be dealt with as quickly as possible. Written complaints will be addressed within the timelines established in this policy.
4. Complaints will be responded to as informally as possible to the extent that the issue and circumstances permit. It is recognized that cumbersome procedures may be seen by the client as an obstacle to resolution.
5. An Agency employee has the right to be informed that a complaint involving the employee has been made and, where appropriate, be given the opportunity to be part of its resolution.
6. People/employees involved in the matter should have the opportunity to participate in its resolution whenever possible.
7. Clients should be encouraged to present any concerns at an early stage. It is better to address a grievance shortly after the occurrence of an incident because up-to-date knowledge must be considered and, if necessary, a change of course may be implemented. However, no time constraints will be placed on the initiation of the Internal Client Complaints Review Process.
8. Regular Agency personnel policy applies to employees.

Internal Client Complaints Review Process

All clients will be informed of their rights and the Internal Client Complaints Review Process. Brochures about client rights and the “Internal Client Complaint Review Request Form” are available from frontline workers, and receptionists in every office, and they are also posted in the reception area of each office.

If a complaint is directly related to evidence currently before the courts, the Internal Client Complaints Review Process cannot be initiated until the court process is resolved.

The following STEPS will be followed in the Internal Client Complaints Review Process.

It is the responsibility of each employee involved in a complaint to review in detail the Internal Client Complaints Review Process including expectations, principles and the time frames involved.

VERBAL COMPLAINTS – INFORMAL PROCESS

Step 1: Discussion with the Employee and Supervisor

Complainants will be encouraged to discuss the complaint with the employee and the supervisor who is responsible for providing services. Discussion with the employee and their supervisor gives all parties a chance to look together for a solution to the complaint.

Step 2: Discussion with Service Manager and/or Director of Services

If the complainant is not satisfied with the outcome of discussions with employee and supervisor, they can contact the Service Manager, Assistant Director of Services and/or the Director of Services. Tikinagan staff have an obligation to attempt to resolve the service complaint and provide a response to the complainant in a prompt and timely manner.

Every client has the right to pursue a complaint beyond the informal process. Clients must be advised about the Internal Client Complaints Review Process, and provide the name and position of the contact person for the Formal Process. When a complainant exercises this right, the complaint must be in writing. If a child in care requests an Internal Client Complaints Review, the Agency will ensure that the child, at the child’s request, has an advocate to assist the child in the review process.

WRITTEN COMPLAINTS - FORMAL PROCESS

Step 3: Written Complaint

If the complaint is not resolved through the informal process, the complainant may pursue the matter by submitting a written request for a formal review of the complaint. The request may be made by completing an Internal Client Complaint Review Request Form or through a letter addressed to the Associate Executive Director. The complainant will be offered the assistance of an Agency employee to put the complaint in writing.

The Human Resources department will be notified of any complaints which involve staff performance. In these cases, a Human Resources staff person may be involved in the review process and the Human Resources Department will be kept informed of the complaint’s progress.

Within seven (7) days of its receipt, the written request will be reviewed by Senior Management to determine its eligibility for review by an Internal Complaints Review Panel.

If it is determined that the matter is not eligible for the appointment of an Internal Complaints

Review Panel Senior Management will advise the complainant, in writing, of the ineligibility, with a rationale for the decision provided. The written response will be sent to the client within seven (7) days of receipt of the complaint and the complainant will be advised if it will be dealt with further by Management.

If the determination is made that the complaint is eligible for review, the client will be advised in writing within seven (7) days of receipt of the complaint of this decision.

Step 4: Internal Complaints Review Panel

If the complaint is eligible, Senior Management will appoint an Internal Complaints Review Panel that will consist of:

- One member of Management
- Other Tikinagan staff as required
- One person who is external to the Tikinagan (this may be a Tikinagan Board member)
- One elder

No person selected as a member of the Internal Complaints Review Panel shall have had any direct involvement with the complaint being reviewed. Therefore, the composition of the Internal Complaints Review Panel will be determined for each complaint.

In consultation with the complainant, the Internal Complaints Review Panel will schedule a date to meet in person with the complainant. The meeting must be held within fourteen (14) days of the determination of eligibility. Whenever possible, the meeting will be held in the First Nation/community where the complainant resides.

The Panel may determine who has permission to attend the meeting, however, the client initiating the complaint has the right to have a Band Representative present when the client is a member of a First Nation. As well, the client has the right to have one other person of their choosing attend the meeting for support and advice. The Panel will document the meeting discussions and decisions made.

The Internal Complaints Review Panel will determine what other steps must be taken in evaluating the complaint including a review of file documentation, interviews with appropriate Tikinagan staff or other service providers. The steps taken will be documented and included in the decision making process of the Panel. The decision-making process for the Panel will be by consensus.

Within fourteen (14) days following the meeting, the Internal Complaints Review Panel will provide a written summary of the results of the meeting, including any agreed upon next steps, or the final resolution of the complaint to the client.

If at any point during the Internal Client Complaints Review Process the complaint is resolved to the satisfaction of the complainant, the Society shall confirm the resolution in writing to the client. The Internal Client Complaints Review Process can then be discontinued.

The decision of the Internal Complaints Review Panel is final, subject to Section 68(5) of the *Child, Youth and Family Services Act*.

Step 5: Review by the Child and Family Services Review Board or the Ministry

Review of complaints by the Child and Family Services Review Board or by the Ministry is available in some cases.

If the complainant wishes to pursue complaints to the Child and Family Services Review Board

or to the Ministry, the Agency will offer assistance to the complainant in directing the complaint.

Complainants may make a complaint about a children's aid society to the provincial Child and Family Services Review Board:

- a) upon completion of the internal client complaints review procedure if it is alleged that Tikinagan inaccurately recorded something on a client's file or record and this has not been resolved through the Tikinagan Internal Client Complaints Review Process; or
- b) at any time before, during or upon completion of the Agency's Internal Client Complaint Review Process if it is alleged that:
 - 1. Tikinagan has refused to proceed with the complaint;
 - 2. Tikinagan failed to respond to the complaint within timeframes required by regulation;
 - 3. Tikinagan failed to comply with the complaint review procedure;
 - 4. Tikinagan failed to provide a child and/or their parents with an opportunity where appropriate to be heard and represented when decisions affecting their interests are made, and to be heard when they have concerns about services they are receiving; or
 - 5. Tikinagan failed to provide reasons for a decision which affects the client's interests.

If a complaint that has been made to the Agency is submitted to the Child and Family Services Review Board or to the Ministry, the Agency may hold the complaint in abeyance pending completion of those proceedings.

Complaints Documentation

All documentation and correspondence regarding complaints will be forwarded to the Executive Assistant for central complaint records and tracking. All documentation and correspondence will also be forwarded to the appropriate staff and service file(s).

2.21 Accident/Incident Reporting

Incident

An incident is an unusual occurrence or an event that does, or could have resulted in an accident.

Accident

An accident is an unplanned event that causes harm to people or damages property.

Reporting Obligations of all Employees

Note: In accordance with section 50 of the *Occupational Health and Safety Act*, 1990, any employee reporting an Accident or Incident, or exercising any right under that Act, will not be subject to reprisal for doing so.

Every employee shall complete an Accident//Incident Report immediately after a person is involved in or witnesses an incident or accident. It shall be submitted to the employee's immediate Supervisor, if available, or to any other Supervisor when necessary. It should also be submitted to the Health and Safety Committee Chair and the Human Resources Department. If an Accident/Incident Report is not available, a written report containing all of the information set out on that Form shall be completed and submitted to their Supervisor, if available, or to any other Supervisor when necessary, as well as to the Health and Safety Committee Chair and the Human Resources Department.

When an accident causes a disabling injury to a person in the workplace, an Incident Report will be also required and shall be submitted in accordance with this Policy. A disabling injury includes injuries that:

- prevents an employee from reporting to work or performing all duties on any day after the date of injury;
- results in the loss or loss of use of a body part;
- results in the permanent impairment of a body function.

The following are examples of some of the situations in which an Accident/Incident Report must be completed:

- when any injury is sustained;
- when occupational disease is suspected or diagnosed;
- when there is any damage to property owned or occupied by or theft of Tikinagan's property;
- when the police are called by or attend at Tikinagan's premises;
- when the police are called by or on behalf of a client of Tikinagan and the matter is in any way related to Tikinagan's activities or a Tikinagan's employee;
- when someone assaults another person on Tikinagan's property or premises;
- when someone becomes abusive and or uncontrollable;
- when someone refuses to leave when asked;
- when a victim of a crime or possible crime seeks or asks for help at Tikinagan;
- when illegal activity is occurring on Tikinagan's property or premises.
- airplane incidents
- speeding/traffic violation

2.22 First Aid & First Aid Training

Tikinagan may have at least one employee in each office location certified in First Aid and CPR training. Crisis Prevention Training will be provided where appropriate and when possible.

In the event of a workplace injury or illness, a certified employee, with permission, can administer First Aid. If the injury or illness is warranted, another person present will call an ambulance. After the ill/injured person's needs have been taken care of, an Accident/Incident Report will be completed as soon as possible.

2.23 Emergency Response Plan/Fire Prevention

Tikinagan shall strive to adhere to all applicable laws and regulations pertaining to emergency preparedness, equipment and planning. Annual fire drills shall be held when and where applicable by law to ensure that all staff are knowledgeable in procedures in case of the event of an actual fire. Annual fire drills will be planned by or in cooperation with the Health & Safety Representative.

Each Tikinagan office will have a Fire Safety Action Plan in place. All offices shall post their Fire Safety Action Plan at every exit. These plans will be selected from the standardized plans for Tikinagan, but will be completed for each specific office. If none of the standardized plans apply to a specific office the Health & Safety Representative shall be notified and shall create/assist in the creation of a plan for that office that complies with the applicable laws and regulations.

All Tikinagan offices will also post evacuation plans in a visible location on each floor of every building if applicable. Evacuation plans/routes will show employees how to safely exit the building in the event of a fire. Supervisors will be familiar with the Emergency Response Plan for their unit. Safe evacuation routes will be maintained at all times (i.e. free from obstruction like paper and cardboard, no deadbolts on auto locking doors etc.).

Every Tikinagan office will have at least one (1) smoke detector on each floor or as many as required by applicable laws and regulations for that building. Smoke alarm batteries will be checked every month by the Health & Safety representative to ensure proper operation. For offices with Health and Safety representation, a Supervisor should be ensuring that smoke detectors and other emergency equipment are checked monthly and are in good working order.

In the event of a fire, staff shall follow their location specific Fire Safety Action Plan. Every plan shall include the following:

- A verbal or electronic alarm shall be sounded to notify other staff.
- The local Fire Department or equivalent shall be contacted immediately, the local phone number required to do so shall be listed on the plan.
- That all person(s) will evacuate the building by the nearest safe exit.
- The indication that there are person(s) responsible for clearing the building during an evacuation (specific person(s) do not need to be named in the plan but must be selected for each office).
- The location of the meeting place outside of the office, and an alternate indoor meeting place for instances of inclement weather
- Direction that staff are to remain in the designated meeting place or alternate meeting place until instructed otherwise by supervisors or a member of management.
- That no staff are to reenter the building or leave the meeting place until the all clear is given by a supervisor or a member of management

In the event of a fire in a Tikinagan office an Accident/Incident Report will be completed immediately and forwarded to the Associate/Executive Director who will provide a copy to the Health & Safety Representative and the Board of Directors were appropriate. Injury/illness/Near Miss Reports may also be filled out and submitted if individual staff feel that such is appropriate due to specific circumstances.

In the event of a Community evacuation, refer to policy 2.32 – Community Evacuation.

2.24 Smoke, Vape, and Scent-Free Facilities

Smoking and Vaping

Smoking or use of any vaporizing device or product is not permitted in any of Tikinagan workplaces or at the entrances and near the windows to any premises used or occupied by Tikinagan. Smoking of any kind, vaping or E-cigarettes are not permitted in any of Tikinagan vehicles.

No Tikinagan staff shall smoke or use vaporizers of any kind while in the presence of clients.

Employees should strive to maintain a smoke-free and vape -free environment while conducting Tikinagan business outside of the office.

Smoking or use of any vaporizing device or products is not permitted within a distance of thirty (30) feet or nine (9) meters from any entrance of Tikinagan.

Tikinagan will comply with the Smoke-Free Ontario Act S.O. 1994 C.10 and the Electronic Cigarettes Act 2015, S.O. 2015,c. 7, Schedule 3.

Scent-Free Workplace

Tikinagan understands that some people may suffer from allergic reactions to certain airborne scents/fragrances. These can be produced from anything in or out of the building. Tikinagan is continuously working to eliminate unnecessary scents in the workplace.

In an effort to limit exposure we are asking staff to be sensitive to allergy sufferers by not wearing any overpowering scents to or in the workplace. This will help to reduce any unnecessary stress on allergy sufferers. This specifically includes, but is not limited to the following types of products:

- Perfumes
- Colognes
- Body Mists/Sprays

This means that items with the sole purpose of adding scent/fragrance to a person are not to be worn to work. Additionally, scented hand lotions and other items that may have strong smells when initially applied, will not be allowed for use within the workplace and should not be used within thirty (30) minutes prior to entering the workplace. This will help eliminate the effect they may have on other workers/clients within the office.

People who ignore this request may be asked to go home and change. Continuing problems will be addressed and may lead to disciplinary action being taken.

Grievances:

When dealing with any issues of this nature, it is strongly encouraged that staff attempt to resolve the situation with their peers informally. This can be done by speaking to the other employee one on one or by having a meeting with the supervisor and the employee before filing a grievance.

In the case that scents/fragrances in the workplace cause an allergic reaction, an employee may request to have the situation addressed formally. The following procedure shall be followed:

1. Inform your supervisor and fill out a very detailed Injury/Illness/Near Miss Report

2. Obtain a Doctor's note explaining extent of issue/allergy/sensitivity. This is required so that Tikinagan may properly address and correct the situation to assist in preventing further reoccurrence.
3. Supply copies of the Injury/Illness/Near Miss Report and Doctor's note to your supervisor and the Human Resources Department.
4. The Supervisor will meet with all affected staff involved, as confidentially as possible, to try to solve issue. The Supervisor shall keep records of these meetings.
5. Should the problem persist, the affected staff member shall inform the Supervisor. If a scent is causing a reaction that impedes the employees' ability to complete their work, they will complete another Injury/Illness/Near Miss Report and supply copies of the report to the supervisor and Human Resources.
6. The Supervisor will then inform Human Resources of the ongoing issue and consult with Human Resources for further action to be taken.
7. A meeting will take place between all affected staff to resolve the issue. Discipline may follow if necessary.

2.25 Information Technology And Social Media Policy

Tikinagan allows access to Tikinagan computer facilities and systems for work-related purposes as authorized by the employee's immediate Supervisor and for limited personal use as permitted by and in accordance with this Policy. Tikinagan's is committed to maintaining a computing environment that is safe, secure, and free of harassment and to ensuring Tikinagan's computing facilities are used in an effective, efficient, ethical and lawful manner.

Any breach of this Policy may be grounds for discipline up to and including dismissal.

Tikinagan has formulated its computer, email and internet use policy to accomplish the following goals:

- to protect the reputation and resources of Tikinagan from irresponsible or illegal activities;
- to ensure the confidentiality, integrity, privacy, security, and reliability of the Tikinagan's computer equipment, network and information systems;
- to establish guidelines for the acceptable use of the Tikinagan's computer facilities and systems; and
- to define generally those actions which Tikinagan considers unacceptable and prohibited.

This policy applies to all users of technology at Tikinagan who access information and information technology as a part of their job activities, regardless of their physical location.

Guidelines for Acceptable Use

Computer technology and facilities: including but not limited to, any computer, hardware, software, printer, copier, scanner, server, network system, mobile device, or other communication and data processing equipment and/or technology.

Storage media: including but not limited to, USB device, magnetic tape, CD ROM, SD cards or any other storage media devices.

Social networking media ("social media"): is technology using the internet and/or mobile devices that allows for the creation and exchange of user-generated content. Social media includes, but is not limited to Facebook, KNet, Twitter, YouTube, MySpace, LinkedIn, Flickr, Foursquare, online communities and chat rooms, blogs, and wikis.

Passwords

Passwords are an important aspect of computer security. They are the front line of protection for user accounts and are a means of ensuring that the employees who use the Agency's computer facilities and systems can be reliably identified. Passwords do not preclude access by Tikinagan. A poorly chosen password may result in the compromise of Tikinagan's entire corporate network. As such, all Tikinagan employees (including contractors and vendors with access to Tikinagan's systems) are responsible for taking the appropriate steps, as outlined below to select and secure their passwords:

- Users must take reasonable actions and precautions to keep their passwords confidential.
- All employees are not to post their usernames/password on, or near any Tikinagan computer system or share their username or password with anyone.

- All staff must not leave their computers unattended without first logging off or locking their computers.
- All user passwords (e.g., email, web, desktop computer, etc.) must be changed based on IT's Password Standard.
- Passwords should not be transmitted or shared with other users or external parties e.g. not be inserted into email messages.
- Select one password for Frontline systems and one password for IT systems.
- Passwords are strictly confidential and must not be shared with anyone

Password Protection Standards

Where possible, don't use the same password for various Tikinagan access needs. For example, select one password for the Frontline systems and a separate password for IT systems.

Tikinagan passwords are not to be shared with anyone. Passwords are not to be shared with administrative assistants or secretaries. All passwords are to be treated as sensitive, Confidential Tikinagan information.

All administrator-level passwords (e.g., root, enable, domain administrator, application administration accounts, etc.) must be changed on at least a quarterly basis.

Incidents

Reporting computer incidents includes but not limited to:

- Lost, stolen or misplaced computer, accessories and or media that may contain sensitive information (i.e. USB drives, CD/DVDs or other recordable media).
- Any damage occurring to computers, including spills, regardless of the perceived amount.
- Damage caused by a third party accidental or non-accidental.
- Damage resulting from natural causes (i.e. flood, lightning, power spike etc.)
- Anything that violates the Acceptable Computer, Email, Social Media and Internet Use policy
- Anything that violates Tikinagan's Use of Social Media in Service Delivery Policy or any other Agency policy or practice

Confidentiality

All Tikinagan computer facilities and systems shall be used in a manner that is consistent with Tikinagan's confidentiality and other policies and practices.

Any electronic storage or transmission of confidential records or information shall be subject to this Policy and Tikinagan's confidentiality and other policies and shall only occur on a secure or encrypted device, other than when the use of another device is specifically permitted by another Agency policy.

Employees shall only access, use and disclose information on or through Tikinagan's computer facilities and systems that they are required to access in order to carry out their job duties or that they are otherwise authorized to access, use and disclose.

Official Correspondence

- Any official correspondence by email concerning the Agency or its clients must be saved and stored electronically.

Computer Use

- Tikinagan allows access to Tikinagan's computer facilities and systems for work-related purposes as authorized by the employee's immediate Supervisor, and for limited personal use as permitted by and in accordance with this Policy.
- Tikinagan's is committed to maintaining a computing environment that is safe, secure, and free of harassment and to ensuring Tikinagan's computing facilities are used in an effective, efficient, ethical and lawful manner.
- Any unauthorized alteration of Tikinagan's computer technology and facilities and systems is strictly prohibited.
- Any use of Tikinagan's computer facilities and systems for an unauthorized purpose or in an unauthorized manner is strictly prohibited.
- All computer facilities, devices (including mobile phones or any other electronic device), and systems as well as all materials, files, information, software, communications, and other content transmitted, received, or stored in connection with the usage of a computer facility, device, or system, is the property of Tikinagan, and not the property of the users. Users can have no expectation of privacy from Tikinagan with respect to the use of these facilities, devices or systems, and any information on them.
- Any technology or devices that have not been issued or approved by Tikinagan's IT department will not have access to the network or IT support.

Monitoring, Access and Review – No Expectation of Privacy

- Employees using Tikinagan computer facilities and systems for work or personal reasons shall have no expectation of privacy when using the computer facilities.
- Tikinagan has installed software to limit and monitor internet and email usage. Supervisors may, at any time request access to an employee's list of website visits or monitor usage of computer facilities and systems in accordance with this Policy.
- Tikinagan reserves the right to monitor, access, inspect, copy, review, and store at any time and without prior notice any and all usage, including personal usage, of the computer facilities and systems, as well as any and all materials, files, information, software, communications, and other content transmitted, received, or stored in connection with this usage.
- Tikinagan is not obliged to monitor the above content.

Tikinagan may access or use computer facilities and systems and information, including personal information, stored on its systems, including but not limited to the following purposes:

- for maintenance, repair and management;
- to meet a legal obligation to produce records;
- to ensure continuity of work processes (including when an employee leaves the Agency, is sick or is absent for any other reasons);
- to improve processes and productivity;
- for security purposes;

- to prevent, detect and investigate, misconduct; and
- to ensure compliance with the law.

Social Media

- Tikinagan's computer facilities and systems shall not be used by employees to access, post on or participate in any form of social media other than with specific authorization and approval of the employee's supervisor and in accordance with other Tikinagan social media policies or procedures.
- If a Tikinagan's employee's use of social media while off-duty breaches confidentiality or negatively affects the Agency's reputation and/or its ability to carry out its mandate, that off-duty conduct will be subject to discipline up to and including immediate termination.

Software

- Unauthorized downloading of software is prohibited. Only the IT department has the authority to install software (including screen savers) on Tikinagan's computers.
- All software and licensing agreements and copyright laws must be observed. Users must not make unauthorized copies of copyrighted software, except as permitted by law or by the owner of the copyright.
- Users must not make copies of system configuration files etc. (passwords) for their own unauthorized personal use or for other people/users for unauthorized uses.

E-mail and the Internet

- Electronic communication facilities, including email and the Internet are for authorized uses only.
- Employees using email must do so in a professional manner.
- The use of personal email (Gmail, Hotmail etc.) for conducting Tikinagan's business is prohibited.

Prohibited Use

- Tikinagan's email system or internet shall not be used for an unauthorized purpose or in an unauthorized manner.
- Use of Tikinagan's computers or systems for recreational purposes such as playing or downloading computer games or accessing chat lines is strictly prohibited and will result in disciplinary actions up to and including dismissal.
- The Tikinagan email system or internet shall not to be used for the creation or distribution of any disruptive or offensive messages, including offensive comments about race, gender, personal appearance, disabilities, age, sexual orientation, pornography, religious beliefs and practice, political beliefs, or national origin.
- The Tikinagan email system or internet shall not to be used for the creation, receipt, transmission or storage of material, that:
 - is defamatory or libelous
 - is threatening, bullying, or harassing
 - infringes copyright or trademark law

- contains derogatory comments about Tikinagan, its employees, Elders, Board Members, contractors or client
 - breaches the Confidentiality or other Policies in this Manual
 - involves illegal activities
 - promotes or is used for personal financial gain
 - is deemed inappropriate by Senior Management
- Employees who receive any emails with the above content from any Tikinagan employee should report the matter to Human Resources immediately.

Personal Use

- Using a reasonable amount of Tikinagan resources for personal emails during non-working hours is acceptable, but non-work related email shall be saved in a separate folder from work related email.
- Sending chain letters or joke emails from a Tikinagan email account is prohibited.
- Tikinagan's IT Department requires a request for approval of virus or other malware warnings and mass mailings from Tikinagan before sending.
- Incidents (as defined above) relating to the use of Tikinagan provided computer facilities and systems. (including laptops, desktops, mobile devices etc.) must be reported immediately.

General

- Users must always be mindful that they are not assured confidentiality when transmitting information. Users are responsible for taking adequate measures to ensure sensitive or confidential information used in, stored on or transmitted with Tikinagan's computers or systems is kept confidential.

Exceptions

Any request for exception to approved policies must be presented in writing to Tikinagan's IT Department. All exceptions to the policy will receive final authorization through sign-off by the Associate/Executive Director.

Enforcement

- Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Non-Compliance

Indications of any breach of the Acceptable Computer, Email, Social Media and Internet Use policy will be investigated.

Each user is responsible for complying with this Acceptable Use policy. Any non-compliance could result in short-term or permanent loss of access to the Tikinagan's computer facilities or disciplinary measures up to and including termination of employment. Serious violations could result in civil or criminal prosecution.

2.26 Mobile Device

Purpose

To allow the employees of Tikinagan to do their jobs effectively, some employees are entitled to make use of Mobile Devices for business purposes. This policy outlines guidelines for appropriate use, and other administrative issues relating to Mobile Device acquisition and reimbursement. This policy was created in order to enhance employee safety, limit corporate liability and to help manage telecommunications costs.

Definitions

A Mobile Device is any device capable of making/receiving voice or text communications. It includes, but is not limited to, flip phone, smart-lite phones, smart phones and tablets.

It is imperative that Mobile Devices owned by Tikinagan or any Mobile Device used to conduct Tikinagan business is used appropriately, responsibly and ethically. The following rules must be observed, but not limited to:

1. Employees are not to share their personal Mobile Device numbers with clients.
2. Using text messaging to discuss client information is strictly prohibited.
3. Tikinagan will not pay for any personal calls made using a privately owned Mobile Device that is also used to conduct Agency business.
4. Tikinagan will reimburse employees for business calls made on a pre-approved privately owned Mobile Device
5. No employee is to use a Agency-owned mobile device for the purpose of illegal transactions, harassment, or obscene behavior, in accordance with other exiting employee policies.
6. In order to demonstrate appropriate respect for co-workers, it is recommended that employees turn off or otherwise disable audible notifications on Mobile Devices during Agency meetings and gatherings.
7. Employees are not to make or receive business calls on a Mobile Device of any kind (including hands-free) while operating a vehicle. This includes both Agency owned and privately owned Mobile Devices, business or personal or in nature, if driving an Agency owned or leased vehicle. All vehicles must be pulled off the road and parked prior to making or accepting a call on your Mobile Device.
8. Use of an Agency owned Mobile Device while driving or use of a Mobile Device while operating an Agency owned or leased vehicle is only permitted in emergency situations, namely to report an accident, to call for assistance in the event of vehicle trouble, or if you or another person are in imminent danger.
9. If an Agency owned Mobile Device is damaged, lost or stolen, it must be reported immediately to the IT department.
10. If an Agency owned Mobile Device or related equipment is damaged, lost, or stolen through the negligence of the authorized user, that individual will be responsible for reimbursing Tikinagan for all repair or replacement costs.
11. Privately owned Mobile Devices are not to be connected to the Tikinagan data network (wifi or otherwise).

12. Privately owned Mobile Devices are not to contain Tikinagan data (i.e. email, identifiable client information).
13. If an authorized cell phone user does not return an Agency owned Mobile Device when requested, the employee may face disciplinary consequences, and/or may be required to reimburse Tikinagan for the amount of the Mobile Device.

Non-Compliance

Violations of this policy will be treated like other allegations of wrongdoing at Tikinagan. Allegations of misconduct will be adjudicated according to established procedures. Sanctions for non-compliance may include, but are not limited to, one or more of the following:

1. Disciplinary action according to applicable Tikinagan policies
2. Termination of employment
3. Legal action according to applicable laws and contractual agreements.

2.27 Accessibility for Ontarians with Disabilities Act, 2005

Tikinagan is committed to implementing and requiring its staff to adhere to the standards and policies required by the *Accessibility for Ontarians with Disabilities Act, 2005* (“AODA”) and Regulations.

Tikinagan’s Accessibility for Ontarians with Disabilities policies are available for review in the Human Resources Department or on the shared drive.

2.28 Workplace Violence

Tikinagan is committed to providing a violence free work environment and will take all reasonable steps to prevent violence and protect employees from workplace violence. Tikinagan will not tolerate any form of workplace violence by anyone, including employees, clients, Board members, contractors or members of the public.

Anyone who experiences, witnesses or suspects violence in the workplace is required to report it immediately. All employees have the right to refuse or stop work when an employee has reason to believe that workplace violence is likely to endanger the employee.

All complaints or reports of workplace violence will be promptly responded to.

Workplace violence by employees will be grounds for disciplinary measures, up to and including dismissal.

Definitions:

“Workplace Violence” means:

- a) the exercise of physical force by a person against an employee, in a workplace, that causes or could cause physical injury to the employee,
- b) an attempt to exercise physical force against an employee, in a workplace, that could cause physical injury to the employee, or
- c) a statement or behaviour that it is reasonable for a employee to interpret as a threat to exercise physical force against the employee, in a workplace, that could cause physical injury to the employee.

When used in this Policy, “workplace violence” includes and refers to threats of workplace violence.

“Workplace” includes:

- a) offices and buildings of Tikinagan, including any location where the Agency business/service is being conducted;
- b) any land, premises, location or thing at, upon, in or near which an employee works; and
- c) work-related environments include the locations of meetings, conferences, workshops or while traveling.

Confidentiality:

Tikinagan will handle all reports of or concerns relating to workplace violence in as confidential a manner as possible. The Director of Finance and Administration in consultation with the Human Resources Manager, with a view to maintaining the confidentiality of reports and investigations of workplace violence, shall determine what information, if any, will be shared with the person reporting the workplace violence, the individual whose conduct is the subject of the investigation, the Joint Health and Safety Committee and/or other workplace parties.

Where workplace risks are identified through workplace violence reports or complaints, those risks will be reported to the Joint Health and Safety Committee in a generic fashion that respects the confidentiality of the parties, wherever possible.

All individuals contacted with respect to a report of workplace violence or during any workplace violence investigation shall keep the fact that they were contacted as well as all information and all matters discussed confidential.

Any employee found to breach of this obligation of confidentiality will be subject to discipline up to and including dismissal for cause.

RESPONSIBILITIES:

It is everyone's responsibility to refrain from, prevent, and immediately report incidents of workplace violence. All individuals are expected to co-operate when workplace violence reports are being considered or investigated, if and when called upon to do so.

a) Agency Responsibilities:

1. To post this Policy in the workplace.
2. To assess and re-assess the risks of workplace violence that may arise at Tikinagan's workplaces as often as required and at least annually.
3. To identify and implement procedures to prevent and respond to risks of workplace violence as often as required and at least annually.
4. To take every precaution reasonable in the circumstances for the protection of employees where Tikinagan is aware that domestic violence that would likely expose an employee to physical injury may occur in the workplace.
5. To respond to complaints, reports or concerns relating to workplace violence as quickly as possible.
6. To ensure that every suspicion, report or complaint of workplace violence is addressed and where appropriate, investigated in an expeditious manner.
7. To provide employees with information and instruction, as required, with respect to workplace violence and the risks of workplace violence.
8. To identify and act immediately on any threats or acts of reprisal.

b) Employees Responsibilities:

1. To understand what constitutes workplace violence and to comply with this Policy.
2. To refrain from engaging in any behaviour that would constitute workplace violence, including refraining from threats of violence.
3. To report all workplace violence incidents immediately.
4. To co-operate and assist in any investigations regarding workplace violence allegations.

PROCEDURE:

STEP 1: Immediate Action - Move to a place of Safety and Seek Assistance

Where an employee is the subject of or witness to an incident of workplace violence, the employee should assess the situation and respond appropriately as follows:

1. if possible, immediately move to a place of safety and then summon assistance;
2. if the situation warrants immediate notification of the police, it should be done directly by the employee affected, any employee who witnesses the incident or a supervisor;
3. report the alleged workplace violence to the appropriate supervisor or to the Human Resources Manager; and

4. keep notes of the conduct or comment(s), including what occurred, the date, time and location and the names of any witnesses.

If any employee is injured as a result of workplace violence, the first priority shall be to ensure that the employee receives immediate and appropriate assistance and medical treatment if required.

STEP 2: Reporting Process and Interim Measures

Where an employee is the subject of or witness to an incident of workplace violence, the employee is required to report it immediately and shall seek the assistance of their immediate supervisor or the Human Resources Manager. All complaints and reports of workplace violence received by a supervisor must be reported to the Human Resources Manager.

The person to whom the incident of workplace violence is reported shall record the details and determine if any immediate action or interim measures are required. Where deemed appropriate, an employee may be placed on leave with or without pay and any individual may be banned from the workplace pending consideration of the matter and/or completion of an investigation.

If a person is injured because of an incident of workplace violence, the injury shall be reported in accordance with the reporting provisions under the *Occupational Health and Safety Act*. Such reports will be dealt with as confidentially as possible.

All reports of workplace violence shall, whenever possible, be in writing and signed by the person making the report and should include the following details:

- a description of the incident(s) of the alleged workplace violence;
- the name of the people involved;
- who was present;
- when the incident(s) occurred;
- where the incident(s) occurred;
- whether the person reporting the workplace violence took any steps to stop the conduct from occurring or continuing;
- any other relevant information.

If the Human Resources Manager is alleged to be the cause of or involved in workplace violence, the alleged workplace violence should be reported to the Director of Finance and Administration or his designate who shall record details of the report or complaint or of the observed or suspected workplace violence and determine the appropriate process to be followed in investigating the matter.

If a Director is alleged to be the cause of or involved in workplace violence, the alleged workplace violence should be reported to the Human Resources Manager who shall record details of the report or complaint and then contact the Associate/Executive Director.

If the Associate/Executive Director is alleged to be the cause of or involved in workplace violence, the alleged workplace violence should be reported to the Human Resources Manager who shall record details of the report or complaint and then contact the Chair of the Board of Directors.

STEP 3: Informal Resolution Process

Depending on the nature and severity of the incident of workplace violence that is reported, the Human Resources Manager (or where the matter relates to the Human Resources Manager –the

Director of Finance and Administration) may provide guidance and advice and/or arrange for parties to meet to initiate problem resolution, or the Human Resources Manager may seek assistance or direction from other members of senior management or from external sources.

If a report of workplace violence is withdrawn or resolved during the informal resolution process, the details of the incident reported and the resolution reached shall be recorded and retained.

If a report of workplace violence is not resolved through the Informal Resolution Process the Human Resources Manager (or where the matter relates to the Human Resources Manager, the Director of Finance and Administration) shall promptly consider all relevant information and shall:

- determine if the allegation of workplace violence can be dealt with without an investigation, in which case the Human Resources department shall report directly to the Director of Finance and Administration; or
- if a formal investigation is required, determine:
 - whether an external investigator is required;
 - who shall investigate the matter; and
 - ensure that the individual whose conduct is in question is provided with a written summary of the allegations made in the report of workplace violence.

Where an investigation is conducted, the results of the investigation shall be reported to the Director of Finance and Administration.

If the report of workplace violence is substantiated, the Director of Finance and Administration in consultation with the Human Resources Manager shall determine the appropriate disciplinary or remedial response.

The complainant and the individual alleged to be responsible for the workplace violence will be advised of the outcome of any investigation, without disclosing any personal or confidential information.

STEP 4: Decision on Remedial and/or Disciplinary Action

The Director of Finance and Administration in consultation with the Human Resources Manager (or where the report or complaint involves the Assoc/Executive Director, the Board of Directors) shall determine the remedial and/or disciplinary action to be taken, if any.

Vexatious, Retaliatory, Malicious, or False Reports or Complaints

Any complaints or reports of workplace violence that are found to have been vexatious, retaliatory, malicious, false, made in an attempt to deliberately discredit another employee or made without any reasonable basis for a belief that there was workplace violence will be dealt with by the Director of Finance and Administration in consultation with the Human Resources Manager. Disciplinary action up to and including dismissal or other appropriate responses may result.

2.29 Community Evacuation Procedures

IF EVACUATION WARNING IS ISSUED:

1. Manager and Supervisor will need to ensure that someone has been assigned to be the main contact person during the evacuation warning/evacuation, and provide contact information.
2. Supervisor/Tikinagan Contact Person will gather information from MNR & local authorities and notify Manager of possibility of evacuation.
3. Manager to notify other management regarding the evacuation warning.
4. The Tikinagan Contact Person will ensure that community member in charge of evacuation is aware to direct any questions to them during the course of the evacuation.
5. Service Manager to obtain a current list of all foster children placed within the community from Residential Care Unit, and the names of their foster parents.
6. Service Manager to provide the placement list to other Supervisors/Service Managers/DOS to ensure list of children in care placed within the community is up to date and accurate.
7. Expectations are that the Foster Parents take foster children with them when evacuated.
8. Direct Services Supervisor to prepare a list of all staff and high risk family files potentially being evacuated and where they might be staying if evacuated.
9. **If there is time**, gather any original service file documents which have not already been forwarded to the main office for filing and fax or email to main office. If evacuated, laptops should be left in the Tikinagan office and the office locked up properly.

IF EVACUATED:

1. Service Manager to notify/update other Managers/DOS of Evacuation.
2. Direct Services Supervisors and Service Managers are to ensure that all Child Care Workers are notified to complete a Serious Occurrence report(s) for each CHILD IN CARE being evacuated.
3. Tikinagan Contact person to review and update placement list of children in care, Worker's locations, and high risk family files regularly regarding which community they have been evacuated to, and provided to Tikinagan On Call, Direct Services Supervisor, Service Managers and DOS.
4. DOS to inform other Agencies that our community has been evacuated to their jurisdiction. The other agency will continue to provide On Call services to their jurisdiction.
5. Workers are to support the foster parents when evacuated by ensuring that PO's for diapers and formula are provided, etc.
6. Only in exceptional circumstances may foster children be moved out of the Foster Parent's care during the evacuation, and it must be reviewed by Service Manager, and inform the Branch Office Supervisor and Appointed person in charge of evacuation.
7. Meals and lodging are provided by MNR during the evacuation, and only in exceptional circumstances approved by Service Manager/DOS will alternate plans be made. (ie. Foster parent with many Foster children in their care, Foster child with special needs, etc.)

8. Any workers being evacuated need to make plans with their Supervisor regarding their work time during evacuation. Workers will have two options:
 - They will need to be available for light duties (ie. Check on families and children, or other duties as assigned) and check in with Supervisor daily
 - Request for CTO or Vacation time. **You must work or be available to work during this time to get paid.**
9. Direct Services Supervisor or designate will arrange for staff person(s) to visit foster parents & children in care evacuated on a daily basis.

2.30 Whistleblower Policy

Tikinagan is committed to the highest ethical standards and living up to the true spirit of Mamow Obiki-ahwahsoowin, “Everyone Working Together to Raise Our Children”.

We do this by conducting our business with integrity and by complying with all applicable laws, rules, and regulations. We also follow the aboriginal values and principles of our Mamow-Obiki-ahwahsoowin Service Model. In line with this commitment, Tikinagan provides an avenue for employees to raise any concerns they may have about the subjects covered by this policy and to be assured that in making allegations they will be protected from reprisal or victimization for raising their concerns in good faith.

Reportable Activity

This policy covers instances where an employee has evidence of, or reasonably suspects a "Reportable Activity" by any Tikinagan employee or retained consultant that to his/her knowledge constitutes:

Reportable activities do not include issues that can be handled through other established processes or existing procedures in the Finance and Personnel Policy Manual (for example As contained in the Harassment Policy, which has its own specific reporting and investigation processes).

Policy

The purpose of this policy is to ensure the highest standards of conduct and ethics of all agency staff. It is intended to encourage and enable employees and others to raise serious concerns internally so the agency can address and correct inappropriate conduct and actions. It is the responsibility of all Tikinagan employees to report concerns about violations or suspected violations of law or regulations that govern the agency's operations.

It is the Policy of Tikinagan to ensure that when an employee has reasonable grounds to believe that another employee has committed or is about to commit a financial or other reportable activity, as defined by this Policy.

1. The employee is able to disclose this information through a clearly defined process
2. The matter will be reviewed, and if warranted investigated
3. The employee reporting information will be protected from reprisal
4. The subject of the disclosure will be provided an opportunity to respond to the allegations
5. All parties to the investigation will be treated fairly
6. Confidentiality will be maintained to the greatest extent possible
7. If wrongdoing is found, appropriate remedial and disciplinary actions will be taken

This Policy only addresses matters for which there are no established reporting mechanisms in place.

Reporting Procedure

Employees should first discuss their concern with their immediate supervisor. If after speaking with his or her supervisor, the individual continues to have reasonable grounds to believe the concern is valid, or if the individual is uncomfortable speaking with his or her supervisor, or the

supervisor is the subject of the concern, the individual should report the concern to the Executive Director using a Whistleblower Form.

Completed forms should be sent by email or regular mail. A Complainant may remain anonymous. (Note: if the Complainant wishes to remain anonymous, they should not email the Form from their Tikinagan account). However, in order to allow for a better investigation, the complainant should consider identifying themselves by giving their name and contact information. Whether contact information is provided or not, the substance of the complaint will be treated with the utmost confidence and not discussed with others except to the minimum extent necessary to conduct a complete and fair investigation.

In completing the form, the Complainant should give as much information as possible on the subject matter of the complaint so that the information is sufficient to enable a full investigation. Such information should include details as to where and when the incident(s) occurred, the names and titles of the individuals involved and as much other relevant detail as the reporting individual can provide.

The Whistle Blower Form includes the following:

- a) Name of the complainant (optional)
- b) Description of the activity
- c) Date the complainant became aware of the activity
- d) Name of the individual(s) suspected of the activity
- e) Steps taken, if any, prior to making the complaint or allegation

Where it is alleged that the Executive Director has committed a reportable activity the Whistleblower Form should be placed in a sealed envelope addressed to the Board Chair, marked "Confidential Report" and given to the Executive Assistant. The Board Chair may consult with other Directors of the Board on how to manage the investigation, which may include retaining a third party to conduct the investigation and involving legal counsel.

Response/Investigation

In keeping with the agency's policy of maintaining the highest standards of conduct and ethics, the agency will investigate complaints of suspected fraudulent or dishonest use or misuse of its resources.

All relevant matters, including suspected but unproven matters, will be promptly reviewed and analyzed, with documentation of the receipt, retention, investigation and treatment of the complaint. Appropriate corrective action; will be taken if necessary, and findings may be communicated to the complainant, if appropriate. Investigations may be conducted by independent persons such as auditors.

The Director of Finance and Administration is responsible for investigating and resolving most types of reports made under this Policy, unless the activity reported involves the Director of Finance and Administration, in which case the Executive Director will assume these responsibilities. If the allegations involve both the Director of Finance and Administration and the Executive Director, the Board Chair will assume these responsibilities.

The investigation will depend on the nature of the Reportable Activity and may involve internal interviews, review of financial or other records, financial auditing, and seeking input from external experts. In all cases, the person who is alleged to have committed the infraction will be made aware of the complaint at an appropriate point during the investigation which does not

interfere with proper investigation of the matter. All actions in receiving and investigating the report shall endeavor to protect the confidentiality of all persons entitled to this protection.

Reporting/Records

The Director of Finance and Administration will advise the Executive Director of complaints received and provide the summary results of investigations. The Board Chair will be informed of all reports where reportable activities are confirmed, including action taken to address the situation. In the case of a report of a member of Senior Management committing a reportable offence, the full Board will be informed in an in-camera session at the next Board Meeting.

Reports will be retained of Reportable Activity and any resulting investigations for a period of not less than seven (7) years in a file accessible only by the Executive Director and Director of Finance and Administration.

Confidentiality

Whistleblower reports and the identity of the employee making the report will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

No Retaliation

This policy is intended to encourage and enable employees to raise concerns within the agency for investigation and appropriate action. With this goal in mind, no employee who in good faith reports a concern shall be subject to retaliation or adverse employment consequences.

If an employee retaliates against someone who has reported a concern in good faith they will be subject to discipline up to and including termination. Improper disclosure will also be viewed as employee misconduct and will be met with appropriate disciplinary action up to and including termination of employment for cause, where warranted.

2.31 Disconnecting From Work

Purpose

Tikinagan understands that work-related pressure and the inability to disconnect from the job can lead to stress and deterioration of mental health and overall well-being. The Agency also understands that, due to the nature of the work performed, its employees must also be available to deal with work related issues when necessary. The Agency strives to ensure this balance is maintained in a way which respects its employees need to disconnect, as well as meets its clients' needs to receive the critical services they rely on the Agency to perform, when they need them.

This policy has been established to support employee wellness, minimize sources of stress to the extent possible, and clarify the Agency's expectations regarding disconnecting from their work outside their regularly scheduled hours.

This policy does not alter any other provision of the *Personnel Policies and Procedures Manual* (see below).

This policy applies to *all* employees.

Definition

Disconnecting from work means not engaging on work-related communications, including emails, telephone calls, video calls, or sending or reviewing other messages---essentially to be free from the performance of work.

Unless *operationally necessary*, employees may disconnect from work by:

- stopping performing their job duties and work-related tasks while off work
- not taking work home with them to complete it outside of regular working hours;
- not responding to work-related communication while off work, on break, or during any paid or unpaid time off; and
- using all of their scheduled breaks and time off entitlements for non-work related activities

Operationally necessary means an unforeseen and potentially critical situation, and that other reasonable alternatives have been considered given the particular circumstances. **Example: Tikinagan may call you in to work in the event someone is unable to work their shift.**

Employees must also be respectful of *others'* right to disconnect, and should not expect their co-workers to respond, communicate, or complete work when not working unless it is *operationally necessary*.

The Policy Manual

The Agency follows the provisions of the Policy Manual, and further ensures that all terms and conditions of employment for all Agency employees, is in full compliance with the Act.

Summaries of some relevant provisions of the Policy Manual include:

Section 1.35---Employees must provide the Agency with their emergency contact information, which is treated as confidential, and will be used only for business purposes.

Section 2.14---The Agency is entitled to call an employee back to work outside their normal hours of work *when necessary*. If actually called back to work, employees will receive a

minimum of three (3) hours call back pay. Where the employees answers a call etc., but is not actually called back to work, the time actually spent dealing with the work issue is working time and will be compensated under the Overtime/Compensating Time Off (CTO) provisions of the Policy Manual.

Section 2.15---The Agency is entitled to require employees to work in excess of their normal hours of work (Overtime). This must be pre-authorized, except in emergency situations where pre-authorization is not possible, and normally compensated for by CTO. Individuals occupying management positions (Sr. Management, Managers, Assistant Managers) are not eligible to receive Overtime pay or CTO, and receive management days. Case Aides, Casual, and Term/Contract employees are not eligible to receive CTO, and receive Overtime pay.

For further detailed information regarding the administration of the above Sections please refer to the Policy Manual, or contact the Human Resources Department.