**Victim Services Of Hastings, Prince Edward, Lennox & Addington Counties**

**Personnel Manual**

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**Table of Contents**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 1.0 | **Introduction** | | | 3 | |
| 2.0 | **Philosophy** | | | 4 | |
| 3.0 | **Organizational Chart** | | | 5 | |
| 4.0 | **Job Descriptions** | | | 6 | |
| 5.0 | **Employment of Personnel**  5.1 Recruitment  5.2 Selection  5.3 Criminal records Checks  5.4 Hiring  5.5 Employment Supports  5.6 new staff member Orientation  5.7 probationary period  5.8 personnel files  5.9 performance appraisals | | | 6  6  6  6  6  7  7  8  8  8 | |
| 6.0 | **Staff supervision** | | | 9 | |
|  | 6.1 | Basic Principles | | 9 | |
|  | 6.2 | Functions | | 9 | |
|  | 6.3 | Actions | | 10 | |
|  | 6.4 | Key Practices | | 11 | |
| 7.0 | **Salary Guidelines** | | | 11 | |
|  | 7.1 | Salary Range | | 11 | |
|  | 7.3 | Continuing Education | | 11 | |
| 8.0 | **Leave and Vacation Time** | | | 11 | |
|  | 8.1 | Annual Vacation | | 11 | |
|  | 8.2 | Pregnancy/Parental/Adoption Leave | | 12 | |
|  | 8.3 | Sick Leave | | 12 | |
|  | 8.4 | Family Medical Leave | | 12 | |
|  | 8.5 | Compassionate Leave | | 12 | |
|  | 8.6 | Statutory Holidays | | 13 | |
| 9.0 | **Expenses** | | | 13 | |
|  | 9.1 | Travel Expense Guidelines | | 13 | |
|  | 9.2 | Other Expenses | | 13 | |
| 10.0 | **Conflict of Interest** | | | 14 | |
| 11.0 | **Code of Confidentiality** | | | 14 | |
| 12.0 | **Privacy Policy** | | | 14 | |
|  | 12.1 | Definition of Personal Information | | 15 | |
|  | 12.3 | Protecting Personal Information | | 15 | |
|  | 12.4 | Accessing your Personal Information | | 15 | |
|  | 12.5 | For Additional Information | | 16 | |
| 13.0 | **Electronic Messaging** | | | 16 | |
|  | 13.1 | Definition | | 16 | |
|  | 13.2 | Electronic Media | | 16 | |
|  | 13.3 | Appropriate/Inappropriate Use | | 17 | |
|  | 13.4 | Restricted Use | | 18 | |
|  | 13.5 | Responsibilities | | 18 | |
| 14.0 | **Resignations** | | | 18 | |
| 15.0 | **Dispute Resolution Process** | | | 18 | |
| 16.0 | **Harassment and Discrimination Policy** | | | 19 | |
|  | 16.1 | Definitions | | 19 | |
|  | 16.2 | Agency Position on Harassment and Discrimination | | 29 | |
|  | 16.3 | Reporting Process | | 20 | |
|  | 16.4 | Evidence Gathering Process | | 20 | |
|  | 16.5 | Allegation Process | | 20 | |
|  | 16.6 | Further Review | | 21 | |
| 17.0 | **Disciplinary Procedures**  17.1 Resignation/termination/serverance  17.2 resignation  17.3 misconduct or unsatisfactory performance  17.4 termination (with cause)  17.5 termination (with out cause)  17.6 severance  17.7 exit interview | | | 22  22  22  23  23  23  24  24 | |
| 18.0 | **Hours of Work** | | | 25 | |
|  | 18.1 | Workweek | | 25 | |
|  | 18.2 | Overtime | | 25 | |
| 19.0 | **Employee Code of Conduct**  19.1 Workplace dress code  19.2 Enforcement | | | 25  26  26 | |
| 20.0 | **Personnel –Human Resources BOD** | | | 27 | |
|  | 20.1 | Terms of Reference | | 27 | |
|  | 20.2 | Goals | | 27 | |
|  | 20.3 | Composition | | 27 | |
|  |  | | |  | |
| **Appendix** | | | | 28 | |
| A. | Employee Orientation Acknowledgement Form | | 29 | |
| B. | Date of hire letter | | 30 | |
| C. | Supervisor Notes | | 31 | |

**1.0 Introduction**

This Personnel Manual outlines the Policy and Procedures governing the staff of Victim Services of Hastings, Prince Edward, Lennox & Addington Counties, (HPEL&A) and is intended to act as a reference for staff and Board members, as well as for any co-op student or work placement personnel. Volunteers assisting in the office fall under the jurisdiction of the volunteer program, and should refer to the Volunteer Policies and Procedures Manual for more information.

Victim Services of HPEL&A is a not-for-profit agency that provides immediate crisis intervention, emotional support and community referrals to victims of crime and or tragic circumstance in co-operation with police and other emergency service providers within the region of HPEL&A. As an agency that supports a vulnerable segment of our community, it is essential that Policies and Procedures are followed to ensure that client re-victimization does not occur, and that our agency maintains a professional image within the region of HPEL&A.

Policy and Procedures cannot be drafted to cover every possible situation that could arise. The absence of specific direction to cover a given situation does not obviate the need to exercise good judgement and common sense at all times. Should additional questions or concerns arise, please feel encouraged to address them with the Executive Director.

**Mission Statement**

Victim Services, Hastings, Prince Edward and Lennox & Addington Counties offers 24 hour a day, 7 day a week short term crisis support, practical assistance, information and referral program to victims of crime, tragic circumstance and disaster.

Our Mandate

Victim Services provides immediate crisis response, intervention and prevention services, which are responsive to the needs of individuals, families and communities affected by crime and sudden tragedies. Specialized service delivery to domestic violence, sexual assault & stalking.

**2.0 Philosophy**

The fundamental personnel philosophy of Victim Services of HPEL&A is to recruit, develop and maintain well-qualified staff that will be effective in achieving the aims and objectives of the organization.

In order to achieve this aim, it is necessary to create a climate, which will foster compatible working relationships and encourage initiative, sensitivity and integrity. These objectives can be attained through a sound personnel policy, which embodies the following elements:

a) Assure equitable treatment of staff members, regardless of age, race, colour, gender, sexual

orientation, creed, nationality, marital status or disability.

b) Provide fair compensation to staff members, taking into consideration qualifications,

experience, responsibilities, performance and comparative salary and benefits.

c) Assurance of the opportunity (when vacancies occur) for promotion and re- assignment

within the Agency for all staff members based on qualifications and assessed performance.

d) Keep staff informed on matters affecting them, their assignments and the organization in

general.

e) Provide periods of rest and recreation by granting personal vacations and statutory

holidays with pay.

f) Provide a procedure whereby employees may be assured that perceived injustices, ill

treatment or unfair practices may be re-addressed.

g) Provide pleasant facilities and safe working conditions.

h) Respecting the privacy of employees by not needlessly divulging personal information.

i) Compliance with all Provincial and Federal employment related Acts.

**3.0 Organizational Chart**

Board of Directors

Executive Director

Office Manager Sr. Victim Service Worker

Team Leaders & Volunteers Victim Services Worker

Students

**4.0 Job Descriptions**

The agency maintains job descriptions for all agency positions. The job descriptions outline the position title, the key responsibilities and major tasks essential to the job, supervisory relationships and qualifications. Each staff member shall be provided with a copy of his/her job description.

**5.0 Employment of Personnel**

**5.1 Recruitment**

All job vacancies will be posted within the agency and qualified staff and volunteers are encouraged to apply. Preference will be given to those who presently have a working knowledge of the agency, if they meet all of the qualifications and have skills equivalent to all other applicants. If no suitable applicant is found from this internal posting, then external advertisements will be done.

**5.2 Selection**

The person best qualified for the position shall be selected without regard to age, race, colour, gender, sexual orientation, creed, nationality or marital status.

Determining factors in the selection and employment of an individual shall be education, training, experience and personal suitability measured against the job description of the particular vacancy.

**5.3 Criminal Record Checks**

Criminal record checks will be completed on all employment candidates.

a) During the interview process, each applicant will complete the *Disclosure of Criminal*

*Record* and *Criminal History Authorization* forms.

b) Successful candidates for employment may be offered the position subject to the

completion and approval of a Criminal Record Check and Vulnerable Sector Check.

**5.4 Hiring**

The Executive Director shall be hired by the Board of Directors. Selection of all other full time staff is done by the Executive Director. Vacancies for temporary positions may be filled at the discretion of the Executive Director and/or the Board of Directors in accordance with 5.2. All contract positions upon renewal date will be posted internally at least 14 days prior to the contract completion date and all interested applicants must apply for the position through the submission of a resume as well as a face to face interview. The most suitable candidate will be chosen based on education, training, experience and personal suitability measured against the job description of the particular vacancy.

**5.5 Employment Supports**

Victim Services is committed to providing a supportive workplace environment for all employees. This includes using flexible and creative methods for accommodating any special needs that an employee might have, in a sensitive manner. If employees have any special needs that might impact their comfort and efficiency in the workplace, they are requested to speak with the Executive Director. Together, they can develop a plan in order to best accommodate the employees needs. Some employment modifications that might be employed are changes in duty, schedule and workplace environment, as well as implementing the use of assistive devices.

**5.6 New Staff Member Orientation**

It is the intent to make the introduction of new staff as comfortable for them as possible, thereby allowing them to become knowledgeable, effective and contributing employees more quickly. The agency will provide a comprehensive orientation procedure upon hire.

**Procedures**

1. The employee will be provided with copies of their *Job Description*, the *Personnel Manual* and the *Policies and Procedures Manual*. The individual with the supervisory responsibility for that staff position will review the elements of the three documents.
2. The new staff person will be introduced to the existing staff and he/she will meet the Board of Directors at the next meeting of the Board.
3. The individual with the supervisory responsibility will introduce the new staff person to

persons in other agencies, police personnel etc. with whom he/she will be interacting with.

1. Whenever it is possible and desirable an overlap with the previous staff person will be provided.

After completion of orientation, each employee shall sign an *Employee Orientation Acknowledgement Form*, which will be placed in the employee’s file. This form is contained within the Appendix to the *Personnel Manual*.

**5.7 Probationary Period**

All appointments to Victim Services of HPEL&A for the positions of Executive Director, Program Manager and program staff are for a maximum of three (3) months. Timely performance feedback will be provided within the first 3 months.

**5.8 Personnel Files**

A personnel file shall be opened for each new employee and maintained throughout his/her employment with Victim Services of HPEL&A.

Each employee shall provide such personal history and other information required on the form provided by the agency. All additional personal information shall be affixed to the personnel file in chronological order and may not be removed under any circumstances. A copy of any performance information that is placed in the personnel file shall be given to the employee in question.

Personnel files shall be kept with the Executive Director and may be viewed upon request. Information contained in personnel records is confidential and handled at the discretion of the Executive Director and Board of Directors.

**5.9 Performance Appraisals**

All new employees shall be appraised prior to the end of their probationary period.

It is the intention of the organization that all staff will perform at their best. All employees will outline appropriate goals to be set and all employees will be oriented with regards to the organization (for orientation details please see section 5.6 New Staff Member Orientation).

The performance appraisal will measure performance against the job description and previously set goals. It will be a mutual document created by both parties whereby goals and initiatives will be agreed upon and mutually set.

**6.0 Staff Supervision**

Supervision is the mutually supportive working relationship, which links employees together for the purpose of achieving professional and agency goals.

**6.1 Basic Principles**

Supervision is essential in order to communicate effectively, enhance employee performance, plan and implement programs and to achieve the agency’s mission.

a) Supervision is a mutual process requiring support, accountability and co-operation between

the employee and the supervisor. It also allows for joint decision making in three primary

areas:

i) How the employee performs the job, e.g. what methods are used.

ii) Setting employee performance objectives relating to job description.

iii) Evaluation of the employee’s job performance and objectives.

b) It is a regular process, providing scheduled and undisturbed time for each employee

with their supervisor.

c) Supervision requires that employees support the organization structure by adhering to

policies and procedures.

d) Supervision is comprehensive, covering all aspects of the job description, including:

i) Service responsibilities, e.g. crisis intervention, clients, file management etc.

ii) Organization responsibilities, e.g. those which require the employee to be a “team

player” through co-operation with co-workers, involvement on committees and

constructive representation of the agency in the community.

iii) Clarifies and communicates the differences between negotiable and non-negotiable

issues. Negotiable issues include objectives, activities, methods and performance

appraisals. Non-negotiable issues include policies, standards and regulations (These

can only be changed through collective decision making together with other levels and organizations).

**6.2 Functions**

Supervision provides support and feedback for the employee, thereby enhancing his/her performance. It also ensures accountability between the employer and employee, providing a forum to monitor the fulfillment of duties as set out in the job descriptions and employee objectives and also a vehicle for the communication of information.

The role of a supervisor is to delegate responsibility and authority, to provide assistance and support to the employee and to clarify roles, objectives and activities. The role of the employee being supervised is to carry out roles and responsibilities and to co-operate with the supervisor in clarifying roles, planning objectives and activities, as well as to support the supervisor.

Supervision also provides a forum on a regular basis for planning, setting and evaluating performance objectives as well as facilitating problem solving in areas of job performance.

For the supervisory relationship to be effective it is essential that the people involved are clear, concise and specific, honest and open, and show empathy and respect for one another.

**6.3 Action**

The following eleven action components are the tasks which employees are required to carry out in order to achieve agency goals:

**Planning and Evaluation** Embodying the elements of needs analysis, objectives,

activities, resources and evaluation.

**Client Service** Involving both direct and indirect contact.

**Client Documentation** As appropriate.

**Volunteers** Including recruitment, training etc.

**Staff Development** Including staff meetings, training, team meetings and staff

development.

**Public Relations** Involves the promotion of Victim Services of HPEL&A through social media and public speaking.

**Community Relations** Refers to work involving the development of community

relationships, e.g. police, fire, emergency, business etc.

**Board Service** Refers to work involving the Board of Directors, e.g. *Policy and Procedures, Agency Standards*, Board reports etc.

**Finances** Petty cash is balanced and receipts are provided.

**Administration** Includes reception, correspondence, office supplies procurement etc.

**Other** Duties that do not fit into any of the above and are documented specifically.

**6.4 Key Practices**

* Supervision meetings should be held as deemed appropriate.
* Meetings should be held in a private place and structured such that there are no interruptions.
* The supervision meeting belongs to the employee however both supervisor and employee have the responsibility to bring agenda items to the meeting.
* Between supervision meetings, use written memos and follow-up on actions taken.
* Follow the planning process to prepare for the future and to establish performance-based objectives with each employee.
* The supervisor is responsible for taking minutes of the meeting, which will form the basis for the annual performance evaluation.
* All supervisors will ensure that employees receive initial orientation and ongoing training.

**7.0 Compensation and Benefits**

**7.1 Salary Range**

Victim Services of HPEL&A will assign a salary range for each job description depending upon education, experience and comparable positions. Salary ranges and related job responsibilities will be reviewed annually by the Board of Directors.

**7.2 Pay Information**

All employees are paid bi-weekly for their services. Payment is administered by the Executive Director. Any discrepancies in pay must be brought to the Executive Director immediately to ensure that adjustments can be made in a timely fashion.

**7.3 Continuing Education**

All full time employees are eligible for limited reimbursement on job related courses taken from an accredited institution (College or University).  All programs must be pre-approved by the Board of Directors prior to enrolment.  Upon proof of successful completion of the course the funds will be reimbursed according to the maximum allowable amount for that staff person, if funding permits.

**8.0 Leave and Vacation Time**

* 1. **Annual Vacation**

The board encourages employees to take vacation within the current calendar year and not carry time over into the following calendar year.

The annual Vacation Leave Entitlement for staff is outlined in Employment Contract.

* Every endeavour will be made to provide employees with the annual vacation period(s) requested. However, final approval rests with the Executive Director.

**8.2 Pregnancy and Parental Leave**

In accordance with the *Employment Standards Act (S.O. 2000, Chapter 41)*, birth mothers are entitled to take 17 weeks of pregnancy leave and 35 weeks of job-protected parental leave. Parents who do not take pregnancy leave are eligible for up to 37 weeks of leave.

Maternity and parental benefits are employment insurance payments from the federal Employment Insurance program. Rules about these benefits may not coincide with the rules about pregnancy and parental leave as found in the *Employment Standards Act*. Please contact Human Resources Development Canada for details, at 1-800-O-CANADA or ontario.inquiry@hrsdc-rhdcc.gc.ca.

**8.3 Sick Leave**

* Permanent, full-time employees shall accumulate sick leave, see Employment Contract
* Part time employees shall be granted sick days based on a pro-rated approach.

**8.4 Family Medical Leave**

Family Medical Leave is an unpaid leave of up to 8 weeks that may be taken within a specified 26 week period to provide care and support to a specified family member for whom a qualified health practitioner has issued a certificate indicating that the family member has a serious medical condition and there is a significant risk of death occurring within a 26 week period.

All employees, whether full or part-time, permanent or contract, who are covered by the *Employment Standards Act 2000* (ESA) are entitled to Family Medical Leave.

The specified family members for whom a Family Medical Leave may be taken are:

* The employee’s spouse (including same-sex spouse)
* A parent, step-parent or foster parent of the employee
* A child, step-child or foster child of the employee or the employee’s spouse

**8.5 Compassionate Leave**

The employee will adhere to the Bereavement requests section in the Employment Contract.

**8.6 Statutory Holidays**

The following days are statutory holidays, during which the office will be closed.

* New Year’s Day
* Family Day
* Good Friday
* Easter Monday
* Victoria Day
* Canada Day
* Civic Holiday
* Labour Day
* Thanksgiving Day
* Remembrance Day
* Christmas Day
* Boxing Day

**9.0 Expenses**

**9.1 Travel Expense Guidelines**

Employees are entitled to reimbursement for travel expenses incurred in the course of their work on behalf of the agency. This includes parking.

All travel allowance costs must be pre-approved by the Executive Director and/or the Board of Directors to be eligible for reimbursement.

Claims for travel expenses are to be submitted to the Executive Director at the end of each month. Authorized travel expenses by car will be reimbursed at the rate stipulated by the Ministry of the Attorney General, OVSS travel expense Claim Guidelines, 40.0¢/km. This will continue to match any future modifications to travel directorate.

**9.2 Other Expenses**

Receipts for expenses (other than parking meter and phone fees) must accompany the expense sheet in order to be reimbursed. Where receipts are not submitted, no reimbursement will be made.

**Meal Expenses:** Meal expenses may be claimed when the agency business takes the employee away from the office over mealtime and it is not reasonable to return to the office for mealtime. Meal expenses may be claimed up to the following limits (Canadian dollars), and receipts must be attached:

Breakfast $10.00

Lunch $12.50

Dinner $22.50

**Total/Day $45.00**

N.B. Claims for alcoholic beverages will not be allowed. These rates include taxes and

gratuities. The agency provides travel expense forms, which are to be completed by

employees on a monthly basis.

**10.0 Conflict of Interest**

An employee must declare to the Executive Director and/or the Board of Directors where they have a conflict of interest with matters related to Victim Services of HPEL&A. Any business, commercial, financial or personal interest where such interest might be construed as being real, potential or in apparent conflict with the execution of their job or duties must be declared.

**11.0 Code of Confidentiality**

Confidentiality is intended to provide an atmosphere where individuals engaged in services with the agency can discuss personal matters without fear of that information being passed on to others beyond the concerned personnel of the agency. If business of the agency is disclosed by a staff member to an outside agency or person that staff member may be subject to dismissal.

All knowledge, which the agency has regarding an individual, will be kept confidential, except where:

* A danger to the community or individual exists.
* There is a legal obligation to disclose the information.
* Permission from the individual is received.

With the above exceptions, where confidential information is received from another source no disclosure will be made. Requests for information will be referred to the original source.

**12.0 Privacy Policy**

Victim Services of HPEL&A is committed to protecting the privacy of its staff, volunteers and clients, as outlined in the *Privacy Act (1985, c. P-21)* and the *Personal Information Protection and Electronic Documents Act (2000 c.5)*. Steps will be taken to ensure that the confidentiality of all personal information is maintained. Victim Services of HPEL&A is committed to collecting, using and disclosing such information responsibly and only to the extent necessary for the services the agency provides. Care will be taken to be upfront and direct about how personal information is kept and utilized.

**12.1 Definition of Personal Information**

Personal information includes, but is not limited to information on personal characteristics, employee health, and activities and views held and participated in by the employee. Business information, such as business and telephone numbers, is not protected under the *Act*.

**12.2 Purposes of Personal Information Gathering**

Personal information will be collected to assist us in providing services and programs in a safe manner. Information may be gathered to ensure that a potential employee or volunteer meets the standards set out by Victim Services of HPEL&A and the Ministry of the Attorney General. Personal information may also be gathered on a victim/client, in order to gain a better understanding of the situation and to facilitate contact and statistical information gathering.

**12.3 Protecting Personal Information**

The following steps have been implemented by Victim Services of HPEL&A to protect personal information:

* Paper information is secured in a locked area.
* Electronic information is password protected, and passwords are frequently changed to ensure security.
* Paper information is transmitted in sealed envelopes by interoffice mail.
* Staff and volunteers are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with this *Privacy Policy*.

**12.4 Accessing your Personal Information**

The majority of personal information we hold on any given person may be reviewed by them. Information can be explained, if necessary, as can the reasons why that person may not look at a certain document.

Identity must be confirmed before a person is able to access personal information. It may be necessary to charge a nominal fee for certain information requests, and all requests

need to be put in writing. If access is not possible, Victim Services of HPEL&A will provide a reason within 30 days. If any person finds a mistake in their factual (not opinion based) personal information, they are entitled to ask that it be corrected (supporting documentation is necessary). Where Victim Services of HPEL&A deems that a mistake has been made, the agency will make the necessary corrections and inform any parties involved. If Victim Services of HPEL&A does not feel that a mistake has been made, the agency will file a brief statement from the person affected, and will forward the statement to all parties involved.

**12.5 For Additional Information**

All questions, concerns and formal written complaints should be forwarded to the Executive Director. Receipt of all complaints will be acknowledged in writing, and the complaint will be investigated promptly so that a formal decision, with reasons, can be granted in writing. More general inquiries can be director to the Privacy Commissioner of Canada, 1-800-282-1376 or info@privcom.gc.ca.

**13.0 Electronic Messaging**

**13.1 Definition**

Electronic messaging applies to words, texts, images and documents that:

* Are transmitted electronically in digital format.
* May be transient in nature or permanently stored in a computer system.
* Are sent either internally, to other employees and volunteers of Victim Services of HPEL&A or to outside contacts.
* Include electronic mail (email), phone text messages, alpha pages, and faxed messages from paper of computerized documents.

**13.2 Electronic Media**

In the workplace, employees have access to various forms of electronic media and services in their professional capacity such as computers, email, telephones, voicemail, fax machines, websites, etc.

Electronic media may not be used for transmitting, retrieving, displaying or storing any communication, information or material that is:

* Unlawful or contrary to the mission statement of Victim Services.
* Discriminatory or of a harassing nature.
* Derogatory to any individual or group.
* Obscene.
* Defamatory or of a threatening nature.
* A “chain letter”.
* In a manner clearly intended to harm any individual of the organization.

Electronic information created, communicated and/or stored by a member using media can be monitored. The office computer technician routinely monitors usage patterns for both voice and data communications for cost analysis/allocation, propriety, and for the management of computer servers and networks.

This agency reserves the right, in its discretion and without further notice, to review a member’s electronic files and messages and usage to the extent necessary to ensure that media area used in compliance with the law and Victim Services of HPEL&A directives. Therefore, members should not assume electronic communications undertaken in the workplace or using service-supplied equipment is private and confidential.

Victim Services of HPEL&A can order any email message or other electronically stored material to be retrieved from the system for auditing purposes without providing notification or obtaining consent from the member.

Members found in contravention of this policy are subject to disciplinary action up to and including dismissal.

**13.3 Appropriate/Inappropriate Use**

The Internet connection is provided to users primarily to assist in their professional capacity.

Users may use the Internet for personal improvement, outside the scheduled hours of work, provided that such use is consistent with professional and ethical conduct, and does not impose undue burden on corporate resources such as equipment and network bandwidth.

Users shall not use the Internet connection to:

* Violate any law or regulation of Canada and its provinces, territories and other government structures, or those of any other jurisdiction in any material way;
* Propagate viruses and other codes or knowingly disable or overload any computer system or network, or to circumvent any system intended to protect the privacy and security of another user;
* To access or distribute offensive or harassing material including, but not limited to hate literature and sexual or pornographic material;
* For the purposes of personal financial gain (e.g. online gambling, running an online business etc.)
* To contact other persons, through an IRC channel or otherwise, for unprofessional, illicit, illegal or otherwise inappropriate purposes.

Note: Communications over the internet automatically carry a domain identifier which shows that the content originated from Victim Services of HPEL&A. Members shall ensure that their use is governed accordingly.

**13.4 Restricted Use**

* Users shall not download any software off the internet, including “freeware” or “shareware”, without receiving proper permission from the Executive Director or Computer technician
* Information posted or viewed on the internet may constitute published material. Therefore, reproduction of information posted or otherwise available over the internet may be done only by express permission from the author or copyright holder.
* Internet Relay Chat or IRC channels and other Internet forums such as newsgroups may be used only to conduct work related business and members shall obtain prior approval from the Executive Director.
* Note: If software is downloaded, users must respect the legal protection provided by copyright and licensing.

**13.5 Responsibilities**

All members shall:

* Ensure that their use of the internet is appropriate and consistent with ethical and professional conduct under the directive, and all directives of Victim Services of HPEL&A.
* Report evidence of abuse of the internet connection to their immediate supervisor.

**14.0 Resignations**

Victim Services of HPEL&A requests written notice of resignation. As per the *Employment Standards Act*, it is requested that notice of resignation is given three weeks prior to the resignation date for management positions. All other staff is requested to give two weeks notice.

Before leaving employment at Victim Services of HPEL&A, employees must return all property belonging to the agency, including but not limited to computer equipment, telecommunications equipment and confidential documents (e.g. volunteer communication lists & Client files).

**15.0 Dispute Resolution Process**

Employees with a concern related to their employment, or related to the interpretation or application of the Personnel Policy, will follow the procedures below within ten (10) working days of the occurrence-giving rise to the concern.

* The employee will present his/her concern in writing to the Executive Director, who will respond, in writing, within five (5) working days.
* If the concern is still not handled to the employee’s satisfaction, the employee’s written report and the Executor Director’s written response shall be forwarded to the Board of Directors for their review and recommendation. The Board of Directors recommendation shall be made within the next scheduled Board meeting and such recommendation shall be final and binding on all parties.
* In cases of termination, the decision may be appealed to the Board of Directors

**16.0 Harassment and Discrimination Policy**

**16.1 Definitions**

According to the Ontario Human Rights Code section 10(1), harassment means “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”.

Types of harassment include:

i) ‘Quid Pro Quo’ – The concept of getting something of value in return for giving something of value. This applies when a person in power makes an inappropriate request of a subordinate, such as requesting sexual favours in return for offering job security.

ii) ‘Poisoned Workplace’ – When a person is unable to feel comfortable in their workplace due to slurs, threats, unwanted advances, ridicule, name calling, the posting of derogatory images and messages or other negative behaviours directed towards them.

Discrimination means “unfair treatment because of your race, sex, colour, ancestry, place of origin, ethnic origin, marital status, same sex partner status, sexual orientation, age, disability, citizenship, family status or religion.”

**16.2 Agency Position on Harassment and Discrimination**

Victim Services of HPEL&A believes firmly in the right of all its employees, volunteers, victims and persons who work in partnership with the agency to work, volunteer and receive assistance in an environment free of harassment and discrimination. Harassment and discrimination create a negative environment in which to be a part of, and this will not be allowed. Any allegation of such behaviour on the part of a staff or volunteer member will be swiftly investigated, with disciplinary action taken after sufficient evidence is noted. Action will depend upon the severity of the act(s) committed, and may culminate in the dismissal of the harasser or discriminating party.

**16.3 Reporting Process**

Should a staff member or volunteer of Victim Services feel that they are being harassed or discriminated against by a volunteer or staff member, it is requested that they speak immediately with the Program Manager. If there is no resolution, then the Executive Director, or with a member of the Board of Directors. Board members should only be involved if the matter involves the Executive Director, or if the accuser feels that the issue was not satisfactorily resolved by the Executive Director. Should they feel that they are being harassed or discriminated against by a member of a partnering service, it is also requested that they speak with the Executive Director or with a board member, who will begin an investigation of the accused’s behaviour through the proper channels.

**16.4 Evidence Gathering Process**

In order to make an allegation of harassment or discrimination, it is recommended that the following procedure be followed, in order to facilitate the investigation process:

1. Keep notes on the behaviour of the person who is harassing or discriminating against you.

These notes should include:

* The date each incident occurs
* The time each incident occurs
* The location of each occurrence
* The nature of the occurrence
* What was said or done
* Who said or did these things
* Who witnessed the occurrence
* Your reaction to what occurred

2. Firmly, but politely, inform the person who is behaving offensively that you find their

behaviour offensive and ask them to stop. *Do not respond in a hostile nature, even if*

*provoked.*

1. Immediately telephone the Program Manager. If there is no resolution the Executive

Director or a Board member will discuss the issue. *Do not* *take matters into your own*

*hands.*

**16.5 Allegation Process**

When investigating allegations of harassment or discrimination, the Executive Director or Board member will complete the following steps before reaching a conclusion:

1. An appointment will be scheduled for the investigator to speak with the accuser about the allegation, and to receive evidence relating to that allegation. All evidence submitted will be reviewed, allowing the investigator to devise a line of questioning based upon it, and a list of persons to interview. The accuser will receive a copy of all evidence they have submitted.

2. All internal parties involved will be interviewed, with notes taken at each interview. The interview may be conducted by the Executive Director or Board member on their own, or they may be accompanied by another Board member or a member of legal counsel, depending on the severity of the allegation(s) made.

3. In the event of an investigation involving an accused who is not a staff member or

volunteer of Victim Services of HPEL&A, a meeting will be arranged with the

accused’s supervisor(s), in order to discuss the incident, share the evidence and address

how to proceed on the issue. Many agencies have internal complaints processes which

should be utilized, and workplace superiors may decide to suspend the accused’s duties pending an investigation (in extreme cases). Following this meeting, interviews will be conducted in conjunction with the accused’s employer.

Following a thorough investigation, it will be determined whether or not there are grounds

for a disciplinary action. This could include an oral or written warning, unpaid suspension or dismissal. Legal action may also be taken, dependant upon the situation and the strength of the evidence presented.

4. After the investigation is concluded and disciplinary action is or is not taken, the Executive Director and/or Board member or legal counsellor will arrange for a meeting with the accuser. They will be informed of the outcome of their complaint, specifically whether or not there was sufficient evidence, the investigative process undertook by the agency and the disciplinary actions taken against the accused. They will receive a written transcription of the events that have transpired.

**16.6 Further Review**

Should you feel that your complaint is not addressed and resolved to your satisfaction by the Executive Director or the Board of Directors, you may take your complaint to the Ontario Human Rights Commission (henceforth known as “the Commission”) for further review. All claims should be submitted within 6 (six) months of the initial incident documented. The Commission only reviews calls that fall under the jurisdiction of the Ontario Human Rights Code; you may call the Commission at 1-800-387-9080 to determine your eligibility. It is requested that complaints reviewed by the Executive Director without the assistance of a Board member be submitted to the Board of Directors for review before applying to the Commission for assistance.

Once a complaint is filed with the Commission, they will work as a mediator between the accuser and the accused person or agency. Should mediation not resolve the complaint successfully, the Commission will begin an investigation. Once sufficient evidence has been gathered, they will refer the case to a Board of Inquiry. Please note that the Commission is neutral, and will provide you with advice about the complaints process – not support. Should you require legal advice you will be required to contact a lawyer.

**17.0 Disciplinary Procedures**

All employees are expected to comply with the agency’s standards of behaviour and performance, and any non-compliance with these standards must be remedied and will be subject to progressive disciplinary action. Examples of situations which may give rise to disciplinary action are listed below, although this list is not intended to cover every situation.

* Breach of agency confidentiality.
* Negligence in carrying out agency duties.
* Criminal history which affects the employee’s ability to perform his/her job.
* Excessive absenteeism.
* Theft of property.
* Insubordination or refusal to carry out specific instructions of a Supervisor.
* Releasing information regarding agency business to the news media without prior authorization from the Executive Director.
* Failure to disclose any potential or existing conflict of interest situation including, but not limited to a social, emotional, sexual or financial involvement with a client or ex-client.
* Being present at the agency or on duty elsewhere while under the influence of non- prescribed intoxicants.
* Contributing to a client’s consumption of intoxicants.
* Gambling with a client.
* Accepting or giving to a client any gift or personal loan or entering into any business arrangement with a client without the prior approval of the Executive Director.

Employee Code of Conduct 19

The staff member and the employee will establish a plan with measurable goals and time frames which will be given to the employee in writing in which to achieve negotiated

standards. Non compliance with negotiated plan goals may result in termination.

Should the employee demonstrate that he/she is incapable of or unwilling to respond to progressive discipline, and then the appropriate response may be discharge of the employee.

**17.1 Resignation/Termination/Severance:**

**17.2 Resignation**

Resignation must be submitted in writing to the immediate supervisor as far in advance as possible, minimum two weeks.

**17.3 Misconduct or Unsatisfactory Performance**

A formal discipline process shall normally take place when an employee is performing at an unsatisfactory level. Before being terminated for unsatisfactory performance or misconduct, the employee may be subject to the following forms of progressive discipline:

1. verbal feedback

2. a performance appraisal outlining the unsatisfactory performance

3. a written contract for improvement, and

4. a written warning

5. suspension with/without pay

6. termination with/without cause

Dismissal decisions are made jointly by the direct Supervisor, the Executive Director and the Board of Directors.

For serious breaches of conduct, dismissal may be immediate

**17.4 Termination (with cause)**

Victim Services of HPEL&A may terminate an employee with cause or without cause. An employee may be terminated for cause if the employee engages in conduct, or act or omission which would in law permit an employer to, without notice or payment in lieu of notice, terminate the employment of an employee. Examples of such conduct include, but are not limited to:

a) any failure by the Employee to observe ad perform the duties of the employees

position, if such a failure contains unchanged after being given a reasonable

opportunity to improve;

b) theft, fraud

c) gross incompetence or unlawful acts by the employee in connection with the

performance of his/her duties;

d) insubordination and misconduct;

e) chronic lateness or absenteeism

**17.5 Termination (without cause)**

When it is necessary to terminate employment without cause Victim Services of HPEL&A acts in accordance with the Ontario Employment Standards Act and its regulations.

The employee will be provided with either written notice of termination or termination pay in lieu of notice. The length of notice depends on how long the employee has been employed with Victim Services of HPEL&A. An employee will receive written notice of the termination date personally or by registered mail.

Required notice of payment of wages/salary in lieu of notice is as follows:

Length of employment Notice or pay in lieu required

Less than 3 months None

3 months but less than 1 year 1 week

1 year but less than 3 years 2 weeks

3 years but less than 4 years 3 weeks

4 years but less than 5 years 4 weeks

5 years but less than 6 years 5 weeks

6 years but less than 7 years 6 weeks

7 years but less than 8 years 7 weeks

8 years or more 8 weeks

In the event of a termination without cause, an employee will not receive less than that which the employee is entitled to in accordance with applicable employment standards legislation.

**17.6 Severance**

Severance occurs with an employer severs the employment of an employee. Severance pay is in addition to the notice of termination. The employer must pay severance pay to the employee if the employee was employed by the employer for five years or more. Severance pay is the employee’s regular wages for a regular non-overtime week multiplied by the sum of

a) the number of the employees completed years of employment: and

b) the number of employees completed months of employment not included

above divided by twelve;

c) but shall not exceed twenty-six weeks of regular wages for a non-overtime work week.

Except as to any entitlement as expressly provided in the manual, the employee hereby waives any claims the employee may have against Victim Services of HPEL&A for or in respect of termination pay, severance pay, damages for wrongful dismissal or on account of loss of office or employment or notice in lieu thereof, or any other cause.

**17.7 Exit Interviews**

Exiting staff may request an exit interview. The interview will be held in a confidential area.

**18.0 Hours of Work**

**18.1 Workweek**

The workweek for permanent full-time employees is 35 hours, excluding lunch. Working hours for part-time permanent and temporary employees shall be determined by the Executive Director.

**18.2 Overtime Hours**

According to the Employment Standards Act, accumulation of overtime hours is at the discretion of the Executive Director. Generally, additional hours worked will accumulate as lieu time to be used at a later date, and will not be paid to the recipient in the form of additional monies on their bi-monthly paycheque.

**19.0 Employee Code of Conduct**

Employees are expected to conduct themselves in a professional manner at all times, providing a professional role model for other employees, clients and members of the community.

Employees are expected to work co-operatively with fellow employees in a team approach.

Employees shall work co-operatively with co-workers, giving due regard to their recognized area of competence and role definitions.

Employees are expected to respect and maintain agency property and the belongings of other employees and clients.

The receipt of any personal payment or other considerations for the referral of a client and/or his/her family to any other service provider or organization is prohibited.

The primary obligation of each employee shall be to perform his/her job responsibilities in accordance with the goals of the agency.

Each employee shall hold himself/herself responsible for the quality of his/her performance.

Each employee shall treat statements and actions of all co-workers with respect and communicate their personal concerns on these matters appropriately.

Any member of staff making public presentations or speaking to the news media on behalf of Victim Services of HPEL&A must have prior authorization from the Executive Director.

**19.1 Workplace dress code**

Employees are expected to recognize and respect that the dress choices you make affect not just your own comfort but also that of your clients, colleagues, the workplace environment and the image Victim Services is trying to convey to the public.

1. **Appropriate Attire**

Accordingly, all Victim Services of HPEL&A must dress in appropriate casual business attire, Mondays through Fridays. All clothing must be clean, well pressed and in good repair. If requested to attend conferences or public presentations business attire is acceptable.

1. **Inappropriate Attire**

The following items are not considered appropriate business casual attire and should not be worn to work.

* Cutoffs
* Logo T-shirts/jackets that contain language or symbols supporting sex, drugs, alcohol or tobacco
* Athletic wear, including sweat pants and jogging suits
* No baseball-type hats
* Clothes need to be sufficient to conceal undergarments at all times.
* See – through or fishnet fabrics are not permitted.
* Tank tops, tube tops, halter tops with spaghetti straps, off the shoulder tops
* Beach wear
* Sleep wear
* Midriff length tops
* Mini-skirts, bicycle shorts
* Distressed, tattered, stained or damaged jeans, dark blue or black only
* No sagging pants
* No running shoes or slippers
* Tattoos and/or facial body piercing (if applicable) are to be covered

**19.2 Enforcement**

The Manager and the Executive Director are responsible for monitoring and enforcing this dress code.

1. Managers with sit down and talk to volunteers they deem to be dressed inappropriately to help the volunteer understand what he/she did wrong and ensure that the mistake isn’t repeated. Executive Director will speak directly to staff.
2. If the violation is deemed flagrant, the management will hold the discussion with the employee/volunteer and ask him/her to go home, change and return to the office in appropriate attire;
3. Repeated policy violations will result in disciplinary action, up to and including termination.

**20.0 Personnel – Human Resources BOD**

**20.1 Terms of Reference**

Mandate: To make recommendations to the Board of Directors with respect to Personnel

Policies and Procedures, and to address related issues as required except

those related to termination, which will be addressed by the Board of Directors.

**20.2 Goals**

a) To evaluate personnel needs and recommend appropriate changes in policy to the Board

of Directors.

b) To provide support to the Executive Director in personnel matters.

**20.3 Composition**

The Chairperson and members of this personnel committee will be appointed at the first Board of Directors meeting following the Annual General Meeting.

**Appendix**

A. Employment Orientation Acknowledgement Form

B. Date of Hire Letter

C. Supervisor Notes

**A. Employment Orientation Acknowledgement Form**

Employee’s Name:

Date of Hire:

I have completed my orientation, which included a review of the following documents:

1. Job Description
2. Employment Contract
3. Personnel Manual

I understand fully and agree to comply with the contents of all items listed above.

Signed:

Witnessed:

Date:

**B. Date of Hire Letter**

Date

Dear ;

We are pleased to make this offer of employment to you for the position of \_\_\_Victim Services subject to the following terms and conditions which we trust will meet with your approval.

The salary/wage for this position is $\_\_\_ per hour. This position reports to the Executive Director. Your working hours will be between 8:30 to 4:30, Monday to Friday, total hours per week are \_\_\_\_.

This is a TEMPORARY contract position, time duration not to exceed March 31st 201X. Please sign the enclosed contract with this letter and return it to me by \_\_\_\_\_ to indicate your acceptance of this offer. We are confident you will be able to make a significant contribution to the success of our organization and look forward to working with you.

Sincerely,

, Executive Director

I accept the offer as outlined above and in the attachment.

MX. \_\_\_\_\_\_\_\_\_\_\_\_\_,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| Your pay rate will be $XX per hour |  |
| The effective date will be, Xxx |  |
| Your pay period will be 2 per month, 15th and last day of month. |  |
| You will receive your first pay on XXXXX |  |
| PROBATIONARY PERIOD | |
| Company policy requires new employees to serve a probationary period. This period starts on your date of hire. N/A | |
| PAID VACATIONS AND HOLIDAYS | |

Vacation Pay in the amount of 4 percent will be included in my pay roll cheque. You will be eligible also for statutory holidays each year. Vacation and holiday pay is determined in accordance with the provisions of the Employment Standards Act, 2000.

**C. Supervisor Notes**

Supervisee: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| Information related from previous meeting: |
| Employee Issues: |
| Supervisor Issues: |
| Action:  □  □  □  □  □ |

Next scheduled meeting: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_