

**Township of Matachewan
By-Law Number 2018-17**

BEING A BY-LAW for the Township of Matachewan to adopt the Employee Policy Manual.

WHEREAS section 270 (1) of the Municipal Act, 2001, S.O. 2001, c.25 (hereinafter the "Municipal Act") requires municipalities to adopt policies with respect to the hiring of its employees;

NOW THEREFORE the Council of the Township of Matachewan adopts the Employee Policy Manual, which is attached as Appendix "A" and forms part of this by-law.

That all previous by-laws and/or motions, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be and the same are hereby repealed

That this By-Law shall come into full force and effect upon its final passing thereof and remain in full force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL THIS 9th DAY OF OCTOBER 2018. SIGNED, SEALED AND NUMBERED 2018-17.



Cheryl Drummond
Mayor



Anne Kmyta
CAO-Clerk-Treasurer

**Appendix "A" By-Law # 2018-17
Employee Policy Manual**

Schedule 1

Application and Definitions

1. This policy is applicable to all employees of the Township of Matachewan ("the Township"). Certain schedules may apply more broadly (e.g. the Workplace Violence and Harassment Policy).
2. The terms of this Policy are subject to change at the discretion of the Township.
3. **Definitions**
 - a. Employee: any person who performs work for the Township of Matachewan for wages.
 - b. Salaried Employee: an employee hired on a fixed annual salary.
 - c. Hourly Rated Employee: an employee hired on an hourly rated basis.
 - d. Permanent Full Time Employee: an employee who has successfully completed his/her probationary period & works a 5-day standard workweek
 - e. Probationary Employee: an employee who is hired, but who is required to serve a six-month minimum period of probation before becoming eligible to be taken on as a permanent employee.
 - f. Part-Time Employee: an employee whose standard work week is less than 5 working days per week.
 - g. Temporary Employee: an employee who is hired to perform a specific work responsibility and whose employment will be terminated on completion of the project.
 - h. Seasonal Employee: an employee who is hired only for the period in which a seasonal task is taking place.
 - i. Contract Employee: a person hired under a contract for a specified task, work project or time period.
 - j. Department Head: includes the CAO-Clerk-Treasurer, the Treasurer- Deputy Clerk, and any Public Works Superintendent or Foreman.
 - k. Student Employee: an employee currently enrolled in or returning to an educational institution.
 - l. Family shall include:
 - i. Spouse

- ii. Parent/Step-Parent/Foster Parent/Parent-in-Law
- iii. Child/Step Child/ Foster Child
- iv. Grandparent/Step Grandparent
- v. Grandchild/Step Grandchild
- vi. Spouse of a Child
- vii. Sibling
- viii. A relative that is dependent on the employee for care or assistance

m. Other Family shall include:

- i. Brother-In-Law
- ii. Sister-In-Law
- iii. Son-In-Law
- iv. Daughter-In-Law

Schedule 2

Vacation

Vacation Time

All full-time employees shall be entitled to vacation with full pay on the following basis:

- Two weeks within the first (1) year of service from date of hire.
- Three weeks after completion of two (2) years of service from date of hire.
- Four weeks after completion of four (4) years of service from date of hire.
- Five weeks after completion of eight (8) years of service from date of hire.
- Six weeks after completion of fifteen (15) years of service from date of hire.

All Part-Time Employees shall be entitled to vacation with full pay on the following basis:

For employees with less than 5 years' service: two weeks per year after completing one year of service;

For employees with 5 or more years' service: three weeks per year.

The number of years of service completed shall be computed by using the employee's first day of employment (prorated to January 1st of the following year) as the anniversary date.

The number of vacation days shall correspond to the number of working days the employee works in a standard working week. For full-time employees, one week of vacation is equivalent to 5 vacation days. For part-time employees who regularly work 3 days per week, one week of vacation is equivalent to 3 vacation days.

The CAO-Clerk-Treasurer, the Treasurer-Deputy Clerk shall receive up to one (1) week additional time off in lieu of overtime, which may be taken in time off prior to December 31st in any year at the discretion of the CAO-Clerk-Treasurer. This week may also be provided through payment in lieu of time off. At the discretion of the CAO-Clerk-Treasurer, the Administrative Assistant may receive an extra week of vacation in lieu of overtime pay for time spent attending evening Council meetings.

As the municipal Office is normally closed from December 23rd until January 2nd, the 11-day period (including weekends) throughout the Christmas Holidays and the New Year shall be deemed to be additional holidays for permanent full-time staff.

Scheduling Vacation Time

It shall be the responsibility of the Department Head to post in the employee's place of work, no later than the end of March of each year, a vacation schedule.

Employees shall have until February 28th to request their vacation dates for that year. In the event of a conflict over choice of vacation time, hierarchy and then years of service shall be the deciding factor.

After February 28th, employees who have not submitted their vacation requests, will be restricted to whatever dates are open (at the discretion of their Department Head). Hierarchy and years of service shall have no bearing in the event the employee wants a vacation date that is otherwise unavailable.

All vacation schedules shall be subject to Department Head approval and though it is unlikely to occur, employees can be required to change their vacation period providing the Department Head can show just reason for requiring a change.

Vacations must be taken within the calendar year in which they are due, unless otherwise approved by the Department Head or, in the case of Department Heads, by the CAO-Clerk-Treasurer.

Vacation Pay

All employees are entitled to vacation pay in the following amounts:

Employees entitled to...	shall receive...
- 2 weeks' vacation time	4% vacation pay
- 3 weeks' vacation time	6% vacation pay
- 4 weeks' vacation time	8% vacation pay
- 5 weeks' vacation time	10% vacation pay
- 6 weeks' vacation time	12% vacation pay

For hourly-rated employees, vacation pay shall be payable as part of their regular pay.

For salaried employees, vacation pay shall be paid out to the employee in the pay period in which the employee takes their vacation time.

Schedule 3

Public Holidays

All employees shall be paid public holiday pay in accordance with the *Employment Standards Act* for the following days:

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

For salaried employees, the annual salary is inclusive of public holiday pay.
For hourly rated employees, public holiday pay is in addition to the hourly wage.

Generally, employees will not be required to work on public holidays. Where an employee is required to work on a public holiday, that employee will receive 1.5 times his or her regular hourly rate for all hours worked on the public holiday in addition to public holiday pay OR the employee will receive his or her regular wages for the hours worked on the public holiday and receive a substitute day off for which the employee will receive public holiday pay. In the event a statutory holiday falls on a non-working day then the first business day immediately following the statutory holiday will be taken.

In order to qualify for public holiday pay, the employee must have worked his/her last scheduled shift or workday immediately prior to the public holiday and the first scheduled shift or workday immediately following the public holiday. Exceptions will be made only when an employee is off sick and a medical certificate is on file or the employee has applied for and has received approval for annual vacation from the Department Head for the days referred to.

In the event a statutory holiday falls within an employee's regular vacation period, the statutory holiday will not count as a vacation day.

Schedule 4

Wages

Wage Rate Schedule

Pay Grade	Step 1 (up to)	Step 2 (up to)	Step 3 (up to)	Step 4 (up to)	Step 5 (up to)
23	\$100,000 / yr	\$101,000 / yr	\$102,000 / yr	\$103,000 / yr	\$104,000 / yr
22	\$ 95,000 / yr	\$ 96,000 / yr	\$ 97,000 / yr	\$ 98,000 / yr	\$ 99,000 / yr
21	\$ 90,000 / yr	\$ 91,000 / yr	\$ 92,000 / yr	\$ 93,000 / yr	\$ 94,000 / yr
20	\$ 85,000 / yr	\$ 86,000 / yr	\$ 87,000 / yr	\$ 88,000 / yr	\$ 89,000 / yr
19	\$ 80,000 / yr	\$ 81,000 / yr	\$ 82,000 / yr	\$ 83,000 / yr	\$ 84,000 / yr
18	\$ 75,000 / yr	\$ 76,000 / yr	\$ 77,000 / yr	\$ 78,000 / yr	\$ 79,000 / yr
17	\$ 70,000 / yr	\$ 71,000 / yr	\$ 72,000 / yr	\$ 73,000 / yr	\$ 74,000 / yr
16	\$ 65,000 / yr	\$ 66,000 / yr	\$ 67,000 / yr	\$ 68,000 / yr	\$ 69,000 / yr
15	\$ 60,000 / yr	\$ 61,000 / yr	\$ 62,000 / yr	\$ 63,000 / yr	\$ 64,000 / yr
14	\$ 55,000 / yr	\$ 56,000 / yr	\$ 57,000 / yr	\$ 58,000 / yr	\$ 59,000 / yr
13	\$ 50,000 / yr	\$ 51,000 / yr	\$ 52,000 / yr	\$ 53,000 / yr	\$ 54,000 / yr
12	\$ 45,000 / yr	\$ 46,000 / yr	\$ 47,000 / yr	\$ 48,000 / yr	\$ 49,000 / yr
11	\$ 40,000 / yr	\$ 41,000 / yr	\$ 42,000 / yr	\$ 43,000 / yr	\$ 44,000 / yr
10	\$ 35,000 / yr	\$ 36,000 / yr	\$ 37,000 / yr	\$ 38,000 / yr	\$ 39,000 / yr
9	\$ 20.00 / hr	\$ 32,000 / yr	\$ 33,000 / yr	\$ 34,000 / yr	\$ 34,500 / yr
8	\$ 18.75 / hr	\$ 19.00 / hr	\$ 19.25 / hr	\$ 19.50 / hr	\$ 19.75 / hr
7	\$ 17.50 / hr	\$ 17.75 / hr	\$ 18.00 / hr	\$ 18.25 / hr	\$ 18.50 / hr
6	\$ 16.25 / hr	\$ 16.50 / hr	\$ 16.75 / hr	\$ 17.00 / hr	\$ 17.25 / hr
5	\$ 15.00 / hr	\$ 15.25 / hr	\$ 15.50 / hr	\$ 15.75 / hr	\$ 16.00 / hr
4	\$ 13.75 / hr	\$ 14.00 / hr	\$ 14.25 / hr	\$ 14.50 / hr	\$ 14.75 / hr
3	\$ 12.50 / hr	\$ 12.75 / hr	\$ 13.00 / hr	\$ 13.25 / hr	\$ 13.50 / hr
2	\$ 11.25 / hr	\$ 11.50 / hr	\$ 11.75 / hr	\$ 12.00 / hr	\$ 12.25 / hr
1		\$ 14.00/hr minimum wage	\$ 14.50 / hr	\$ 14.75 / hr	\$ 15.00 / hr

Seasonal Rates: Pay Grade 1 - 2

Casual Rates: Pay Grade 3 – 4 or at the discretion of Council

Part Time Rates: Pay Grade 5 - 6 or at the discretion of Council

Full Time Rates: Increases set at the discretion of Council as per the following:

Salary Range:	Administrative Assistant	Pay Grade Range 7 - 10
	Treasurer – Deputy Clerk	Pay Grade Range 11 - 15
	Public Works Superintendent	Pay Grade Range 11 - 16
	Clerk-Treasurer	Pay Grade Range 14 - 17
	CAO	Pay Grade Range 18 – 23

Probationary employees may start at a lower rate. Staff and employees may move up the wage grid with a satisfactory performance appraisal. An increase may also be given to those who successfully complete a preauthorized course that will substantially benefit the municipality. Council may negotiate terms above and beyond the wage grid in special circumstances and the

grid should be reviewed every council term. Cost of Living Allowances are paid at the discretion of the Municipal Council.

Pay-Periods

Payment of wages and salaries due shall be calculated on a bi-monthly basis, starting on the 1st and 16th of every month and ending on the 15th and the final day of each month. Wages shall be paid between the 15th and 20th and the final and 5th day of each (or following) month respectively.

Schedule 5

Hiring Policy

Accessibility

All job advertisements shall notify prospective applicants of the availability of accommodations for applicants with disabilities in the recruitment process.

During the recruitment process, the Township shall notify job applicants, when they are selected to participate in an interview or other selection process, that accommodations are available upon request in relation to the materials or processes to be used.

If an applicant requests an accommodation, the Township shall consult with the applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to disability.

Job Postings

Job openings for municipal positions will typically be posted on a bulletin board in the Town Office, seven (7) days prior to the position being advertised publicly. Preference will be given to present employees who are qualified to fill the position and whose work performance and experience suggests he or she would be a strong candidate for the new position. Applications for job openings are to be made in writing and directed to the appropriate Department Head.

Transfer of personnel between the various job categories will be subject to recommendation by the Department Head and final approval of the CAO-Clerk-Treasurer and Council.

Employment of temporary help, as required from time to time will be the responsibility of the Department Head and subject to the final approval of the CAO-Clerk-Treasurer.

Selection Committees

For permanent full-time positions, a selection committee led by the appropriate Department Head will conduct hiring for a particular position.

The selection committee to fill the positions of CAO-Clerk-Treasurer, Treasurer- Deputy Clerk, Director of Parks and Recreation and Public Works Superintendent will include a member or members of council.

Part-Time/Seasonal/Temporary/Student Positions will be hired as needed by the appropriate Department Head (no selection committee required).

Typically, contract positions will be advertised but may be hired with the approval of the CAO-Clerk-Treasurer and Council. A selection committee led by the appropriate department head will conduct hiring.

Hiring of Relatives

Generally, applicants will not be hired into a position where the supervisor or subordinate is a spouse, child, or parent of the applicant.

Municipal staff and/or members of council who are a spouse, child, or parent of a job applicant will generally not be permitted to participate in any part of the hiring process regarding the position their relative has applied for.

In the event that two existing employees become related (as spouses, children, or parents), they will generally not be permitted to report directly to one another. If necessary, the reporting relationship will be changed and they will be reassigned to report to a neutral supervisor.

No employee or member of council shall seek or advance any personal interest, including the interest of his or her relatives, by granting preferential treatment or special consideration.

Schedule 6

Benefits and Leaves of Absence

Ontario Municipal Employees Retirement System ("OMERS") Pension Plan

It shall be a condition of employment that all eligible employees shall enrol in the OMERS Plan.

With the Ontario Municipal Employees Retirement System (OMERS), employee contributions will be matched by the Township.

Calculation of pension premiums shall be as per OMERS guidelines.

Health / Medical Benefits

The Township has in effect a mandatory extended health and medical benefits plan covering all permanent full-time employees. The content of these benefits are as set out by the benefit provider and are subject to change at the Township's sole discretion. Currently, the benefits include: Prescription Medication, Optometry/Ophthalmology, Dental, Chiropractic, Podiatry, Physiotherapy/Reflexology, death and long-term disability coverage. The Township's responsibility with respect to benefits is limited to the payment of its portion (80%) of the benefit premiums. Any dispute regarding entitlement to benefits is as between the Employer and the benefit provider.

Employees may have the option to pay additional premiums for coverage in excess of the established maximums for Long-term Disability or Life Coverage. To qualify for additional coverage, employees must satisfy the eligibility criteria of the benefits provider. Enrollment for Critical Illness Insurance is optional for all full-employees. Employees who qualify for Critical Illness Insurance will be responsible for 100% of the associated premium.

The Township will continue to pay its portion of the benefit premiums for employees who are on an approved leave of absence for a maximum of 2 years of continuous absence.

Leaves of Absence

The Township shall comply with the *ESA* in the provision of *ESA* protected leaves of absence.

- Maternity/Paternity Leave

The Township shall permit pregnancy and parental leave in accordance with the *ESA*.

Employees are responsible for applying for pregnancy and parental benefits through Employment Insurance.

- Personal Emergency Leave/Sick Leave

All Employees are entitled to Personal Emergency Leave ("PEL") in accordance with the *ESA*, comprising of 2 paid days and 8 unpaid days of leave.

All permanent full-time employees shall be entitled to the greater benefit of up to a maximum of 18 days of paid sick leave to offset loss of wages ("the greater benefit").

Permanent full-time employees will begin to accrue the greater benefit upon completion of a three month eligibility period at a rate of one day for each full month of active employment. To be clear, all employees are entitled to the minimum *ESA* "PEL" days at the outset of their employment in accordance with the *ESA*. For permanent, full-time employees, the 8 days of unpaid PEL will transition to 8 days of paid sick leave at a rate of 1 day per month starting with the employee's fourth month of employment. Thereafter, permanent full-time employees will accumulate a further 8 days of paid sick leave.

The use of the greater benefit will be deferred until the employee reaches six months of continuous active employment. In addition, upon completion of the six month period of continuous active employment the rate of sick leave to be accrued will increase to a rate of 1.5 days per month. Payments for sick leave shall be made at the current rate of pay.

Generally, sick leave can only be used for personal illnesses, injuries, or medical emergencies. However, sick leave may be used for the illness, injury or medical emergency of a family member with the authorization of the CAO-Clerk-Treasurer.

Employees who are in receipt of the greater benefit and who have had repeated, conspicuous or unexplained sick days may be required to provide a medical note in order to justify the absence. Failure to provide the required documentation may result in disciplinary action as laid out in Schedule 18 or refusal to grant paid leave.

An employee must phone their supervisor / the CAO-Clerk-Treasurer as soon as the employee knows that they will be unable to work that day.

Employees can carry over a maximum of 9 unused sick days to the following year. The maximum number of sick days that an employee can accumulate is 75 days. Half of any accumulated sick days will be paid out upon an employee's retirement. Such pay-out will not be made where an employee is terminated or resigns in order to accept other employment.

- Compassionate Leave

Permanent employees, upon request to their Department Head may be entitled to up to three (3) days leave of absence with full pay in the event of the death in the family and one (1) day for other family. Compassionate days will include the day of the funeral service and/or wake or other memorial service. At the Department Head's discretion, sick days may also be used if necessary.

- Other Leave

Employees who may require a leave of absence for personal reasons (other than injury or illness) shall submit their request in writing stating the reason and length of absence required to the CAO-Clerk-Treasurer.

Council shall review each request and decide whether the request will be granted, and if granted, determine the condition(s) under which the leave of absence is approved.

Payment of Benefits during Periods of Absence

Upon receipt of documented medical certification, the Township agrees the following benefits only shall be maintained as described for employees absent as a result of illness or injury for extended periods of time as follows:

- **OMERS**

The OMERS regulation allows a member who is absent from work on account of sickness or disability to continue to accrue credited service in the OMERS Pension Plan during the period of this absence. The disability elimination period occurs during the period of time between the date of a member's disability and the date an OMERS disability benefit begins (normally the first day of the fifth month following the date of disability). For a member to continue to accrue credited service during a disability elimination period they must continue to make contributions to OMERS during the elimination period. These contributions will be matched by the Township and are based on a rate of contributory earnings immediately prior to the absence from work. If a member chooses not to contribute during a disability elimination period then the absence becomes a period of broken service, which cannot be purchased as broken service.

If a member wishes to continue to accrue credited service they must arrange to pay the employee into the Administration Office on a bi-monthly basis coinciding with the normal pay period.

- **Use of Annual Vacation**

An employee shall be allowed to use his/her annual vacation to offset loss of wages during periods of sick leave.

Schedule 7

Workplace Safety & Insurance Board Coverage

The Township shall maintain in good standing, coverage through the Workplace Safety & Insurance Board.

In the event of an on-the-job accident, details shall be reported on the WSIB Form 7, completed by the employee's supervisor to the Administration office immediately, in order that the appropriate claim forms can be processed without delay. The Township will pay the employee his/her regular earnings for the day of the accident.

Upon completion of a WSIB Form 7, all permanent full-time employees must indicate if they will be utilizing their sick days to top up the WSIB payments and receive payment from the municipality or if they will receive payment directly from WSIB. If they elect to receive payment directly from WSIB, this will constitute a break in service from their OMERS pension plan.

Employment Insurance

The savings from any EI premium reductions will belong to the employee to whom the reduction applies. 5/12 of any savings from the previous year shall be paid to the employee as a cash rebate, to be paid in the first quarter of the following year. The remaining 7/12 of any rebate will be used to augment the employee health benefits plan.

Schedule 8

Normal Hours of Work

Standard Hours of Work (unless otherwise agreed upon):

For salaried employees, these hours of work are general guidelines and serve as a minimum expectation. On occasion, salaried employees may be required to work in excess of these hours and no further payment shall be owing (unless the salaried employee works in excess of 44 hours per week – see Schedule 9).

- a. Administration (includes clerical employees in the Clerk-Treasurer’s Department)
 - i. 9:00 a.m. to 4:30 p.m. with a 1 hour unpaid lunch break (32.5 hours per week)
- b. Public Works (includes the Public Works Superintendent and employees):
 - i. 7:00 a.m. to 4:00 p.m. with a 1 hour unpaid lunch break (40 hours per week)
- c. All other Municipal Employees (includes Part-Time, Temporary, Seasonal and Contract Employees):
 - i. hours of work shall be established by Department Heads or as set out in any contract.

Landfill Site Manager

LANDFILL HOURS	
Open holiday Mondays from Victoria Day to Thanksgiving.	
Monday	CLOSED
Tuesday	10:30 p.m. – 6:30 p.m.
Wednesday	CLOSED
Thursday	10:30 p.m. – 6:30 p.m.
Friday	CLOSED
Saturday	10:30 p.m. – 6:30 p.m.
Sunday	CLOSED

Complex/Rink Attendant (Seasonal)

Weekdays: 6:00 p.m. to 9:00 p.m.
Weekends: 12:00 p.m. to 5:00 p.m.; 6:00 p.m. to 9:00 p.m.

Custodial Manager

Hours of work for the Custodial Manager are established in the employment contract. Hours of work are established by the cleaning requirements for each individual municipal building usually at the direction of the Department Head.

All employees are entitled to two (2) fifteen (15) minute breaks for each working day made available at their supervisor’s discretion.

Schedule 9

Overtime Pay

All non-supervisory and non-managerial employees are entitled to overtime pay. Hours worked in excess of 44 hours per week shall be deemed to be overtime hours and shall be paid at the rate of one and a half (1 ½) times the employee's hourly rate of pay at the time the overtime was incurred. Hours worked in excess of the employee's standard hours shall be compensated at the employee's regular rate. Employees may also be compensated for overtime hours through time off in lieu of overtime pay at the same rate as detailed above at the discretion of the CAO-Clerk-Treasurer. All employees entitled to overtime pay require prior authorization from their Department Head before working in excess of 44 hours in a week.

All employees shall utilize a time clock to record the beginning and the end of every regular work day as well as an over-time to be recorded. Excessive overtime will be scrutinized by the CAO-Clerk-Treasurer, the Municipal Council or the Department Head. In order to perform adequate "Job-Costing" and to allocate costs to the various municipal departments and facilities, all Public Works Employees will be required to complete a "Public Works Activity Report" and submit it on the Friday of every work week and at the end of each pay-period.

Part-time, Temporary, Seasonal and Contract Employees – Hours of Work and Payment of Overtime

The basic workday for employees in the above categories shall be subject to scheduling by the employees supervisor but shall not exceed twelve (12) hours in a day or forty four (44) hours in a week. Hours worked in excess of forty four (44) hours in a week shall be deemed to be overtime hours and will be paid at one and a half (1 ½) times the employee's regular rate of pay in effect at the time the overtime was incurred.

Schedule 10

Reimbursements/Training Courses

The Township agrees to reimburse employees for reasonable pre-authorized expenses (as determined in the sole discretion of the employee's Department Head and/or the CAO-Clerk-Treasurer). Receipts with a complete description of the item or service purchased, the total cost and HST are required before any reimbursement shall be provided.

Where an employee is directed to attend a training seminar or course, the following expenses shall be paid by the employer:

Transportation

Use of a private vehicle is to be subsidized at the rate of 55 cents per km to and from the seminar location only. Compensation for travel by public transportation requires pre-approval and must be supported by receipts. Travel expenses must be claimed on the approved travel expense claim form immediately upon return to work. Where possible, carpooling is encouraged, as well as cost sharing.

Hotel Accommodations

Reimbursement for hotel costs require pre-approval and must be supported with receipts.

Registration Costs

Receipts are also required for registration costs and other course materials.

Meals

Reimbursements for meal expenses require receipts. The maximum amount payable for meals shall be as follows:

Breakfast	\$15.00
Lunch	\$25.00
Dinner	\$35.00

If meals are provided as part of the conference or training, employees are not eligible to claim the meal allowance for those meals.

Employees must successfully complete the training course(s) for which the expenses were incurred in order for the municipality to cover the cost(s). Failure to do so may result in the employee having to reimburse the municipality for all such expenditures, including all costs for course materials and fees.

Schedule 11

Checking of Driver's Licenses

All operators of municipal equipment shall be properly licensed at all times with respect to the vehicles they are required to operate. The Department Heads shall, at least annually, check to see that such personnel hold a proper and valid license and record such information in the employee's personal file.

All part-time operators, hired from time to time, shall provide licenses for checking at the time of hire, before being allowed to operate municipal equipment.

It is the responsibility of any employee of the Township required to operate Township vehicle to advise his/her superior if his/her license has to be invalidated or cancelled for any reason.

All operators shall provide up to date information on driver's licenses.

Schedule 12

Discipline

The Township of Matachewan expects all employees to be conscientious, respectful, professional, and to fulfill their job responsibilities while also adhering to the Township's policies and procedures. In situations where an employee conducts him/herself in an unsatisfactory manner, the Township has the responsibility to take corrective action.

The Township adopts, in principle, the use of progressive discipline. The purpose of progressive discipline is to communicate to employees that their conduct is unacceptable and must improve. The type of discipline imposed will depend on the severity of the offence and on the employee's disciplinary record but generally will follow the following steps:

1. Verbal Warning (not on record)
2. Verbal Warning (with written record)
3. Written Warning
4. Termination with Cause

Depending on the circumstances of a particular incident(s), the Township may repeat, skip, or retreat one or more steps on the progressive discipline spectrum. The Township may also terminate an Employee with cause after a single incident of misconduct of a very serious nature.

Where the Department Head believes that an employee has engaged in misconduct or has otherwise violated the herein policy, the Department Head should immediately advise the CAO-Clerk-Treasurer. Either the Department Head or the CAO-Clerk-Treasurer (or a member of Council in the case the CAO-Clerk-Treasurer's conduct is at issue) shall give the employee the opportunity to respond to any allegation of misconduct or violation of this Policy before making a determination as to whether the employee's conduct warrants a disciplinary response.

All disciplinary action (except verbal warnings – not on record) must be documented in writing. The Department Head shall ensure that the written documentation is provided to the employee and added to the employee's personnel file.

Disciplinary action and corrective measures are taken at the discretion of the CAO/Clerk/Treasurer and/or Council.

Schedule 13

Code of Conduct

Purpose

The purpose of this Code of Conduct is to set out the Township's expectations for the conduct of its employees to ensure that all employees adhere to the ethical standards and behaviours expected of them by the residents of the Township. This code of conduct will represent general standards that aim to be comprehensive, but not exhaustive.

General

All employees of the Township are expected to:

- always conduct themselves, on and off duty, in a manner that reflects positively on the Township;
- show courtesy and respect at all times in dealing with members of the public and fellow Township workers;
- recognize that they serve in a position of public trust that requires stewardship in the honest and efficient use of publicly owned resources.

Alcohol or Drug Use

No employee shall consume alcoholic beverages or use a prescription or non-prescription drug while on duty that may impair his/her ability to perform the duties required of them.

If an employee is required, due to a medical condition, to consume a prescription medication that impairs his/her ability to perform his/her duties, he/she shall notify the CAO-Clerk-Treasurer in advance and the Township shall determine whether and how the employee's medical needs can be accommodated.

Conflict of Interest

Members must disclose and take reasonable steps to avoid any conflict of interest (real or apparent) in connection with their employment with the Township.

A conflict of interest is defined as any circumstance that interferes with, or potentially may interfere with, the employee's obligations as an employee of the Township. In considering whether a conflict of interest exists, the relationship of the employee and his or her Family or Other Family with suppliers, contractors and other third parties who deal with the Township should be considered. If an employee has any doubt about whether or not he or she is in a conflict of interest position, he or she should consult with the CAO-Clerk-Treasurer. In all cases where a conflict of interest may exist, the Township may or may not provide the affected employee the opportunity to remedy the conflict of interest.

Confidential Information

All employees of the Township must adhere to the following confidentiality obligations:

1. No private or confidential information shall be disclosed to the general public with respect to individuals, clients, or organizations.
2. No information shall be disclosed to the general public with respect to project proposals prior to funding arrangements and/or approvals from Council.
3. No information shall be disclosed to the general public with respect to personnel matter or financial matters prior to approval by Council.
4. No information shall be used for personal gain.
5. All reasonably necessary measures and precautions will be taken to preserve the confidentiality of confidential information.
6. These confidentiality obligations shall be maintained upon vacating one's employment with the Township for whatever reason.

Communication, Media Relations, and Social Media Conduct

The official spokespersons for Township operations shall be the CAO-Clerk-Treasurer, and/or his or her designate, if specific information is requested. Prior approval for any media comments or public relations activities should be sought from these officials.

No employee shall supply information relating to the Township, whether it is administrative or operational in nature, to any person, unless authorized by the CAO-Clerk-Treasurer and employees shall refer all such requests for information to the CAO-Clerk-Treasurer.

All communications (internal/external) regarding department or municipal actions are open and free to the public under the *Municipal Freedom of Information and Protection of Privacy Act*. Therefore, all communications shall not:

- Use profane language or contain obscene content;
- Support or advertise commercial services, entities or products;
- Be obscene;
- Discuss or encourage illegal activity;
- Contain information that may compromise the safety and security of the public or public systems;
- Contain disrespectful or disparaging content towards staff, public, Council, or other fire service members;

No employee shall, in a public forum, social media, etc., express a comment or opinion respecting the operations or policies of the Township, which could be seen to compromise the interests or integrity of the Township or Council. Similarly, employees must use caution to ensure these interests are not compromised by the use of Township letterhead and email addresses.

It is not the intent of this Code of Conduct to restrict the ability of employees to express a personal opinion on matters of general interest. In such cases, the employee must make it clear that the

comment is being made in their capacity as a private citizen, and not as a representative of the Township.

An employee who, in any way, publishes or otherwise makes known in a public forum, false or inflammatory comments about the Township, Township staff or Council, shall be in breach of the Code of Conduct.

Employees shall conduct themselves on social media in a manner that conforms to this Code of Conduct. Members must not use social media in a manner that would harm the reputation of the Township. Such conduct includes but is not limited to slurs, derogatory comments, or insults.

Use of Municipal Property

Employees may be permitted the use of the Community Hall, free of charge, for the purpose of staff functions. Booking of the hall is to be made through the Town Office and is subject to the prior approval of the CAO-Clerk-Treasurer.

Municipal property shall not be used by employees for personal use unless through prior approval of the CAO-Clerk-Treasurer

Every employee shall be responsible for the loss or damage of any equipment or items issued to him/her if it is found that the loss or damage was the result of carelessness or improper use. Employees may be subject to disciplinary action as a result of a loss or damage, which may include assessing a penalty for payment of the loss or damage.

No employee shall make financial gain from the use of or sale of Municipal property, including computer programs, technological innovations or other patentable items, either while an employee of the Township or thereafter. All such property shall remain in exclusive ownership of the Township.

Gifts and Benefits

Employees may not accept or provide any gift, entertainment, benefit, favour, or obligation in exchange for special consideration or influence, or where it may be perceived to be in exchange for special treatment.

Fraud/Breach of Trust

Members shall not engage in behaviour that is fraudulent or that constitutes a breach of trust with the Township. Such conduct includes but is not limited to:

- Using deceit to gain a personal advantage, pecuniary interest or benefit for oneself;
- Illegally obtaining money, including the solicitation or acceptance of bribes or favours;
- Intentionally providing false or incomplete information to the Township;
- Intentionally circumventing Township policies or procedures to gain a personal advantage for oneself and/or others;
- Planning or participating in a theft of Township property, or the use of said property to aid or conduct a theft of any kind;

- Inappropriate personal use of or intentional damage of Township property;
- Undertaking any other illegal activity.

Political and Community Activity

To ensure public trust, employees must be, and appear to be, impartial and free of undue political influence in the exercise of their official duties. Employees engaged in political activities must take care to separate those personal activities from their official positions.

If you intend to stand for election to the Township's council, you must take a leave of absence without pay before you file your nomination form. If elected, you must resign from your employment.

Employees may become involved in other municipalities' elections as well as Provincial and Federal elections but must ensure that their political involvement does not create a conflict with their duties and responsibilities as a Township employee.

Enforcement

All employees shall read, understand and accept the terms of this Code of Conduct and sign an acknowledgement that they have done so, a copy of which is to be placed in each member's personnel file.

The observance of this Code of Conduct shall be a condition of employment with the Township. Breaches of the Code of Conduct will provide grounds for disciplinary action including, in serious cases, dismissal for cause.

All employees are responsible for ensuring that this Code of Conduct is respected and enforced at all times.

Where an employee has some reason to be concerned about a possible breach of this Code of Conduct, the CAO-Clerk-Treasurer shall be consulted immediately. All such complaints or allegations are to be held in total confidence pending review and/or investigation.

Conflict of interest matters concerning the CAO-Clerk-Treasurer shall be referred to a member of Council.

The CAO-Clerk Treasurer (or a member of Council) is responsible for ensuring that any such allegations of breaches of the Code of Conduct are properly and thoroughly investigated and appropriate action taken.

Depending on the nature and severity of the infraction, the CAO-Clerk-Treasurer may decide to undertake a formal investigation using either internal or external resources. The employee may be placed on a leave of absence pending the outcome of any investigation into an alleged infraction of this Code of Conduct, but will have an opportunity to respond to any allegations respecting a breach made against him or her during the course of the investigation.

Schedule 14

Health and Safety

Purpose

To outline the rights and responsibilities of the Township and every worker and supervisor with respect to the *Occupational Health and Safety Act* (the "**OHSA**") for the purpose of achieving a healthy and safe workplace.

Policy Statement

The Township and its management are vitally interested in the health and safety of its workers. Protection of workers from injury or occupational disease is a major continuing objective. The Township will take all reasonable precautions to provide a safe and healthy work environment. All management personnel, supervisors, and workers must be dedicated to the continuing objective of reducing risk of injury and occupational disease.

The Township, as the employer, is ultimately responsible for worker health and safety. As the Health and Safety representative and as the CAO-Clerk-Treasurer of the Township, we give you our personal commitment that we will comply with our duties under the *OHSA*.

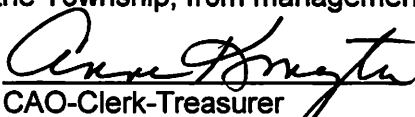
Supervisors will be held accountable for the health and safety of workers under their supervision. Supervisors are subject to various duties in the workplace, including the duty to ensure that machinery and equipment are safe and that workers work in compliance with established safe work practices and procedures.

Every worker must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures established by the employer. Workers will receive information, training and competent supervision in their work tasks to protect their health and safety.

It is in the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of the Township, from management to the workers.



Health & Safety Representative



CAO-Clerk-Treasurer
The Township of Matachewan

October 9th, 2018
Date Review Completed

Scope

This policy and procedure applies to all Township workers regardless of employment status.

General Responsibilities

Health and Safety Representative

The Township shall at all times have at least one health and safety representative, selected by workers, who shall be a worker who does not exercise managerial functions.

The Health and Safety Representative shall be responsible for:

- Inspecting the physical condition of the workplace at least once a year, inspecting at least a part of the workplace each month;
- Identifying situations that may be a source of danger or hazard to workers and to make recommendations or report his or her findings thereon to the CAO-Clerk-Treasurer and to the workers;
- Obtaining information from the Township concerning the conducting or taking of tests of any equipment, machine, device, or thing in or about a workplace for the purpose of occupational health and safety;
- Being present and consulted at the beginning of any testing (referred to above) if the representative believes his or her presence is required to ensure valid testing procedures are used;
- Obtaining information from the Township regarding the identification of potential or existing hazards of materials, processes, or equipment and the health and safety experience and work practices/standards in similar workplaces of which the Township has knowledge.
- Being present at the investigation by the Township of a work refusal.

Management

Management are the persons responsible for carrying out the duties of the employer (the Township). Management personnel are also supervisors and therefore have supervisor responsibilities as well. For the purposes of the Township, management includes the CAO-Clerk-Treasurer and Department Heads.

The duties and responsibilities of Management include:

- Ensuring that any equipment, materials, or protective devices that are prescribed in the *OHSA* or regulations are provided, maintained in good condition, and used as prescribed;
- Ensuring that measures and procedures prescribed in the regulations are carried out in the workplace;
- Ensuring that a building, structure, or any other part of the workplace is capable of supporting any loads that may be applied to in accordance with the *Building Code Act*, any other prescribed regulations, or good engineering practices;

- Providing workers with written instructions about the measures and procedures to be taken for the worker's protection;
- Ensuring that all hazardous materials in the workplace are identified in a prescribed manner and obtain or prepare an unexpired material safety data sheet for all hazardous material in the workplace.
- Complying with specific duties under *OHSA* regarding workplace violence and harassment. Refer to the Workplace Policy;
- Instructing, informing and supervising workers to protect their health and safety;
- Assisting in a medical emergency by providing any information, including confidential business information, to a qualified medical practitioner and other prescribed persons for the purpose of diagnosis and treatment;
- Appointing competent persons as supervisors. A competent person is defined as an individual who is:
 - qualified, through knowledge, training and experience to organize the work and its performance;
 - familiar with *OHSA* and the regulations that apply to the work being performed in the workplace;
 - knowledgeable about any actual or potential danger to health and safety in the workplace.
- Informing a worker, or a person in authority over a worker, about any hazard in the work and train that worker in the handling, storage, use, disposal and transport of any equipment, substances, tools or materials;
- Not employing or permitting persons who are under the prescribed age for the employer's workplace to be in or near the workplace;
- Taking every precaution reasonable in the circumstances for the protection of the worker;
- Posting, in the workplace, a copy of the *OHSA* that outlines the rights, responsibilities and duties of workers;
- Preparing and reviewing at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy;
- Posting, in the workplace, a copy of this occupational health and safety policy and procedure.
- Providing to the Health & Safety Representative the results of a report respecting occupational health and safety that is in management's possession and, if that report is in writing, a copy of the portions of the report that concern occupational health and safety;

- Advising workers of the results of a report referred to above and, if the report is in writing, make available to them on request copies of the portions of the report that concern occupational health and safety;
- Management, as the employer, must provide a written response within twenty-one (21) calendar days, to any written recommendations from the Health & Safety Representative. If the employer agrees with the recommendations, the response must include a timetable for implementation. If the employer disagrees with a recommendation, the response must give the reasons for disagreement.
- Management has a general duty to co-operate with and help the Health & Safety Representative to carry out its functions. In particular, management is required to:
 - Provide any information that the Health & Safety Representative has the power to obtain from the employer;
 - Respond to the Health & Safety Representative recommendations in writing;
 - Give the Health & Safety Representative copies of all written orders and reports issued by the Ministry of Labour inspector, and;
 - Report any workplace deaths, injuries and illnesses to the Health & Safety Representative;
 - Advise the Health & Safety Representative of the results of an assessment of risks of workplace violence and provide the results of any report on occupational health and safety that is in the employer's possession.
- In the event a worker has acted in compliance with or sought enforcement of the *OHSA*, its regulations or a related order, management shall not:
 - Dismiss or threaten to dismiss a worker;
 - Discipline or suspend or threaten to discipline or suspend a worker;
 - Impose any penalty upon a worker;
 - Intimidate or coerce a worker.

Supervisors

A supervisor is a person appointed by the employer who has charge of a workplace or authority over a worker. Despite any job title, if a worker has been given charge of a workplace or authority over a worker, this person has met the definition of a supervisor within the meaning of *OHSA* and assumes the legal responsibilities of a supervisor under the *OHSA*.

The duties of a supervisor include:

- Ensuring that a worker works in the manner and with the protective devices, measures, and procedures required by the *OHSA* and the regulations;
- Ensuring that a worker wears the equipment, protective devices or clothing that management or the employer requires;
- Advising a worker of the existence of any potential or actual danger to the health and safety of the worker of which the supervisor is aware;
- Where prescribed by the regulations, providing a worker with written instructions as to the measures and procedures to be taken for the protection of the worker;
- Taking every precaution reasonable in the circumstances for the protection of a work.
- In the event a worker has acted in compliance with or sought enforcement of the *OHSA*, its regulations or a related order, a supervisor shall not:
 - Dismiss or threaten to dismiss a worker;
 - Discipline or suspend or threaten to discipline or suspend a worker;
 - Impose any penalty upon a worker;
 - Intimidate or coerce a worker.

Workers

Workers play a key role in health and safety at the workplace. A worker must:

- Work in compliance with the *OHSA* and regulations;
- Follow all Safe Operating Procedures;
- Participate in employer provided training;
- Use or wear any equipment, protective devices or clothing required by the employer;
- Report to management any known missing or defective equipment or protective device that may endanger the worker or another worker;
- Report any hazard or contravention of the *OHSA* or regulations to management;
- Not remove or make ineffective any protective device required by the employer or by the regulations, unless an adequate temporary protective device is provided in its stead, as approved by a supervisor;
- Not use or operate any equipment or work in any way that may endanger any worker; and

- Not engage in any prank, contest, feat of strength, unnecessary running or rough or boisterous conduct.

Workers have the right to refuse work that he or she believes is unsafe to himself/herself or another worker. A worker who believes that he or she is endangered by workplace violence may also refuse work. Refer to the Work Refusals Procedures below.

Workers shall provide a written report and fill out any required WSIB forms to report workplace health and safety incidents, near misses and injuries.

Procedures

Workplace Violence and Harassment

Please refer to the Workplace Violence and Harassment Policy and Procedures at Schedule 16.

Work Refusals

This section does not apply when the circumstance leading to a work refusal is inherent in the worker's work or is a normal condition of the worker's employment or when the worker's refusal to work would directly endanger the life, health or safety of another person.

Unless otherwise prohibited by *OHSA*, a worker may refuse work or do particular work where he or she has reason to believe that:

- Any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;
- The physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself;
- Workplace violence is likely to endanger himself or herself;
- Any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of the *OHSA* or its regulations and such contravention is likely to endanger himself, herself or another worker.

Upon refusing to work or do particular work, the worker shall promptly report the circumstances of the refusal to the worker's employer or supervisor who shall forthwith investigate the report in the presence of the worker and the Health & Safety Representative.

Until the investigation is complete, the worker shall remain in a safe place that is as near as reasonably possible to his or her work station and available to the employer or supervisor for the purposes of the investigation.

If the matter is not resolved to the satisfaction of the worker, the Health & Safety Representative and/or the employer, the matter will be referred to an inspector of the Ministry of Labour.

Accident Response

Critical Injury or Fatality

Where a person is killed or critically injured from any cause at a workplace, the employer shall notify an inspector at the Ministry of Labour and the Health & Safety Representative, immediately after the occurrence by telephone or other direct means and the employer shall, within forty-eight (48) hours after the occurrence, send to the Ministry of Labour a written report of the circumstances of the occurrence containing relevant information and particulars including:

- the address of the Township's main office;
- the nature and the circumstances of the occurrence and of the bodily injury sustained;
- a description of any machinery or equipment involved;
- the time and place of the occurrence;
- the name and address of the person who was killed or critically injured;
- the names and addresses of all witnesses to the occurrence; and
- the name and address of the physician or surgeon, if any, by whom the person was or is being attended for the injury.

Where a person is killed or critically injured at a workplace, no person shall interfere with, disturb, destroy, alter, or carry away any wreckage, article or thing at the scene of or connected with the occurrence until permission to do so have been given by the Ministry of Labour, unless for the purpose of:

- Saving a life or relieving human suffering;
- Maintaining an essential public utility service or a public transportation system;
- Preventing unnecessary damage to equipment or other property.

Accident with no Critical Injury or Fatality

If a person is disabled from performing his or her work or requires medical attention because of an accident, explosion, fire or incident of workplace violence at the workplace, but no person dies or is critically injured because of that occurrence, the employer shall, within four days of the occurrence give written notice of the occurrence to the Health & Safety Representative.

Occupational Illness

If an employer is advised by or on behalf of a worker that a worker has an occupational illness or that a claim in respect of an occupational illness has been filed with the Workplace Safety and Insurance Board by or on behalf of the worker, the employer shall give notice in writing, within four days of being advised, to the Health & Safety Representative.

Schedule 15

Accommodation Policy

Purpose

The Township is committed to fostering an inclusive workplace where all Employees are treated with respect and dignity. The Township will act in a manner consistent with its obligations under the *Human Rights Code* (“the Code”) and the *Accessibility for Ontarians with Disabilities Act* (the “AODA”).

The Township recognizes that all employees have a right to equal treatment without discrimination based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, or disability.

The Township will accommodate needs related to a prohibited ground of discrimination, up to the point of undue hardship. The duty to accommodate is a requirement to integrate diversity into the workplace and may entail changing physical space, policies, practices, and/or behaviours.

Application

This policy applies to all aspects of employment including, but not limited to recruitment, selection, training, promotion, transfers, work arrangements, compensation and benefits, and termination of employment.

Definitions

Accommodation is the process of making changes or adjustments that eliminate discriminatory barriers to equal participation and enjoyment of opportunities in employment, education, public services and other areas covered by the *Code*. Accommodation means focusing on inclusion, flexibility and the circumstances of the particular case. As a general rule, employees who wish the Township to provide accommodation have a responsibility to make a request for such accommodation.

Undue Hardship describes the limit on the duty to accommodate for employers. Employers are required to accommodate employees who are experiencing discrimination on the basis of one or more of the prohibited grounds up to the point of undue hardship. Undue hardship can only be defined on a case-by-case basis as its determination relies on the specific facts of each case. The Code lists cost, health and safety requirements and sources of outside funding as factors relevant to the issue of undue hardship. Some other factors which courts have considered in determining what constitutes undue hardship include: a threat to health or safety, major economic impact, disruption to a collective bargaining agreement, interchangeability of the workforce and facilities and size of workplace. This list is not exhaustive, but rather demonstrative.

Discrimination is the unequal treatment of persons with respect to employment on the basis of certain personal characteristics and includes direct, constructive, or systemic discrimination. The *Code* establishes which characteristics (referred to as “prohibited grounds”) are covered. They are:

- i. Race
- ii. Ancestry
- iii. Place of Origin
- iv. Colour
- v. Ethnic Origin
- vi. Citizenship
- vii. Creed
- viii. Sex
- ix. Sexual Orientation
- x. Gender Identity
- xi. Gender Expression
- xii. Age
- xiii. Record of Offences
- xiv. Marital Status
- xv. Family Status
- xvi. Disability

Discrimination usually involves the following elements:

- a. not individually assessing the unique merits, capacities, and circumstances of a person;
- b. instead, making stereotypical assumptions based on a person's presumed traits;
- c. having the impact of excluding persons, denying benefits, or imposing burdens.

Responsibilities and Expectations

Accommodation is a shared responsibility between the Township as the employer, and its employees. The Township is responsible for:

- a. Eliminating barriers that prevent people from accessing, or being included in, the workplace;
- b. Minimizing the need for individual accommodation by regularly reviewing rules, policies, by-laws and practices to ensure that they are not discriminatory;
- c. Ensuring that all Employees and job applicants are advised of their right to be accommodated;
- d. Dealing with requests for accommodation in a timely, confidential and sensitive manner;
- e. Providing individual accommodation to the point of undue hardship; and ensuring that this policy is effectively implemented.

The CAO-Clerk-Treasurer and Department Heads are responsible for:

- a. Fostering an inclusive work environment by treating all employees and job applicants with respect and dignity;
- b. Identifying and eliminating barriers that prevent people from accessing, or being included in, the workplace;

- c. Dealing with requests for accommodation in a timely, confidential and sensitive manner;
- d. Involving individuals requiring accommodation in the search for accommodation;
- e. Informing individuals requiring accommodation what information they need to provide to be accommodated; and
- f. Initiating a discussion about accommodation when they are aware that an Employee or job applicant may have a need for accommodation, but is unable, for any reason, to articulate that need.

Employees are responsible for:

- a. Making their accommodation needs known. This does not require the disclosure of the specific cause of their needs, but only the effects which create the need for accommodation;
- b. Helping to identify potential accommodation options;
- c. Providing documentation in support of their request for accommodation, including information about any restrictions or limitations; and
- d. Accepting an offer of accommodation that meets their needs, even if it is not their preferred accommodation option.

Employees and job applicants can expect:

- a. To be treated with respect and dignity;
- b. To have their needs accommodated up to the point of undue hardship; and
- c. To be informed of the reasons, if their accommodation request is denied.

Procedures for Accommodation

An Employee may request accommodation by notifying the CAO-Clerk-Treasurer in writing. Requests should include:

- a. Date;
- b. Name and position of Employee;
- c. Details of the unequal treatment experienced by the Employee in the workplace;
- d. The personal characteristic that has led to the unequal treatment;
- e. Details of the accommodation request; and
- f. Suggested accommodation options.

The CAO-Clerk-Treasurer may request additional supporting documentation, including medical documentation, from the Employee in order to assess the need for accommodation and to identify accommodation options (e.g. details of restrictions or limitations). The CAO-Clerk-Treasurer will consider accommodation options including, but not limited to:

- a. Workstation adjustments;
- b. Reassignment of job tasks;
- c. Changes to scheduling or hours of work; leaves of absence; and
- d. Temporary or permanent reassignment.

All costs associated with an outside medical or other expert report regarding the Employee's accommodation requirements shall be covered by the Township.

The accommodation preferences of the Employee will be taken into account. However, the CAO-Clerk-Treasurer may proceed with an option that is less costly or easier to provide, when it meets the Employee's accommodation needs.

The CAO-Clerk-Treasurer will provide a written response to the Employees' request and will meet with the employee to discuss the decision. The response will include:

- a. Date;
- b. Approved accommodation options including a timeline for reviewing the accommodation plan; and
- c. Reasons for the decision.

The Township will ensure that all accommodation options short of undue hardship have been considered prior to refusing accommodation. If a request for accommodation is denied, the Township will clearly communicate the reasons why to the Employee.

The CAO-Clerk-Treasurer will review the accommodation measures with the Employee on a regular basis to confirm they continue to be necessary and effective.

Where an Employee has been absent from work due to a disability and requires disability-related accommodations upon their return, the process above shall be followed. The Township may request medical documentation from the Employee upon their return to ensure the Employee is capable of resuming their job responsibilities.

Privacy and Confidentiality

All records associated with accommodation requests will only be shared with persons who need the information in order to implement an accommodation.

Schedule 16

Workplace Violence and Harassment

POLICY STATEMENT

The Corporation of the Township of Matachewan ("the Township") is committed to providing a safe and healthy work environment in which all workers are treated with respect and dignity. Workplace violence or harassment will not be tolerated from any person in the workplace, including customers, clients, other employers, supervisors, worker and members of the public as applicable.

SCOPE AND APPLICATION

This policy applies to all workers and also addresses instances of workplace violence or harassment perpetrated against workers by members of the public.

DEFINITIONS

DOMESTIC VIOLENCE

The exercise of physical force that could cause physical injury, an attempt to exercise physical force that could cause physical injury, or a statement or behavior that is reasonably interpreted by its target as a threat to exercise physical force that could cause physical injury by a person who has a personal relationship with a worker, such as a spouse or former spouse, current or former intimate partner or a family member.

ELECTED OFFICIAL

Includes any elected official.

MEMBER OF THE PUBLIC

Any individual who is in the workplace who is not a worker.

WORKER

Includes all full-time employees, part-time employees, union employees, non-union employees, elected officials, contractors, interns, supervisors and managers who perform work for the Township.

WORKPLACE

Any land, premises, location or thing at, upon, in or near which a worker works.

WORKPLACE HARASSMENT

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, or workplace sexual harassment;

Workplace harassment **does not include** a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace.

WORKPLACE SEXUAL HARASSMENT

Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome,

or

Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

WORKPLACE VIOLENCE

- The exercise of physical force by a person against or a worker, in a workplace that causes or could cause physical injury to the worker;
- An attempt to use physical force against a worker, in a workplace, that could cause physical injury to the worker;
- A statement or behavior that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

GENERAL RESPONSIBILITIES OF WORKERS

1. **Compliance:** It is the responsibility of all workers to comply with this policy at all times to protect themselves and others in the workplace from workplace violence and harassment;
2. **Cooperation:** It is the responsibility of all workers to fully cooperate in any investigation of complaints or incidents or breaches of this policy.
3. **Training:** It is the responsibility of all workers to participate in any training session conducted by the Township regarding this policy.

GENERAL RESPONSIBILITIES OF THE EMPLOYER

1. **Written Policy:** The Township shall prepare a policy with respect to workplace violence and workplace harassment.

This document satisfies that duty.

2. **Review of Written Policy:** The Township shall review the policy with respect to workplace violence and workplace harassment as often as is necessary, but at least annually.

It shall be the responsibility of the CAO-Clerk-Treasurer to ensure that a review of this policy is conducted as often as is necessary, but at least annually and present a policy to the Mayor on an annual basis for approval and signature.

3. **Posting of Policy:** This policy shall be in written form and shall be posted at a conspicuous location in the workplace.

It shall be the responsibility of each department head to ensure this policy is posted at a conspicuous location within their department.

- 4. Assessment of Risks of Violence:** The Township shall assess the risks of workplace violence that may arise in the workplace and reassess as often as is necessary to ensure that this policy and the program implementing this policy continue to protect workers from workplace violence.

Each department, under the leadership of the department head, shall assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of the work. A Risk Assessment Form is attached as Schedule "A" to this policy. The assessment shall take into account circumstances that would be common to similar workplaces and circumstances specific to the workplace as well as possible mitigation that the employer can provide. A reassessment of the risks of workplace violence shall be conducted as often as is necessary to ensure that the policy continues to protect workers from workplace violence.

The results of all risk assessments and reassessments shall be submitted to the CAO-Clerk-Treasurer.

- 5. Information and Instruction:** The Township shall provide workers with information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace violence and harassment.

It shall be the responsibility of the CAO-Clerk-Treasurer to ensure all workers are provided appropriate instruction and information regarding the Workplace Harassment Policy and Program.

- 6. Information – Workplace Violence:** The Township shall provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour if the worker can be expected to encounter that person in the course of his or her work and the risk of workplace violence is likely to expose the worker to physical injury. The Township shall not disclose more personal information than is reasonably necessary in the circumstances to protect a worker from physical injury.

In circumstances where the risk of workplace violence is not imminent, it shall be the responsibility of the CAO-Clerk-Treasurer to determine what personal information, if any, shall be provided to workers to protect them from physical injury.

In circumstances where the risk of workplace violence is imminent, the worker with information about the risk shall disclose the personal information that is reasonably necessary to protect a worker from physical injury.

- 7. Precautions – Domestic Violence:** If the Township becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the Township shall take every precaution reasonable in the circumstances for the protection of the worker. This could include but is not limited to:

- Creating a safety plan
- Contacting the police
- Establishing enhanced security measures such as a panic button, code words, and door and access security measures
- Screening calls and blocking certain email addresses
- Setting up priority parking or providing escorts to your vehicle

8. **Reprisal:** This policy prohibits reprisals against workers who have made good faith complaints, provided information regarding a complaint or incident of workplace violence or harassment or who have followed the procedures outlined in the policy. Any worker who must leave the workplace due, in their opinion, to an imminent threat of violence will not be penalized with a loss of pay or other penalties.

Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

In order to protect employees from possible reprisals identifying information about any individuals involved shall not be disclosed unless the disclosure is necessary for the purpose of investigation or taking corrective action or is otherwise required by law.

A worker who makes a false complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

9. **Program:** The Township shall develop and maintain a program to implement this policy with respect to Workplace Violence and Workplace Harassment.

The Program implementing this policy follows.

Cheryl Drummond: 
Mayor

Date: October 9th, 2013

Annie Kmyta: 
CAO-Treasurer-Clerk

Date: October 9th, 2013

THE TOWNSHIP OF MATACHEWAN
WORKPLACE VIOLENCE AND HARASSMENT PROGRAM

WORKPLACE VIOLENCE PROGRAM

CONTROL OF RISKS

1. If the CAO-Clerk-Treasurer and/or department heads are notified of risks of workplace violence, they shall take all reasonable precautions in the circumstances to control the risks that are likely to expose a worker to physical injury. This could include but is not limited to:
 - a. Separating workers
 - b. Removing an individual from the workplace
 - c. Creating a safety plan
 - d. Contacting the police
 - e. Establishing enhanced security measures
 - f. Screening calls and blocking certain email addresses
 - g. Setting up priority parking
2. Any worker who is experiencing domestic violence that is likely to expose the worker or any fellow workers to workplace violence should notify the CAO-Clerk-Treasurer or any Department Head. The Township shall then take all reasonable precautions in the circumstances to control the risks of workplace violence as set out above.

SUMMONING IMMEDIATE ASSISTANCE

3. Any worker who **witnesses** or **experiences** workplace violence or who feels in imminent danger shall:
 - a. ensure they are in a safe location which may include leaving the workplace;
 - b. if, in their opinion, the situation warrants, contact the police by dialing 911;
 - c. follow the reporting procedures that follow

REPORTING WORKPLACE VIOLENCE

4. A worker shall report acts of workplace violence to the immediate Department Head by completing an Incident Report Form (Schedule "B") or by providing the information requested in that form in a written statement as soon as is reasonably possible.
5. If the worker does not have a Department Head or if the immediate Department Head is the alleged perpetrator of the incident, the worker can submit the Incident Report Form to the CAO-Clerk-Treasurer.
6. If the CAO-Clerk-Treasurer and the Immediate Department head are the alleged perpetrators, the worker can submit the Incident Report Form to the Mayor or any two members of Council. The Mayor (or two members of Council) will follow a procedure similar to that outlined above for the CAO-Clerk-Treasurer. The investigation, reporting and corrective action procedures will be altered accordingly.

INVESTIGATION OF WORKPLACE VIOLENCE COMPLAINT

7. The CAO-Clerk-Treasurer shall commence an investigation of the incident to determine the merit of the claim as soon as is reasonably possible and practical after receiving the Incident Report Form. The investigation may include interviewing the individual filing the incident report, the individual against whom the report was made and any witnesses to the incident. The Township may engage the services of an external investigator in appropriate circumstances.
8. Any identifying information about any individuals involved in the incident shall not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.
9. The investigators shall provide written notice within 7 days of the completion of the investigation (or as soon as is reasonably and practically possible) to the complainant and the alleged perpetrator, if he or she is a worker, of the outcome of the investigation and any remedial or corrective action that has taken place and/or will continue to take place.

CORRECTIVE ACTION

10. The CAO-Clerk-Treasurer will determine what action should be taken as a result of the investigation. If a finding of workplace harassment is made, the Township will take appropriate corrective measures.
11. Corrective measures may include one or more of the following:
 - discipline, such as a verbal warning, written warning or suspension without pay;
 - termination with or without cause;
 - referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect;
 - a demotion or denial of a promotion;
 - reassignment or transfer;
 - financial penalties such as the denial of a bonus or performance related salary increase, and
 - any other disciplinary action deemed appropriate under the circumstances.
12. If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township may, however, discipline or terminate anyone who brings a false and malicious complaint.

WORKPLACE HARASSMENT PROGRAM

INFORMAL PROCEDURES

1. If you believe that you are being harassed and you feel comfortable doing so, tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don't like their actions is often enough to stop the behaviour.

Some of the things you can say that might stop the behaviour include:

"I don't want you to do that."

"Please stop doing or saying..."

"It makes me uncomfortable when you ..."

"I don't find it funny when you ..."

2. If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop.

Provide details of the next steps you plan to take if the harassment does not stop e.g., filing a formal complaint. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

3. If you believe that someone who is not a member of our organization, e.g., a customer, supplier, etc., has harassed you, please report the harassment to your supervisor. Although the Township has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

REPORTING WORKPLACE HARASSMENT

4. If the complaint cannot be resolved informally or if it is too serious to handle on an informal basis, the worker shall make a formal complaint of workplace harassment to the immediate Department Head by completing an Incident Report Form (Schedule "B") or by providing the information requested in that form in a written statement as soon as is reasonably possible.
5. If the worker does not have a Department Head or if the immediate Department Head is the alleged perpetrator of the incident, the worker can submit the Incident Report Form to the CAO-Clerk-Treasurer.

6. If the CAO-Clerk-Treasurer and the Immediate Department head are the alleged perpetrators, the worker can submit the Incident Report Form to the Mayor or any two members of Council. The Mayor (or two members of Council) will follow a procedure similar to that outlined above for the CAO-Clerk-Treasurer. The investigation, reporting and corrective action procedures will be altered accordingly.

INVESTIGATION OF WORKPLACE HARASSMENT COMPLAINT

7. The CAO-Clerk-Treasurer shall commence an investigation of the incident that is appropriate in the circumstances to determine the merit of the claim as soon as is reasonably and practically possible after receiving the Incident Report Form. The investigation may include interviewing the individual filing the incident report, the individual against whom the report was made and any witnesses to the incident. The Township may engage the services of an external investigator in appropriate circumstances.
8. Any identifying information about any individuals involved in the incident shall not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.
9. The Township shall provide written notice within 7 days of the completion of the investigation (or as soon as is reasonably and practically possible) to the complainant and the alleged harasser, if he or she is a worker, of the outcome of the investigation and any remedial or corrective action that has taken place and/or will continue to take place.

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 - any other disciplinary action deemed appropriate under the circumstances.
12. If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township may, however, discipline or terminate anyone who brings a false and malicious complaint.

SCHEDULE "B" INCIDENT REPORTING FORM

PERSONAL INFORMATION OF THE INDIVIDUAL FILING THE INCIDENT REPORT			
NAME		PHONE/EX	
DEPARTMENT		EMAIL	
NATURE OF INCIDENT	<input type="checkbox"/> Harassment	<input type="checkbox"/> Violence	<input type="checkbox"/>
INDIVIDUAL NAMED AS INSTIGATING THE INCIDENT			
INCIDENT DETAILS	Date:	Time:	Location:
Explain the incident with as much detail as possible. Attach additional pages if necessary			
Did you ask the individual to stop the behaviour? <input type="checkbox"/> Yes <input type="checkbox"/> No		If not why not?	
WITNESS(ES)	NAME:	NAME:	
	CONTACT:	CONTACT:	
What action/result would you like to see as an outcome of this incident?			

NAME:	SIGNATURE:	DATE:
<i>Identifying information about any individuals involved shall not be disclosed unless the disclosure is necessary for the purpose of investigation or taking corrective action or is otherwise required by law.</i>		
<p>This incident report form should be sent in a sealed envelope to:</p> <ul style="list-style-type: none"> - your Department Head; or - the CAO-Clerk Treasurer; or <ul style="list-style-type: none"> - the Mayor; or - any two members of Council 		

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DEPARTMENT HEAD/CAO USE			
NAME OF INVESTIGATOR		NAME OF INVESTIGATOR	
DEPARTMENT		DEPARTMENT	
Individuals interviewed (attached an additional page if needed)			
NAME:		NAME:	
CONTACT:		CONTACT:	
DATE OF INTERVIEW:		DATE OF INTERVIEW:	
NAME:		NAME:	
CONTACT:		CONTACT:	
DATE OF INTERVIEW:		DATE OF INTERVIEW:	
Did you find the complaint was substantiated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Describe injuries if any			
Describe nature of threats if any			
Describe property damage if any			
Describe nature of harassment or inappropriate behaviour if any			
Explain what has been done to prevent a recurrence of a similar nature.			

Was disciplinary action taken?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Was a record of the action taken placed in employee file		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is follow up or monitoring needed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Was written notification of the outcome provided to:				
<input type="checkbox"/> Employee who filed the incident report	<input type="checkbox"/> Employee about whom the report was filed	<input type="checkbox"/> Department Head	<input type="checkbox"/> CAO	<input type="checkbox"/> Other
NAME:		SIGNATURE:		DATE:
NAME:		SIGNATURE:		DATE:
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