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MIAG'S HUMAN RESOURCE POLICY

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0.0 MANDATE

- 0.1 Employees of MIAG shall be governed by the Human Resource Policy contained in this manual.
- 0.2 HR Policies will be reviewed every 2 years and amendments may be made based on the recommendations from the Executive Director (ED) and the board. A committee consisting of the ED and two board members may be formed for the purpose of review of policies. Amendments to policies may also occur on an as-needed basis.
- 0.3 In any case of conflict between these HR policies and applicable legislation, the legislation in force at the time takes precedence.
- 0.4 It is to be understood that the Human Resource (HR) Policy applies equally to all employees unless otherwise stated in individual employee contracts.
- 0.5 All inquiries regarding the interpretation of HR Policies shall be directed to the ED.

1.0 POLICY STATEMENTS

- 1.1 MIAG operates under and complies with the provisions of all relevant Provincial and Federal Employment Legislation (i.e. Human Rights Code, Employment Standards Act, Employment Insurance Act)
- 1.2 MIAG is committed to fostering a diverse and inclusive workplace.

2.0 RECRUITMENT/ EMPLOYMENT

- 2.1 Recruitment of all staff shall be based on open competition (internal and external) MIAG will actively seek to attract candidates from diverse backgrounds.
- 2.2 A written resume must be submitted at the time of the application. The resumes of unsuccessful applicants shall remain confidential and shall be kept on file for 6 months following their submission.
- 2.3 All employees shall sign an employment contract which states: salary, terms of probation, vacation, sick leave and termination clauses on appointment. They will have

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access to the HR policy. Two weeks' notice on either side is required for the purpose of termination.

2.4 A personal file will be maintained for each employee including: resume, time sheets and any correspondence relating to the status of the employee. Staff are required to notify the Executive Director of any change in home address, home telephone number and whom to notify in case of emergency.

2.5 An Ad-hoc committee shall be formed by the Board of Directors to review applications for the position of Executive Director. The Committee shall include the chair of the Board and two additional board members.

2.6 The MIAG Executive Director will assume full responsibility for the hiring process of project staff. The ED may involve a board/staff member if necessary.

2.7 A) Full-time employment refers to employment requiring thirty-five (35) hours of work per week.

B) Regular part-time employment refers to employment requiring twenty (20) hours of work per week or more, up to 35 hours.

2.8 New employees hired to serve the vulnerable persons (children, seniors, people with disabilities) will be required to submit to a Vulnerable Sector Screening (Criminal Record Check) for the protection of clients at MIAG's discretion.

3.0 PERFORMANCE APPRAISAL AND JOB DESCRIPTION

3.1 All employees including the Executive Director shall complete a probationary period of three months of employment. During this period, performance, conduct, and suitability for the position will be assessed. MIAG reserves the right to terminate employment during the probationary period by providing the employee with the minimum notice or pay in lieu of notice. In special circumstances, the probationary period may be extended up to an additional three months with written notice.

3.2 The Executive Director's confirmation of employment or termination shall be provided by the Board of Directors. Other employees' confirmation of employment or termination shall be provided by the Executive Director.

3.3 In addition to regular supervision sessions, evaluations are the basis for continued employment, promotion or dismissal. Evaluations shall appraise progress, performance, abilities, staff development goals, attitudes and potential of each staff member. Evaluations are completed before the expiry of the probationary period, thereafter, annually before March 31. The evaluations shall be discussed with the

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employees, signed and filed in the employees' personal file, with a copy given to the employee.

3.4 The Executive Director shall be evaluated by the Chair of the Board of Directors, including consultations with other staff members and other Board Members.

3.5 The evaluation of all employee performance should be based on the project guidelines.

3.6 Job descriptions will be reviewed in conjunction with the performance appraisal of employees. Changes required in job descriptions, will be mutually agreed upon by the Executive Director and the employee.

3.7 Primary duties will include those described in employee job description, which may be amended from time to time. MIAG reserves the right to modify duties, reporting relationships, and responsibilities according to organizational needs, provided such changes do not substantially alter the fundamental nature of the position or reduce compensation. Reasonable changes to duties shall not constitute constructive dismissal.

3.8 Remote work arrangements, if applicable, are granted at MIAG's discretion and may be modified or revoked with reasonable notice. While working remotely, employees must be available during scheduled working hours, maintain a safe and productive workspace, and comply with all MIAG's policies. All MIAG provided equipment remains the property of MIAG and must be used for work purposes.

4.0 SALARY

4.1 Employee compensation package will be determined by the ED on the basis of project funds.

4.2 The Board of Directors may review compensation packages of employees with recommendations from the Executive Director. The board will take into consideration the job responsibilities, comparative wages in similar organizations, ability to pay, cost of living or any other criteria considered relevant by the Board of Directors.

5.0 DEDUCTIONS

5.1 Canada Pension Plan – All employees are required to contribute according to government legislation.

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5.2 Employment Insurance – All employees are required to contribute according to government legislation.

6.0 HOURS OF WORK AND OVERTIME

6.1 Office hours are from 9:00am to 5:00pm with 1 hour of lifestyle lunch. Employee hours may include evening and weekend hours. This requirement should be stated in the employment contract. Flex hours will be considered based on staff requests and organizational requirements.

6.2 The maximum number of hours employees can be required to work in a day is eight hours and not more than 48 hours per week.
All work hours, including any overtime, must comply with ESA limits

6.2 Staff members who work overtime are entitled to compensatory time in the form of time off (lieu time).

6.3 Compensatory time may be taken at the discretion of the employee, with appropriate notice and prior approval of the Executive Director.

6.4 Lieu time must be used within 30 days from the date on which it has been incurred

6.5 In the case of the Executive Director, notice must be given to the Chair of the Board, and the Executive Director is required to make suitable arrangements in his/her absence.

6.6 Under special circumstances and with prior approval of the Board, no more than one week of compensatory time may be added to a vacation period.

6.7 Overtime in excess of 21 hours for full-time staff (equivalent to 60% of regular work hours per week) is to be discussed with the Executive Director or Chair of the Board and appropriate use of that time is to be arranged and taken immediately.

6.8 There is no financial compensation of unused compensatory time; when an employee gives notice of termination, compensatory time will not be included in that notice.

7.0 SICK LEAVE

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- 7.1 Sick leave is a job-protected paid leave of up to 5 days each calendar year for the purpose of sickness as well as health and wellness. A minimum of a half day (3.5 hours) may be used for the purpose of sick leave. Please refer to the [Sick Leave](https://www.ontario.ca/document/your-guide-employment-standards-act-0) chapter of Your Guide to the Employment Standards Act for more information <https://www.ontario.ca/document/your-guide-employment-standards-act-0>
- 7.2 Notice of inability to work due to illness must be given to the employee's immediate supervisor as soon as possible.
- 7.3 A medical certificate must be provided after 3 consecutive days of sick leave, outlining expected duration of absence. If an employee has exhausted all sick leave, they may have an option to use vacation days or take a leave of absence without pay, with the required documentation.
- 7.4 An employee may use personal sick days, vacation days or unpaid leave to provide care for immediate family members who are sick and need attention.
- 7.5 Sick leave can be accumulated from month to month to a maximum of 5 days per fiscal year. There is no financial compensation for unused sick leave and it cannot be carried forward from one fiscal year to another.
- 7.6 Employees on probation shall not be paid for sick leave. Upon successful completion of probation, the employee is eligible for prorated sick days for the remainder of the fiscal year.

8.0 STATUTORY HOLIDAYS

- 8.1 All employees are entitled to pay on the following statutory holidays:
1. New Year's Day
 2. Family Day
 3. Good Friday
 4. Easter Monday
 5. Victoria Day
 6. Canada Day
 7. Civic Holiday in August
 8. Labour Day
 9. Thanksgiving Day
 10. Christmas Day
 11. Boxing Day

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Amount paid for employees not considered full-time, will be calculated according to the Employment Standards Act, 2000 as follows: The total amount of regular wages earned and vacation pay payable in the 4 weeks before the week in which the holiday occurs, divided by 20.

8.2 Employees scheduled to work, and do work on a statutory holiday, will be granted another day off, in lieu of the statutory holiday, which will be considered as compensatory time and is subject to the same limitations as outlined in Section 6. When statutory holidays fall on regular days off such as Saturdays and Sundays, employees will be granted another day off in lieu based on the regular work hours of that day.

8.3 When a statutory holiday falls in a vacation period, that day will not be considered as a vacation day. Employees shall be given a day in lieu of the statutory holiday based on their regular work hours.

9.0 OFFICE CLOSURES

9.1 The office will be closed between Christmas Eve afternoon to New Year's Day, Inclusive with pay.

10.0 VACATION

10.1 A contract (project) employee will be entitled to vacation pay as outlined in the Ontario Employment Standards Act

<https://www.ontario.ca/document/your-guide-employment-standards-act-0>

10.2 Regular full-time or regular part-time employees will be entitled to 3 Weeks per year (pro-rated for regular full time and regular part time employees) in the first 3 years and 4 weeks after 3 years.

Casual employees will be entitled to a minimum of 4% of earnings per year in lieu of vacation for the first 3 years. On completion of 3 years, they will be entitled to 6% of earnings.

10.3 Two weeks of unused vacation may be carried over to be used within the first 3 months of the following year subject to ED approval.

10.4 Once an employee gives notice of termination, vacation time may be included as notice period.

11.0 LEAVE OF ABSENCE

- 11.1 Request for a leave of absence must be submitted in writing to the Executive Director at the earliest time, before the leave is to commence.
- 11.2 Executive Director's request for leave of absence must be submitted to the Chair of the Board of Directors for approval.
- 11.3 Bereavement leave is an unpaid job-protected leave of up to two days each calendar year which may be taken because of the death of immediate family members. Please refer to the Bereavement Leave chapter of Your Guide to the Employment Standards Act for more information.
<https://www.ontario.ca/document/your-guide-employment-standards-act-0>

Bereavement leave is applicable to the death of the following family members:

- spouse (includes both married and unmarried couples, of the same or opposite genders)
- parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employee's spouse
- spouse of the employee's child
- brother or sister of the employee
- relative of the employee who is dependent on the employee for care or assistance

Bereavement leave can be taken at the time of the family member's death, or sometime later to attend a funeral or memorial service. It could also be taken to attend to estate matters.

- 11.4 Discretionary leave: An employee may be granted up to two unpaid days in a fiscal year for special reasons to be used for unforeseen personal emergencies. Discretionary leave without pay covers such situations as: maternity leave, self-development, extended vacation and other special compassionate reasons.
- 11.5 Maternity/Parental/Adoption leave shall be granted in accordance with regulations set down by the Government of Ontario in its Employment Standards Act and by Employment and Immigration Canada through the New Employment Insurance Commission.

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11.6 Paid leave shall be granted to any employee called for jury duty up to 5 days. Employees must present proof of service and any monies paid by the court must be returned to MIAG.

11.7 A request for personal leave must be submitted in writing to the Executive Director two months prior to the first day of leave, which is subject to approval by the Executive Director.

12.0 TRAVEL

12.1 A mileage reimbursement shall be paid to employees who use their vehicle in conducting business for the organization. The rate shall be reviewed and approved by the Board of Directors.

12.2 A travel claim form is to be submitted for approval by the Executive Director before reimbursement can be made. Employees shall be reimbursed for all approved legal parking and public transit expenses upon the presentation of receipts.

13.0 STAFF DEVELOPMENT

13.1 MIAG supports the concept of job-related staff-development activities. Allocation of time and payment for professional development costs will be based on program funding.

13.2 Approval to attend professional development activities must be obtained in advance (from the Executive Director for staff and from the Chair for the Executive Director) to permit required scheduling arrangements.

13.3 During scheduled working hours, staff will be allowed to attend approved professional development sessions with pay.

13.4 If sessions are scheduled outside regular work hours or on a part-time employee's day off, the time can be considered as compensatory time (section 6).

13.5 Approved expenses for the course will be paid upon successful completion.

14.0 SUSPENSION

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- 14.1 An unsatisfactory performance appraisal requires verbal warning with an action plan for improvement. If performance is not improved, a written warning will be issued. Suspension or dismissal may result if unsatisfactory performance continues.
 - 14.2 Notice of suspension shall be given in writing and shall include the date and time of the beginning of the suspension, the length of the suspension and whether or not suspension shall occur with or without pay.
 - 14.3 Notice of suspension of the Executive Director shall be given by the Chair of the Board of Directors.
 - 14.4 Notice of suspension of other employees shall be given by the Executive Director.
 - 14.5 Dismissal can proceed directly from suspension.

15.0 TERMINATION/ RESIGNATION

- 15.1 During an employee's probationary period, a one-week notice of resignation by the staff is desirable. Following the completion of probationary period, all staff including the Executive Director are expected to give two weeks' notice of resignation.
- 15.3 The Employer reserves the right to terminate the employment of the Employee at any time, with or without cause, subject to applicable laws and regulations. Grounds for termination may include, but are not limited to, unsatisfactory performance, misconduct, or a breach of company policies. The Employee may also terminate their employment with appropriate notice, as outlined in this agreement or per applicable legal requirements.
- 15.4 Immediate dismissal may be given with cause and with appropriate pay in lieu of notice, according to the Employment Standards Act.

<https://www.ontario.ca/document/your-guide-employment-standards-act-0>
- 15.5 In case of resignations, the staff members may be asked to have an exit interview with the Executive Director. The Executive Director shall be asked to have an exit interview with the chair of the Board and any other Board Member that the chair may appoint.

16.0 SENIORITY

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- 16.1 Seniority is defined as the length of continuous service in the employment of the organization from the date of last hire.
- 16.2 Regular part-time staff shall accumulate seniority on a pro-rated basis.
- 16.3 The following are conditions under which seniority is accumulated and retained: when on approved leave of absence of less than 30 days or on vacation leave.
- 16.4 The following are conditions where seniority is retained but not accumulated: when on approved leave beyond 30 days, when absent due to lay-off, or when collecting workers compensation benefits.
- 16.5 Vacation credits and sick leave credits increase with seniority. Seniority is also used for vacation scheduling, lay-offs, and recall when all other criteria such as qualifications and experience are equal.
- 16.6 During lay-off situations, the lay-offs shall occur in reverse order of hiring and recalls shall be the reverse order of the lay-offs with all other criteria (as above) being equal.

17.0 ETHICS

- 17.1 All employees agree to keep and hold in confidence all materials and information with respect to previous, present and future clients They will be required to sign an Oath of Confidentiality/Code of Conduct at the commencement of employment.
- 17.2 All public, verbal and written materials including press releases relating to MIAG require prior approval of the Executive Director. The Executive Director is the sole staff spokesperson for MIAG.
- 17.3 Employees shall not accept employment or fee for service that would place or appear to place them in a possible conflict of interest situation or carry out work and/or related activities that would place or appear to place them in a conflict of interest situation.
- 17.4 Honorarium paid to staff for presentations, workshops and services on behalf of MIAG remains the property of MIAG.

18.0 WORKPLACE HARASSMENT

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- 18.1 It is the policy of MIAG to provide all employees with a work environment that is free from any form of discrimination, including harassment, and one that respects the dignity, self-worth, and human rights of every individual.
- 18.2 The management of MIAG will not knowingly allow any employee to be harassed. Accordingly, vexatious comments or behaviour that is offensive and unwelcome are unacceptable. Such comments or behaviour may be related to but not be confined to race, ancestry, place of origin, colour, religion, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offenses, marital status or disability.
- 18.3 Every employee of MIAG has a right to freedom from sexual harassment in the workplace by his/her employer or agent of the employer or other employee.
- 18.4 A complaint of any kind of harassment must be brought to the attention of the Executive Director. The Executive Director will notify the Board of Directors of any complaint made. If the complainant chooses to try to reach an internal resolution, the Executive Director shall document the complaint and contact all parties involved to arrange an interview with them. After documenting all of the information provided by all parties involved, the Executive Director shall release a decision to all parties concerned within 2 weeks of the interview or as soon as reasonably possible. The Board of Directors will be informed as to the Executive Directors' decision. Any party may appeal the decision to the Board of Directors.
- 18.5 The internal resolution of a complaint is an option and not a requirement. If a complainant wishes, he or she is free to proceed to whatever outside agency he or she chooses to resolve the complaint. The Executive Director shall also have the option to refer the matter to the appropriate outside agency if the Executive Director feels that the complaint is of such a nature that resolution through internal MIAG resolution policy proves inappropriate.
- 18.6 The Executive Director shall have the discretion to institute any necessary action involving the concerned parties pending the outcome of the complaint. The Executive Director will inform the Board of Directors of this action. The parties shall have the right to appeal any action to the Board of Directors.
- 18.7 When the Executive Director is one of the parties in a situation of harassment, the Chair of the Board should be approached.

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