

Human Resource Employee Handbook

Working Together for Children, Youth, Seniors,
Families and Communities



YMCA OF
EASTERN
ONTARIO

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INTRODUCTION

Welcome to the YMCA of Eastern Ontario. We hope your experience here will be rewarding and enjoyable. This employee handbook contains the policies, procedures and practices related to the human resource management at the YMCA of Eastern Ontario (herein referred to as the “Association”), and in accordance with the many legislation, regulations and authorities governing employment in the Province of Ontario.

PURPOSE

This Employee Handbook is designed to provide you with important information regarding employment policies and procedures, salary and benefits, and your responsibilities to your job.

Please read the contents of this handbook carefully. This is one of the many channels of communication we maintain to create an enjoyable and productive work environment. Should you need further explanation of the items covered, contact your supervisor or the Human Resources Department (HR)

The contents of this Manual are presented for information purposes only and supersede all former employee handbooks or human resource policy and procedure manuals issued by the Association including those issued by the YMCA of Kingston and the Brockville YMCA.

The Association reserves the right to change, suspend or cancel, with or without notice, all or any part of the policies, procedures, and benefits discussed in this manual. Additionally, particular situations may be governed by specific provisions of an applicable government legislation, governance policy or procedure, or plan documents established for particular benefit programs, or by other related sources of information. All HR policies and procedures are subject to change based on the many legislation, regulations and authorities in the Province of Ontario as well as operational requirements of the YMCA.

This employee handbook should not be construed as an employment agreement or an agreement for employment for any specified period of time.

Every effort will be made to keep you informed of the Association’s policies; however, we cannot guarantee that timely notice of revisions will be provided. This handbook is published by the Human Resource Department and an e-version is available online to all employees. Employees are advised to review the handbook regularly when they have questions to ensure they are functioning with the

most current information. Feel free to ask questions about any of the information within this handbook.

No provision in this employee handbook and expected Standards of Conduct can be waived without written permission from the Association's CEO, or designate. Such a waiver, if granted, applies only to the employee for whom the waiver was granted at the time of the waiver.

The Association strives to provide an employee-friendly environment in which employees have equal opportunity to thrive and achieve their personal best. Our Association is committed to serving members, participants and the general public and to providing quality services and programs. These policies, procedures and working conditions provide a work environment in which members, participants, the general public's interests and employee interests are served.

The Association values the talents and abilities of our employees and seeks to foster an open, cooperative, and dynamic environment in which employees and the Association alike can thrive. The Association provides an Open-Door Policy in which employees are encouraged to take problems to the next level of management if they are unable to resolve a situation with their direct supervisor.

RESPONSIBILITIES

Responsibilities of the Board of Directors:

Engage the Chief Executive Officer (CEO) accountable to the Board of Directors of YMCA of Eastern Ontario.

Delegate to the CEO responsibility for the employment, evaluation, retention, release of employees and the maintenance of a salary structure in accordance with these Human Resources Policies and Procedures and all applicable legislation.

Ensure appointment of CEO Search Committee when required and ensure a CEO Performance Review is conducted annually.

The Board of Directors has sole responsibility for employing/dismissing the CEO as outlined in the Board of Directors' governance policies.

The Board of Directors of Association determines the executive limitations in accordance with the Board's governance policies. These executive limitations form the basis of the CEO's job description.

Responsibilities of the Chief Executive Officer:

Responsible to the Board of Directors, the CEO is accountable for leading an effective team of employees and volunteers and for the development and implementation of the policies, procedures and practices outlined in this handbook.

Review periodically and formulate Human Resources Policies for the employees and volunteers, ensuring they are current, consistent and in compliance with all applicable employment legislation in Ontario, and local and national trends and practices.

- Annually recommend a total salary figure for inclusion in the budget.
- Develop and maintain a current job description for each employee's position.
- Employ, retain or release employees' members.
- Provide regular opportunities for employee's development to ensure achievement of organizational objectives.
- Provide supervision and consultation to employee's members in the performance of their work.
- Maintain and strengthen volunteer employee's partnership.

Responsibilities of Directors, Managers and Supervisors

Responsible for the human resource management within their own teams and referencing this handbook to ensure Association-wide consistency in application of these practices.

Director of People Development and Employee Wellness is responsible for the maintaining the procedures and systems which support human resource management for the Association, including the Association's benefit package, Retirement plan etc. Questions regarding the content of this manual and the benefits package may be directed to their attention.

Employees are responsible for

Adhering to the policies and procedures outlined in this handbook. It is the responsibility of all employees to:

- Foster cooperation and communication among each other;
- Treat each other in a fair manner, with dignity and respect;
- Promote harmony and teamwork in all relationships;
- Strive for mutual understanding of standards for performance expectations, and communicate routinely to reinforce that understanding;
- Encourage and consider opinions of other employees or members, and invite their participation in decisions that affect their work and their careers;

- Encourage growth and development of employees and volunteers by helping them achieve their personal goals at the Association and beyond;
- Seek to avoid workplace conflict, and if it occurs, respond fairly and quickly to provide the means to resolve it;
- Administer all policies equitably and fairly, recognizing that jobs are different but each is important; that individual performance should be recognized and measured against predetermined standards; and that each employee has the right to fair treatment;
- Recognize that employees and volunteers in their personal lives may experience crisis and show compassion and understanding.

Unless otherwise mandated by legislation the content of this handbook is reviewed annually. The content of this handbook and all HR Policies and Procedures are monitored by the Director, People Development and Employee Wellness. Any and all additions, deletion, changes require the written permission of the CEO and will be communicated by the Human Resource Department.

This version of the Employee Handbook is in effect as of April 1, 2019. The policies and procedures contained in this Handbook apply to all employees of the YMCA of Eastern Ontario.

WHO WE ARE?

The YMCA is a worldwide fellowship of people working together to meet human needs. Our focus is on the development of individuals and the local, national and world community at large.

We are affiliated with the National Council of YMCA's across Canada who connects local YMCA's with the world community through an affiliation with the World Alliance of YMCA's.

We are a registered Canadian charity dedicated to building stronger kids, stronger families and stronger communities.

The YMCA of Eastern Ontario was formed on April 1, 2019, through the amalgamation of the YMCA of Brockville and Area and YMCA of Kingston to strengthen our purpose and broaden our reach. New programs and services are now available in Gananoque and North Grenville, and other partnerships are in development.

MISSION STATEMENT

The YMCA of Eastern Ontario is dedicated to the growth of all persons in spirit, mind and body and to their sense of responsibility to each other and to the global community.

VISION STATEMENT

The YMCA of Eastern Ontario will be the recognized community leader in providing value-based programs and services that serve our regional communities and promote physical, mental and spiritual well-being for individuals and families.

VALUES

Our values are: **Caring. Honesty. Inclusiveness. Respect. Responsibility.** These are central to our mission, guiding our behaviours, attitudes and actions.

CODE OF CONDUCT / ETHICS

- Employees accept responsibility for furthering the Mission and Vision of the Association and for implementing these principles in their work;
- Employees are aware of their responsibility to the Association as a whole and to the community;
- Employees agree to work collaboratively with colleagues, volunteers both within the Association and throughout the community, showing regard for individual areas of competence;

- Employees accept responsibility for their own continuing professional development and personal growth in partnership with the Association;
- Employees hold themselves responsible for their own performance and for ensuring they maintain the qualifications required to maintain their certifications;
- Employees take appropriate actions at all times to safeguard the personal information of members, participants, guests and other employees;
- Employees accept their share of responsibility for enhancing and making effective this partnership in all that they do. Employees are conscious of their accountability to members, colleagues, families, participants, the general public and the communities for the responsible use of Association property, equipment and funds.

CONFIDENTIALITY AND NON-DISCLOSURE

During employment with the Association, employees will be given access to information that is of a personal, confidential and/or proprietary nature, for example personal information related to employees, members, participants and families, such as names, e-mail addresses, salaries, employment information, credit card, banking or other financial information as well as business related information that is not generally public knowledge.

Employees agree to:

To hold such confidential information in trust and strict confidence and agree that it shall be used only for the purposes required to fulfill employment obligations, and shall not be used for any other purpose, or disclosed to a third party.

To keep any confidential information in their control or possession in a physical secure location to which only authorized Association personnel have access and to not remove such confidential information from Association property without the written consent of the CEO.

To comply with all privacy laws and regulations, which apply to the collection, use and disclosure of personal information.

To return all confidential information, including written notes, manuals, memorandums etc. to the Association's possession at the conclusion of their employment.

Employees acknowledge that disclosure of such confidential information could result in their termination of employment, for just cause, and subject them to full legal action being taken against them.

If any employee becomes aware of any disclosure of sensitive information, it must be reported immediately to a Director or the CEO.

CONFLICT OF INTEREST

A situation may arise when an employee who on behalf of oneself, another person, organization or entity:

- Promotes, attempts to promote, or appears to promote a private, personal, or business interest;
- May personally derive advantage or benefit (financial or otherwise) from an Association decision they may have directly or indirectly influenced, from disclosure or use of Association information;
- Presents a situation in which a fundamental divergence exists between the obligations of one's position with the Association and the obligations of an outside interest;

Employees shall have no competing interest or relationship (financial or otherwise) which may prevent them and/or the Association from the objective exercise of any of their respective responsibilities. Specifically, employees:

- Shall not personally receive remuneration, loans, services, discounts, privileges, gifts (other than a token amount) or entertainment given to or from any person, business or entity which has or may have current future or competing relationships with the Association;
- Shall not accept personal remuneration from any person, business or entity which has or may have current future or competing relationships with the Association for any service they provide on behalf of the Association, or to any of its Member Associations;
- May accept a token amount for a gift, favour, entertainment, hospitality, or other such item which does not exceed a retail value of \$25.00;
- Shall not use their position to obtain for themselves, family members, friends or close associates' employment or preferential treatment within the YMCA in Canada;
- Shall neither use nor permit others to use any Association data, confidential information, human, financial or other resources, property, or materials for personal gain or to support personal causes;

- Shall not use the YMCA's name without authorization or one's position with the Association in such a way as to lend weight or prestige to a public or private cause, or to endorse a product or service with another organization.

Employees may be asked to provide the following verbal or written disclosures on assuming their position:

- All current obligations and relationships with volunteer organizations;
- Any current outside employment;
- Any potential or actual conflict of interest; disclosure of the nature and extent of the interest, and disclosure of the nature and extent of the benefit;

Common sense and wise judgement are required if one is in, or may be perceived to be in, a conflict of interest. If in doubt, employees should bring the situation immediately to the attention of a Director or CEO. The CEO should do likewise with the Board.

SECURITY AND EXTERNAL PRACTICES

The Association takes seriously the need to safeguard all personal and financial information. We are bound both by law and by the expectations of numerous stakeholders including: members and participants, employees and volunteers, different levels of government, financial institutions and the payment card industry, as well as our YMCA federation.

Employees must make every effort to remain vigilant at all times and endeavour to protect the security of all personal and financial information stored by the YMCA. Being alert to the fact that human error is the most common reason for a data loss or breach should guide all YMCA employees in their work.

FAIR EMPLOYMENT PRACTICES

Fair employment policies and practices outline the terms of employment as they relate to the employee-employer relationship, expectations and conduct. They focus on the practice of fairness, equity and ensuring all employees feel they have equal access to the benefits of employment with the Association.

HUMAN RIGHTS CODE

The *Human Rights Code* states that the Association will ensure that every person has a right to equal treatment with respect to employment without discrimination or harassment because of race, ancestry, place or origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender expression, age, record of offences, marital status, family status or disability on the job or while applying for a job.

The right to “equal treatment with respect to employment” covers every aspect of the workplace environment and employment relationship, including job applications, recruitment, training, transfers, promotions, apprenticeship terms, dismissal and layoffs. It also covers rate of pay, overtime, hours of work, holidays, benefits, shift work, discipline and performance evaluations.

EMPLOYMENT EQUITY

The Association is an equal opportunity employer and employs personnel without regard to race, ancestry, place of origin, colour, ethnic origin, language, citizenship, creed, religion, gender, sexual orientation, age, marital status, physical and/or mental handicap or financial ability.

While remaining alert and sensitive to the issue of fair and equitable treatment for all, the Association has a special concern with the participation and advancement of members of four designated groups that have traditionally been disadvantaged in employment: women, visible minorities, aboriginal peoples and persons with disabilities. The Association is committed to equity in employment and the creation of working conditions which allow all employees to strive for and reach their full potential. The Association is committed to diversity and inclusiveness in its employment practices.

ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES (AODA)

The Association is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity, and are committed to meeting the needs of people with disabilities in a timely manner.

We will do so by preventing and removing barriers to accessibility and meeting accessibility requirements under the Accessibility for Ontarians with Disabilities Act (“AODA”).

The Association shall post information about the availability of accommodations for applicants with disabilities in our recruitment process. Job applicants who are individually selected for an interview and/or testing shall be notified that accommodations for material to be used in the process are available, upon request. The Association will consult with any applicant who requests an accommodation in a manner that takes into account the applicant’s disability.

Successful applicants shall be notified about the Association’s policies for accommodating employees with disabilities as part of their offer of employment.

The Association shall inform employees of the policies used to support employees with disabilities, including policies on the provision of job accommodations that take into account an employee’s accessibility needs due to disability.

The Association will provide this information to new employees as soon as practicable after they begin their employment and provide updated information to all employees whenever there is a change to existing policies on the provision of job accommodations that take into account an employee’s accessibility needs due to disability.

PAY EQUITY

Pay Equity involves comparing jobs usually done by women with different jobs usually done by men. If a female job class is equal or comparable in value to a male job class, it must be paid the same. Pay equity is equal pay for work of equal or comparable value.

The Association respects and supports all Pay Equity legislation, as specified in the statutes of the Province of Ontario.

IMMIGRATION LAW COMPLIANCE

The Association will only employ people who are authorized to legally work in Canada. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

RECRUITMENT AND SELECTION

The Association is committed to recruiting and selecting individuals who are the most qualified to perform the requirements of each position available. Candidates for job vacancies may be selected from existing employees or from outside applicants. Applications are encouraged from current employees but will be screened in the same manner as applications received from outside applicants. Where qualifications, experience and ability are deemed equivalent, preference will normally be given to internal candidates.

Applicants are invited to submit their application, along with a current resume, demonstrating that they meet the minimum qualifications for the position being sought. At the closing date, all applications are screened, and candidates selected for interview are contacted. If the interview is positive, references will be contacted. Depending on the feedback a position may be offered to the applicant.

All recruitment for full time employment requires the prior approval of a senior manager and the Director of People Development & Employee Wellness. All regular positions must be posted internally either before or simultaneously with external advertisement. Job positions that have been posted within the last forty-five (45) days, do not have to re-posted where the terms of the original posting remain the same. Contract or seasonal positions, with a term of less than three-months, may be posted externally only.

Internal and external job applicants, including applicants who have been invited to participate in a recruitment, assessment or selection process, must be notified that accommodations for disabilities are available on request.

EMPLOYMENT OF FAMILY MEMBERS AND RELATIVES

Relatives of current employees may be employed only where:

- they will not be working directly for, or supervising, a relative; or
- they will not be working directly for the relative's immediate subordinate.

Exceptions to this Policy were made for situations that were in effect at the time of initial issuance of this policy (pre 2016). Further consideration will be made as they relate to the unification of the YMCA of Kingston and the YMCA of Brockville and Area (pre-April 2019).

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment.

An employee, who is related to a candidate for employment, shall not be involved in any aspect of the recruiting process so as to avoid any conflict of interests or allegations of preferential treatment.

Situations, involving existing employees, which result in a change to “relative” status (i.e. marriage, cohabitation, etc.) must be declared in advance of the change and must be brought to the attention of the Director of People Development and Employee Wellness for employment adjudication purposes. The Association reserves the right to object to the new employment relationship, and request the resignation of the impacted subordinate employee or unilaterally reassign them to a different department.

Any member of the management team or other key employee in a position of trust or influence may have a duty to voluntarily disclose a personal relationship involving another employee at the same workplace.

EMPLOYMENT APPLICATIONS

The Association relies upon the accuracy of information contained in the employment application as well as the accuracy of other data presented throughout the hiring process and employment.

Any misrepresentations, falsification or material omissions in any of this information or data may result in Association’s exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment for just cause.

EMPLOYMENT AGREEMENTS

All successful candidates will receive a written “Employment Agreement” outlining the terms and conditions of employment, specific expectations and responsibilities, accountability, salary rate and benefits, signed by an authorized manager.

No offers or commitments, financial or otherwise are to be made to any job applicant until all appropriate approvals have been obtained, including three (3) professional references. All offers of employment are conditional upon the receipt of a *current satisfactory criminal reference check (CPIC) including vulnerable sector, where applicable.

There shall be no verbal or informal job offers provided to the applicant; all applicants should be told that the Association will be issuing a formal written offer which should be carefully reviewed and considered.

The successful candidate will be asked to sign two copies of the Employment Agreement, and to indicate acceptance of the Terms of Employment. One will be held in the employee's personnel file and the other provided to the employee.

TERMS AND CONDITIONS OF EMPLOYMENT

All offers of employment are conditional upon receipt of a *current criminal reference check (CPIC: Canadian Police Information Centre), **including vulnerable sector check**, at the expense of the applicant. Should the CPIC and/or any other equivalent criminal reference check reveal any screening concerns or offenses which, in the view of the CEO, pose a risk to vulnerable persons, the offer of employment automatically becomes null and void.

**issued within four months of the anticipated date of hire*

Employees, whose work requires operation of a motor vehicle, must present and maintain a valid driver's license and a driving record acceptable to our insurer. Any changes in an employee's driving record must be reported to the Director of People Development and Employee Wellness immediately. Failure to do so may result in disciplinary action, including possible dismissal for just cause. Employees who operate company vehicles during their assigned work, or operate their own vehicles in performing their jobs, are financially and legally responsible for any traffic or parking violations. Employees driving their own vehicle for business purposes must maintain liability insurance at all times at their own expense in the amount of \$2,000,000 and are urged to advise their insurance carriers of such vehicle use. Employees are required to obey all traffic laws when operating motor vehicles in the course of conducting business of the Association.

A medical examination may be required by the Association, if deemed necessary, before or during employment, because of the type of work. Provincial requirements may dictate the necessity of a medical examination for certain occupational positions (School-Age Care, Day Care, etc.). Employees are responsible for any costs incurred in providing the Association with such requested information.

While employed by the Association, an employee will not solicit business (in person, by telephone, internet or other electronic media) for personal gain, from members or clients of the Association, whom an employee has contact with as a result of their employment. Breach of this provision is reason for dismissal with just cause.

As our Association is a multi-site operation, relocation to one of our satellite facilities or programs may be a requirement of employment associated with this position and/or subsequent positions within our Association.

The Association reserves the right to layoff or terminate the employment of an employee in order to reduce employee levels associated with any program or day camp due to insufficient enrollment or attendance, changes in legislation which may necessitate the withdrawal of the stated course, or other unforeseen circumstances.

Other terms & conditions of employment specific to the position will be outlined in the Employment Agreement.

ORIENTATION

All new employees to the Association will receive an orientation session which will encompass an overview of general policies, procedures and operations. The orientation is in place to acquaint you to the YMCA, and help you through the beginning of your career with us.

There are several important objectives:

- To have a broad understanding of the mission, philosophy and functions of the Association;
- To learn job procedures;
- To establish relationships with co-workers; and
- To become aware of the YMCA Protection of Children and Vulnerable Persons policy and the Duty to Report procedures;
- To introduce the new employee to the organization's ways of work and priorities;
- To become familiar with the measures for creating a safe and healthy workplace including the fair treatment policies inherent with how we work together to create a respectful and caring workplace free of workplace harassment, discrimination and violence.

Newly-hired employees shall receive an appropriate orientation to the Association and to their specific duties within their first week of employment. All employees are required to attend a full orientation to the Association within their first six (6) months of employment.

OCCUPATIONAL AND EMPLOYMENT STATUS

Occupational categories are a method of grouping together “Jobs” based on the required skills, knowledge, level of responsibility, complexity, range of tasks and duties. The Association has divided Jobs into four (4) major groups. It should be noted that occupational categories will determine eligibility for entitlement to certain provisions of the Employment Standards Act of Ontario (ESA) such as hours of work and overtime. Non-management roles are subject to overtime pay provisions in most cases as per the ESA.

Executive – this category includes the chief executive officer, directors responsible for a functional area of the Association, i.e. finance, operations, marketing and human resources. Working collaboratively with other senior leaders, the executive is a strategic partner and trusted advisor to the CEO, supporting operations and assisting in enhancing the Association business performance.

Management – this category includes positions with accountability and authority to oversee a collective group of people in efforts to accomplish desired goals and objectives. These positions serve as a key member of the senior management team, participate and contribute insight to help enhance decision-making in formulating and executing strategy, and provide guidance and analysis to operational management to improve results.

Supervisory – this category includes positions with the responsibility to setting department specific targets for performance and accomplishments that comply with the desired Association plans and vision. These positions organize workflow ensuring employees understand their duties or delegated tasks. Monitoring for productivity and providing constructive feedback and coaching. This category may include certain ‘Team Lead’ roles where budgeting, hiring and performance management comprise the job responsibilities.

General – this category includes positions that do not have supervisory duties, although may include certain ‘Team Lead’ roles which provide guidance to other non-managerial employees but who do not have full supervisory authority.

PAY CLASSIFICATION

Full Time	Employees scheduled to work 40 hours week on an ongoing basis and have completed their probationary period and who are not hired under a fixed term employment agreement. They are eligible for all Association benefits including group insurance, pension and paid vacation.
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Part time Employees who have completed their probationary period and are not hired under a fixed term employment agreement. Employees are scheduled to fewer than 40 hours per week on regular basis. Employees may be entitled to participate in specific Association benefits and pension plans based on eligibility.

Temporary/Seasonal Hourly paid employees that have completed their probationary period and who are hired under a fixed term employment agreement, usually to fill in for vacations, leaves of absence, projects of a limited duration or seasonal periods during the year such as summer day camp. Employees are scheduled up to 40 hours per week. Employees are not eligible to participate in the Association benefit plan unless otherwise specified.

Casual Hourly paid employees that have completed their probationary period and are hired to work on a sporadic or intermittent basis when needed. Generally, casual employees agree to pick up one shift per month when offered in order to remain active; otherwise, they have the ability to refuse work assignments offered without negative consequences. There is no expectation that there will be work in the future. Employees are not eligible to participate in the Association benefit, pension plan unless otherwise specified.

Probationary Are employees that have not yet completed their three-month probationary period or an extended probationary period.

PAY TYPE

Salaried The term Salaried is a worker who is paid a fixed regular payment on a bi-weekly basis. This is primarily full-time staff but could include part-time staff.

Hourly The term Hourly is a worker who is paid an hourly wage rate for the hours worked on a bi-weekly basis. This can include full-time staff in addition to other pay classifications.

EMPLOYMENT

EMPLOYEE DUTIES

Accompanying each employee's Employment Agreement is a description of the job(s) and the associated responsibilities, along with any additional tasks possibly required. This document will be used to evaluate the performance both during the probationary period and after. If an employee is unsure of its contents, they should not hesitate to ask for clarifications. Job descriptions are reviewed periodically for relevance. The Association reserves the right to make reasonable changes to an employee's job duties and responsibilities in order to properly manage its business and adapt to changing market conditions.

EMPLOYEE FILES / RECORDS

The Association collects personal information for inclusion in human resource personnel files. Access to these files is limited to authorized employees who require it to carry out their duties. In addition, because personnel files may include a variety of personal information, authorized employees only have access to specific categories of personal information contained in the employee file.

The Association will not disclose an employee's information to anyone (other than government agencies and benefits providers) without first securing the employee's permission.

The Ontario *Employment Standards Act* (ESA) outlines the employee information that organizations, including must securely store as part of their employee record keeping. This information includes:

- Employee's name and address
- Employee's date of birth
- Date of hire
- Hours worked—if the employee is salaried, then the company is only required to keep records of the hours worked in excess of the regular work week (or not at all if overtime provisions do not apply)
- Pay periods
- Gross and net salary or wages paid, including the manner in which they were calculated
- Deductions (amount and purpose)
- Vacation pay or paid vacation taken
- Leaves of absence (all documentation and certificates)
- Termination date

- Termination or severance pay

It is important, and to everyone's benefit, that we keep accurate employee files. Employees are responsible for helping to ensure their confidential file is up to date by submitting all changes in a timely fashion either through Dayforce or by notifying the Payroll Coordinator or Director, People Development and Employee Wellness. In particular we should have your current:

- Address and telephone number
- Person to be notified in case of emergency
- Legal name
- Number of dependents for income tax exemptions and insurable benefits
- Beneficiary (i.e. life insurance, retirement fund)
- Education and/or degrees
- Professional affiliations
- Known drug allergies or illnesses (for emergency situations)
- Whether assistance will be required should the need for an emergency evacuation arise

Employees are permitted to examine their personnel file. Those who wish to do so may set up an appointment with our Human Resources Department. Documents obtained through an agreement of confidentiality, such as letters of reference, may be excluded from examination by employees.

Documents may not be removed from the file by the employee for photocopying or for any other purpose without permission from our Human Resource Department.

If you wish to correct any information recorded in your file, you should complete the appropriate form (e.g. TD1 for tax withholding) and forward it to the Human Resource Department. They will inform you of any action taken. It is imperative that you notify Human Resources of any 'life-qualifying' events within 30 days of the event. This includes marriage, divorce, birth, death, adoption of a foster child, etc. Failure to contact us in a timely manner may result in a loss of benefits.

Outside organizations such as banks and finance companies may, upon your request and written authorization, receive appropriate information from your employee file, including:

- Your employment application, resume, screening and interview results
- Your date of hire, wage, salary and work history
- Personal information - birth date, information for pay deductions, address, phone number, etc.

- Names of people to contact in case of an accident or illness while at work
- Awards, commendations, and disciplinary history
- Attendance records
- Benefit information
- Performance evaluations
- Work incident reports or warnings
- Letter of Confidentiality
- Other information deemed necessary

EMPLOYMENT REFERENCES

All requests for verification of employment (for work references) should be directed to the office of the Director, People Development and Employee Wellness. Our policy does not permit employees to provide business references for former employees.

Requests for verification of employment for loans, apartment rentals, etc. should be directed the office of the Director, People Development and Employee Wellness. All such requests must be accompanied by a request/release signed by the employee.

Similarly, employment reference checks performed for new hires require a signed release (see accompanying appendices). This release should be obtained from the prospective employee at the time of interviewing.

PROBATIONARY PERIOD

The first three (3) months of employment are probationary. During this period both parties may assess suitability for employment with the Association. This also provides management an opportunity to assess skill levels and address areas of potential concern. During this three (3) month probationary period employment may be terminated by either party for any reason whatsoever with or without cause, and without notice or payment in lieu of notice, except as may be minimally prescribed by the ESA, as may be amended from time to time.

Upon satisfaction of the requirements under the ESA, as amended, the Association shall have satisfied any and all obligations under the ESA, as amended, or at common law. At the completion of

the probation period, the employee and the immediate supervisor shall meet to review progress to date. At this time one of the three things will occur:

1. Probation will end
2. Probation may be extended for an addition six months
3. Employment will end

All new and rehired non-managerial employees shall serve a Probationary Period during the first **three (3) months** effective their date of hire. A Probationary Period may also apply to existing employees who are successful in obtaining new positions within the Association through formalized job postings.

Significant absences during the Probationary Period will automatically extend the period by the length of the absence.

There is no obligation on the part of the Association to retain a probationary employee until the end of the three (3)-month probationary period and the Association may decide to terminate the employment relationship without cause and/or without advance notice, except as prescribed by law.

HOURS OF WORK

Regular Full-time working hours are **eight (8) hours** per shift for a total of **forty (40) hours** per week (excludes eating periods). Exceptions to these working hours require a manager's approval. Hours worked in excess must be approved in accordance with the Overtime Policy.

An employee has the right to refuse to work more than the number of hours of their regular shift or forty-eight (48) hours a week. Regular working hours, in excess of the daily and weekly statutory limits, may be permitted subject to a written agreement between Association and an employee.

Part time, Contract or Seasonal usually work irregular hours and will vary based on operational requirements. Shifts can be scheduled **up to eight (8) hours per day**, for a total of forty (40) hours per week (excluding eating periods).

Casual or elect to work working hours will vary and are based on the hours the employees agree to pick up. Hours worked will not exceed 8 hours per day or 40 hours per week.

OVERTIME

Overtime work, is hours worked in excess of forty-four (44) hours per week, and where authorized in advance by the respective supervisor.

Non-Management category - authorized overtime hours worked are paid at the rate of one and one-half (1½) times the employee's base hourly rate, or its equivalent, for all hours worked in excess of forty-four (44) hours per week. Hours worked up to forty-four (44) hours per week will be paid at the employee's base hourly rate.

Management Category (Executive, Management and Supervisory classification) – pursuant to Ontario regulation #285 employees in a Managerial or Supervisory role are exempt from the overtime provisions of the ESA. Notwithstanding this exemption, the Association recognizes that it could reasonably be expected that in the course of performing one's duties extra hours may be worked from time to time. These are not eligible for overtime pay, but the incumbent may request Lieu Time in connection with excess hours worked.

Any such accumulated Lieu Time will be paid out in the event of resignation or termination of employment; however, it should be taken prior to departure (or during the notice period) provided such time permits. Lieu time must not be permitted to accumulate and management reserves the right to schedule lieu time off.

REPORTING PAY

An employee who is scheduled or called in to work more than three (3) hours, but who works less than three (3) hours, despite being available to work longer, will be paid their regular rate for the amount of time they worked, plus the remainder of the time up to the three (3) hours.

The three (3) hour rule has no application if the employee was not scheduled to work three (3) hours, nor does it apply if the employee was notified of this shift cancellation before they arrived at work, even on a day that is normally their workday.

Reporting Pay will not be paid in those situations where the lack of work is caused by fire, lightning, power failure, storms or similar causes beyond the Association's control.

EATING PERIOD

Employees, scheduled to work a shift which exceeds five (5) hours, are required to take a thirty (30) minute unpaid eating period. Eating periods shall commence at a time that is no longer than five (5) hours after the shift starting time.

The exact time of the half-hour eating period shall be established by the employee's Supervisor in light of operational requirements. Employees must be free from work during this eating period.

Eating periods are not considered hours of work and are not counted towards hours worked or overtime.

SHIFT REST PERIOD

Employees are granted, with supervisory approval, and where operational requirements permit, a fifteen (15) minute paid rest period for each four (4) or more hours worked. Employees are not allowed to leave early if they missed their rest period or if workload prevents the taking of a shift rest period.

Employees are not permitted extra break time for the purpose of smoking. Employees are not permitted to leave the building during shift rest periods without the permission of their supervisor.

HOURS FREE FROM WORK

An employee shall have a period of at least eleven (11) hours free from performing work in each day.

An employee shall have a period free from the performing work equal to at least twenty-four (24) consecutive hours in every work week or at least forty-eight (48) consecutive hours in every period of two (2) consecutive work weeks.

Double Shifts - An employee will have a period of at least eight (8) hours free from the performance of work between shifts, unless the total time worked on successive shifts does not exceed thirteen (13) hours or unless the employee and the Association agree otherwise (agreement is to be in writing).

STATUTORY HOLIDAYS

The Association recognizes ten (10) days as public holidays, and grants employees time off work on these days for which the employee is paid Public Holiday Pay, subject to the conditions outlined herein. The recognized holidays are:

New Year's Day	Good Friday	Victoria Day	Family Day
Canada Day	Civic Holiday	Labour Day	
Thanksgiving Day	Christmas Day	Boxing Day	

Employees agreeing to work on a statutory holiday will be paid 1½ time their regular rate of pay for hours worked on the holiday plus eligible statutory holiday pay based on wages paid in the four weeks preceding the holiday. Regular full-time employees and management employees working on a

statutory holiday will be awarded a substitute holiday to be taken at a later date, preferably before the end of the pay period following the statutory holiday.

In the spirit of family, the CEO reserves the right to close all or parts of the business between Christmas and New Years to enable employees to spend time with their families. This is reviewed annually and will depend on operational requirements. These non-statutory days will be unpaid; employees will be encouraged to use accumulated leave balances.

COMPENSATION AND PERFORMANCE REVIEWS

PAY DATES / DIRECT DEPOSIT

The Association pays employees on a bi-weekly basis, via automatic deposit, less the usual necessary statutory deductions and other deductions payable in accordance with the Pay Policies (see below). A pay stub noting gross pay, deductions and net deposit amount will be available on line on the respective pay date. These payroll practices may be changed from time to time at the Association's sole discretion.

PAYROLL DEDUCTION

- Statutory deductions for federal and provincial taxes, Canada Pension Plan and Employment Insurance, all required by law, are deducted from your earnings. These deductions may change, from time to time, as they are impacted by the amount earned and changes in legislation.
- Group insurance premiums (employee share) are deducted for those who qualify.
- The Association's programs and benefits beyond those required by law. Eligible employees may authorize automatic deductions from their direct deposit to cover the costs of participation in these programs.
- "Wage Garnishment" Federal law requires the Association to uphold all court-ordered garnishments of employee wages. The Human Resource Department will endeavour to advise an employee before such funds are deducted from pay.
 - Typically, the order will come from the Court directly to the employer. Employees' who feel a court order has been issued in error, are responsible to contact the appropriate authorities to resolve the situation immediately.
 - Payroll must comply with the garnishment unless they receive a release prior to issuing the payroll adjustment

SALARY ADMINISTRATION

All employees shall be paid wages within the pay range in which their position(s) is evaluated, in line with their performance and qualifications.

A newly hired employee will normally be appointed at a wage falling between the minimum to target rate of the range.

The prime determinants of pay levels and/or pay increases are the individual's sustained past performance, the individual's present wage related to the Association Pay Grid, and the financial

capacity of the Association. Length of service or tenure in a position does not, in and of itself, justify granting pay increases.

Pay increases may be awarded, as follows:

- Merit Increase – an increase, based on performance, within the same pay grade;
- Promotion Increase – an increase which may be granted to an individual who is promoted to a position with a higher pay grade;
- Reclassification Increase – an increase that may be granted when the duties of a job have changed significantly so that the job is reclassified to a higher pay grade;
- Remedial Increase – an increase, which may be granted at any time, to adjust an individual's wage at least to the minimum of the wage range.

Pay ranges will be published on all job descriptions and will remain in effect until further notice.

Each employee's Wage will normally be reviewed on an annual basis, based upon performance and competence. An employee's salary may also be reviewed upon promotion, re-evaluation of position or transfer from one position to another.

It is the goal of Association is to ensure that:

- Positions within the Association are paid equitably based upon responsibility levels;
- Salary ranges are competitive in order to assist in attracting and retaining qualified employees;
- Individual employee salaries and periodic increases reflect the level of performance and competence and encourage performance improvement;
- The Association's ability to pay is reflected and effective control of compensation costs is achieved.

JOB EVALUATION

Accurate job information is an essential base to many of the Association's human resource management programs such as compensation, salary administration and performance management.

The Association maintains job descriptions to accurately describe the normal, on-going responsibilities of a position (*not single events*). It is the responsibility of Manager and Directors to ensure that these are updated in a timely fashion to reflect position responsibility changes.

For the purposes of internal compensation equity, every position within the Association is evaluated against the same set of compensable factors:

Knowledge – Education + Experience
 Problem Solving
 Attention to Detail
 Communication
 Initiative
 Stress of Multiple Demands

Interpersonal Skills
 Mental Demands
 Consequence of Error
 Safety
 Physical Environment
 Leadership/Supervision

These factors serve as measuring tools to evaluate positions within the Association and group them into different responsibility levels. These levels are used to establish salary grades.

The Association’s Job Evaluation system is gender neutral and complies with Pay Equity legislation.

The Association assesses the competitiveness of its salaries through surveys of the external marketplace. The job responsibilities of different jobs within the Association are compared to like jobs in other comparable organizations. Comparable organizations are defined as those of roughly similar size (operating budget and/or number of employees) with similar objectives, engaged in roughly similar work in the charitable/non-profit sector as well as the private sector, and in geographic areas from which the Association recruits.

SALARY RANGE STRUCTURE

The salary range provides a means to compensate an employee for progress in learning the position and effective performance, and also provides incentives and rewards for improved performance. It provides the flexibility required to equate salary with the level of employee performance and competence. As such, the salary range design reflects different levels of performance and experience (learning curve):

- *Minimum:* The minimum of the salary range is the starting salary for an employee (new hire or promotion) possessing the minimum qualifications for the job.
- The range between minimum and target rate is used for employees who possess more than the minimum qualifications and/or require some additional training and experience in the position to prepare the employee to carry out all of the requirements of the position in a fully satisfactory manner.
- *Target Rate:* This salary reflects performance at the full working level of the position (fully competent and performing all aspects of the job). For most employees, the target rate reflects the highest base salary action available, for the current job, unless performance is

elevated to the superior category. The target rate of each grade reflects the chosen market pay line.

- The range between target rate and maximum is the range used to recognize superior performance that consistently exceeds expected results.
- *Maximum*: The maximum of the range is used to recognize truly exceptional performance in all the assigned areas on a consistent basis.

PAY PRINCIPLES

The Association believes in paying employees for consistent and sustained competency in the performance of their jobs. While taking into consideration the financial solvency and stability of the Association, we will strive to:

Pay wages that are competitive with wages paid by other comparable YMCAs and industry-related employers (same/similar community, similar industry, size, revenue, etc.), for jobs of equivalent responsibility, in the communities where we compete; and

Pay employees, in jobs of comparable value, on an equitable basis (recognizing differences due to market pressures and influences), consistent with the principles of "Pay for Performance"

PERFORMANCE MANAGEMENT

In a healthy workplace, both the employee and supervisor have the same understanding of performance expectations.

The purpose of a performance review is to recognize progress, to identify problems, to develop mutual understanding, for professional development, and to plan for future performance. It may also be used for merit pay increases.

The Association recognizes that on-the-job daily supervision and regular discussions are important to the employee and a vital function of the supervisor. However, a formal performance review provides an opportunity for a comprehensive discussion of overall performance and assists the employee to continually improve their performance. This is referred to as the "Progress Review".

The Association uses Job Performance Review techniques based on the following principles:

- Job Performance Standards / Goals are developed and documented for each position against which the incumbent's job performance is evaluated;

- Supervisors and/or managers will train, coach and otherwise assist employees to meet or exceed position performance standards; and
- Regular feedback is provided to employees on their job performance.

The Association will take into account the accessibility needs of employees with disabilities during job performance reviews and related processes.

PROGRESSIVE DISCIPLINE

The Association will adhere to the following line of progressive discipline for performance related issues. This consists of a multi-step process:

- Verbal Warning
- Written Warning
- Probation (if warranted)
- Suspension (Without Pay) or Termination

Certain infractions of a more serious nature may come in at an advanced level of the progressive discipline scale. These will be at the discretion of the CEO.

In all cases, where infractions may have occurred, all facts will be carefully reviewed and the employee will be given full opportunity to explain his/her conduct before any decision is reached.

All discipline levels followed will be documented and a copy will be kept in the employee's personnel file. For discipline at step 2, 3 and 4, a copy will be provided to the employee as well. The warning will:

- Inform the employee that they are not meeting the required standards of job performance
- Formally present a performance improvement action plan that must be followed; and
- Formally relate the consequences to the employee if performance and/or behaviour issues are not addressed.

GROUP BENEFITS AND RETIREMENT PLAN

The Association has a competitive benefits program that provides insurance coverage that addresses the mental and physical well-being of employees. The Employee Assistance Program (EAP) is a key aspect of providing for emotional well-being, along with the security of a pension plan. Employees are encouraged to avail themselves of the benefits offered.

Full-time employees are required to enroll in the YMCA Federation Employee Benefit Plan (Group Benefits), currently provided by Manulife. Premiums for these benefits are paid on a cost sharing basis with the 75% paid by the Association, with the exception of Long-Term Disability (LTD) and Short-Term Disability (WI). Both LTD and WI are mandatory; LTD premiums are paid 100% by the employee while WI premiums are paid 100% by the YMCA.

The Federation together with the Association and the Insurance Carrier review all plan designs and premiums annually. Plan design and premiums are subject to change as a result of this annual review and reasonable requests submitted by the Insurance Carrier(s).

GROUP BENEFITS – FULL TIME STAFF

- Extended Health Insurance (including Out of Province medical insurance)
- Dental Care
- Weekly Income (Short Term Disability)
- Long Term Disability
- Life Insurance, including Dependent Life Insurance
- Accidental Death and Dismemberment

EAP (otherwise referenced as Resilience Service) is available for all employees regardless of employee status or seniority. The program provides access to professionals who will assist with a variety of issues, such as elder care, substance abuse counseling, financial concerns, stress-related matters and coping with life's challenges. All contact with the EAP provider and its professional employees is strictly confidential.

Specific information regarding these benefits may be found in the Benefits Booklet. A copy may be obtained from the Plan Administrator (Human Resources).

WAITING PERIOD

The waiting period for Full Time benefits, including enrollment in Group Benefits, is three (3) month of active full-time employment. The waiting period is waived in the case of active part-time employees converting to full-time status following 12 or more months of continuous employment with the YMCA immediately prior to their Full Time start date. Employees who are not actively at work on the date insurance would normally become effective, will have their coverage activated effective on the next day on which they are again actively at work.

Employees are enrolled in the plan and may select single (mandatory) or family coverage, as required. Premiums are paid bi-weekly by way of Payroll deduction.

Dependents' insurance becomes effective on the date the Dependent becomes eligible, or the date any required medical evidence on the Dependent is approved by the insurance carrier, whichever is later. Dependent's insurance will not be effective prior to the date your insurance becomes effective.

For any changes in coverage (Dependent coverage, beneficiary coverage, name, applying for coverage that was previously waived), complete the Application for Change form, available at www.manulife.com/groupbenefits, or from your Plan Administrator

The Plan also includes Life Insurance, Dependent Life Insurance, Accidental Death and Dismemberment. Premiums for these benefits are also paid on a cost sharing basis with 75% paid by the Association and 25% by the Employee. The premium portion paid by the Association may be designated as a taxable benefit under Revenue Canada guidelines.

WEEKLY INCOME (SHORT TERM DISABILITY)

This is a summary of the weekly income benefit. Employees are advised to read the details of this plan in the Employee Benefit Booklet.

Employees who have met the entitlement criteria for this benefit are entitled to apply for weekly income (STD) benefits through Manulife. Benefit amount is 65% of weekly earnings to maximum of \$1,500 per week. Benefit period is up to 16 weeks.

To apply for STD benefits, eligible employees must have the completed the "waiting period"; be totally disabled, and under the active care of a licensed health care practitioner during the qualifying period and for the duration of the period of leave.

QUALIFYING PERIOD: None, if disability is due to an Accident; 7 calendar days if disability is due to sickness. If hospitalization due to sickness prior to the end of the qualifying period, benefits are payable from the first day of hospitalization.

Benefits are payable from the end of the Qualifying period. Benefits are not payable for, or during the Qualifying Period. (see Sick and Personal emergency Leave for coverage during the qualifying period).

Manulife must receive medical evidence documenting how your illness or injury causes you to be total disabled.

LONG TERM DISABILITY (LTD)

This is a summary of the weekly income benefit. Employees are advised to read the details of this plan in the Employee Benefit Booklet.

Employees who have met the entitlement criteria for this benefit is entitled to apply for LTD benefits through Manulife. Benefit Amount - 65% of your first \$4,000 of monthly Earnings, plus 55% of the next \$5,000 of monthly Earnings, plus 45% of any excess amount

Pension Amount for Members Participating in the Retirement Pension Plan Employee: 5% of monthly Earnings Employer: 5% of monthly Earnings.

QUALIFYING PERIOD - 16 weeks; Benefits are payable from the end of the Qualifying Period. Benefits are not payable for or during the Qualifying Period.

You must be receiving regular, ongoing care and treatment from a physician during the Qualifying Period in order for benefits to be payable at the end of the Qualifying Period.

PENSION PLAN

The Canadian YMCA Retirement Fund is a defined contribution (money-purchase) registered pension plan.

All employees are eligible upon two years of continuous full-time employment with the YMCA, or following two years non-full-time employment and upon meeting the eligibility requirements as set out in the plan provisions. Membership is mandatory for full time employees after 3 years of service. All other eligible employees may choose not to participate, and will be asked to sign a waiver to that effect.

Employee contribution to the Canadian YMCA Retirement Fund will be 5% of the employee's earnings and the Association will match these contributions. Unmatched voluntary contributions may be made up to the legislated maximum once an employee has joined the plan.

All other provisions for pension plan coverage are as outlined in the plan text/booklet.

CONTINUATION OF BENEFITS

Generally, employees eligible for a statutory leave (as given under the ESA) of absence and who are enrolled in the employee benefit plan prior to starting the leave are eligible to continue enrollment during the period of the leave, subject to the cost sharing arrangement already in place prior to the start of the leave.

If the employee chooses not to continue to maintain their share of the cost of the benefit, then the benefit can be discontinued. Employees will be asked to provide their decision to in writing; otherwise, the sharing arrangement will continue.

Statutory Leaves are those covered under the Employment Standards Act and include:

- Maternity Leave, Parental Leave
- Domestic or Sexual Violence Leave
- Crime Related Child Disappearance Leave
- Child Death Leave
- Family Medical Leave, Family Caregiver Leave; Critical Illness Leave

CONTINUATION OF BENEFITS WHILE ON MEDICAL LEAVE OF ABSENCE

The Association agrees to continue the current level of group insurance for employees eligible for and receiving Short-Term and Long-Term Disability benefits and agrees to continue the cost sharing arrangement in place prior to the start of the leave and for the duration of the paid claim or up to 24 months to match the Own Occupation definition as prescribed in the LTD contract.

CONTINUATION OF BENEFITS WHILE ON GENERAL LEAVE OF ABSENCE

Benefit continuation for non-legislated leave or during a non-legislated sick leave is at the discretion of the Insurance Provider and the Association. When approved, 100% of all premiums are the responsibility of the employee.

Failure to submit payment for the employee's share of the benefit premium will result in the cancellation of the benefit plan and coverage.

CONTINUATION OF PENSION PLAN CONTRIBUTIONS WHILE OF LEAVE OF ABSENCE

The Association agrees to continue to match employee pension contributions, up to 5% of pre-disability earnings, for those eligible for and receiving Short-Term Disability benefits. In the case of those receiving Long Term Disability benefits, pension contributions are insured under the plan.

WELLNESS MEMBERSHIP

Exercise is essential to maintaining good health, a balanced mood and overall well-being, and its role in our lives becomes more important as we grow older. As ambassadors of the YMCA, its culture and values, we promote health living starting with our employees and their families, so we encourage you and your family to utilize your YMCA. And while access to YMCA facilities promotes healthy living, it also enables employees to have closer interactions with members and participants.

- All employees are issued a complimentary facility membership effective date of hire.
- A complimentary facility membership is extended to seasonal and term contract employees for the duration of their contract (e.g. camp employees received a 3-month facility membership; maternity / parental leave replacement employees receive a complimentary facility membership for the duration of their contract).
- A 50% facility membership discount is extended to all employees' spouse and dependent children.
- *Note:* A Taxable Benefit includes any 'payment' from an employer to an employee that is considered a positive benefit, whether in the form of cash or other type of payment. The value of any complimentary or discounted membership for an employee's family member(s) is considered a taxable benefit and is added to the employee's income periodically to determine the total amount of income that is subject to source tax deductions.
- Employees having a family membership are entitled to discounts otherwise afforded a regular member for things such as camp fees, child care or course registration, where applicable.

EXERCISING DURING WORK HOURS – FULL-TIME EMPLOYEES

Managerial employees are encouraged to use YMCA facilities and programs in an effort to engage members, promote wellness practices and programs, and to monitor exercise areas and activities. It is understood that these efforts are considered managerial work responsibilities.

Non-Managerial employees are welcome to use YMCA facilities and programs during work hours to a maximum of three hours per week for personal wellness and to benefit from interactions with members and coworkers, provided this does not interfere with work duties or contribute to lieu time.

It is understood that some employees cannot take time to work out during work hours due to work program and services delivery requirements (childcare ratios, desk coverage, etc.) In these cases, we will strive to be flexible in scheduling to allow, for example, an extended lunch period that permits time for exercise.

Facility Access - employees are reminded that use of the any YMCA facility is a privilege which is extended to employees pending the availability of space and equipment. Appropriate conduct and observance of our YMCA Core Values is expected at all times. Under no circumstances are employees, their family members, or guests permitted to use the facilities of the YMCA outside of normal operating hours.

EMPLOYEE DEVELOPMENT

The Association recognizes that employees need to replenish their knowledge and acquire new skills to do their jobs better. This will benefit the Association and the employee. It is important that our employees feel confident about improving their skills and knowledge, as well as finding new ways toward personal development and success.

Employees, Supervisors and the Director of People Development and Employee Wellness should all collaborate to build a continuous professional development culture. It's the employee's responsibility to seek new learning opportunities. It's the supervisor's responsibility to coach their teams and identify employee development needs. And it's the responsibility of the Director of People Development and Employee Wellness department to facilitate employee's development activities and processes.

WHAT DO WE MEAN BY TRAINING AND DEVELOPMENT?

In general, the Association approves and encourages the following employee training:

- Formal training (post-secondary learning institution or certification program)
- Employee Coaching and Mentoring
- Participating in conferences and workshops
- On-the-job training
- Job Shadowing
- Job Rotation

Job Required Training - Time spent by an employee in training that is required by the Association or by law, is counted as work time. Example: where training is required because the employee is a new hire or where it is a condition of continued employment in a position, the training is considered work time.

Optional Training - Time spent training that is not required by the Association or by law in order for the employee to do their job, is not counted as work time. For example, where an employee hoping for a promotion with the Association takes training in order to qualify for it, time spent is not considered to be work time.

Condition of Employment - Training or certification that is a condition of initial employment, as outlined on the employment agreement and/or job description, is the responsibility of the applicant and/or employee and must be valid for a minimum of twelve (12) months following the initial date of hire.

ELIGIBILITY

Full-time employees who have been employed by the YMCA for at least six (6) months are eligible to attend approved external registered educational training opportunities on behalf of the Association.

In the case of external registered training opportunities, eligible employees must apply for assistance, **prior** to their enrolment in a course/training program using an Educational Assistance Request form, available from their supervisor.

- In cases where the Association doesn't pay for the training directly, employees will have to pay and send invoices or receipts to HR. HR will approve employee reimbursement according to this information.
- Employees will be required to show proof of attendance and satisfactory completion.

Employees must remain actively employed by the Association throughout the duration of the course/training program, and in some cases for a defined period of time following the completion of training; otherwise the Association may recover some or all costs of enrollment from the employee upon termination of employment.

Employees who also work for another facility offering similar services, or are self-employed in a similar trade or business are not eligible for monetary support for courses and/or workshops applicable to such situations.

EDUCATIONAL ASSISTANCE

The Association offers an Educational Assistance Program, to eligible employees. The program provides reimbursement of tuition fees and/or course/training fees to encourage eligible employees to upgrade their education and/or enhance their current certification/skill levels.

The amount of reimbursement or support is at the discretion of the CEO, and is based on the direct applicability of the course to the employee's work responsibilities. Upon approval, up to 50% of the approved funds can be provided at the time of course registration, with the remaining percentage being provided upon the Association's receipt of documentation indicating satisfactory completion, and payment, of the course. No reimbursement will be made for the cost of supplies, transportation, or other such costs related to the course(s)/training.

Any employee training that the Association mandates (e.g. due in employee performance concerns or changes in their job descriptions) may be reimbursed fully by the Association, upon evidence of successful completion.

The Association reserves the right to require the employee to sign a commitment agreement prior to approving a request for financial support, or where an ongoing requirement of funding may be necessary to achieve a given certification. Such agreement may include agree to a performance and/or length of service contract. Failure to adhere to the commitment agreement could result in the employee repaying all or part of the financial support provided.

Educational Assistance is considered a taxable benefit by Revenue Canada regulations.

ASSOCIATION TRAINING PROGRAMS

The Association may occasionally engage experts to train our employees. The Association will cover the entire cost of the course including time to attend. Examples of this kind of training and development are:

- Leadership training for managers
- Conflict resolution training for employees
- Diversity training
- Customer Service
- Training for New Hires
- Training teams in association-related issues (e.g. new systems or policy changes)

CERTIFICATION/RECERTIFICATION

It is the responsibility of the employee to ensure all applicable certificates identified as a condition of employment are valid and remain in good standing, throughout their employment with the Association. Employees must provide evidence of successful completion prior to the expiry date of the certificate. Failure to do so will result in an immediate suspension, without pay, from the work schedule and potentially termination of employment for just cause.

The Association agrees to compensate employees for time spent attending training for certification or recertification at their regular wage or training wage, whichever is lower. The cost of the course, travel time, materials etc. are the sole responsibility of the employee. Training time spent outside of regular work hours is not considered work time and thus not included in the calculation toward

overtime hours. The Association encourages employees to take advantage of training programs available through the YMCA.

Courses, training, certification and re-certifications that are not mandatory for the employee's position shall be completed on the employee's own time. If there is a mutual benefit, a cost sharing option may be approved by the Director of People Development and Employee Wellness.

First Aid and CPR re-certifications will be offered at cost to those requiring re-certification when the course attended is provided by the Association. First Aid and CPR certifications must be valid for twelve (12) months prior to the start of employment.

The Association will bear the cost of course registration and re-certification, including First Aid, CPR and training required for certified members of the Joint Health and Safety Committee.

Employees eligible for payment of course costs, training time etc. must provide evidence of successful completion of the course.

PROFESSIONAL DESIGNATION / DUES

Professional designations are issued to people who have met the standards of their professional associations and licensing bodies that coordinate them can use them as designated by the province of Ontario.

The Association agrees to pay the annual dues required for a professional designation in the province of Ontario, where such designation is a requirement for the position held by the employee, as stipulated in employee's employment agreement and/or job description. Examples may include HRP, CPA, AFP, and CFRE. Professional Dues are considered a Taxable Benefit by Revenue Canada regulations.

DEPARTURE

This section of the handbook is intended to provide direction to Management and Employees when a decision is made by either party to end the employment relationship. This applies to management and non-management employees. The Association will comply with all provisions of the ESA with respects to all terminations including notice and severance requirements, where applicable.

RESIGNATION

The Association requests that all employees provide at least two (2) weeks' notice, but as much as possible prior to the date that they wish to end their employment. Employees in managerial positions are asked to provide four (4) weeks notice to provide sufficient time to identify a replacement.

Written notice of resignation must be dated, and include the employee's full name and the effective date of the resignation. Generally, notice or resignation is addressed to the employee's immediate supervisor.

Employees who do not return to work after completion of an approved leave of absence, without reasonable explanation, will be considered to have resigned their employment.

An employee who is absent for five consecutive working days without notifying the Association is considered to have resigned their employment with Association.

RETIREMENT

The Association strives to make the transition from employment to retirement as smooth as possible.

ELIGIBILITY FOR RETIREMENT - In accordance with the applicable laws and regulations of the Ontario Human Rights Code and Ontario Legislative Bill 211, employees are not required to retire, however become eligible for retirement options at the end of the month in which they turn 65.

EARLY RETIREMENT – employees who have reached 55 years of age are eligible for early retirement.

PHASED RETIREMENT – retiring employees holding a management position have the option of phasing out of their position by gradually reducing their workload. The maximum length of phasing period is 18 months leading up to the retirement date. Employees wishing to take advantage of this option are require to meet with the Director of People Development and Employee Wellness, and their immediate supervisor to develop a mutually satisfactory phase-out plan and ensure that

succession planning requirements are met for the employee's position. Employees who choose the phased retirement option will retain all benefit privileges with the exception of paid leaves based on time worked.

NOTICE OF RETIREMENT – Employees are required to provide a minimum of twelve (12) months' notice of retirement to accommodate the transition and knowledge transfer processes. The notice must be in writing and submitted to the employee's immediate supervisor with a copy to the Human Resource Department.

Although Human Resources will notify employees of their eligibility for retirement no later than 12 months before their 65th birthday, it is the employee's responsibility to provide written notice of their chosen date of retirement in accordance with the above timeline. Employees are also asked to contact the group benefits Plan Administrator at least six months before retirement.

TERMINATION

A person's employment is terminated if the Association:

- Dismisses or stops employing an employee, including where an employee is no longer employed due to restructuring, bankruptcy or insolvency;
- Constructively dismisses an employee and the employee resigns, in response within a reasonable time;
- Lays an employee off for a period that is longer than a 'temporary layoff'

Generally, when the Association ends the employment of an employee who has been continuously employed for three months, the Association will provide either written notice of termination, termination pay or a combination.

"Severance pay" is separate from working or pay in lieu of notice and is compensation that is paid to a *qualified employee who has their employment 'severed'. It compensates an employee for losses such as seniority that occurs when a long-term employee loses their job, without just cause.

NOTICE OF TERMINATION OR PAY IN LIEU

Certain employees are not entitled to **notice of termination or pay in lieu** under the ESA. Examples include: employees who are guilty of willful misconduct, disobedience, willful neglect of duty that is not trivial and is not condoned by the employer. Other examples can include employee on temporary layoff, employee who refuse an offer of reasonable alternate employment and employees who have been employed for less than three months.

An employee qualifies for *severance pay if their employment is severed and they have worked for the Association for five years or more, **and** the Association has a payroll in Ontario of \$2.5 million or, severed the employment of 50 or more employees in a six-month period due to part of organization permanently closing.

The Association adheres to the regulations prescribed in the Ontario ESA when calculating entitlement to the notice of termination or pay in lieu, and/or severance pay.

TERMINATION – WITHOUT CAUSE

An employee's employment with the Association may be terminated upon providing the employee with the prescribed entitlement as specified in the Employment Agreement. If no such Agreement exists, the entitlement shall be determined by the provisions of the relevant ESA legislation. In addition to the above, all outstanding wages, vacation, and overtime entitlement will be paid net of amounts owing.

The Association may, at its sole discretion, provide the employee with an additional payment or notice period. This would be made on a gratuitous basis and must be approved by the CEO. In all cases the additional payment or notice period is made conditional upon receipt of a full and final release in a form to be provided by the Association. The settlement amount may be directed in a manner most suitable to the individual (i.e. RRSP) provided it is in accordance with government regulations.

Upon termination without cause, benefit coverage, including extended health (with the exception of out of province / out of country and emergency travel assistance), dental, group life insurance, accidental death and dismemberment coverage as well as access to our employee assistance program may continue during the notice period provided that the relevant insurance policy allows for coverage after termination of employment. Premiums for such coverage, plus optional coverage (if any) will be deducted from pay.

TRANSACTIONS TO FOLLOW TERMINATION

All outstanding wages, vacation, and overtime entitlement will be paid net of amounts owing.

Record of Employment:

A ROE will be prepared within the required time period. Record of Employments are submitted electronically directly to Service Canada. Employees can access their ROE through their My Account profile with the Human Resource Development Canada website.

Insurance and Pension Benefits:

Benefit coverage will cease as of the employee's last day. An employee may be eligible to exercise a conversion privilege on basic and optional life insurance within 31 days of the last day of coverage. Contact the group benefits Plan Administrator for more information.

At the time of resignation, retirement or termination of employment, benefits will be cancelled effective the last day worked (or at the conclusion of the notice period, if applicable). An employee may be able to exercise a conversion privilege on their basic or optional life insurance within 31 days of the last day of coverage. Contact the Plan Administrator for more information.

Return of Property:

Employees are responsible for all property, materials or written information issued to them or in their possession or control. (i.e. keys, access cards, phone cards, cameras, library books, cell phones, computers, vehicles, and credit cards). Employees must return all Association property immediately upon request or upon termination of employment. The Association may seek reimbursement for the cost of any items that are not returned.

The Association may take all action deemed appropriate to recover or protect its property.

Vacation Allowance:

Vacation time accrued (full time employees) will be paid at the employee's current rate of pay upon termination on the final pay.

Exit Interviews:

When leaving the Association, an employee may be asked to participate in an exit interview so that YMCA of Eastern Ontario may understand the reason(s) for leaving. The Association would like to give employees an opportunity to recommend any changes or improvements to the Association.

Further, the Association would like to ensure that the reason for leaving is not the result of a misunderstanding or a situation that could have been avoided or can be corrected.

LEAVES POLICIES

The *Employment Standards Act, Ontario* (ESA) has established numerous unpaid job-protected leave(s) per calendar year for eligible employees. Bereavement leave, family responsibility leave, sick leave, family caregiver leave, family medical leave, domestic or sexual violence leave, critical illness leave, child death leave and crime-related disappearance leave are different leaves under the Ontario ESA. The purpose of the leaves, their length and eligibility criteria are different. Under the Act, an employee may be entitled to more than one type of leave for the same event. Each leave is separate and the eligibility to each leave independent of any entitlement an employee may have to other leave(s). This means that a single absence can only count against one ESA leave, even if the event that triggered it is a qualifying event under more than one leave.

The Association adheres to all provisions of the ESA and, in many areas provides a greater benefit than the ESA leave standard.

Leave(s) of Absence – **With Pay** are defined as periods of time the employee is not working but continues to receive a regular wage, such as statutory holidays, vacation and jury duty. Insurable benefits continue to be covered during this period.

VACATION PLAN

The Association strives to provide a healthy workplace that supports a work/life balance and provides employees with periods of uninterrupted time away from their jobs and work-related duties.

DEFINITIONS:

Accrual Period: Annually based upon full-time hire date.

Continuous Service: The period during which an individual is employed by the Association without a break in service as defined by the ESA.

Entitlement: The number of vacation days which an employee is eligible to Accrue per month and within an Accrual Period. This is typically based on years of Continuous Service in accordance with the table below.

Carry-Over: The portion of an employee's entitlement which is approved for use in the subsequent year.

RESPONSIBILITIES

Employees

- Request and use each year’s entitlement within ten months following the year during which it was earned.
- Provide supervisor with as much advanced notice as possible of requests and changes to requests.

Supervisors

- Endeavour to approve vacation time requests by employees in a timely manner, taking into consideration the operational requirements of the department.
- Make every effort to ensure that employees’ entitlements are used within the following year.

Human Resources

- Provide accurate recording of current vacation entitlement to employees and supervisors.
- Ensure that employment documents include appropriate language regarding vacation entitlement.

VACATION ENTITLEMENT

Full-time employees - paid vacation time will accrue based upon an employee's full-time start date and length of continuous service. Annual entitlements are earned monthly and credited to the employee on the first day of the month.

Entitlement Years based on Continuous Full Time Service	Vacation Entitlement
Year 1	10 days (credited .833 days per month)
Year 2 through year 7	15 days (credited 1.25 days per month)
Year 8 through year 15	20 days (credited 1.66 days per month)
Year 16+	25 days (credited 2.08 days per month)

- Increases to entitlements are credited on the first of the month following completion of any given month of continuous full-time employment.
- For the purpose of vacation entitlement, immediate prior full-time service in other YMCAs and/or RKY Camp will be recognized.

- The above entitlement schedule took effective as of April 1, 2019, and will be followed going forward. Employees awarded entitlements beyond this schedule prior to April 1, 2019 are grandfathered with all future increases based on the above established schedule.

Part time, contract or casual employees are entitled to two (2) weeks of **unpaid vacation time** after each 12-month period. Employees with five (5) or more years of employment are entitled to three weeks of **unpaid vacation time**.

VACATION PAY

Full time employees receive their 'regular pay' for any vacation periods taken. All earned, but not yet taken, vacation credits are payable as a lump sum when employment is terminated.

Part time, contract and casual employees receive vacation pay on each pay date based on gross wages for the pay period (excluding vacation pay). Vacation pay is earned at four (4) % of the gross wages for employees with less than five years of continuous service. Employees with five (5) or more years of continuous service are entitled to six (6) % of the gross wages earned bi-weekly. These employees are encouraged to set savings aside for vacation periods.

The employee's wage statement will show clearly the amount of vacation pay being paid, separate from any other amount paid.

PROVISIONS CONCERNING VACATION USE (ALL CATEGORIES) ARE AS FOLLOWS:

- The (3) three-month waiting period for full-time benefits, including paid vacation time for full-time employees, must be served before paid vacation can be drawn. Similarly, the (3) three-month probation period must be completed before vacation time can be taken (all employees).
- Full-time employees are expected to take their earned vacation credits each year as scheduled and/or approved.
- Employees may not request monetary compensation in lieu of earned vacation days, unless it is part of a termination package.
- Vacation days shall be taken at a time mutually acceptable to the employee and their supervisor, having due regard for the orderly operation of the facility and the programming schedule. It is understood that vacations should be scheduled at the slowest time of the year. In the absence of an agreement, the employer will schedule the employee's vacation days.

- Management reserve the right to restrict the number of employee's absence at one time and establish "blackout periods" (periods of time where no vacation time will be scheduled typically associated with the start of programming or school year). Such restrictions are to be communicated to the employee's annually.
- In the case of scheduling conflicts, preference will be given to timely requests and "blocks of time" over single day vacation requests. Length of service will prevail where no compromise can be reached,
- Part-time employees' requests for vacation pay are to be given to an employee's supervisor, in advance, via a Vacation Pay Request Form; full-time Time Away requests for paid vacation are submitted through Dayforce.
- Vacation time earned by the employee, but not used at the time of termination, shall be paid with the employee's final pay.
- Vacation credits will continue to accrue during any statutory leave of absence period (example maternity or parental leave). Where an employee has taken an unpaid non-statutory leave of absence exceeding one month, vacation entitlements will be prorated for the period based on time actually worked.
- If, during an approved non-statutory leave of absence, a full-time employee reaches a service milestone, any new rate of accrual for service-driven benefits will be reflected when active employment resumes.
- If during an employee's vacation, a serious illness or accident should occur requiring hospitalization or confinement for a period of seven days or more, and where the event is supported by substantiated medical documentation, then sick leave will be substituted for vacation (as eligible and available).
- Where entitlement to Bereavement leave is established, such leave will be substituted for previously scheduled vacation.
- The Association reserves the right, in the future, to schedule all vacations or to institute a company-wide vacation shutdown period.

SICK LEAVE, FAMILY RESPONSIBILITY AND PERSONAL EMERGENCY LEAVE

SICK LEAVE

All employees, regardless of employment status, are advanced three (3) unpaid days of job-protected leave each calendar year due to personal illness, injury or medical once they have worked for at least two (2) consecutive weeks. There is no pro-rating of the three (3) unpaid entitlement. Employees cannot carry over unused unpaid sick leave days to the next calendar year. Employees can take the unpaid days in part days, full days or in periods of more than one day, however employees are advised that part of a sick leave will be counted as a full day of leave against the annual entitlement.

Employees cannot take the leave for cosmetic surgery that isn't medically necessary or is unrelated to an illness or injury.

FAMILY RESPONSIBILITY LEAVE

All employees, regardless of employment status, are advanced three (3) unpaid days of job-protected leave each calendar year due to an illness, injury or medical emergency or urgent matter relating to certain relatives once you have worked for an employer for at least two (2) consecutive weeks. There is no pro-rating of the three (3) unpaid entitlement. Employees cannot carry over unused unpaid sick leave days to the next calendar year. Employees can take the unpaid days in part days, full days or in periods of more than one day, however employees are advised that part of a sick leave will be counted as a full day of leave against the annual entitlement.

For the purpose of this leave relating family members are defined as:

- 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 employees' 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.

ILLNESS, INJURY OR MEDICAL EMERGENCY (FAMILY RESPONSIBILITY)

An employee can take a family responsibility leave for illness, injuries and medical emergencies for a specified family member listed above.

Generally, employees are entitled to take a leave of absence if a relative has a pre-planned (elective) surgery if it is for an illness or injury, even when scheduled ahead of time and not a true medical emergency.

Employees cannot take the leave of absence for a relative who is having cosmetic surgery that isn't medically necessary or is unrelated to an illness or injury.

URGENT MATTER – an employee can also take a family responsibility leave for urgent matters concerning any of the family members listed above. An urgent matter is an event that is unplanned or out of the employee’s control, **and** can cause serious negative consequence, including emotional harm, if not responded to.

Examples of an “urgent matter” can included employee’s babysitter calls in sick; house of elderly parent is broken into and parent is upset and needs help to deal with situation; medical appointment scheduled for child that cannot be scheduled outside of the employee’s working hours.

Examples of what does not qualify as an urgent matter can include attending family gatherings such as birthday’s, wedding or sporting events.

PERSONAL ILLNESS LEAVE

Full-time employees are entitled to accrue one (1) day (8-hours) of paid Personal Illness Leave per month up to a maximum of twelve (12) days (96 hours) per year. Accrual starts effective the employees’ full time start date. Employees are eligible to access paid credits once they have worked three (3) months and successfully completed their probationary period. Employees can carryover a maximum of twelve (12) days for a maximum balance of twelve (12) days or 96 hours. This leave provision integrates any and all sick leave entitlement prescribed in the Ontario ESA.

Part-time, Casual and Contract employees are entitled to three (3) paid personal illness leave shifts per calendar year. Employees are eligible to access paid credits once they have worked three (3) months and successfully completed their probationary period. Employees may not carryover unused paid personal illness leave. This leave provision integrates any and all sick leave entitlement prescribed in the Ontario ESA.

PROVISIONS CONCERNING USE OF PERSONAL ILLNESS LEAVE

1. Personal Illness Leave is paid is drawn from available credits and based on the actual number of hours missed within (or in respect of) the scheduled shift. Personal Illness credits are not advanced.
2. Personal Illness Leave is to be utilized in conjunction with any group insurance benefits for which an employee may qualify. Personal Illness Leave cannot be paid in lieu of accepting such benefits.
3. Personal Illness Leave is considered primary, and cannot be deferred to cover future potential illness or injury. All available credits will be drawn from in the event that an authorized absence from work is due to a personal illness or emergency, or a non-work-related injury.

4. Personal Illness Leave credits may be requested to cover time lost due to pre-arranged physician or health care practitioner appointments, where such appointment cannot be scheduled outside the employees work schedule, or when such a visit precludes returning to work on the same day. Employees should make every attempt to schedule such appointments immediately before or after their scheduled shift to minimize disruption to the work flow. Supervisors will make every attempt to accommodate this request; however, situations where worker/ratio compliance is mandatory such requests may be declined. Employees are encouraged to make such requests as far in advance as possible to avoid disruption.
5. Use of paid Personal Illness Leave is not authorized to extend or replace vacation time.

RIGHTS DURING LEAVE

Employees who take sick leave, personal illness leave or family responsibility leave remain eligible to participate in any benefit plan they were otherwise enrolled in prior to commencing the authorized leave. The Association will continue to pay the employer share of the premiums for any plans in which the employee was enrolled prior to the leave, unless the employee advises in writing that they will not continue to pay their own share of the premiums. Employees continue to earn service-driven credits during an approved leave.

NOTICE REQUIREMENTS

Generally, an employee must inform their Supervisor or designate before starting a sick leave, personal leave or family responsibly leave. If an employee has to begin the leave before notifying the Association, the employee must inform their Supervisor, or designate as soon as possible after starting it. Notice does not have to be submitted in writing; oral or electronic communication is sufficient.

PROOF OF ENTITLEMENT

The Association may require an employee to provide evidence 'reasonable in the circumstances' that they are eligible for Sick Leave, Personal Illness or Family Responsibility leave. Reasonable circumstances will depend on the situation, such as duration of the leave, whether there is a pattern of absences, repeated absences adjacent to other time off such as statutory holidays, vacation, police reports related to accident involving family member.

MEDICAL NOTES may be required to support Sick Leave or Personal Illness Leave, from a health practitioner such as a doctor, nurse practitioner or psychologist when the employee is taking a leave because of personal emergency, injury or medical emergency if it is "reasonable in the circumstances."

Medical notes will include the duration or expected duration of the absence; that you were seen by the health care professional and confirmation that you were examined in person by the health care professional issuing the note.

While it would not be appropriate to request medical documentation related to a Family Responsibility Leave, employees are required to disclose, in writing, the name of the relative, their relationship to you and a statement that the absence was required because of the relative's injury, illness or medical emergency.

The Association reserves the right to request medical notes for all paid Personal Illness Leave extending beyond two (2) working days, or for repeated shorter absences due to illness. All leaves are recorded in the employee's personnel file.

EARLY AND SAFE RETURN TO WORK (MODIFIED WORK)

The medical community advises that the rehabilitation of an employee after an injury or disability may, in many instances, be improved if the employee can return to modified duties, and/or gradually.

Where an employee is injured or disabled, and cannot perform some or all regular duties, the Association is committed to working with health practitioners and employees to find compatible modified duties for employees. To ensure the safety and suitability of the accommodation, the following process will apply:

- The employee's physician must provide a written description of the applicable restrictions to return to work. Where feasible, the Association may provide the treating physician with a description of the position and/or a physical demands analysis.
- Upon receipt of the physician's report, if the employee is able to perform the essential duties of their job, the Association will make available appropriate modified duties.
- If the employee is assigned to modified duties and aggravates the injury or disability from which they are recovering, it is the employee's responsibility to notify and discuss these concerns with their immediate supervisor.
- In no case will an employee on modified duties be assigned to work which would displace another permanent employee, unless that employee agrees to it. An employee on modified duties may displace a temporary employee if work is suitable.

- Insofar as it is difficult to foresee all possible situations, the Association reserves the right to deviate from this process where obvious inequities would occur.

BEREAVEMENT LEAVE

In the event of a death of an immediate family member, an employee, who has completed two consecutive weeks of employment, may be granted a paid bereavement leave for the purpose of arranging and/or attending the funeral. Bereavement leave can be taken at the time of the family members death, or sometime later to attend a funeral or memorial service. It could also be taken to attend to estate matters. This leave provision integrates any and all bereavement leave entitlement prescribed in the Ontario ESA.

Immediate family shall include:

- Spouse (includes both married and common-law couples)
- Parent, step-parent, foster parent, child, step-child, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee or the employees' spouse
- Spouse of the employee's child
- Brother or sister of the employee or the employees' spouse
- Relative of the employee who is dependent on the employee for care or assistance.

Eligible employees are entitled to **three (3) days** of bereavement leave **with pay** per year.

In the event of a death of other relatives, an employee may request a Bereavement Leave for up to **one (1) working day with pay** to attend the funeral.

STATUTORY LEAVE OF ABSENCE STANDARDS (COVERED BY ESA)

The following section is intended to provide a general overview of the numerous leave provisions available to eligible workers employed in the Province of Ontario. The rules governing the right to take time off, eligibility qualifications, duration, job-protection, reinstatement etc. are regulated by the government of Ontario and are subject to change. Where overview below differs from the official government document, the government document will take precedent.

Employees who are entitled to, and eligibly the leave as prescribed by under ESA regulations will be reinstated to the same or similar position they had prior to the leave began, or a comparable job if the employee's old job no longer exists, unless the dismissal is for legitimate reasons that a totally unrelated to the fact the employee took a leave.

Employees on an approved leave have the opportunity to continue to take part in certain benefit plans offered by the Association. These include Pension Plan; Group Health, Dental, Life and AD&D. The Association will continue to pay its share of the premiums or contributions for any plans that were offered before the leave, unless the employee tells the employer in writing that they will not continue to pay their own share of the premiums or contributions. Employees on leave will also continue to participate in other benefit plans if employees who are on other types of leave are able to continue to participate in those plans.

Employees continue to earn credit toward length of employment, length of service and seniority during period of authorized leave.

The period of leave is not included when determining whether an employee has completed a probationary period. If an employee was on probation at the start of the leave, they must complete the probationary period after returning to work.

Unless specifically noted below, the Association does not pay wages for an employee who is on an ESA authorized leave. Employees are directed to contact Service Canada's Employment Insurance Information Service Centre for information about their entitlement to EI benefits.

TIME OFF TO VOTE

The Association encourages all eligible employees to participate in the election of government leaders at all levels and will help coordinate work time so that all those who wish to vote will have time.

JURY DUTY

The Association provides Jury Duty Leave, which provides employees with wage continuation, in the event that they are unable to report to work due to fulfilling a mandatory obligation as a juror.

Compensation for jury duty is restricted to the actual shift(s) which an employee is scheduled to work, during the jury duty leave period, up to a maximum of twenty (20) work days, and is paid at the employee's usual base hourly rate of pay. No overtime will be paid in connection with compensation for jury duty. Compensation is reduced by the amount of any allowance available to the employee as a result of fulfilling their jury obligation.

All employees are required to provide proof of mandatory jury duty prior to the approval of Jury Duty Leave. Approval for Jury Duty Leave can only be provided by the CEO or Director of People Development & Employee Wellness.

PREGNANCY LEAVE

The ESA provides eligible employees who are pregnant, or are new parents, with the opportunity to take unpaid time off work.

Pregnant employees who have at least thirteen (13) weeks of employment (active or inactive) before the expected date of birth are entitled to a **pregnancy leave of absence**, up to seventeen (17) weeks.

All new parents are eligible for **parental leave** – unpaid time off from work when a baby or child is born or first comes into your care (such as adoption). Birth mothers who take pregnancy leave are entitled to up to 61 weeks' leave. Birth mothers who do not take pregnancy leave and all other new parents are entitled to 63 weeks' parental leave.

When planning your leave, it is important to note that parental leave is not part of pregnancy leave; a birth mother may take both pregnancy leave (17 weeks) and parental leave (61 weeks). In addition, the entitlement to parental leave is separate from pregnancy leave.

STARTING A PREGNANCY LEAVE

Usually, the earliest a pregnancy leave will begin is 17 weeks before the due date. The latest a leave can begin is on the baby's due date. Regardless, leave will begin on the date of the birth.

Giving Notice about starting pregnancy leave – an employee must give her employer at least two weeks' written notice before beginning her pregnancy leave; and if requested provide a certificate from a medical practitioner stating the baby's due date. If this date changes, simply provide a new written notice two weeks before the new, earlier date.

Retroactive notice – sometimes an employee has to stop working earlier than expected due to complications caused by the pregnancy. In this case, you have two weeks after you stop working to provide the Association with written notice of the day the pregnancy leave will begin or will begin.

Miscarriages and stillbirths – an employee who has a miscarriage or stillbirth more than within the 17 weeks before the due date is not entitled to pregnancy leave. If the miscarriage or stillbirth occurs within the 17-week period preceding the due date she is eligible for pregnancy leave. The pregnancy leave must commence on the date of the miscarriage or stillbirth and will end the later of 12 weeks after the leave began or 12 weeks after the miscarriage or stillbirth.

ENDING PREGNANCY LEAVE

It is assumed that an employee will be returning to work at the end of the full 17-weeks of leave or any longer period she may be entitled to, unless otherwise specified in writing.

An employee who wants to change the date their leave was scheduled to end to an earlier or later date than was scheduled, must give their Supervisor a new written notice at least four-weeks before the revised date. The employee cannot schedule a new end date beyond the ESA entitlement.

When an employee decides not to return to work: Employees wishing to resign before the end of their pregnancy leave, or at the end of the leave must give their Supervisor at least four weeks' written notice of their resignation.

PARENTAL LEAVE

Both new parents are entitled to take parental leave of up to 61 or 63 weeks of unpaid time off work.

An employee who has completed at least thirteen (13) weeks of employment, and who is the parent of a child, is entitled to parental leave.

A “parent” includes; birth parent; an adoptive parent or a person who is in a relationship of some permanence with a parent of the child who plans on treating the child as their own. This includes same-sex couples.

When a parental leave can begin – A birth mother who takes pregnancy leave would ordinarily begin her parental leave as soon as her pregnancy leave ends. However, in the case where the baby has not yet come into her care for the first time when the pregnancy leave ends, the employee can either commence her parental leave or choose to return to work and start her parental leave later within 78 weeks of the birth or date the baby first came home from the hospital.

All other parents are to begin their parental leave no later than 78 weeks after the date their baby is born, or the date their child first came into their care, custody and control.

Length of parental leave – birth mothers who take pregnancy leave are entitled to up to 61 weeks of parental leave. All other new parents are entitled to 63 weeks of parental leave. Employees may decide to take a shorter leave if they wish, however once an employee has started parental leave, they must take it all at once. Employees cannot use up part of the leave, return to work and then go back on parental leave for the unused portion.

GIVING NOTICE ABOUT STARTING PARENTAL LEAVE –

An employee must give their Supervisor at least two weeks’ written notice before beginning a parental leave. *Because EI benefits can be taken over a shorter period or longer period of time, it is strongly advised that employees tell their Supervisor exactly how many weeks they plan to take as parental leave when they give notice to start (example 37 weeks or 63 weeks). If an employee does not provide a return date it will be assumed that the employee will be on leave for the full 61 or 63 weeks. In which case the employee would be required to provide four weeks written notice if they want to return to work before the 61 or 63 weeks of leave.*

If an employee is also taking pregnancy leave it is advised that she also give her Supervisor notice of her intention to take parental leave and for how long.

Retroactive notice – sometimes an employee may stop working earlier than expected because a child is born or comes into care earlier than expected. In this case the employee has two weeks after

stopping work to give their Supervisor written notice that they are taking parental leave. The parental leave begins on the day the employee stop working.

Miscarriages and stillbirths – an employee who has a miscarriage or stillbirth, or whose spouse has a miscarriage or stillbirth, is not eligible for parental leave.

GIVING NOTICE ABOUT ENDING PARENTAL

It is assumed that an employee will be returning to work at the end of the full 61 or 63 weeks of leave, unless otherwise specified in writing.

An employee who wants to change the date their leave was scheduled to end to an earlier or later date than was scheduled, must give their Supervisor a new written notice at least four weeks before the revised date. The employee cannot schedule a new end date beyond the ESA entitlement.

When an employee decides not to return to work – employees wishing to resign before the end of their pregnancy leave, or at the end of the leave must give their Supervisor at least four weeks' written notice of their resignation.

INTERACTION WITH OTHER ESA LEAVES

Critical Illness, Sick, Family Responsibility, Bereavement, Declared Emergency, Family Caregiver, Family Medical, Domestic or Sexual violence, Child Death and Crime-related child disappearance are different types of leaves. The purpose of the leaves, their length, the individuals with respect to whom they can be taken and eligibility criteria vary. (see the respective sections below for information on each leave).

An employee may be entitled to more than one leave or the same event. Each leave is separate and the entitlement to each leave is independent of any entitlement an employee may have to other leaves(s).

FAMILY CAREGIVER LEAVE

Family caregiver leave is unpaid, job protected leave of up to eight (8) weeks per calendar year, per specific family member.

Family caregiver leave may be taken to provide care or support to certain family members for whom a qualified health practitioner has issued a certificate stating that they have a serious medical condition.

Family medical leave is another type of leave for employees available for employees who have certain relatives who have a serious medical condition and who has a serious risk of death occurring within a period of 26 weeks. Employees may also be entitled to take **Critical Illness leave** to provide care for or support to a minor child or adult who is a family member, whose baseline state of health has changed significantly and whose life is at risk from illness or injury. Critical illness leave may be taken for up to 17 weeks of care for an adult, and up to 37 weeks of care for a minor child. These two leaves are described in more detail in the next section of this manual.

ELIGIBILITY FOR FAMILY CAREGIVER LEAVE

All employees, whether full time, part time, contract or casual may be entitled to Family Caregiver leave. There is no requirement that an employee be employed for a particular length of time.

DEFINITIONS

“Care or Support” includes but is not limited to providing psychological or emotional support; arranging for care by a third-party provider; or directly providing or participating in the care of a family member.

The **“specific family members”** for whom a family caregiver leave may be taken are:

- The employees’ spouse (married or common-law)
- A parent, step-parent or foster parent of the employee or the employee’s spouse
- A child, step-child or foster child of the employee or the employees’ spouse
- A grandparent or step-grandparent of the employee or the employees’ spouse
- A grandchild or step-grandchild of the employee or the employees’ spouse
- A spouse of a child of the employee
- A brother or sister of the employee
- A relative of the employee who is dependent on the employee for care or assistance.

The specified family members do not have to live in Ontario for the employee to be eligible for family caregiver leave.

Qualified Health practitioner is a person who is qualified to practice as a physician, registered nurse or psychologist under the laws of the jurisdiction in which care or treatment is provided. In Ontario this includes psychiatrists or nurse practitioners.

MEDICAL CERTIFICATE

You are not required to have a medical certificate before the leave can begin; however, a certificate will be required for the leave to be approved. If a certificate is never issued, then you will not be entitled to the leave and therefore forfeit any of the protections afforded to employees under ESA on family caregiver leave.

You may wish to provide the health practitioner with a copy of the “*medical certificate to support entitlement to family caregiver leave, family medical leave, and/or critical illness leave*” for to fill out. It is available on the Ministry of Labour’s website on the forms page. Note – The health practitioner is not required to use this form; any certificate stating the patient has a serious condition can be used.

This certificate must name the individual and state that the individual has a serious medical condition. Where the certificate sets out a period during which the individual will have the serious medical condition the certificate will support your absence as family caregiver during that period. If no period is set out, the certificate will support absences as family caregiver leave from the date it is issued until the end of the calendar year.

The employee is responsible for obtaining and paying costs (if any) of obtaining the certificate. The Association cannot assist the employee is obtaining this certificate. Copies of the certificate may also be required to support claims filed for EI benefits.

LENGTH OF FAMILY CAREGIVER LEAVE

A family caregiver leave can last up to eight (8) weeks per calendar year for each specific family member. A week is defined as running Sunday to Saturday. The eight (8) weeks can be taken consecutively or separately. The employee may take leave for periods less than a full week (for example single days, at the beginning, middle or end of the week), however if they do, they are considered to have used up one week of the eight-week entitlement. If the employee is on leave for two or more days in the same week (example Monday and Thursday of the same week) this would count as one week of the eight-week entitlement.

Employees are only entitled to be on leave when providing care or support to a specified family member.

NOTICE REQUIREMENTS

An employee is required to inform their Supervisor in writing that they will be taking a family caregiver leave of absence. If an employee has to begin the leave before notifying their Supervisor, they must inform them in writing as soon as possible after starting the leave.

When an employee does not take the eight (8) week leave all at once, they are required to provide notice to their Supervisor with respect to each part of the leave.

FAMILY MEDICAL LEAVE

Family medical leave is unpaid, job-protection leave of up to 28 weeks in a 52-week period.

Family medical leave may be taken to provide care or support to certain family members and people who consider the employee to be like a family member, in respect of whom a qualified health practitioner has issued a certificate indicating they have a serious medical condition with a significant risk of death occurring within a period of 26 weeks.

If an employee has more than one specified family member who has a serious illness with a significant risk of death within a period of 26 weeks, the employee will be entitled to a 28-week family medical leave for each of the specified family members.

ELIGIBILITY FOR FAMILY MEDICAL LEAVE

All employees, whether full time, part time, contract or casual may be entitled to Family Medical Leave. There is no requirement that an employee be employed for a particular length of time.

DEFINITIONS

“Care or Support” includes but is not limited to providing psychological or emotional support; arranging for care by a third-party provider; or directly providing or participating in the care of a family member.

The **“specific family members”** for whom a family caregiver leave may be taken are:

- The employees’ spouse (married or common-law)
- A parent, step-parent or foster parent of the employee or the employee’s spouse
- A child, step-child or foster child of the employee or the employees’ spouse
- A grandparent or step-grandparent of the employee or the employees’ spouse
- A grandchild or step-grandchild of the employee or the employees’ spouse
- A brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee
- A son-in-law or daughter-in-law of the employee or of the employees’ spouse
- A brother, step-brother, or sister or step-sister of the employee

- An uncle or aunt of the employee or of the employees' spouse
- A nephew or niece of the employee or of the employee's spouse
- The spouse of the employee's grandchild, uncle, aunt, nephew or niece
- A person who considers the employee to be like family member.
 - Persons wishing to take family medical leave for persons in this category must provide the Association with a complete copy of the compassionate care benefits attestation form available from Employment and Social Development Canada, regardless of if they are making an application for EI Compassionate Care Benefits or are required to complete the form to obtain benefits.

The specified family members do not have to live in Ontario for the employee to be eligible for family caregiver leave.

Qualified Health Practitioner is a person who is qualified to practice as a physician, registered nurse or psychologist under the laws of the jurisdiction in which care or treatment is provided. In Ontario this includes psychiatrists or nurse practitioners.

MEDICAL CERTIFICATE

An employee is not required to have a medical certificate before the leave can begin, however it a certificate will be required for the leave to be approved as soon as possible. If a certificate is never issued, then you will not be entitled to the leave and therefore forfeit any of the protections afforded to employees under ESA on family medical leave.

You may wish to provide the health practitioner with a copy of the "*medical certificate to support entitlement to family caregiver leave, family medical leave, and/or critical illness leave*" for to fill out. It is available on the Ministry of Labour's website on the forms page. Note – The health practitioner is not required to use this form; any certificate stating the patient has a serious condition can be used.

This certificate must name the individual and state that the individual has a serious medical condition with a significant risk of death occurring within a specific 26-week period. There is no requirement that the notice specify what the medical condition is.

The employee is responsible for obtaining and paying costs (if any) of obtaining the certificate. The Association cannot assist the employee is obtaining this certificate. Copies of the certificate may also be required to support claims filed for EI benefits.

LENGTH OF FAMILY MEDICAL LEAVE

A family caregiver leave can last up to 28-weeks within a specified 52-week period. A week is defined as running Sunday to Saturday. 52-week period starts on the first day of the week in which the 26-week period specified in the medical certificate begins.

The latest day an employee can remain on leave is: the last day of the week in which the family members dies; the last day of the week in which the 52-week period expires, or the last day of the 28 weeks of family medical leave, whichever is earlier. Based on the definition of 'week' the last day an employee can be on leave will always be a Saturday.

The 28 weeks do not need to be taken consecutively, allowing the employee to take a single week of leave at a time, however part weeks is still counted a full week.

Employees are only entitled to be on leave when providing care or support to a specified family member.

SHARING FAMILY MEDICAL LEAVE

The 28 weeks of family medical leave can be shared amongst family members. For example, if the spouse of the employee took 18 weeks of the leave, the employee would be able to take 10 weeks of the leave. The spouse and employee could take the leave at the same time, or a different time, event alternate

NOTICE REQUIREMENTS

An employee must inform their Supervisor in writing that they will be taking a family caregiver leave of absence. If an employee has to begin the leave before notifying their Supervisor, they must inform them in writing as soon as possible after starting the leave.

When an employee does not take the 28-week leave all at once, they are required to provide notice to their Supervisor each time they begin a new part of the leave.

CRITICAL ILLNESS LEAVE

Critical illness leave is an unpaid job-protected leave of absence of up to 37 weeks in relation to a critically ill minor child, or 17 weeks in relation to a critically ill adult within a 52-week period.

ELIGIBILITY

Critical illness leave may be taken to provide care or support to a critically ill minor child or adult who is a family member of the employee for whom a qualified health practitioner has issues a certificate stating that the minor child or adult is critically ill and requires the care or support of one or more family members, and, sets out the period during which care or support is required.

DEFINITIONS

A '**minor**' child means a child, step-child, foster child or child who is under legal guardianship, and who is under 18 years of age. Note – employees do not lose eligibility for critical illness leave if their child turns 18 after starting the leave.

An "**adult**" means a person who is 18 years of age or older.

"**Critically ill**" means a person's baseline state of health has significantly changed and their life is at risk as a result of an illness or injury. It does not include chronic conditions.

A "**family member**" means:

- The employees' spouse (married or common-law)
- A parent, step-parent or foster parent of the employee or the employee's spouse
- A child, step-child or foster child of the employee or the employees' spouse
- A grandparent or step-grandparent of the employee or the employees' spouse
- A grandchild or step-grandchild of the employee or the employees' spouse
- A brother-in-law, step-brother-in-law, sister-in-law or step-sister-in-law of the employee
- A son-in-law or daughter-in-law of the employee or of the employees' spouse
- A brother, step-brother, or sister or step-sister of the employee
- An uncle or aunt of the employee or of the employees' spouse
- A nephew or niece of the employee or of the employee's spouse
- The spouse of the employee's grandchild, uncle, aunt, nephew or niece
- A person who considers the employee to be like family member.
 - Persons wishing to take family medical leave for persons in this category must provide the Association with a complete copy of the compassionate care benefits attestation form available from Employment and Social Development Canada, regardless of if they are making an application for EI Compassionate Care Benefits or are required to complete the form to obtain benefits.

MEDICAL CERTIFICATE

An employee is not required to have a medical certificate before the leave can begin, however it a certificate will be required for the leave to be approved as soon as possible. If a certificate is never issued, then you will not be entitled to the leave and therefore forfeit any of the protections afforded to employees under ESA on family medical leave.

You may wish to provide the health practitioner with a copy of the “*medical certificate to support entitlement to family caregiver leave, family medical leave, and/or critical illness leave*” for to fill out. It is available on the Ministry of Labour’s website on the forms page. Note – The health practitioner is not required to use this form; any certificate stating the patient has a serious condition can be used.

This certificate must name the child or adult; verify that the individual is critically ill or has been critically injured; state that the individual requires the care or support of at least one family member, and set out the period during which the individual requires care and support. There is no requirement that the certificate must specify what the illness or injury is.

The employee is responsible for obtaining and paying costs (if any) of obtaining the certificate. The Association cannot assist the employee is obtaining this certificate. Copies of the certificate may also be required to support claims filed for EI benefits.

LENGTH OF CRITICAL ILLNESS LEAVE

Critical illness leave is taken to care for a minor child and can last up to 37 weeks within a 52-week period or, this leave can be taken to care for an adult and can last up to 17 weeks. If a medical certificate issued sets out a period which the person requires care or support of a family member that is less than 37 weeks (minor child), or less than 17 weeks (adult), the employee is entitled to take a leave only for the period set out in the certificate.

However, if the practitioner estimates the period to be less than 52 weeks, and the individual is still critically ill at the end of the period set out in the certificate, a second medical certificate can be issued to allow an employee to extend their leave. Note, however, the original leave and extension(s) cannot be longer than 37 or 17 weeks respectfully in a 52-week period.

The weeks in which the critical illness leave is taken can be taken consecutively or separately. The employee may take leave for periods less than a full week (for example single days, at the beginning, middle or end of the week), however if they do, they are considered to have used up one week of their entitlement. If the employee is on leave for two or more days in the same week (example Monday and Thursday of the same week) this would count at one week of the entitlement.

A week is defined as running Sunday to Saturday. 52-week period starts on the first day of the week in which the 37 or 17 weeks started as specified in the medical certificates.

If the certificate states that the individual requires care or support for a period of 52 weeks or longer, the 37 or 17 weeks of leave will end no later than the last day of the 52-week period. However, if the individual remains critically ill after the 52-week period has expired, the employee is entitled to take another leave if the requirements for eligibility are met.

Employees are only entitled to be on leave when providing care or support to a specified family member.

Death of a minor child or adult – if the individual dies while an employee is on a critically leave, the employee's entitlement to be on leave ends at the end of the week (which is defined as Saturday) in which the person dies.

SHARING CRITICAL ILLNESS LEAVE

The critical illness leave can be shared amongst family members. For example, if one family member took 35 weeks to care for a minor child, another family member could take 2 weeks. Family members could take the leave at the same time, or a different time, event alternate

NOTICE REQUIREMENTS

An employee must inform their Supervisor in writing that they will be taking a critical illness leave of absence. If an employee has to begin the leave before notifying their Supervisor, they must inform them in writing as soon as possible after starting the leave.

An employee may take a leave at a time other than that indicated in their original plan provided to their Supervisor so long as the new dates fall within the dates the ESA allows, and the employee requests permission from their Supervisor to do so, in writing, and where the Supervisor has provided written authorization; or the employee provides the Supervisor with reasonable notice of the change in writing. There is no limit on the number of times the employee can change their plan, so long as the requirements described above are met each time.

DOMESTIC OR SEXUAL VIOLENCE LEAVE

Domestic or sexual violence leave is a job-related leave of absence that provides up to 10 days and 15 weeks in a calendar year of time off to be taken for specific purposes when an employee or an employee's child has experienced or been threatened with domestic or sexual violence. The **first five (5) days** taken in a calendar year are paid by the Association, and the rest are unpaid.

ELIGIBILITY

Employees who have been employed by the Association for at least 13 consecutive weeks are entitled to Domestic or Sexual Violence Leave if the employee or the employee's child has experienced or been threatened with domestic or sexual violence, and the leave is taken for any of the following purposes:

- To seek medical attention for the employee or the child of the employee because of a physical or psychological injury or disability caused by the domestic or sexual violence;
- To access services from a victim services organization for the employee or the child of the employee;
- To have psychological or other professional counselling for the employee or the child of the employee;
- To move temporarily or permanently;
- To seek legal or law enforcement assistance, including making a police report or getting ready for participating in a family court, civil or criminal trial related to or resulting from the domestic or sexual violence.

An employee is not entitled to this leave if the employee committed the domestic or sexual violence.

“Child” means a child, step-child or child under legal guardianship or foster child who is under 18 years of age.

LENGTH OF DOMESTIC OR SEXUAL VIOLENCE LEAVE

Employees are entitled to up to 10 full days of leave every calendar year, regardless of their employment status. There is prorating of the 10-day entitlement. Employee cannot carry over any unused leave entitlement. The 10 days do not have to be taken consecutively.

Employees can take the 10 days in part days, full days or in periods of more than one day. If an employee takes only part of a day this is counted as a full day of leave.

Employees are also entitled to take up to 15 weeks of domestic or sexual violence leave within a calendar year for the purposes set out above. A ‘week’ is defined to run Sunday to Saturday.

The 15 weeks can be taken consecutively or separately. The employee may take the leave for periods of less than a full week (for example single days) but if they do, they are considered to have used up one week of their 15-week entitlement. If the employee is on leave for two or more days within the same week (Monday and Thursday) only one week of the 15-week entitlement is used up.

DOMESTIC OR SEXUAL VIOLENCE LEAVE PAY

The first five (5) days of domestic or sexual violence leave taken in the calendar year is paid by the Association regardless of whether the employee takes the leave from the 15-week entitlement or the 10-day entitlement.

An employee is generally entitled to what they would have earned had they been at work and not taken the leave.

If an employee is scheduled to work a shift which will include overtime hours, and they miss all or part of the shift to take the leave, the employee will be entitled to the regularly hourly rate, not the overtime rate. If paid domestic or sexual violence leave pay is taken when an employee was scheduled to work on a public holiday this would constitute 'reasonable cause' for the purpose of public holiday entitlement. If the employee agrees to work (or is required to work) on a public holiday and misses some or all of the shift to take this leave, the domestic or sexual violence leave pay will not be included in 'premium pay' if the employee would have earned it had they worked instead of taking the leave.

NOTICE REQUIREMENTS: ADVANCE NOTICE

There are two lengths of domestic and sexual violence leave that can be taken within the calendar year; 10-day period which can be taken as either individual days or a combination of up to 10 days, and a 15-week period which be taken continuously, or not.

If the employee plans to take one or more days of the 10-day period, the employee must tell their Supervisor that they will be doing so **in advance**. Where the employee cannot give notice, notice must be given as soon as possible after starting the leave. Notice can be verbal or written.

If the employee plans to take one or more weeks or part weeks of the 15-week entitlement, the employee must tell their Supervisor that they will be doing so, **in writing**, before the leave is taken. If the employee cannot give notice, notice must be given, in writing, as soon as possible after starting the leave.

Employees do not have to take the 10-day leave first.

EVIDENCE

The Association will require an employee to provide evidence reasonable in the circumstances that they are eligible to take domestic or sexual violence leave. What will be reasonable in the circumstances will depend on all of the facts of any given situation, such as the duration of the leave,

whether there is a pattern of absences, whether any evidence is available and the cost of providing the evidence.

CHILD DEATH LEAVE

Child death leave is an unpaid, job-protected leave. It provides up to 104 weeks with respect to the death of a child.

ELIGIBILITY

Employees have been employed by the Association for at least six consecutive months are entitled to a child death leave if a child of the employee dies. **“Child”** means child, step-child, child under the legal guardianship of the employee or foster child who is under the age of 18.

An employee is not entitled to this leave if the child dies as a result of a crime and the employee is charged with the crime, or if it probable, considering the circumstances, that the child was a party to the crime. Generally speaking, ‘crime’ means an offence under the Criminal Code of Canada.

TIME OF CHILD DEATH LEAVE – a leave for the death of a child must be taken within 105-week period that begins in the week of the child died. The leave must be taken in a single period.

SHARING CHILD DEATH LEAVE – the total amount of child death leave taken by one or more employees for the same death (or deaths that are the result of the same event) is 104 weeks. The employees can take the leave at the same time or at different times. The sharing requirements applies whether the or not the employees work for the Association.

NOTICE REQUIREMENTS: ADVANCE NOTICE AND A WRITTEN PLAN

An employee must inform their supervisor in writing that they will be taking a child death leave and must provide the supervisor with a written plan that indicates the weeks in which they will take the leave.

If an employee has to begin the leave before notifying the supervisor, they must inform the them in writing and provide the written plan as soon as possible.

An employee may take a leave at a time other than their original plan so long as the new dates meet the ESA restrictions and the employee provides a written request and is granted authorization from the Supervisor in writing. Employee will provide the employee with four (4) weeks written notice before the change takes place.

EVIDENCE

An employee will provide the supervisor with reasonable evidence of the employee's entitlement to the leave.

CRIME-RELATED CHILD DISAPPEARANCE LEAVE

Crime-related child disappearance leave is an unpaid job protected leave of absence that provides up to 104 weeks with respect to the crime-related disappearance of a child.

ELIGIBILITY

Employees that have been employed by the Association for at least six consecutive months are entitled to a crime-related disappearance leave if it is probable, considering the circumstances, that the child of the employee is a result of a crime. "Child" means child, step-child, or foster child who is under the age of 18.

An employee is not entitled to this leave if the employee is charged with the crime, or if it is probable, considering the circumstances, that the child was a party to the crime. Generally speaking, 'crime' means an offence under the Criminal Code of Canada.

TIME OF A CRIME-RELATED CHILD DISAPPEARANCE LEAVE – a leave for the crime-related disappearance must be taken within the 105-week period that the child disappeared. The leave must be taken in a single period.

If the circumstances change and it no longer seems probable that the disappearance is the result of a crime, the employee's entitlement to a leave ends on the day on which it is no longer probable.

If the child is found within the 104-week period, the employee remains on leave for 14 days after the day the child is found, if the child is found alive. The employee has a separate entitlement to child death leave of up to 104 weeks (see above).

SHARING CRIME-RELATED DISAPPEARANCE LEAVE – the total amount of leave taken by one or more employees for the same event is 104 weeks. The employees can take the leave at the same time or at different times. The sharing requirements applies whether the or not the employees work for the Association.

NOTICE REQUIREMENTS: ADVANCE NOTICE AND A WRITTEN PLAN

An employee must inform their supervisor in writing that they will be taking a crime-related disappearance leave and must provide the supervisor with a written plan that indicates the weeks in which they will take the leave.

If an employee has to begin the leave before notifying the supervisor, they must inform the supervisor in writing and provide the written plan as soon as possible.

An employee may take a leave at a time other than their original plan so long as the new dates meet the ESA restrictions and the employee provides a written request and is granted authorization from the Supervisor in writing. Employee will provide the supervisor with four (4) weeks written notice before the change takes place.

EVIDENCE

An employee will provide the supervisor with reasonable evidence of the employee's entitlement to the leave.

ORGAN DONOR LEAVE

Organ donor leave is unpaid, job-protected leave of up to 13 weeks for the purpose of undergoing surgery to donate certain organs to a person. In some cases, the leave can be extended for up to an additional 13 weeks if the medical practitioner issues a certificate stating the employee is not yet fit to return to work. The maximum amount of time allowed is 26 weeks. Generally, organ donor leave begins on the date of surgery. It may begin earlier as specified in a certificate issued by the medical practitioner.

QUALIFYING FOR ORGAN DONOR LEAVE

An employee is entitled to organ donor leave regardless of their employment status. To qualify the employee must have been employed by the Association for at least 13 weeks, and undergo surgery to donate all or part of one of the following organs to another person: kidney, liver, lung, pancreas, small bowel.

MEDICAL CERTIFICATE will be provided to the Association confirming the employee has undergone or will undergo surgery to donate an organ; when the leave is to begin and, where necessary the requirement to extend the period of time. This certificate must be provided as soon as possible under the circumstances.

RESERVIST LEAVE

Employees who are reservists and who are deployed to an international operation or to an operation within Canada that is or will be providing assistance in dealing with an emergency are entitled to unpaid leave for the time necessary to engage in the operation.

ELIGIBILITY – employees must have worked for the Association for at least six consecutive months. Generally, reservists must provide their supervisor with reasonable written notice of the day on which they will begin and end the leave.

RELIGIOUS HOLIDAYS

The Association is fully committed to accommodating an employee's request to take time away from work to celebrate specific holidays related to their personal beliefs, faith-based celebrations, wherever reasonably possible.

Absence from work will be approved, unless the employee's attendance on that same day(s) is vital and essential to the continuing working process of Association, as decided by the CEO.

Employees must notify their supervisor, in writing, at least 10 days in advance of their desire to be absent from work due, to their plans to celebrate a specific holiday.

The employee will at all times be asked to either use part of their currently earned vacation day(s) or make up their absence through additional hours that has been mutually agreed upon by the employee and their supervisor.

EMPLOYEE RELATIONS POLICIES

CELL PHONE POLICY

In the course of their work duties, managerial employees will find it necessary to communicate on many platforms, including phone, email, text, social media, etc. It is our intention that managerial employees be provided with the opportunity to use these platforms without personal expense.

Association-Issued cell phones will be offered to those employees requiring work phones as dictated by the scope of responsibilities and other aspects of their employment. Other employees may be issued a cell phone at the discretion of the CEO, where work tasks warrant.

The Association will issue a YMCA cell phone to each School Age Care location. This facilitates communication with parents while protecting the privacy of employees. The cell phone is the property of the Association and must be used only for work purposes.

Other full-time employees may choose to use their own phone for work rather than carry two phones. In such cases, a phone allowance will be determined by the Director of People Development and Employee Wellness, in conjunction with the supervisor, based on the anticipated usage. The allowance will be paid monthly to the employee. Both practices confer a taxable benefit that will be processed through payroll on a monthly basis.

Allowances will be based on the following criteria as determined by the Director and CEO: (1) the need to respond to time-sensitive text messages, (2) the need to respond to time-sensitive emails, (3) the need to access social media, network or other similar data usage, or (4) combinations of the above.

EXPENSE REPORTING

Employees will be reimbursed for reasonable expenses necessarily incurred in carrying out the business of the Association.

Employees are required to complete the appropriate expense form (see Finance office) and to attach all receipts and/or other requirements (certificates, passing mark notification, etc.). Reimbursement for expenses incurred as a direct result of conducting Association business will be provided for the following at the established rate(s):

- Approved meal reimbursement

- Approved mileage and local travel reimbursement up to the current per diem allowance.
- Approved course reimbursement
- Approved conference and workshop reimbursement
- Approved out-of-town travel and accommodation reimbursement
 - a. Mode of travel and accommodation location will be approved prior to the time of travel.
 - b. When deemed appropriate, the Association will handle the setting up of travel plans and accommodations.
- Approved membership in occupational societies or Associations reimbursement
- Other items, as approved, in advance, by the CEO

Local travel is defined as work related travel above the distance of your regular commute to work. Any staff who are required to travel to a site that is not their regular work site will be reimbursed mileage at the established rate.

Employees using a personal vehicle to attend a day-long event away from their primary Association location will be reimbursed for mileage as measured from the primary work location or from home, whichever is less.

In determining the most efficient course of travel, the Association reserves the right to determine the mode of transportation and the accommodation provider for any employee traveling. This includes the use of a YMCA vehicle or rental vehicle when the one-way distance involved is greater than 100 km.

Reimbursement requests must be approved by your immediate supervisor and submitted to the Administration office within (or as soon as possible following) the month in which the expense was incurred. Expense reports are checked for clerical accuracy by the administration department.

The Association will not provide reimbursement for personal expenses incurred during the course of travel (personal telephone calls, movies, mini bar, drinks, snacks, etc.), nor will it reimburse for travel upgrades, or add-on costs due to side trips, or accompanying family members.

The following expenses must be approved in advance of any commitment on the part of the employee:

- hotel accommodations
- car rentals

- airline tickets
- travel outside of the province of Ontario
- any other anticipated expenses (mileage, train tickets, etc.)

Employees requiring an advance of monies to support incurred expenses relating to Association-approved business, must request such advances, in writing, and must provide documentation in support of anticipated expenses.

Out of pocket expenditures that exceed \$100 must be pre-approved by a Director, or the CEO.

DRESS CODE POLICY

The implementation of a dress code policy is part of our Association's commitment to service to our members and the community at large, and to:

- Assure safety and the delivery of quality service by having employees and volunteers visible and distinguishable from members and program participants.
- Give all employees and volunteers a consistent and professional appearance which will enhance their image in the eyes of members and facility users.
- Ensure that employees are dressed appropriately for their particular work environments and duties.

GUIDELINES

Clothing worn by Association employees should be distinctive and set employees and volunteers apart from participants. The logo of the YMCA should be prominently and attractively displayed on all uniform pieces, and must be visible at all times.

The Association requires employees and volunteers to wear clothing that enhances the image and professionalism of our Association. Please refer to the approved dress criteria for your department for additional details (available from your supervisor). In general, the standards identified below must be adhered to.

STANDARDS

- Approved name badges are to be worn at all times.
- Clothing must be clean, not have any stains or visible marks, and must be wrinkle free. Torn, frayed or faded clothing is not permitted.

- Uniform pieces and accessories are not to be modified, written on, or changed in any manner.
- Footwear is to be clean and in good condition.
- Accessories should be in good condition, complementary to the uniform, and kept to a minimum. These accessories should be chosen having regard for the safety of participants, volunteers, and other employees.
- Casual dress, such as track pants, t-shirts, etc., are not to be worn unless such apparel has been approved for use in your respective department.
- T-shirts must be of a plain colour and without any print (those which contain slogans, logos, wording, images, or unacceptable language are not permitted).
- Pants and shorts are to be of a solid colour; jeans are not generally permitted except on sanctioned dates.
- Baseball caps (must be YMCA), toques, or other headwear is not to be worn indoors, unless such apparel has been approved for use in your respective program.
- Tattoos of a questionable image or writing must be covered during the work period at our Association or one of its programs.
- Emergency fanny packs, whistles, etc., where determined to be required for the fulfillment of a job function, are considered to be part of the uniform, and must be worn or carried at all times.

WORKING FROM HOME

The Association supports practices that promote work-life balance for all employees. Generally, we require employees to attend to work while at the workplace. All leadership roles involve, to some degree, relationship building that depends upon employees having an on-site presence. Leaders also are expected to engage with members to a greater degree, and in doing provide role modeling for other employees.

Occasionally, situations may arise when it is necessary to perform duties outside of work hours, or from home in lieu of coming to work. Examples include seasonal fluctuations, contingencies and emergencies.

All requests to undertake work from home, in lieu of at the workplace, must be approved by a Director in advance or, in the case of Directors, by the CEO.

For those with supervisory responsibilities, we strongly recommend sufficient time away from work, including time free from electronic communications outside of work hours.

When ill, employees are strongly urged to excuse themselves from work. Working from home should not be considered an alternative to using a sick day.

RIGHT TO DISCONNECT FROM WORK POLICY

As a values-based organization, the YMCA of Eastern Ontario believes that putting people first is essential to our ongoing success. Our YMCA is committed to supporting the health and well-being of our employees and therefore encourages all employees to disconnect from work outside of their normal working hours. We believe that disconnecting from work is important for the achievement of a healthy and sustainable work-life balance. With this goal in mind, our YMCA has adopted this Policy to set out expectations for work-related communications outside of normal working hours.

DEFINITIONS

“disconnect from work” means not initiating, reviewing, listening or responding to work-related communications, including emails, telephone calls, video calls or any other messages, so the employee is entirely free from the performance of work.

“normal working hours” means the employee’s normal hours of work, including when the employee is scheduled to be on-call.

“urgent” means that the matter must be dealt with immediately and cannot wait until the recipient’s next scheduled workday.

POLICY STATEMENT

All employees are encouraged to disconnect from work outside of their normal working hours. In other words, employees should not feel compelled to initiate, review, listen or respond to work-related communications outside of their normal working hours, other than for genuinely urgent communications (see below) or when the employee is required to do so by a YMCA practice or policy (e.g., if employees are required to call their supervisor’s work number to report an absence from work).

Employees will not be penalized if they do not respond to non-urgent communications outside of normal working hours. Similarly, they will not receive any benefit for staying connected outside of their normal working hours.

However, because of the unpredictable nature of “on-call” work, “on-call” employees cannot disconnect from work for any periods of time for which they are officially “on-call”. They are expected to initiate, review, listen and respond to work-related communications including emails, telephone calls and texts as necessary and as required by applicable YMCA practices, policies and procedures.

URGENT MATTERS

There may be times when it is necessary, due to operational needs, for employees to contact co-workers or subordinates outside of their normal working hours. If a matter is genuinely urgent, employees are expected to respond to the communication. If a matter is urgent:

- The employee should call or send a text message advising the recipient of the urgent matter; or
- In the case of an urgent email, the word URGENT should be included at the beginning of the subject line of the email. The sender should also call or text the recipient to alert them about the urgent nature of the matter.

CALLS AND MEETINGS

Calls and meetings (virtual or in-person) should normally be scheduled to respect the normal working hours of attendees.

Employees should refrain from calling or texting coworkers for work-related purposes outside of the recipient’s normal working hours unless the matter is urgent, or the employee is required to do so under a YMCA practice or policy.

EMAILS AND OTHER ELECTRONIC COMMUNICATIONS

Due to differing/flexible work schedules, employees may send emails at times outside the normal working hours of the recipient. In that event, the recipient is not expected to respond outside of their normal working hours, unless the matter is urgent.

When a manager is sending a non-urgent email to a subordinate outside of the subordinate's normal working hours, it is strongly recommended that they use the "delay delivery" feature and schedule the email to be delivered during the recipient's normal working hours.

VACATION / SICK DAYS / LEAVE OF ABSENCE COVERAGE

When an employee is on vacation, off work sick or on a leave of absence, they should change their voicemail and email automatic reply messages to include the name and contact information for another YMCA employee who will assist during the absence.

MEASURES ALL STAFF CAN TAKE

Our Association encourages all employees to utilize any of the following methods to successfully disconnect from work outside of normal working hours:

- Turn "on" out-of-office messages when away from work
- Outline expectations regarding email response time in "out-of-office" messages
- Limit the use of work-related communication outside of work hours
- Consider turning email notifications "off" when away from work
- Establish clear boundaries between work-life and home-life
- Provide colleagues with guidelines as to how and when to reach you outside of work hours

WORKPLACE HARASSMENT OR SEXUAL HARASSMENT

Every employee has a right to freedom from harassment in the workplace by the Association or agents (suppliers, members, contract workers, etc.) of the Association or by another employee or volunteer on the grounds of race, ancestry, place of origin, creed, colour, ethnic origin, citizenship, gender identity, gender expression, sexual orientation, age, record of offences, marital status, family status or disability.

The Association respects the rights of each employee and will comply with all legislation designed to protect employee rights and freedoms.

WORKPLACE HARASSMENT POLICY STATEMENT

The YMCA of Eastern Ontario (*the Association*) is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated

from any person in the workplace including members, participants, other employers, supervisors, workers, volunteers and members of the public, as applicable.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment. Workplace sexual harassment means:

- a. 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
- b. 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;

Reasonable action will be taken by the Association or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Employees are encouraged to report any incidents of workplace harassment to any person in authority whom they feel most comfortable or the Director, People Development and Employee Wellness.

Management will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

Managers, supervisors and workers are expected to adhere to this policy, and will be held responsible by the Association for not following it. Employees are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.

If a worker needs further assistance, they may contact their JHSC or health and safety representative, Human Rights Legal Support Centre or Employee Assistance Program.

Retaliation or reprisals are prohibited against any worker who has filed a complaint, in good faith, or has provided information regarding a complaint. Any retaliation or reprisals are subject to immediate corrective action, up to and including termination for cause. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of discrimination and harassment.

DEFINITION OF WORKPLACE HARASSMENT

The Association strives to eliminate inappropriate conduct at the earliest possible stage to maintain a harassment-free work environment. As a general rule, the Association prohibits any behaviour that could give rise to a complaint under either of the following definitions, whether or not the conduct is illegal:

“Employer” means a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services;

“Supervisor” means a person who has charge of a workplace or authority over a worker;

“Worker” means any employee of the following:

1. A person who performs work or supplies services for monetary compensation.
2. A co-op secondary student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board.
3. A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.
4. A person who receives training from an employer, but who, under the Employment Standards Act, 2000, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met.
5. Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation;

“Workplace” means any land, premises, location or thing at, upon, in or near which a worker works;

“Workplace harassment” means,

- a. 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
- b. workplace sexual harassment;

“Workplace sexual harassment” means,

- a. 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
- b. 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;

“Discrimination” means a deliberate action or decision to exclude a person or group from equal access to employment opportunities based on a characteristic protected by law, such as sex, race, colour, ancestry, national origin, sexual orientation, age, disability, or marital status.

“Bullying” includes such tactics as verbal and/or non-verbal psychological, physical abuse and humiliation. Bullying typically involves repeated incidents or a pattern of behaviour that is intimidating, offensive, degrading or humiliating for a person or group.

A reasonable action taken by the Association or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

REPORTING WORKPLACE HARASSMENT

RESPONSIBILITIES – ALL EMPLOYEES

As an employee of the Association you have a responsibility to understand and discourage harassment and to ensure your workplace is free from it, whether there has been a complaint or not. You have an obligation to report any incidence of harassment.

If you feel you have been the victim of harassment, or you have witnessed harassment in your workplace, take the following steps to resolve the problem.

RESPONSIBILITIES – MANAGEMENT (EXECUTIVE, DIRECTORS, MANAGERS, SUPERVISORS)

All management personnel are responsible for promoting a workplace free from harassment and reporting any incidents immediately. It is also the responsibility of management to ensure there is no retaliatory action against the complainant. Management must be seen to support the Association’s policy against harassment.

HOW TO REPORT WORKPLACE HARASSMENT

- *If you are comfortable doing so*, tell the person committing the act (perpetrator), in a firm voice, that the behaviour is unwanted and inappropriate.

- If the harassment continues, is serious, or if you are not comfortable speaking directly to the perpetrator, refer your complaint to your Supervisor or any person in authority you are comfortable speaking with.

A Supervisor may commence an investigation into an informal incident, or may delegate appropriate senior employees to assist as necessary with a minimum of delay. The investigation will be conducted in a manner intended to protect both the rights and confidentiality of both the alleged victim(s) and alleged perpetrators, but complete confidence may not be possible between the alleged perpetrator, victim and witnesses.

If you are filing a complaint against the CEO, speak with the Chair of the Board. The same procedure as outlined above will be followed.

Employees can report incidents or formal complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the workplace harassment complaint form available from HR or a supervisor. When reporting verbally, the reporting contact, along with the worker complaining of harassment, will fill out the complaint form.

The report of the incident should include the following information:

1. Name(s) of the worker who has allegedly experienced workplace harassment and contact information
2. Name of the alleged harasser(s), position and contact information (if known)
3. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
4. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
 - a. Any supporting documents the worker who complains of harassment may have in his/her possession that are relevant to the complaint.
 - b. List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.
5. Remedy sought

An incident or a complaint of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

The Director, People Development and Employee Wellness will be notified of **any** workplace harassment incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances. If the incident or complaint involves the a senior executive

or director, an external person qualified to conduct a workplace harassment investigation who has knowledge of the relevant workplace harassment laws will be retained to conduct the investigation.

All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

INVESTIGATION

COMMITMENT TO INVESTIGATE

The Association will ensure that an investigation appropriate in the circumstances is conducted when the employer, human resources, or any member of the management team becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

WHO WILL INVESTIGATE?

The Director, People Development and Employee Wellness, in consultation with the CEO, will determine who will conduct the investigation into the formal complaint of workplace harassment. If the allegations of workplace harassment involve an Executive or Director the employer will refer the investigation to an external investigator to conduct an impartial investigation.

TIMING OF THE INVESTIGATION

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

INVESTIGATION PROCESS

The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

1. The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.

2. The investigator must thoroughly interview the employee who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is an employee of the employer. If the alleged harasser is not an employee, the investigator should make reasonable efforts to interview the alleged harasser.
3. The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the employee. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
4. The investigator must interview any relevant witnesses employed by the employer who may be identified by either the employee who allegedly experienced the workplace harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
5. The investigator must collect and review any relevant documents.
6. The investigator must take appropriate notes and statements during interviews with the employee who allegedly experienced workplace harassment, the alleged harasser and any witnesses.
7. The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

RESULTS OF THE INVESTIGATION

Within 10 days of the investigation being completed, the worker who allegedly experienced the workplace harassment and the alleged harasser, if they are an employee worker of the Association, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the Association to address workplace harassment.

CONFIDENTIALITY

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or formal complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is

necessary to protect employees, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not to discuss the incident or complaint or the investigation with each other or other employees or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

HANDLING COMPLAINTS

Once a formal complaint has been filed, the complainant will not be compelled to attend a joint meeting. It may also be necessary for work separation of the two parties during the period of investigation. Depending upon the severity of the complaint, at the sole discretion of the CEO, in consultation with the Director, People Development and Employee Wellness, the perpetrator may be re-assigned or suspended with pay during the investigation.

The Association must set out any interim measures that may be taken after the complaint is received and during the investigation. The employer must also set out how they might deal with the complaint of harassment if harassment is found. This may include discipline up to and including termination, for just cause.

RECORD KEEPING

The Director, People Development and Employee Wellness, or designated person will keep records of the investigation including:

- a. a copy of the complaint or details about the incident;
- b. a record of the investigation including notes;
- c. a copy of the investigation report (if any);
- d. a summary of the results of the investigation that was provided to the employee who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;

- e. a copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

WORKPLACE VIOLENCE POLICY

WORKPLACE VIOLENCE POLICY STATEMENT

The management of the YMCA of Eastern Ontario (*the Association*) is committed to the prevention of workplace violence and is ultimately responsible for employee health and safety. We will take whatever steps are reasonable to protect our employees from workplace violence from all sources.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to visitors, members, clients, participants, delivery persons, contractors, volunteers, students and employees. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

A harassing or violent person is defined as someone the employee comes in contact with due to the nature of their work. This may include members, participants, customers, students, etc. The harassing or violent person may also be a co-worker, member of the management team. Or the person may be someone with no formal connection to the workplace such as a stranger or a domestic/intimate partner who brings violence or harassment into the workplace.

The Association's workplace violence program adopted to implement this policy includes measures and procedures to protect employees from workplace violence, a means of summoning immediate assistance and a process for employees to report incidents, or raise concern.

The Association, as the employer, will ensure this policy and the supporting program are implemented and maintained. All employees and management personnel will receive appropriate information and instruction on the content of this policy and program.

Management will adhere to this policy and the supporting program. Management are responsible for ensuring the measures and procedures are followed by employees that the employees have the information they need to protect themselves.

Every employee must work in compliance with this policy and supporting program. All employees are encouraged to raise any concerns about workplace violence and to report any violent behaviours or threats.

Management will investigate and deal with all incidents and complaints or workplace violence in a fair and timely matter, respecting the privacy of all concerned as much as possible.

Action taken may include, but is not limited to, the permanent removal of the person from the premises. Canada's Criminal Code deals with matters such as violent acts, sexual assault, threats or behaviours such as staking. The police will be contacted in these situations and third-party prosecution may be warranted.

It is a violation of the Association policy for any employee to engage in violent behaviour or to retaliate against another employee, for making an allegation of violence in the workplace, or for filing a complaint of violence. Employees may be disciplined for complaints that are frivolous, vexatious or in bad faith.

DEFINITION OF WORKPLACE VIOLENCE

The *Ontario Health and Safety Act* defines workplace violence as the exercise of physical force by a person against a worker, in the workplace, that causes or could cause physical injury to the worker. It also includes an:

- Attempt to exercise physical force against a worker in the workplace, that could cause physical injury to the worker; and a
- Statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker.

This may include

- Verbally threatening to attack a worker;
- Leaving threatening notes at, sending threatening emails or texts, or posting threatening messages on social media;
- Shaking a fist in a worker's face;
- Wielding a weapon at a worker;
- Hitting, blocking, shoving, bullying, stalking or standing in an intimidating manner;
- Throwing an object at a worker;
- Damaging or utilizing Association property (such as a vehicle) in an aggressive and dangerous manner;
- Threats of vandalism, sabotage and/or arson;
- Inappropriate references to violent world events.

WORKPLACE VIOLENCE PROGRAM

ROLES AND RESPONSIBILITIES – MANAGEMENT

THE ASSOCIATION WILL:

1. Ensure measures and procedures are carried out and hold management accountable for responding to and resolving complaints or concerns of violence. Management will ensure compliance by all who have a relationship with the Association such as members, clients, participants, contractors, volunteers and employees.
2. Ensure a copy of the workplace violence policy is posted throughout the workplace;
3. In consultation with the Joint Health and Safety Committee (JHSC) conduct regular risk assessments; establish control measures; establish and deliver training and education for all employees and integrate safe behaviour into day-to-day operations.
4. Develop a reporting process for incidents of workplace violence and harassment; investigate all reports or threats of violence/harassment in a prompt, objective and sensitive manner.
5. Report all incidents of workplace violence to the JHSC within four days if an employee is disabled from performing their work or received medical attention as a result of the incident.
6. Take corrective action and provide response measures.
7. Ensure any death or critical injury is reported to the Ministry of Labour (MOL) inspector, the police as well as the JHSC or H&S representative within 48 hours of the occurrence.

MANAGEMENT WILL:

1. Enforce policy and procedures and monitor employee compliance;
2. Identify and alert employees to violent persons and hazardous situations;
3. Investigate all workplace violence using the organization's accident investigation procedure and form, and contact police as required;
4. Facilitate medical attention for employee(s) as required;
5. Debrief those involved in the incident either directly or indirectly;
6. Contact the Director of People Development and Employee Wellness to ensure the employee receives further counselling;
7. Track and analyze incidents for trending and prevention initiatives;
8. Ensure the workplace violence and harassment prevention program is reviewed at least once a year;
9. Issue a report to the Association workplace insurance carrier where an employee requires healthcare, experiences lost wages or required modified work.

MANAGERS AND SUPERVISORS WILL ENSURE EMPLOYEES:

1. Know how to summon immediate assistance;
2. Know how to report incidents of workplace violence to management;
3. Know how the employer will investigate and deal with incidents, threats or complaints;
4. Know, understand and be able to carry out measures and procedures that are in place to protect employees from workplace violence; and
5. Are able to carry out any other procedures that are part of the program.

EMPLOYEES WILL:

1. Participate in education and training programs so you are able to respond suitably to any incident of workplace violence or harassment;
2. Understand and comply with the violence and harassment prevention policies and related procedures;
3. Report all incidents or injuries of violence/harassment or threats or violence/harassment to your supervisor immediately. Complete the workplace violence incident report;
4. Contribute to risk assessments;
5. Seek support when confronted with violence/harassment or threats of violence;
6. Get medical attention
7. At least once per year, participate in a review of the workplace violence/harassment prevention program.

JOINT HEALTH AND SAFETY COMMITTEE (JHSC)

1. Ensure the JHSC are consulted about development, establishment and implementation of violence prevention measures and procedures;
2. Make recommendations to management for developing, establishing and providing training in violence prevention measures and procedures;
3. At least once per year, take part in a review of the workplace violence and prevention program
4. The worker-designate will participate in the investigation of all critical violence-related injuries;
5. Immediately review all reports of critical injury or death. Outline in writing the circumstances and particulars within 48 hours of the occurrence;
6. Within four days review written notices or lesser injuries where any person is disabled from performance their usual work or requires medical attention.

REPORT AND INVESTIGATION

- Employees are to report all violence-related incidents or hazards to their manager or supervisor. This report can be made confidentially at the employee's request. However, sharing information to ensure the safety of others and prevent reoccurrence may be necessary.
- The manager or supervisor receiving the report investigates it and ensures that measures are taken to safeguard employees and curtail violence or harassment. No report of workplace violence/harassment or risk of violence may be the basis of reprisal against the reporting employee.
- The employer reports all injuries to the MOL and workplace accident insurance carrier as required by the *Occupational Health and Safety Act*.

RESPONSE PROCEDURES

- Using the incident investigation form, the manager or supervisor documents all reports of workplace violence/harassment and measures taken to address them;
- If the resolution of the incident is beyond the authority of the manager or supervisor, they must make the Director or equivalent aware of the report. The Director of People Development and Employee Wellness, under the direction of the CEO will conduct the investigation when the incident involves a member of the management team.
- The Director of People Development and Employee Wellness, will review all incident reports to ensure actions are taken. The Director also monitors for trends and makes recommendations to the CEO for prevention and enhancements to the workplace violence prevention program.
- The manager or supervisor conducting the investigation will warn all employees who might be affected by the dangerous situations. They are also responsible for advising the employee about the outcome of the investigation to help minimize the chance of similar incidents.

EMERGENCY RESPONSE MEASURES

Refer to the Associations emergency response procedure for information on codes and employee alert protocols.

Support for employees affected by workplace violence- management will respond promptly, assess the situation and ensure that these interventions are followed:

- Facilitation of medical attention;
- Debriefing by a skilled professional;

- Referrals to community agencies; treating practitioner and EAO
- Completion of reports to MOL and reporting police (as required)
- Debrief the team

RISK ASSESSMENT

Management (with the employees' involvement) assesses the workplace violence hazards in all jobs, and in the workplace as a whole. It reviews risk assessments annually, as well as when new jobs are created, substantially changed or after an incident of workplace violence is reported.

TRAINING AND EDUCATION

New employees will receive both general and site-specific orientation to the workplace violence and harassment prevention program. In addition, all employees will receive an annual review of the program's general and site-specific components.

PROGRAM EVALUATION

The effectiveness of the workplace violence and harassment prevention program is evaluated annually by management and reviewed by the JHSC.

Employees and management personnel are accountable for establishing and implementing the policy and procedures related to workplace violence and harassment. Responsibility for complying with the health and safety policy is part of every job description. Included in the health and safety components of job descriptions are management responsibilities for enforcing the policy and procedures, investigating and responding to workplace violence and harassment.

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

RECORD KEEPING

The Director, People Development and Employee Wellness, or designated person will keep records of the investigation including:

- a. a copy of the complaint or details about the incident;
- b. a record of the investigation including notes;
- c. a copy of the investigation report (if any);
- d. a summary of the results of the investigation that was provided to the employee who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;

- e. a copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace.

CONDUCT STANDARDS

SUBSTANCE ABUSE POLICY

The YMCA of Eastern Ontario (*the Association*) recognizes that employees who use or are impaired by drugs or alcohol while performing work endanger not only themselves but their co-workers and others affected by the work. The Association's policy with regard to such conduct is one of zero tolerance and employees must be aware that any violations they commit may result in disciplinary action up to and including termination for just cause.

However, the Association also recognizes that addiction to drugs or alcohol is a serious health problem. The intent of this Policy is to accomplish the health and safety goal in a manner that is fair, humane and consistent with employees' accommodation rights under discrimination laws. The ultimate goal is not to punish but help employees identify and get help for their substance abuse issues so that they can return to work healthy, safe, happy and productive.

The Association requires that employees and volunteers have a designated driver if they have consumed alcohol at any YMCA sponsored event or while conducting YMCA business at any time and/or place (i.e. business lunch). If a designated driver is not available, we insist that you make alternate arrangements when leaving the facility.

PURPOSE

The objective of this substance abuse policy is to ensure that all employees report to work fit for duty. Adopting this Policy is a reasonable precaution that the Association is required to take to protect the health and safety of workers under Section 25(2)(h) of the Ontario *Occupational Health and Safety Act* (OHS Act).

SCOPE

This Policy applies to all individuals that work for the Association, including but not limited to full-time, part-time, temporary and contract employees, independent contractors, volunteers and employees of third-party contractors or subcontractors that the Association engages to perform work at its facilities.

CONTRACTOR EMPLOYEES

This Policy applies to individuals employed by contractors and subcontractors that perform work for at the Association facilities but is not intended to supersede or circumvent the provisions of any

current collective agreements that those contractors or subcontractors have negotiated with their own workers and their unions. In the event of a conflict between this Policy and a contractor employment agreement or collective agreement covering the worker, the latter shall control.

DEFINITIONS

For the purposes of this Policy:

“Drugs” includes:

- Narcotics and illegal drugs; and
- Legal prescription and over-the-counter medications and drugs that cause or have the potential to cause impairment and render an employee not fit for duty.

“Fit for duty” means a state of physical or mental that allows an individual to perform their job duties safely and effectively without impairment due to the use of or after-effects of alcohol, cannabis, illegal drugs, legal medications or other health conditions.

“On duty” includes reporting for and performing work, including:

- Scheduled work;
- Unscheduled call-in work;
- Work performed on the YMCA facilities;
- Work performed for the YMCA away from Association facilities, including but not limited to driving or traveling to and from work.

“Safety-sensitive job” means positions that have a direct and substantial impact on the health and safety of the employee, other workers, members, participants, children, vulnerable persons, visitors, the public, property and/or the environment, including but not limited to those involving driving, operation of machinery or equipment, handling of toxic substances and others determined by the Association.

“Substance abuse” means the use of alcohol, cannabis, illegal drugs, and medications and other substances that can impair a person’s judgment, clarity and functioning and render them not fit for duty.

REQUIREMENTS FOR EMPLOYEES

All employees are covered by this Policy. The following expectations apply to employees and management alike while conducting work on behalf of the Association, whether on or off Association property:

1. Employees are expected to arrive to work fit for duty and able to perform their duties safety and to standard;
2. Employees must remain fit for duty for the duration of their shift;
3. Use, possession, distribution, or sale of drugs or alcohol, drug paraphernalia, during work hours, including paid and unpaid breaks, is strictly prohibited;
4. Employees must work safely in accordance with Section 28 of the OHS Act;
5. Employees are prohibited from reporting to work while under the influence of recreational cannabis and any other non-prescribed substances;
6. Employees on medically approved medication must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment; and
7. Employees are expected to abide by all governing legislation pertaining to the possession and use of cannabis.
8. Refrain from misusing or being impaired by prescription or non-prescription drugs while they are on duty;
9. Notify their supervisor if they suspect that a co-worker is unfit for duty; and
10. Any employee or volunteer reporting for work and found to be under the influence of alcohol, illegal drugs or other controlled substances will be asked to leave the premises, however,
11. In view of their condition, will be provided transportation in order that they arrive home safely

MEDICAL CANNABIS

Cannabis is known to be an impairing drug and that when used in the workplace work, or coming to work high will render the employee unfit for duty, and in violation of this Policy. This is true regardless of whether the use of Cannabis is legal under federal drug laws. Where an employee uses medical Cannabis, it is expected that they will provide a copy of their medical documentation to use Cannabis to the Association and abide by the Association accommodation policy

Medical Cannabis use is not a justification for being unfit for work!

EMPLOYEE DUTY TO NOTIFY

Employees must notify management if they are using any other legally prescription and non-prescription drugs that may cause impairment for the treatment of a medical condition. Off-duty

medical or recreational use of such drugs does not violate this Policy, as long as the employee is fit for duty at all times when they are on duty.

SUPPORT FOR EMPLOYEES WITH SUBSTANCE ABUSE ISSUES

Although the Association reserves the right to take corrective action, it also recognizes that addiction and substance abuse is a health problem. The Association is prepared to help employees get the counselling, treatment, rehabilitation and support they need to overcome those problems.

Employees can access support and referrals by contacting our Employee Assistance Program by calling Manulife “Resilience” at 1-866-644-0326. If required, our policy number is 107363.

SELF-REPORTING

The Association strongly encourages employees with substance abuse problems to step forward and request help voluntarily. Employees who do self-report will not be subject to discipline as long as they have complied with their obligation to be fit for duty under this Policy. Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Director; the Director of People Development and Employee Wellness or the CEO, without fear of reprisal.

DISCIPLINARY INVESTIGATIONS

The Association may open a disciplinary investigation to check whether an employee is engaged in substance abuse or otherwise in violation of their fitness for duty obligations under this Policy in response to:

- Complaints or concerns by co-workers, supervisors, etc.;
- Declining performance;
- Erratic behaviour;
- Involvement in safety incidents including near misses;
- Arrests for impaired driving, drug offences and similar violations; and
- Other indications that the employee has substance abuse issues or is otherwise not fit for duty.

Investigations will be carried out in accordance with the Associations Disciplinary Investigation Procedures.

CONSEQUENCES OF VIOLATIONS

Violation of this Policy is grounds for discipline up to and including termination of employment for just cause, in accordance with the Association's Progressive Discipline Policy. Employees with substance abuse issues on administrative leave may also be referred for counselling or assistance through the Association's Employee Assistance Program or outside agencies.

The Association reserves the right to place employees with substance abuse issues on administrative leave and enter into Last Chance Agreements offering them the opportunity to return to work if they successfully complete the terms of their treatment and rehabilitation program, pass drug and alcohol tests and meet other conditions of reinstatement.

EMPLOYEE RIGHT TO ACCOMMODATIONS

The Association recognizes that addiction is deemed a disability under the Ontario *Human Rights Code*. Accordingly, in administering the disciplinary and other provisions of this Policy, addictions and other substance abuse related to disabilities, such as use of medical cannabis or prescription drugs for chronic pain and debilitating conditions, will be treated as non-culpable violations and employees will be offered reasonable accommodations based on their individual circumstances and capabilities to the point of undue hardship.

CONFLICT RESOLUTION

The Association believes in resolving employee concerns and disputes related to their employment relationship in a prompt and equitable manner.

Employees who express any concerns, or lodge a formal complaint under this policy, or who provide information regarding a complaint, may do so without fear of retaliation or reprisal. Any such conduct will be subject to immediate corrective action.

Employees with a complaint or dispute are first urged to contact their immediate supervisor about the problem. If the supervisor is unable to satisfactorily resolve the matter, or if the supervisor is the subject of the employee's dispute or grievance, the employee is encouraged to discuss the problem with their supervisor's supervisor.

A formal complaint may be lodged in person or in writing.

Employees who believe that they have legitimate complaints or concerns are encouraged to use these procedures — without fear of reprisal or recrimination.

PRIVACY POLICY

The Privacy of Personal Information Act requires that employers obtain individual consent from employees for the collection, use, and disclosure of personal information. Personal information includes resumes, salaries, information that relates to work performance of the individual, any professional wrong doing, misconduct or disciplinary matters involving the employee, health information, etc.

In compliance with the Privacy Act, YMCA of Eastern Ontario (*the Association*) will ask employees to sign a consent form, prior to release/use of any personal information. The Association will release such information only as required in order to obtain security clearances and/or work permits for work in other jurisdictions. This consent will include the employees' resume.

Privacy Policy Officer designated is attached to the Director, Finance and IT.

PRIVACY PROTECTION PROCEDURE

All employees must...

Protect personal information by following responsible information handling practices in keeping with privacy laws. These practices are outlined below.

Protecting the Privacy of Personal Information

Many people are concerned about their ability to exercise a substantial degree of control over the collection, use and disclosure of their personal information.

Our Association is committed to maintaining the confidentiality, privacy, and accuracy of personal information it collects, uses and discloses about its participants, members, donors, parents/guardians of participants, employees and volunteers.

Personal information is information about an identifiable individual.

- Examples of personal information include, but are not limited to, name, address, gender, age, ID numbers, income, racial or ethnic origin, relationship status, employee files, payment or medical/health records, assessments or evaluations and work schedules.
- An individual's name ***does not*** need to be attached to the information in order for it to qualify as personal information.
- Personal information ***does not*** include name, title, business address, or business phone number of an employee of an organization.
- Association employee having access to personal information ***must follow*** the ten fair information principles and steps¹ (described below) for implementing these principles, in keeping with privacy laws.
- These 10 principles and steps are required reading for all employees and volunteers.

PRINCIPLE 1 - ACCOUNTABILITY

The YMCA of Eastern Ontario (YMCA) is responsible for personal information under its control and shall designate an individual or individuals who are accountable for YMCA compliance with established privacy principles.

Management is responsible for, and shall oversee, compliance by their employees with our YMCA's privacy protection procedure and fair information principles. This responsibility ensures that:

- Purposes are defined for collection of personal information;
- Consents are obtained;

- Collection, use and disclosure of personal information is limited;
- Information used is accurate, complete and up to date;
- Adequate safeguards protect personal information in the YMCA's control;
- Retention and destruction timetables are maintained;
- Access requests by individuals are processed promptly;
- Timely response is provided to an inquiry or complaint regarding YMCA handling of personal information.
- Contracts with third parties that process YMCA information shall include privacy protection requirements.

Management is responsible for the day-to-day collection, processing and safeguarding of personal information under their control. Management shall inform and train employees and volunteers who have access to personal information.

Employee's and relevant volunteers shall follow the privacy protection practices established by our Association when collecting, using, disclosing and safeguarding personal information.

Upon request by an individual, employees and volunteers shall make known, to that individual, the contact information for our Privacy Policy Officer², to whom inquiries or complaints can be forwarded about our YMCA privacy protection procedure and practices.

PRINCIPLE 2 - IDENTIFYING PURPOSES

The YMCA shall identify the purposes for collecting personal information before or at the time personal information is collected.

Our YMCA needs to collect, use and disclose some information about its participants, members, donors, parents/guardians of participants, employees and volunteers in order to conduct its operations and deliver YMCA programs and services to the communities it serves.

Our YMCA's purpose for collecting personal information is:

- To establish and maintain responsible relationships with its participants, members, donors, parents/guardians of participants, employees and volunteers;
- To manage, develop and enhance YMCA operations, programs and services;

- To acknowledge gifts, issue tax receipts, and other administrative requirements including information requests;
- To process and collect fees for service;
- To assess participant needs;
- To determine program, service, employment or volunteer eligibility;
- To provide safe and secure YMCA environments;
- To collect data for statistical purposes;
- To better understand the changing needs of communities we serve;
- To communicate a range of programs, services, and philanthropic opportunities that benefit people we serve;
- To meet legal, regulatory and contractual requirements.

Our YMCA shall indicate, either verbally, electronically or in writing, at or before the time personal information is collected, the purpose for which it is being collected.

Employees and volunteers collecting personal information shall use reasonable efforts to explain identified purposes, or refer the individual to a supervisor or manager who shall explain the identified purposes for collecting personal information.

Unless required by law, employees and volunteers shall not use or disclose, for any **new** purpose, personal information that has been collected without the consent of the individual. Employees shall advise their supervisor of a potential new identified purpose. Any new identified purpose must be approved by the Privacy Policy Officer, documented, and consent obtained from individuals prior to YMCA use or disclosure.

PRINCIPLE 3 - CONSENT

The knowledge and consent of an individual is required for the collection, use, or disclosure of personal information, except where not required by law (see Exceptions).

In obtaining consent, employees and volunteers shall advise participants, members, donors, parents/guardians of participants, employees and volunteers of identified purposes for which personal information will be used or disclosed. Purposes shall be communicated in clear, understandable language.

For children under 12 years of age, our YMCA will obtain permission from a parent or legal guardian to collect and use personally identifiable information about a child.

Our YMCA obtains consents and permission slips for children and youth to participate in a number of YMCA programs and services. For more information on consents in your program or service area, please speak with your management team representative.

Our YMCA takes into account the sensitivity of the personal information when determining what form of consent is appropriate for the circumstances.

In general, the following actions by an individual constitute **implied** consent for the YMCA to collect, use and disclose personal information for purposes identified to the individual:

- a) registration for YMCA programs and services;
- b) completion of a donation pledge form;
- c) acceptance of employment and benefits enrollment by an employee;
- d) acceptance of a volunteer position or student placement.

For most YMCA employment and community service programs, our YMCA is obligated by its contract with the government to obtain the **express** written consent from a participant to collect, use and disclose their personal information.

Express consent is required from an individual when dealing with more sensitive information, such as personal financial and medical data. Speak with your supervisor or manager for more information about when express consent is required in your program or service area.

Individuals may, at any time, withdraw their consent to the YMCA's use or disclosure of their personal information, subject to certain service, legal or contractual restrictions.

Individuals wishing to withdraw consent may contact the YMCA for more information regarding the implications of withdrawing consent. Our YMCA "**Opt-out**" and "**Reverse Opt-out**" form is available online or by contacting *YMCA Personal Privacy Customer Service*.

EXCEPTIONS

The YMCA may collect, use or disclose information without an individual's prior knowledge or consent in certain circumstances permitted by law.

For example, our YMCA may collect, use or disclose personal information without prior knowledge or consent, if it is clearly in the best interest of the individual to do so, such as in an emergency situation where the life, health or security of an individual is threatened.

Our YMCA may disclose personal information without prior knowledge or consent of the individual:

- to a lawyer or other legal representative of the YMCA;
- to a government body or agency, in certain circumstances;
- to collect a debt, or comply with a subpoena, warrant or other court order, or as may be otherwise required by law;
- in circumstances otherwise permitted by law.

For more information about consent and disclosure, please speak with our Privacy Policy Officer.

PRINCIPLE 4 - LIMITING COLLECTION

Our YMCA shall limit the collection of personal information to that which is necessary for the purposes identified by the YMCA. Information shall be collected by fair and lawful means.

When collecting personal information, employees and volunteers will usually collect it directly from the individuals about whom the personal information pertains to.

Personal information may be collected from other sources with prior consent from the individual; i.e.... from prior employers, personal references or from other third parties having the right to disclose the information.

To avoid the complications of privacy laws, our YMCA will consider using, whenever possible, non-identifiable information, such as coded or anonymous data, that does not identify individuals.

PRINCIPLE 5 - LIMITING USE, DISCLOSURE, AND RETENTION

Our YMCA shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

In certain circumstances, personal information can be collected, used or disclosed without the knowledge and consent of the individual. *See Exceptions under Principle 3 - Consent.*

Personal information shall be retained only as long as necessary for the fulfillment of those purposes for which it was collected, or as required by law, or by contract with a funding partner.

Depending on the circumstances, where personal information has been used to make a decision about an individual, our YMCA shall retain, for a period of time that is reasonably sufficient to allow access by the individual, to such information.

The Management Team shall maintain schedules for records retention and destruction, which apply to personal information that is no longer necessary or relevant for the identified purposes for collection, or required to be retained by law or under contract. Such information shall be destroyed, erased or rendered anonymous.

Speak with the Director of Finance and IT for more information on records retention and destruction requirements for your program or service area.

PRINCIPLE 6 - ACCURACY

Personal information shall be as accurate, complete and as up to date as is necessary for the purposes for which it is to be used.

Personal information used by our YMCA shall be sufficiently accurate, complete and up to date to minimize the possibility that inaccurate information is being used to make a decision about an individual.

If employees and volunteers are aware of any inaccuracy or changes in their personal information that our YMCA holds about them, they are asked to contact the Human Resources department or their employees contact, if they are a volunteer.

Employees handling personal information shall update personal information about participants, members, donors, parents/guardians, employees and volunteers, as and when necessary.

Speak with your supervisor if you have questions about correction requests or how accurate, complete and up to date personal information needs to be.

PRINCIPLE 7 - SAFEGUARDS

The YMCA shall protect personal information via security safeguards appropriate to the sensitivity of the information.

All employees and volunteers with access to information shall be required, as a condition of employment or volunteer role, to respect the confidentiality of personal information.

The more sensitive the personal information is, the more security is required. Speak with your manager for more information on safeguards appropriate to the sensitivity of personal information in your program or service area.

Employees shall protect personal information in their control (regardless of format) against such risks as loss or theft, unauthorized access, disclosure, copying, inappropriate use, or modification or destruction, through appropriate security safeguards.

Safeguards may include physical measures (such as locked doors, locked file cabinets, etc.), organizational measures (such as employees training, limited access, security clearances, etc.) and technological measures (such as passwords, and anti-virus software for computer systems, etc.).

Personal information shared with a third party for the purpose of conducting YMCA business, shall be protected through contractual agreements with requirements for confidentiality and appropriate safeguards.

PRINCIPLE 8 - OPENNESS

The YMCA shall make readily available to individuals, information about its procedures and practices relating to the management of personal information.

Information on the YMCA's commitment to privacy is available to the public on our YMCA's web site or by contacting our Privacy Policy Officer.

Employees and volunteers shall make known upon request the contact information for our Privacy Policy Officer to whom inquiries or complaints can be forwarded. See below [Principle 10 - Challenging Compliance](#).

PRINCIPLE 9 - INDIVIDUAL ACCESS

The YMCA shall, upon request inform an individual of the existence, use and disclosure of their personal information, and shall give the individual access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Employees and volunteers shall refer requests about personal information on file about an individual, to their manager.

Employees shall immediately inform their supervisor or manager of a request for access by an individual to their personal information collected by the YMCA. Our Privacy Policy Officer shall

respond to a written request for individual access by providing access to the individual's data, except in limited circumstances. See *Exceptions to Access* below.

In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit YMCA to account for the existence, use and disclosure of personal information, and authorize access to the individual's file.

Our Privacy Policy Officer shall respond to a written request for access in a reasonable time, and at minimal or no cost. Personal information shall be provided in a format that is understandable, along with any explanation needed to facilitate the individual's understanding.

Our Privacy Policy Officer or designate shall provide the individual a reasonable opportunity to review and challenge the accuracy and completeness of personal information. A statement of disagreement will be attached to records where a requested amendment cannot be made.

Upon request, our Privacy Policy Officer shall provide an account of the use and disclosure of personal information. A list of organizations to which the YMCA may have disclosed personal information shall be provided, when it is not possible to provide a list of actual disclosures.

Employees can request access to their employee file by contacting the Human Resources Department.

Exceptions to access

Our YMCA may not be able to provide an individual with access to some or all of their personal information in certain circumstances permitted by law. Some exceptions include:

- If doing so would likely reveal personal information about a third party;
- If disclosure could reasonably be expected to threaten the life or security of another individual;
- If such information was collected in relation to the investigation of a breach of an agreement, or a contravention of law, or as otherwise permitted by law.

If access to personal information cannot be provided, our Privacy Policy Officer shall provide the individual with written reasons for denying access.

PRINCIPLE 10 - CHALLENGING COMPLIANCE

An individual shall be able to address a challenge, concerning compliance with the above principles, to the designated persons accountable for YMCA compliance.

Employees and volunteers shall refer any inquiries or complaints about YMCA's handling of personal information to our Privacy Policy Officer for response in a fair and timely manner.

Individuals may contact our Privacy Policy Officer to discuss their question about YMCA information handling practices, or contact our *Privacy Policy Customer Service Department* at:

- Telephone: (613) 546-2647, ext. 224
- Fax: (613) 549-0654
- E-mail: privacy_policy@kingston.ymca.ca

Employees should encourage individuals with a complaint or concern to talk to a director or the CEO. In most cases, talking with senior employees will resolve a complaint.

If the problem is not resolved to the individual's satisfaction, the individual may contact our Privacy Policy Officer. The individual will be asked to provide the Privacy Policy Officer with the following information in writing:

- Name, address or fax number where the individual prefers to be reached;
- Nature of the complaint, relevant details, what the individual would like us to do;
- Name of YMCA employees with whom the individual has already discussed the issue.

The CEO will work with our Privacy Policy Officer to investigate privacy complaints. If a complaint is found to be justified, the Association shall take appropriate measures to resolve the complaint.

ONGOING RELEVANCY

The Association regularly reviews its policies and procedures to ensure that we remain current with changing laws and evolving public expectations.

AVAILABLE RESOURCES

Contact your Supervisor for more information on our Association's commitment to privacy. You can also read additional information on privacy at the Office of the Information and Privacy Commissioner/Ontario <http://www.ipc.on.ca>; or the Privacy Commissioner of Canada <http://www.priv.gc.ca/en/>

HEALTH AND SAFETY

At the Association the safety and health of our employees comes first. Management is directed to commit to doing everything possible to prevent injuries and to maintain a healthy environment.

To this end:

- All management personnel are responsible for ensuring that their employees are trained in approved work procedures in order to obtain optimal output without accidents or injuries, and for ensuring that employees follow safe work methods and all related regulations;
- All employees are asked to support the Occupational Health and Safety Program and to make safety and health part of their daily routine, thus ensuring that they are following safe work methods and relevant regulations;
- All employees are responsible for implementing our Occupational Health and Safety Program; and
- All relevant laws and regulations are incorporated into our program as minimum standards.

HEALTH AND SAFETY PRINCIPLES

The Association strives to create and maintain a safe workplace in order to minimize and/or prevent occupational injuries and illnesses. Consistent and continuous efforts by all employees shall be directed to preventing workplace accidents and maintaining the workplace and equipment in a safe condition.

At all times, the Association and its employees are required to observe and comply with the requirements of the Ontario *Occupational Health and Safety Act* and its regulations.

Employees are required to participate in health and safety training.

HEALTH AND SAFETY PROTOCOLS

Any accident that results in a workplace injury, or that could cause a disabling injury or property/equipment loss, must be reported immediately to the employee's immediate supervisor. Once reported, an Accident/Incident Report Form must be completed and filed with the Administration Department within 24 hours. At a minimum, and in all cases, accident and/or injury reporting shall comply with the requirements of the Ontario *Occupational Health and Safety Act* and the *Workplace Safety and Insurance Act, 1997*.

Employees are responsible for reporting any potential safety hazards to the appropriate management and/or maintenance personnel at their program location.

WORKPLACE EMERGENCY RESPONSE

Employees are expected to become familiar with and, where required, rehearse emergency procedures at any location where their program is operating.

The Association shall provide individualized workplace emergency response information to employees who have a disability if the disability is such that the individualized information is necessary and the employer is aware of the need for the accommodation due to the employee's disability.

If an employee who receives individualized workplace emergency response information requires assistance, with the employee's consent the employer shall provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee.

Employers shall provide the information required under this section as soon as practicable after the employer becomes aware of the need for accommodation due to the employee's disability.

The Association shall review the individualized workplace emergency response information:

- when the employees move to a different location in the organization;
- when the employee's overall accommodation needs or plans are revised;
- when the employer reviews its general emergency response policies.

SUPERVISION OF CHILDREN

Every effort must be made to ensure that children are accompanied and supervised while in YMCA programs and/or program areas, according to operational guidelines.

While on duty, employees are expected to supervise only those children who are enrolled and involved in the program or activity at hand.

In the case of the children of on-duty employees, arrangements must be made for their proper supervision in an appropriate area of the Y for the duration of the on-duty employee's work schedule.

Employees must act as a role model for others, at all times, while at any program location and/or function. Employees are expected to immediately correct any behaviour of participants or coworkers that is dangerous to any person, program facility or equipment, or to the success of any program.

CHILD PROTECTION

GENERAL STATEMENT

The YMCA is fully committed to safeguarding the welfare of all children and young people in its care. It recognizes its responsibility to promote safe practices and to protect children and young people from harm, abuse and exploitation.

This term “children and young people” is used to mean “those under the age of 18 years”. The YMCA also recognizes that some adults are also vulnerable to abuse, and therefore the procedures may be applied accordingly (with appropriate adaptations) to allegations of abuse and the protection of vulnerable adults.

The YMCA is committed to ensuring that it:

- provides a safe environment for children and young people;
- identifies children and young people who are suffering, or likely to suffer, significant harm; and
- takes appropriate action to see that such children and young people are kept safe at the YMCA.

All employees are required to read and sign off on the YMCA of Eastern Ontario’s Child Protection Policy. The full policy can be found in the Employee New Hire kit and in the Employees Forms directory under Child Protection.

COMMUNICATIONS

In a healthy workplace, communication is clear and two-way. The Association strives to provide open and transparent information regarding its current and future plans and programs. Employees are encouraged to provide their opinions, suggestions and to raise issues of concern, in an open and safe manner. Protocols for external communication are designed to ensure consistency and appropriateness of message to external stakeholders.

The following policies govern communication, internally and externally by all persons linked with the Association including employees, contractors, consultants and volunteers who are creating or contributing to any kind of digital media, both on and off the Association’s websites and social media presences.

EMPLOYEE COMMUNICATION

As a member of our team, we value your opinion and your ideas. As noted under **Fair Treatment Policies - Dispute Resolution**, your supervisor is normally the person to contact if you have any questions, complaints, problems or suggestions. In the event that your supervisor is not available or is unable to assist you, please contact their immediate supervisor or the Director, People Development and Employee Wellness.

It is important that all employees participate and trust in an open communication practice to keep management informed on all subjects of interest and value to the Association. The ability to maintain good communications is an important qualification for all employees.

The Association uses a variety of venues to communicate important information, such as job opportunities, safety notices, other memos, as well as social media; these include general office and Health & Safety bulletin boards, our website, employee intranet and email. Each employee has the responsibility to visit these sites regularly and read the information that is posted.

Employees may post their own information at these locations, adhering to the following guidelines:

- Posting must not obscure organization information or compete with Association activities;
- Postings must meet all criteria under our Acceptable Use policies and be non-offensive;
- Postings must be only in prescribed locations and for proper duration;

VOICE MAIL

Employees are encouraged to use the voice mail facilities that are provided for their business and personal matters.

Clients, co-employees, management, etc. require prompt answers to their voice-mail requests. In order for the voice mail system to work efficiently, the following guidelines must be followed:

- When the employee is not in their office, the call will be forwarded to voice-mail.
- All calls should be answered immediately if the employee is at their workstation and not in a meeting or on another line.
- All voice-mail messages must be acknowledged at the earliest opportunity and should be answered the same day.
- If an employee plans to be out of the office for a full business day or longer, they must change the voice-mail greeting to note the absence and tell the caller how to get assistance during this absence. The greeting should be changed to a standard greeting upon return to the office.

PRESS RELEASE POLICY

The Association does not authorize any employee to release sensitive information to the press and/or broadcast media. All external requests for information (including members or volunteers) should be referred to the CEO. Internal requests for information may be addressed by employees.

EXTERNAL COMMUNICATION AND COMPLAINT POLICY

The Association's vision is to be the recognized community leader in the provision of values-based programs and services that reflect the need of our community and promote and enhance the physical, mental and spiritual well-being of individuals and families.

A critical aspect of this process is our ability to respond to needs in our community in a responsible and caring environment. Occasionally, organization(s), Association member(s), or individual(s) also interested in the well-being of our YMCA may question the operating practices and/or decisions made by our YMCA's management team or Board of Directors. In response to such concerns, our YMCA offers the following procedural process for the voicing of opposing opinions or the request for additional information/clarification. We encourage you to talk to us.

STEP #1

Our YMCA encourages organizations, Association members, and individuals to speak directly with the program or service manager directly responsible for the area within which a concern lies.

STEP #2

Recognizing that most situations are resolved, following step #1, organizations, Association members and individuals who feel that the situation still remains unresolved are encouraged to discuss their concerns with our CEO. A written statement outlining the concerns of the organization(s), Association member(s), or individual(s), may be requested at this step for the purposes of assisting in the resolution of the concerns brought forward.

STEP #3

If the situation remains unresolved the organization(s), Association member(s) or individual(s) desiring further dialog are asked to submit a comprehensive written brief outlining their concerns, the basis for their complaint, as well as provide background information pertinent to the conflict resolution process. In order to ensure a full understanding of the information being presented, we ask that this brief be typewritten. The brief should be addressed to the following:

Executive Committee

Board of Directors of the YMCA of Eastern Ontario**c/o Chief Executive Officer****100 Wright Crescent****Kingston, Ontario K7L 4T9**

Once received by the CEO, the written brief will be distributed to the Executive Committee of the Board of Directors for assessment and final determination. A written response will be provided to the organization(s), Association member(s), or individual(s) who have submitted the brief. This written response will be provided by either an assigned member of the Executive Committee or the CEO, at the instruction of this committee. Please allow up to 45 days for a response. Please note that written briefs will not be accepted until the concerned party has already undertaken concern resolution via steps #1 and #2.

DIGITAL ENGAGEMENT POLICY

In order to ensure that the Association maintains a values-oriented, positive, professional image, and to protect the safety and privacy of Associations, members and employees, all employees must abide by the following expectations when using digital engagement for work or personal purposes. This policy will also help maintain the digital integrity of the YMCA brand with respect to communication frequency, strategy, message and appearance.

The Association expects all who participate in digital work and social media on behalf of the YMCA to be enthusiastic ambassadors, trained to be effective, understand and follow these guidelines. These guidelines will continually evolve as new tools, technologies and insights emerge. Employees are expected to review this policy prior to engaging in digital media work.

This policy is for all employees, contractors and volunteers creating or contributing to any kind of digital media both on and off the Association's websites and social media presences.

GUIDING PRINCIPALS

When participating in digital spaces and social media, the following guiding principles should be considered:

- Stick to your areas of expertise and provide unique, individual perspectives on what's going on at the YMCA and in the world.
- Post meaningful, respectful comments—in other words, no spam and no remarks that are off-topic or offensive.

- Pause and think before posting, but reply to comments in a timely manner when a response is appropriate (see YMCA Digital Decision Tree in Digital Engagement Handbook).
- Always respect proprietary information and content, and confidentiality.
- When disagreeing with others' opinions, keep it appropriate and polite.
- Know and follow the Association's Human Resources Policies, Privacy Policy and the YMCA Child Protection Policy.

Refer also to the Getting Started, 20 Tips and Top 10 dos and don'ts sections of the YMCA Digital Engagement Survival Guide.

GUIDANCE ON ACCEPTABLE PRACTICES

The Association hopes that our tweets, posts, updates, blogs, pages and sites will become forums for lively conversation. Differences of opinion are healthy, and rousing debates are welcomed. However, to preserve the integrity of posts and the conversations, the Association will not publish any comments that are not in keeping with YMCA values, ethical standards and/or violate federal/provincial laws.

In addition, the Association will not publish comments that pertain to an individual's personal experiences with the program which are not relevant for the page's readership at large (Management of the Association are happy to address these via private email).

USING DIGITAL ENGAGEMENT FOR PERSONAL PURPOSES

Many YMCA employees maintain individual pages on blogs and social media sites to connect with their friends and family during non-work hours; personal websites that identify the person as a YMCA employee must be consistent with and should not undermine the Association's mission, and should follow the guidance on acceptable content as stated above. Specifically:

- Employees should not post content, including text and pictures regarding the YMCA that can be reasonably deemed as inappropriate or offensive to the YMCA, its members, employees or the community.
- Use common sense in disclosing any information about the YMCA, the organization, its members, volunteers, donors, etc. and adhere to all applicable policies regarding confidentiality and proprietary information.
- Employees should recognize that we are personally responsible for the content they publish on digital and social media sites. Review the Association's employee conduct guidelines.

- If speaking about the YMCA externally in digital communication channels, employees must declare they are speaking for themselves and not on behalf of the Association (other than as an incidental mention of place of employment in a personal blog on topics unrelated to YMCA).
- When speaking as an employee relevant to YMCA in a personal capacity, employees should use a disclaimer such as “The postings on this site are my own and do not necessarily represent the views or opinions of the YMCA, managers, directors or employees.”
- Do not break the law. There may be legal liabilities for information contributed over any personal pages on digital channels regarding the YMCA.
- Employees will not post pictures of co-workers, volunteers or members without their authorization. At no time will employees post any picture containing the image of a minor child.

FRIENDING MEMBERS AND VOLUNTEERS

Frequently, members and volunteers may ask employees to become their “friend” or “follow them” on social media sites. This is allowed and encouraged, but employees must remember they are representing the YMCA and must refrain from posting inappropriate content; or create a more limited profile for work purposes and reserve their full personal profile for friends and family.

PROTECTION OF CHILDREN

The YMCA is committed to ensuring that all digital environments:

- provide a safe environment for children and young people;
- identify children and young people who are suffering, or likely to suffer, significant harm; and
- take appropriate action to see that such children and young people are kept safe.

Within the context of digital media, and in keeping with the Child Protection Policy, employees should not be engaging unrelated children and young people (under the age of 16) in social media or general networking. For example, in the case of corresponding with young employees, any work-related communication should be conducted through YMCA accounts / devices as opposed to personal ones. For further clarification, please speak with the Association Child Protection lead.

CONTRACTORS, BLOGGERS AND ENDORSEMENTS

The Association supports transparency and is committed to ensuring that practitioners on digital media (including blogs, Twitter, forums and any other social media) clearly disclose relationships and endorsements, and that statements about the YMCA are truthful and substantiated.

Please remember that any bloggers, influencers, profiled members or social media experts contracted, seeded or in any way compensated by YMCA must disclose that they have been contracted, seeded or otherwise compensated by the YMCA.

Although likely rare, violations of this policy could be subject to disciplinary action by the Association, up to and including termination of employment for just cause. Please report inappropriate behaviour to a Director or the CEO.

INFORMATION TECHNOLOGY – ACCEPTABLE USE POLICY

PURPOSE

The purpose of this policy is to ensure that everyone using the Association's information technology systems acknowledges and adheres to established policies for the use of YMCA owned or leased information technology resources, equipment or facilities, mobile technology, Internet protocol or E-mail addresses and domain names registered to the Association.

SCOPE OF THE POLICY

This policy applies to all Association employees, volunteers, contractors, board members and any other party that uses the YMCA's information technology systems (collectively referred to herein as "users").

The Association is committed to ensuring the security of electronic information. Every day the YMCA handles a wide variety of highly sensitive and confidential information – ranging from sensitive personal information to financial transactions to confidential YMCA information. It is our collective duty to ensure the confidentiality, integrity and appropriate availability of this information at all times.

Every communication system has security risks. The Association has implemented certain system controls to mitigate these risks – however, it is the responsibility of every user to operate information systems in a safe and responsible manner at all times.

From time to time, the YMCA may issue security awareness memos, additional guidelines or other materials that relate to information security. It is the responsibility of every user to adhere to these additional requirements as they are implemented.

AUTHORIZED USE

Information security relies heavily on the concept of "authorized use." For this reason, any use of YMCA information systems must be authorized – either as defined in this policy or via other written authorization from YMCA senior management. All other use is strictly prohibited and constitutes a violation of this policy.

Computers are provided to users for the purpose of performing their duties at the YMCA. Users are assigned a personal computer at their desks or given access through group workstations. This policy

hereby authorizes YMCA personnel to use only assigned computers, and software installed and approved by the YMCA, as required for their job function in accordance with this policy.

The IT Systems Administrator as the Association's Security Officer and is authorized to access all computers owned and managed by the YMCA for maintenance and related purposes.

Users are authorized ONLY to use YMCA systems under their assigned login name and personal password. Please see the Password Policy section below for further information on password requirements.

There may be instances where users have unauthorized access to information or other technical capabilities outside the scope of a user's job function. Such access which may be enabled by the computer does not mean access is authorized or permitted by the YMCA, and users are required to report any such system flaws to the IT Systems Administrator and/or senior management upon detection.

Upon termination of employment at the YMCA, users must discontinue use of any system access that may remain enabled in information systems and return any YMCA information assets in their possession.

INFORMATION MANAGEMENT

Information is an Association asset and is the property of the YMCA. YMCA information includes all information that is electronically generated, printed, filmed, stored or verbally communicated within the Association that relates to members/participants, internal operations, business plans, or any other information not available to the general public. Unless otherwise specified, all YMCA information is deemed to be confidential.

Management is responsible for instructing users in the proper storage and management of information at the YMCA.

As custodians of Association information, users are responsible for the proper storage of information at the Association. Each user will have a home directory to store their work-related files on the server; in addition, some departments have shared directories to facilitate sharing of these files. All server files are backed up nightly. All work files must be stored in a directory or on a server in the appropriate user directory. Please be aware that files stored only on the local drive are not backed up.

Electronic information may not be removed from YMCA premises in any hard copy format or machine-readable media unless the removal is done in compliance with YMCA procedure or practice, or is done as part of an authorized off-site backup or records retention program.

Please contact the IT Systems Administrator if you have questions about how or where to store files, including highly sensitive or confidential files that require special protection.

The IT Systems Administrator also holds the position Security Officer for the purpose of this policy.

PHYSICAL SECURITY

In order to address the need for physical security, the Association has designated official “secure areas” to safeguard against tampering or theft of information and physical equipment. Areas housing critical equipment, such as servers and network equipment, are considered “secure areas” and only authorized personnel may enter these areas.

Any party not specifically authorized, including contractors and other service person’s, must be escorted by an authorized Association employee at all times. Employees are required to challenge unknown or unauthorized personnel who are discovered in secure areas. If you are uncomfortable challenging unknown person, report the incident immediately to a person of appropriate authority and ensure the incident receives immediate follow-up attention.

Physical security also includes power supply and cabling to computers – items sometimes located outside of secure areas. Users are not permitted to tamper with switches/hubs, patch panels, network cabling or any other related equipment. Power supply is also important – computers are sensitive to power surges and should therefore always be plugged into surge suppressors. If you have any questions about cabling or power, or if you notice unauthorized personnel tampering with these assets, please contact the IT Systems Administrator or managerial employees.

E-MAIL AND INTERNET POLICY

Discretion and professionalism are required at all times when communicating via work e-mail. All Internet and e-mail use at the Association must comply with the YMCA E-mail and Internet Policy outlined below. All other non-compliant internet, e-mail or other similar communications is prohibited. This policy includes off-site computers that connect to the YMCA network, and portable computers authorized to leave YMCA premises with a user.

YMCA e-mail is to be used for YMCA business. It is acceptable for employees to check personal e-mail accounts and social networking sites during breaks and on lunch, provided the computer is in a location which cannot be viewed by the public. YMCA computers that can be viewed by the public

may not be used for personal computing. Forwarding non-business e-mails to associates, family or friends is discouraged.

In light of recent Canadian Anti-Spam Legislation (CASL) care must be taken to limit e-mail distribution to those YMCA members and program participants who have given express consent to receive electronic communications from the YMCA.

E-mail communications are not private. Do not transmit sensitive information without taking reasonable measures to protect confidentiality and integrity (e.g. password protect attachments).

The Association reserves the right to check e-mail, computers, and all other property belonging to the Association randomly or as required. Even though an e-mail is created and sent by an individual in the organization, the Association can ultimately be held responsible for the actions of its employees. If you receive an e-mail with inappropriate content, notify your immediate supervisor immediately.

Internet use is authorized for conducting YMCA business. Internet use introduces the possibility of a breach to the security of confidential YMCA information, as well as the possibility of contamination to our system by viruses or spyware. Spyware allows unauthorized people, outside the YMCA, potential access to YMCA passwords and other confidential information. Removing such invasive programs from our network requires time and resources that is better devoted to other priorities. For this reason, and to assure the appropriate use of work time, we ask employees to be aware of their Internet use.

Any connection between the YMCA and the internet presents the opportunity for unauthorized access to our internal information systems. It is extremely important that such a connection is secure, controlled and monitored.

PRIVACY AND MONITORING

The Association's Privacy policy governs obligations and precautions associated with storage and utilization of personal information by the Association. At all times, such information must be safeguarded and not be shared with unauthorized personnel except as permitted and authorized under our Privacy policy. Furthermore, every reasonable safeguard must be taken to protect personal and credit card information.

As per the Authorized Use section above, no user shall access the files of another user unless specifically authorized – even if system controls appear to permit access. Any such system flaw should be reported to the Security Officer and access discontinued immediately.

Procedures for monitoring the use of I.T. resources are necessary to ensure that users are only performing activities that have been explicitly authorized. Bear in mind that the Association owns any information sent via e-mail or that is stored on Association equipment, and that management representative or other authorized employee, have the right to access any material in your e-mail or on your computer at any time for compliance with this policy without prior notice to users. This type of monitoring includes reviewing access logs, activity logs, Internet use history, network usage and any other computer use including personal files. Please do not consider your electronic communication, storage or access to be private if it is created or stored at work.

In cases where personal files need to be accessed for the purpose of investigation, audit, systems review or legal requirement, the user will be notified as soon as these activities are complete. Any such access will be authorized by management or the Security Officer and discontinued at the completion of said activity.

NETWORK ACCESS

As per the Authorized Use section above, all use of Association information systems must be authorized by the Security Officer or CEO. All other use is expressly prohibited.

Specifically, users are not permitted to connect any unauthorized personal computer, laptop, tablet PC or other computing device to the Association network either directly, via another network (e.g. via remote access, including remote access of e-mail) or via any other means (e.g. wireless networking). Enabling access is the responsibility of the Security Officer, and any connection must be authorized in advance in writing, or supervised by, the Security Officer.

Similarly, those who are not employees of the Association are not permitted to connect to the Association network without authorization. In cases where third parties such as auditors or contractors require a network connection, the Security Officer may provide supervised access without written authorization. No such party should have unsupervised network access without written authorization.

If written authorization is granted to a third party for unsupervised network access, the Security Officer should notify users in the immediate vicinity. Users are required to inform management immediately if they observe any person accessing the network without authorization. Written authorization must also be accompanied by (or granted via) signed acknowledgement of this policy including Internet and Email Policy and other applicable policies as applicable.

MOBILE COMPUTING

All mobile computing must be authorized and comply with the following Mobile Computing policies. Mobile computing is defined as any use of an electronic device that meets *any* of the following criteria:

- Physically leaves the YMCA
- Connects to the Association's network and any other network outside of the YMCA
- Contains confidential Association or member/participant information.

Based on the above criteria, tablets, cell phones/smart phones, flash drives, cameras, scanners and other types of devices may be considered "mobile computing" depending on contents and use. All laptops, regardless of whether they leave Association's premises or connect to any network, are subject to the Mobile Computing Policy.

When issued by the Association, these resources are not owned by users; rather, users are granted access commensurate with their roles and responsibilities within the Association. Users must prudently protect Association-issued mobile technology resources from loss, theft, and damage at all times, and must report loss or theft to the Security Officer or senior management promptly within 24 hours.

Users on mobile technology resources that are remotely accessing I.T. systems within the Association, are responsible for using protocols that are prescribed by the Security Officer/YMCA I.T. department.

Using Association mobile technology resources to move, copy, or store any client, employee or volunteer personal data **MUST** first be authorized and done in full accordance with privacy laws, the Association's privacy policy, and approved protocols for mobile technology resources.

It is understood that users must remain vigilant and act responsibly to ensure the appropriate use of mobile technology resources at all times. Any activity, either within or outside the Association, which may potentially compromise the Association's network infrastructure, cause harm to related systems, or pose a significant financial, operational or business threat to the Association because of the misuse of mobile technology resources will be grounds for discipline up to, and including, termination of employment and legal action.

PASSWORD POLICY

Password sharing is strictly prohibited unless authorized in writing by the Security Officer. Users are also responsible for protecting their systems from unauthorized access once logged in. For this reason, users are required to "lock" their computers or logout when computers are unattended. The

system then requires a password the next time a user attempts access. If you are uncertain how to perform this task, please contact the IT Systems Administrator.

If you need to write your password down, keep it in a safe place (i.e. on your person – in a wallet, purse, etc.). Never write your password anywhere where someone else might see it.

The IT system is designed to enforce the following password criteria.

- Password Length: 7 character minimum
- Password must be changed every 75 days
- Cannot re-use the same password for 7 uses
- Users are “locked out” after 6 unsuccessful login attempts. When a user is locked out, logins are unlocked automatically after 30 minutes, or can be reset by the IT Systems Administrator.

In the case of other authorized systems that do not automatically enforce these restrictions the user is strongly encouraged to maintain the above password protocols.

UNACCEPTABLE USE

Users are prohibited from using information or information systems in any manner that violates Association policy or infringes on the personal rights, copyrights or trademarks of any party. Users are specifically prohibited from using Association information systems to display, download, forward, transmit, save, create or otherwise be in possession of the following categories or content: **sex, illegal drugs, criminal skills and/or activities, hate activities, hacking, gambling, on-line games, or job search activities.**

E-mails that harass others, and e-mails that discriminate against employees is prohibited and will be dealt with according to our Workplace Harassment Policy. Furthermore, sending or forwarding such e-mails will result in disciplinary action that may lead to employment termination, for just cause. Sending pornographic jokes or stories via e-mail is considered sexual harassment and will be addressed accordingly. Violation of this policy will subject the employee to discipline up to and including termination, for just cause.

COMPUTER SOFTWARE POLICY

Users are prohibited from installing or uninstalling any software on Association computers. Users may not download programs, apply “add-ons” or other enhancements, reduce any security settings or make any other changes to system configurations. This is exclusively an IT function to be performed by the IT Systems Administrator.

Users are prohibited from using any unauthorized software that may already exist on computers unless approved by the IT Systems Administrator. Authorized software includes the base operating system and programs specifically required for a user's job function such as spreadsheet and word processing programs (i.e. – Microsoft Office suite programs), printing utilities and anti-virus software (required). If you are uncertain whether a piece of installed software is authorized, please contact the IT Systems Administrator prior to using the software. All software purchases must be approved and procured through the IT Systems Administrator.

Legal action against the Association may arise from copyright infringement and/or the wrongful use of illegal software. Such notoriety can negatively and seriously impact the YMCA brand and operations beyond our Association. For these reasons, any employee found using the unauthorized software on our equipment or copying software licensed to Association for personal use, will be subject to substantial disciplinary action, up to and including termination, for just cause

ENFORCEMENT AND REPORTING

The Association has taken steps to ensure that an authority and reporting structure is in place for matters concerning information security for all information security matters. Users are required to promptly report all security incidents, malfunctions, system vulnerabilities or oversights and observed violations of policy to the Security Officer.

Enforcement of this policy is defined subject to disciplinary action up to and including termination of employment, for just cause.

GENERAL SECURITY

- No unauthorized people are allowed beyond the front reception area;
- All confidential reports must be filed in locked cabinets and may be used only by authorized personnel;
- No files, documents, papers or computer stored data of any kind may be taken off the premises without verbal authorization from your immediate supervisor;
- No Association files, documents, papers or computer stored data of any kind may be reproduced or transmitted in any form or by any means, electronic or mechanical, including recording, photocopying or information storage and retrieval systems, for any purpose without the authorization of your immediate supervisor;
- Outside distributors or vendors who are promoting products and services that are not related to YMCA of Eastern Ontario business are prohibited from soliciting at Association.

ELECTRONIC MONITORING

PURPOSE

The purpose of this policy is to provide information and transparency about how the Association may electronically monitor and collect information pertaining to its employees.

SCOPE OF POLICY

This policy applies to all Association employees.

This policy does not provide employees any new rights or right to not be electronically monitored. Nothing in this policy affects or limits the Association's ability to conduct electronic monitoring, or use information obtained through electronic monitoring.

From time to time, the YMCA may issue memos, additional guidelines or other materials related to electronic monitoring. It is the responsibility of every user to adhere to these additional requirements as they are implemented.

ACTIVE ELECTRONIC MONITORING

Active Electronic Monitoring means the use of devices or software to intentionally track the activities and/or physical location of an identified employee or employees. Examples of Active Electronic Monitoring include, but are not limited to: monitoring by video surveillance or otherwise, the date and time of access to physical locations and digital resources; monitoring internet resource requests; monitoring physical location using global positioning system (GPS) technology. Active Electronic Monitoring of employees may also include direct access to the contents of personally assigned account(s) and/or the device(s) used by an employee, such as email, voicemail, SharePoint and other storage space assigned for use by an individual employee.

The Association does not, as a normal course of business, engage in Active Electronic Monitoring for the purpose of employee performance management. Any Active Electronic Monitoring must be undertaken in accordance with the Information Technology – Acceptable Use Policy.

PASSIVE ELECTRONIC MONITORING

Passive Electronic Monitoring means the routine collection, analysis, and retention of information or activity in physical spaces and on the digital network.

The Association reserves the right to use the data that has been collected and retained from Passive Electronic Monitoring and may access information from the personally assigned account(s) and/or device(s) of an employee including for purposes outlined in the Information Technology – Acceptable Use Policy.

The Association has, but is not limited to, the following rights:

- To collect data related to activities on YMCA premises and on the YMCA network that may be attributable to identifiable persons.
- To use the data for the purpose of assuring safety, security, and comfort within physical spaces on YMCA premises, and other uses deemed appropriate and necessary.
- To use the data for the purpose of assuring the availability, integrity, and confidentiality of digital assets and resources connected to the YMCA network or otherwise provided by the YMCA, and for other uses deemed appropriate and necessary.

When an employee retains information related to YMCA business operations or the operation of their department within their personally assigned account(s) and/or device(s), and that employee is not available to retrieve the information, the Association may directly access the account of the employee in compliance with relevant legislation and Association policies.

In the event that the Association collects any personal information, as defined in the Freedom of Information and Protection of Privacy Act ("FIPPA"), the Association shall collect, use and disclose personal information in accordance with the applicable legislation, including, but not limited to, FIPPA.

WHISTLEBLOWER POLICY

The Association requires all employees and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

As employees and representatives of the Association, we must practice honesty and integrity in performing our responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all employees to comply with and report violations or suspected violations of policies, laws or regulations, in accordance with this policy.

No employee, member or volunteer, who in good faith reports a violation or suspected violation, shall suffer harassment, retaliation or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith shall be subject to discipline up to and including termination, for just cause.

All Employees may take their concerns directly to the CEO. If the CEO is suspected of inappropriate behaviour, the concern should be taken to the Chair of the Board.

Reports may also be made anonymously, by submitting a written report directly to the CEO, or the Chair of the Board.

All reports will be promptly investigated and appropriate corrective action will be taken, if warranted. The complainant will be informed of the results of the investigation.

CHARITIES AND ATTENDANCE AT POLITICAL EVENTS

As a registered charity, the YMCA, its employees and volunteers, must avoid, at all times, activity that might convey the impression of partisan politics, in keeping with charity law and requirements under Canada's Income Tax Act, as well as YMCA Canada principles.

While the Canada Revenue Agency (CRA) recognizes the role of the voluntary sector in public policy development that is directly related to an organization's mission, charities are not allowed to engage in, nor devote any resources to, political activities of a partisan nature, including official attendance at political events, such as a fundraising dinner or political convention.

Partisan political activity, as defined by CRA, is activity that involves direct or indirect support of, or opposition to, a political party or candidate for public office. Resources, as defined by CRA, include human, material and financial resources.

Supervisors shall ensure that employees and volunteers are aware of, and follow, the procedures outlined below to avoid inadvertently participating in a partisan political activity that could place our YMCA's charitable status at risk:

1. Employees and volunteers are not allowed to attend, in their official YMCA capacity, political events, such as a fundraising breakfast or dinner, or a political convention. Employees and volunteers may choose to attend a political event, as a private citizen, and outside their YMCA capacity.
2. YMCA funds shall not be used to register for, or purchase, tickets to attend political events.

NOTES

RECORD OF REVISIONS

May 31, 2022

- Addition of “Right to Disconnect From Work” policy