



first **UNITARIAN**
CONGREGATION | *Est.* 1845
OF TORONTO

Human Resources Policy

Amended:

December 2015: Revisions to sabbatical policy

September 13, 2016: General amendments, including additional information on benefits and use of personal devices.

January 2018: Edited for clarity, re-approved by Board.

March 2018: social media policy added, approved by Board.

Table of Contents

Introduction	5
The Board of Trustees' Role	5
Monitoring and Maintenance	5
Legislative Context and Requirements	6
Employment: Recruiting New Employees	6
Search Committee	6
Budget	7
Job Descriptions.....	7
Competitive Process	7
Employment Eligibility	8
Religious Affiliation	8
Ineligibility of Members, Relatives or Friends.....	8
Interviews.....	8
Employment Equity / Accommodation.....	8
Safe Steps	9
References.....	9
Decisions	9
Offers of Employment.....	9
Contracts and Letters of Employment	10
Orientation	10
Probation.....	10
Management.....	10
Staff Classifications	10
Permanent Staff Members	11
Casual Staff Members	11
Self-Employed Professionals	11
Positions Not Covered by this Policy	12
Personnel Files.....	12
Position Descriptions	13
Performance Reviews	13
Discipline	13
Issue Resolution: Questions, Concerns, Complaints, Grievances and Appeals.....	15
End of Employment	15
Staff-Initiated Resignation and/or Retirement	15
Termination by the Employer.....	15
Employer-Initiated Termination During Probation	16
Employer-Initiated Termination Due to Restructuring or Insufficient Budget	16
Employer-Initiated Termination For Cause	16
Employer-Initiated Termination Without Cause	16
Exit Interview.....	17
Compensation and Hours of Work	17
Salaries	17
Cost of Living Adjustments.....	17

Acting Pay	17
Benefits	17
Hours of Work	18
Flex Time and Work Location	19
Overtime	19
Statutory Holidays	19
Staff Hours during Christmas Period	19
Leaves	20
Sabbatical Leaves	20
Vacation and Other Leaves	22
Professional Development and Study Time	23
Staff Members' Expenses	24
Interview Costs	24
Moving Costs	24
Transportation Expenses	24
Personal Devices	24
Computers.....	24
Mobile Phones	25
Other Employment Conditions	25
Intellectual and Creative Property	25
Confidentiality	25
Conflict of Interest	25
Speaking on Behalf of the Congregation	25
Speaking Internally	25
Speaking Publicly.....	26
Accommodation of Religious Freedom and Observances	26
Staff Covenant	26
Online and Social Media Communications	27
Covenant	27
General Expectations and Standards	27
Expectations and Standards Applied to Employees and Lead Volunteers	28
Preamble	28
Application	29
Requirements and Conditions.....	29
Compliance.....	30
Appendices	31
Appendix A: The First Unitarian Congregation of Toronto	32
UU Principles	32
Appendix B: Relevant Legislation	33
Employment Standards Act (ESA), 2000	33
Occupational Health and Safety Act, 1990.....	33
Accessibility for Ontarians with Disabilities Act (AODA), 2005	34
Pay Equity Act, 1990.....	34
Workplace Safety and Insurance Act, 1997	34
Ontario Human Rights Code, 1990.....	35

Canadian Charter of Rights and Freedoms, 1982..... 35

Introduction

The staff members of the First Unitarian Congregation of Toronto (“First” or “the Congregation”) are an essential and valued part of the Congregation. Staff members, individually or with members, friends and volunteers, provide the capability and capacity needed to fulfil the Congregation’s vision and mission.

Each year, staff members will review and enter or renew a covenant which strengthens integration, teamwork and cooperation; while defining and maintaining positive relationships that support the Congregation’s vision and mission.

The above-mentioned process requires the commitment of staff members and others for implementation. Policies in this manual are a resource to guide decisions and expectations for staff members and those responsible for management, especially when problems or uncertainties arise. Reasonable consideration of the needs of the organization and individual staff members will also apply.

The HR Policy is consistent with our Unitarian Universalist (UU) principles (outlined in Appendix A), the by-laws of the First Unitarian Congregation of Toronto and government legislation. They are informed by financial and operational considerations and existing contract terms and conditions.

The Board of Trustees’ Role

The Board of Trustees is mandated to manage the Congregation’s policies on an ongoing basis, and may choose to delegate some or all of this authority and accountability to a convenor or committee, such as a Human Resources Committee. This responsibility includes approving new or amended policies, obtaining updates to applicable legislation, and initiating discussions about the need for policy changes.

All human resource policies and changes to these require approval by the Board. The Board will consider presentations from convenors, staff or the Executive Committee, Human Resources Committee, or members of the congregation who have been assigned policy work. A process of research and stakeholder consultation, authorized by the Board, should take place before policy recommendations are presented for final approval. Approval will be formally recorded in Board minutes and noted in the Human Resources Policy Manual. Policy changes shall be effective upon approval by the Board.

Monitoring and Maintenance

To maintain a level of confidence that policies continue to meet the needs of the staff and the congregation, the Board will:

- Ensure all new Board members, staff members and members of the Executive Committee and convenor team are familiar with the Human Resources Policy Manual.
- Invite a representative of the Human Resources Committee to a Board meeting each year, to summarize any current policy-related decisions or challenges.
- At least once every two years, schedule time during a Board meeting to consider the current state of the Human Resources Policy Manual and identify any need

for updates or revisions. The Board should ensure there is a specific person responsible for:

- Obtaining updates to applicable legislation and reporting these to the Board for action; and
- Confirming that annual personnel management tasks (e.g. performance reviews, contract updates) have been completed.

The Executive Committee can approve exceptions to Human Resources policies under unusual circumstances, provided they remain in compliance with the bylaws, applicable legislation and/or existing contracts. The Board of Trustees will be informed of such exception as soon as possible and no later than the next Board meeting, when it will be recorded and included in the next scheduled policy review.

Legislative Context and Requirements

As an employer, First Unitarian Congregation of Toronto must comply with various federal and provincial legislation and regulation. The Board, or those delegated to work on human resource issue on behalf of the Board, is responsible to ensure updates to legislation are noted and incorporated in policy updates at least annually. Relevant legislation includes, but is not limited to:

- Employment Standards Act (ESA), 2000;
- Occupational Health and Safety Act, 1990;
- Accessibility for Ontarians with Disabilities Act (AODA), 2005;
- Pay Equity Act, 1990;
- Workplace Safety & Insurance Act (WSIA), 1997;
- Ontario Human Rights Code; and
- Canadian Charter of Rights and Freedoms

See Appendix B for further information.

Employment: Recruiting New Employees

For the positions of the minister, ministerial staff and director of lifespan religious education (DLRE) the policies of the Unitarian Universalist Association (UUA) and/or the Canadian Unitarian Council (CUC) will be applied in the recruitment, orientation and/or probation process. The current form of such policies are available from the respective organizations.

First may consider a staff member request to negotiate an employment agreement, in variance with this policy. In the event First agrees to enter into such negotiations, the HR policy provisions shall form a minimum standard; while terms and conditions exceeding these standards may be included.

The following process is designed to optimize the recruitment process and facilitate the hiring of staff for positions other than minister, ministerial staff and director of lifespan religious education.

Search Committee

A team named by the Executive Committee, Human Resources Committee, the Board of Trustees or other authority will be responsible for recruitment in normal circumstances. The team should include the position's immediate supervisor(s) and at

least one other person. In an urgent situation, the recruitment process may be initiated by the Executive Committee, with notice provided to the Board of Trustees.

All recruitment processes shall have the prior approval of the Board and/or the Executive Committee.

Budget

The person leading the recruitment process for a position expected to last no more than the remainder of that fiscal year will ensure sufficient funds are available in that fiscal year's budget to fund the position for the duration of the contract.

For a position that will extend beyond that fiscal year, the Board of Trustees must first agree that, under normal circumstances, sufficient funds will be available to fund the position for the duration of the contract.

Job Descriptions

Before the recruitment process begins, the applicable job description is to be reviewed and revised, as appropriate.

Competitive Process

All permanent positions will be filled based on merit through a competitive process (except for those reporting to the Director of Music, which may be filled at his/her discretion due to the artistic nature of the work).

Recruitment notices/ads will be placed so there is a reasonable expectation of several qualified candidates applying.

Existing UUA, CUC and associated organizations' resources shall be utilized, if available.

Appropriate media channels, including traditional and social media will also be utilized. The media plan will be presented to the Executive Committee for review.

Exceptions to this process must be approved by the Board and/or the Executive Committee.

The job posting for positions of financial trust, including access to congregational funds, will include a notice that the successful candidate must, prior to hiring, complete a Criminal Records Check to indicate they have no prior criminal convictions relevant to the position.

As noted in the Safe Steps policy, when the position is one involving work with children and vulnerable adults, the successful candidate must, prior to hiring, complete a Vulnerable Persons Record Check, to indicate they have no relevant infractions or convictions on file.

Checks are completed through local police offices.

When considering which candidate shall be selected to fill a position, First will identify the most qualified applicant, based on the requirements and qualifications set out in the vacancy posting, related to the duties, expectations and nature of the work of the position.

Further, an identified applicant must, at a minimum, immediately be able to fulfill the basic requirements of the position; and in a limited subsequent period satisfactorily fulfill all requirements of the position.

Employment Eligibility

Religious Affiliation

Only the minister, interim minister, intern and student ministers are required to be Unitarian Universalists.

Ineligibility of Members, Relatives or Friends

The First Unitarian Congregation of Toronto supports hiring on the basis of merit and does not discriminate in favour of, or in opposition to, the hiring of family members. Due to the potential for perceived or actual conflicts of interest, however, the following restrictions will apply to the hiring of an immediate relative as defined below:

- No person shall be hired, transferred or promoted to a position under the direct supervisory responsibility of an immediate relative;
- No employee shall participate in the appointment, compensation or evaluation of an immediate relative.
- For the purposes of this policy, “immediate relative” refers to: spouse (includes common-law spouse and same-sex partner); parent; child; brother; sister; mother-in-law; father-in-law; son-in-law; daughter-in-law; sister-in-law; brother-in-law; grandparent; grandchild; aunt; uncle; niece; or nephew.
- No exception to this policy may be made without the approval of the Board of Trustees.

Interviews

The Search Committee is to select a short list of the most qualified candidates, all of whom would be interviewed, using the same list of questions.

In cases where the interview is by telephone or internet conference, a follow-up in-person interview should be completed prior to the official offer of employment.

When a candidate discloses that, as the result of a bona fide condition, they need a reasonable accommodation to the process of the interview, the Search Committee will seek to comply, unless it is found that, after due consideration, the accommodation represents an undue hardship to First.

Employment Equity / Accommodation

In a situation where the best candidate discloses the need for some type of accommodation to fulfill the duties of the position, the Search Committee should

determine the feasibility of meeting those requirements prior to requesting the Executive Committee's approval for an offer of employment.

The congregation will abide by the letter and the spirit of all applicable laws and internal policies. Accommodations will be made to the extent resources allow.

Safe Steps

All staff members are subject to the Congregation's Safe Steps policy.

When the staff member is to be involved in work with children or vulnerable adults they must, as a condition of employment, first complete a Vulnerable Sector Screening check through local police offices. <https://www.torontopolice.on.ca/background-checks/vulnerable-sector-screening.php>

When the staff member is to be involved in work involving matters of trust, they must, as a condition of employment, first complete a Criminal Record Check, through local police offices. <https://www.torontopolice.on.ca/background-checks/criminal-record-check.php>

The Congregation will pay for expedited clearance.

The Congregation recognizes that only offences relevant to the requirements of the position will be applied to a decision affecting the candidate's employment or employability.

References

All applicants must present three references, two of these being employment-related while one being character-related. The Search Committee will contact references for the top candidate/candidates.

References who are contacted will be asked questions regarding the candidate's ability to perform the work involved in the position.

Decisions

All candidates are to be evaluated in the same way; with the decision criteria and scoring system being determined before the beginning of the competition. The criteria will account for accommodations required, so they accurately and fairly note the responses of candidates requiring such arrangements.

Offers of Employment

All offers of employment require prior approval by the Executive Committee and/or the Board.

Offers will stipulate, at a minimum:

- Position title;
- Position description;
- Date of appointment;
- Length of probation;
- Terms of employment, such as:

- Permanent (full-time or part-time) or casual;
- Contract duration as “short term” (with a stipulated end date) or “permanent” (without a defined end date);
- Ownership of materials and intellectual property, where appropriate;
- Starting salary or wages;
- Benefits, if applicable; and
- Any other conditions of employment.

Contracts and Letters of Employment

All employment contracts and letters of employment are to be signed by the employee/contractor and the president of the Board of Trustees or, in his or her absence, by another person specified under “Execution of Documents” in the congregation’s by-laws.

The length of employment must be clearly stated in the contract, with renewal options specified. The contract / letter of employment should include a reference to this policy, which should be given to the employee along with the contract / letter of employment. The employee’s signature is required to signify their agreement to the terms of employment and to confirm their receipt and acceptance of this HR policy.

Orientation

New employees should be given an orientation within the first week of employment, including but not limited to the following:

- A list of all other congregational manuals and covenants and their location;
- An overview of the roles and responsibilities of all staff, convenors and board members;
- A tour of the building;
- A copy of the UU principles; and
- A copy of the staff covenant.

During the orientation, the new employee should be invited to ask questions about the HR policy and their employment status. As soon as possible, new staff members will be introduced to all staff, Board members and convenors.

Probation

There will be a minimum six-month probationary period for new staff members, which can be shortened based on a successful performance review at three months. The probationary period may also be extended, if it is determined that a subsequent period is required to properly assess the performance of the employee. In such cases the extension shall not be for a period of more than three (3) months and shall be set out in writing at the time the extension is established. The exception to this is ministers, for whom there is a different process described in the by-laws.

Management

Staff Classifications

Permanent staff may work full time or part time and may be paid a salary or on an hourly basis. Permanent staff are eligible to receive benefits as outlined in the “Benefits”

section later in this policy. Casual staff will be employed on an hourly basis. First may also contract with self-employed professionals.

Permanent Staff Members

Permanent staff have ongoing responsibilities and hours of work, and are expected:

- To work with minimal supervision;
- To have any certifications or training / education required to fulfill their employment obligations.
- Additional professional development will be supported, as appropriate.

Casual Staff Members

Casual staff members are paid on an hourly basis. They may have regular hours of work, and/or may work outside any regular hours on an as-needed basis.

Casual staff will submit a time sheet to their supervisor for approval. Approved time sheets shall be processed for payment. Casual staff pay will have vacation pay added and statutory payments (including income tax, CPP, EI) deducted.

Self-Employed Professionals

First may contract with self-employed professionals for services. Self-employed professionals will have flexibility in their work schedule, to be arranged on an on-going basis with their supervisor.

Self-employed professionals will submit an invoice to their supervisor for approval. Approved invoices will be processed for payment. Self-employed professionals may include HST costs, as appropriate. No deductions will be made from their pay.

Students on placement (student ministers etc.) and musicians are normally considered self-employed professionals.

Table 1: Staff Classifications

Position	Permanent		Casual	Self-Employed
	Salaried	Hourly		
Minister ¹	X			
MCE	X			
Intern Minister ²	?			?
Summer Minister				X
DCM	X			
DLRE	X			
Administrator	X			
Bookkeeper ³		X		Optional
Junior Bookkeeper				X
Custodian ⁴		X		

¹ Many aspects of the Intern Minister's job are detailed in the Intern Handbook published by the CUC.

² The HR Committee will confirm the status of the Intern Minister and update this policy.

³ Bookkeeper is currently permanent, hourly employee. This position may also be filled by a self-employed professional.

Position	Permanent		Casual	Self-Employed
	Salaried	Hourly		
Cleaner			X	
Senior Nursery Staff			X	
Nursery Assistants			X	
Pianist				X
Resident Musicians				X
Sound Technicians ⁵				Optional

Positions Not Covered by this Policy

This policy does not apply to lay chaplains who are governed by separate CUC and Congregational policies. This policy does not apply to self-employed individuals or individuals employed by a firm that has a service contract with the congregation, such as caretakers, bookkeepers or musicians employed by another organization. The terms of their employment are set by their service contract.

Personnel Files

A single confidential personnel file for each staff member and contractor is to be kept in a secure location under the care and control of the Executive Committee.

A personnel file can be accessed by the applicable staff member accompanied by their supervisor, or a member of the Executive or Human Resources Committees.

The file can also be accessed on a need-to-know basis by the staff member's supervisor(s), the minister, the Executive Committee and the Human Resources Committee.

The file will contain, but is not limited to:

- The application and references;
- The CPIC clearance required for the safe steps policy;
- The letter of employment / contract /agreement;
- The position description and all revisions;
- All performance reviews;
- Any disciplinary documentation;
- A record of pay rates and benefits; and
- Personal identifying information required for the administration of this policy, including: name, address, phone number, SIN, marital status, dependents, emergency contact information, changes in professional status or documentation.

The bookkeeper will only be provided with a copy of each employee's pay rate and benefit records.

⁴ First may also / has also contracted with cleaning firms to have cleaning and custodial work done.

⁵ Sound Technicians are currently volunteers. This position may also be / has also been filled by a Self-employed Professional.

Position Descriptions

Position descriptions shall be reviewed and revised as necessary. At a minimum, position descriptions shall be updated:

- Prior to beginning recruitment;
- Informally, during annual performance reviews; and
- Formally every 3 years.

Performance Reviews

Supervisors are to hold performance reviews with staff:

- Before removal of a staff member's probationary status; and
- Annually thereafter.

Performance reviews are to discuss the previous year's performance, plan for the upcoming year, help staff members meet the congregation expectations and, if necessary, to improve performance.

Reviews should:

- Be based on current position descriptions and work plans;
- Establish mutually agreeable goals and expectations for the next year; and
- Establish the staff member's annual (professional) development plan.

Prior to the review, supervisors should consider all information sources that reflect the staff member's performance. In addition to documentation and direct observations, the supervisor may consult with convenors and members of the congregation with whom the staff member has regularly worked.

The supervisor will consider these secondary comments in an appropriate manner, weighing each based on their credibility and the duration and depth of the interactions between the member and the member of staff.

Information related to the staff member's work, as set out in their position description, will be most relevant.

There should be no surprises for staff members at the end of a probation period or during the annual performance reviews. Staff members should have met with supervisors on a regular basis to discuss their work performance, and receive ongoing and timely feedback, if required.

It is recommended that each year, staff members meet with their supervisors to discuss how their work supports the mission and mandate of the congregation.

A review of the employee's job description should be done as part of the annual performance review.

Discipline

The need for application of a disciplinary process can arise in many situations, including, but not limited to the following:

General performance issues will be addressed through direct formal communications with the employee, or through the employee's regular performance review process, except when a specific performance issue is sufficiently urgent and/or substantial to warrant immediate attention and action.

Continued substandard performance, after earlier similar incidents are addressed with instructions, may also be addressed through a disciplinary process with progressive levels of consequence. The objective is to signal to the staff member a firm requirement to correct and improve their performance.

Problematic work related behavioural issues or actions will be addressed in a timely manner.

Any matter that breaks the relationship of trust and confidence between the congregation and the employee shall be addressed in an urgent and immediate manner.

By applying a disciplinary process, the congregation is better able to defend against wrongful dismissal actions, thereby limiting potential financial/reputational damage.

The appropriate progressive disciplinary steps, in order of seriousness, are:

A Supervisor may apply the following to a staff member on their own accord, based on the seriousness and/or repetitive nature of the staff member's actions.

1. Oral warning
2. Written Warning

Based on reports from a Supervisor or direct observation, more serious steps may apply in proportion to the seriousness and/or repetitive nature of the staff member's actions, with concurrence of the Executive or Human Resources Committee.

1. Suspension
2. Termination

A Supervisor may be subject to the same steps as a staff member, based on reports or direct observations with concurrence of the Executive or Human Resources Committee.

1. Oral Warning
2. Written Warning
3. Suspension
4. Termination

Nothing in this policy prevents a suspension with pay pending investigation or immediate application of a suspension without pay or termination, if the situation is of a serious and egregious nature, with the concurrence of the Executive or Human Resources Committees.

Each disciplinary step shall identify and include:

- the level of discipline applied;
- the behaviour or shortcoming;
- the corrective action required;
- a reasonable length of time in which the corrective action should be made and if in writing.

All disciplinary steps including discussion and the inclusion of documentation to the staff member's personnel file. The staff member will have the opportunity to acknowledge

having been informed of the disciplinary record being added to his or her personnel file by signing this record. If they refuse to sign, this action shall be noted on the pertinent document, which will then be placed in the employee's file.

Issue Resolution: Questions, Concerns, Complaints, Grievances and Appeals

If issues/problems arise with or for a staff member, the first attempt at resolution should be made by the immediate and second level supervisors. If the problem cannot be resolved at that level, it should be referred to the Executive or Human Resources Committees for resolution with the staff member and supervisor.

Employment-related problems are not included within the mandate of the congregation's conflict resolution process.

End of Employment

All staff members who are leaving their jobs may request a letter of recommendation or employment history/confirmation signed by the president or, in his or her absence, by other officials as specified for "Execution of Documents" in the by-laws of the congregation.

Staff-Initiated Resignation and/or Retirement

Staff can retire and/or resign their position at any time with two weeks written notice, or as otherwise established in their contract. The notice period can be shortened or withdrawn at the supervisor's discretion.

As there is no mandatory retirement age under Ontario law, retirement is the sole prerogative of the staff member.

Termination by the Employer

When the congregation terminates the employment of a staff member:

- The Board and/or the Executive Committee must authorize the termination;
- A human resources expert and/or employment lawyer should review the termination notice and advise the Board;
- The president (or, in his or her absence, other officials as specified for "Execution of Documents" in the by-laws of the congregation) shall sign the termination notice.

In most cases under the Employment Standards Act (ESA) if an employer terminates the employment of a person who has been employed continuously for three months or more, the employee must be provided with either a written notice of termination, termination pay or a combination of these (as long as the notice and the termination pay together equal the length of notice the employee is entitled to receive).

The amount of termination pay⁶ required is determined by the length of employment, not the manner in which termination occurs. It is generally equal to one week of payment for every year worked, to a maximum of eight weeks of payment.

Employer-Initiated Termination During Probation

Employers are not required to give an employee a reason why his or her employment is being terminated during the probation period. However, unless there are urgent/unusual circumstances, employees should have had a performance review during the probation period and an opportunity to correct any problems that have arisen.

Employer-Initiated Termination Due to Restructuring or Insufficient Budget

Staff members should be given an opportunity to apply for any vacant position for which they are qualified. In this case, no termination pay is paid in the event there is no break in service for the employee.

Employer-Initiated Termination For Cause

Termination for cause should normally be the last step in a process of progressive discipline or follow from a series of unsatisfactory performance reviews.

Immediate dismissal with cause is reserved for situations where a staff member has committed, based on an investigation of the underlying facts, an egregious act (e.g., theft, fraud, assault, sexual harassment, wilful neglect of duty that is not trivial and has not been condoned by the employer). Such employee may first be suspended (with or without pay) for any period required to complete an investigation and gather pertinent evidence.

Employer-Initiated Termination Without Cause

The employer may sometimes need to terminate the staff member's employment without cause, including for reasons of insufficient budget.

Notice of termination will be given as indicated here or as outlined in the contract.

Table 2: Notice of Termination

Cause of Termination	Notice Period	Pay-in-Lieu
Resignation	2 weeks	
Retirement	2 weeks	
During Three Month Probation ⁷	None required	None Required
Due to Restructuring	1 month	First's choice
For Cause	2 weeks	First's choice
Without Cause	1 month	First's choice

⁶“Termination pay” differs from “severance pay”; the latter is paid to a qualified employee who has his or her employment severed, and is different than termination pay. In 2013, to qualify for severance pay, the employer must have a payroll in Ontario of at least \$2.5 million or sever the employment of 50 or more employees in a six-month period because all or part of the business closed.

⁷ If the probationary period is extended beyond three months, termination notice or pay in lieu of notice is required.

Exit Interview

Terminating staff members may be requested to take part in an exit interview, to provide closure and help both the employee and congregation learn from their mutual experience. These interviews should be arranged at a mutually acceptable time, preferably before the staff member's last day of work.

In some cases, a follow-up communication may occur where a period of reflection generates additional or different information.

Compensation and Hours of Work

The congregation is to provide fair, consistent and competitive compensation to all employees commensurate with its status as a small employer and consistent with guidelines to be published by the CUC (upcoming in 2014).

Compensation for self-employed/service contracts should be set as part of the recruitment process, and will not be discussed in this section.

Salaries

All positions are to have defined salary ranges. To establish starting salaries, the Congregation will use salary ranges provided by the Unitarian Universalist Association (UUA) and/or Canadian Unitarian Council (CUC) where these exist, adjusted for the size of the congregation and its Toronto location.

These guidelines should be reviewed every three years and prior to commencing recruitment. Merit pay increases can be considered if/when practical, in terms of budget implications.

Cost of Living Adjustments

To keep salaries current, it is recommended that all salaries be adjusted annually for changes in the Revenue Canada Consumer Price Index (CPI). Those determining the level of cost of living adjustments should be cognizant of the currently-published UUA or CUC guidelines.

If the CPI is negative, salaries will be maintained at the previous rate until the CPI exceeds the previous level.

Acting Pay

Where a staff member is requested to do a substantial portion of the work of a position with a higher pay range for a period longer than three weeks, they should be paid the minimum rate for the higher position or 5% more than their normal salary (whichever is greater).

Benefits

All permanent staff shall have a standard benefits package commensurate with their employment status. Part time employee benefits shall be pro-rated to their normal work week.

Staff become eligible for benefits after completing the probationary period. To be eligible for benefits, staff must be scheduled to work a minimum of 20 hours per week on a regular and continuing basis.

- Extended Health Care is provided with 80% co-insurance coverage. Extended Health Care policy includes out-of-country health care, semi-private hospital and Employee Assistance Plan. Staff are advised to refer to the insurer's information document for additional details on coverage provided.
- Short-term disability coverage is offered to staff on a self-pay basis only⁸.
- Long-term disability coverage is effective after six months of the sickness/injury absence period. The benefit is 75% of salary to a maximum of \$6,000 per month, and is taxable. Staff are advised to check policy document early and apply promptly for these benefits as the timing of application for these benefits is important regarding insurer's acceptance of claims.
- Group insurance is \$25,000 Life Insurance, \$25,000 Accidental Death and Dismemberment. Also provided is spousal coverage (\$10,000 Life Insurance) and child coverage (\$5,000 Life Insurance) where applicable.
- Retirement benefit is a contribution of 2% of annual salary, payable directly to the employee's RRSP carrier.⁹
- Vision care and dental care are not provided¹⁰.
- Other benefits may be stipulated in employment contracts.
- Staff members may choose to opt out of benefit coverage.

Statutory payroll deductions will be made for permanent and casual employees. These currently include income tax, Employment Insurance and Canada Pension Plan. First pays statutory payroll requirements including, but not limited to applicable Workers' Safety Insurance Board premiums.

Coverage of professional memberships, if/when appropriate, will be limited to those required in job descriptions or undertaken at the request of the Board or Convenors.

Hours of Work

Most staff members are regularly required to work on Sundays and to have non-traditional and irregular hours as part of their normal employment. Compensation will be in accordance to the Employment Standards Act, as applicable¹¹.

- The Executive Committee and the administration convener will establish regular office hours during which time the office is staffed and open to the public.

⁸ Note to Board of Trustees: The HR Committee will explore costs and make recommendation for future coverage.

⁹ NOTE this was previously not paid to all permanent staff and is now being incorporated into Letters of Employment.

¹⁰ Note to Board of Trustees: The HR Committee will explore costs and make recommendation for future coverage.

¹¹ The Employment Standards Act does not apply to employees holding religious office. While this can be broadly interpreted to mean any employee of a religious organization, it is the intent of First to provide fair and equitable working conditions to all employees.

- Staff positions vary greatly in the need for regularly scheduled work hours. However, to the extent possible/practical, a consistent schedule should be set for each staff member. This will be established by mutual agreement between the staff member and their supervisor.
- Such schedule should include standard hours when the staff member is normally available to members, to be posted in a prominent place in the office and on the church website along with contact information.
- With the agreement of their supervisor, a staff member may vary their normal hours or work location.
- If an emergency or unexpected situation (e.g., due to weather or traffic conditions) requires a staff member to vary their normal hours or location without the prior agreement of their supervisor, the supervisor should be informed after the fact.

Flex Time and Work Location

Flexible time and work location arrangements (e.g., work from home) for professional and ministerial staff may be established, providing for enough common time to allow for collegial relationships and teamwork and for meeting the needs of the congregation.

Overtime

Full-time employment is as set out in each staff member's employment contract.

- Overtime work should be approved by the supervisor in advance, except in emergency situations.
- Written agreements may be made that allow for staff members to receive paid time off work instead of overtime pay ("bank" time, or "time off in lieu").
- Staff members required to work overtime in one pay period should normally be compensated by time off in a succeeding period. This is to be arranged by mutual agreement between the staff member and their supervisor. Time off should be taken within three months of the overtime being earned.
- Applying financial compensation for overtime worked is the employer's option and must be approved by the Executive Committee, except where legislated by the Employment Standards Act (Appendix B).
- Overtime above a staff member's contracted hours but below the provincial threshold (generally 44 hours/week) should be compensated (whether by lieu time or payment) at straight time (1:1). Overtime above the provincial threshold should be compensated at time-and-a-half (1:1.5).

Statutory Holidays

Staff members who are required to work on a statutory holiday as part of their regular employment will be compensated by time-in-lieu at the earliest, mutually convenient time and within three months of the holiday.

Staff Hours during Christmas Period

The office will be closed to the public between Christmas and New Year's Day. This is to be treated as a regular work week. If staff have lieu time owing, they are encouraged to take it during this period, provided that all appropriate support is available for Sunday service during this time (for example, all services are planned, the order of service is

prepared, RE classes are set up, music rehearsals have been held, etc.) Staff may work from home if appropriate but must be available for emergencies during this period.

Leaves

Sabbatical Leaves

[Policy Approved by the Board of Trustees on October 14, 2015]

First understands and accepts the need to ensure continuity, retention and the full actualization of its qualified staff. Sabbatical leave provides staff with time and support to engage in activities designed to renew, revitalize and expand their personal and professional growth to more fully serve the community.

The Minister, Director of Congregational Music (DCM) and Director of Lifespan Religious Education (DLRE) are entitled to sabbatical leaves, in recognition that these individuals inspire and lead key parts of our continuing mission.

Effective January 1, 2016, the Human Resources Policy is amended to provide Sabbatical Leave to the following staff members in addition to the Minister:

- Director of Congregational Music (DCM)
- Director of Lifespan Religious Education (DLRE)

In recognition of past service, the incumbent DCM and DLRE are deemed to have six months of accumulated sabbatical leave.

General approval requirements for sabbatical leave

Approval of a sabbatical leave is conditional on the continuity of services, without expenditure of significant added funds.

The best ways to attain these conditions will be a key part of discussions with the staff member requesting leave. In recognition of this requirement, the staff member should be prepared to suggest the best approach to provide these services.

Application of Sabbatical Leave

Sabbatical leave formulation and discussions are governed by the following terms and conditions:

1. Sabbatical leave will require the approval of the executive committee. Approval will not be unreasonably withheld.
2. The executive committee and the staff member will endeavour to conclude a mutually agreed framework for the leave, subject to the conditions present at the time the leave is requested.
3. Discussions to develop the framework for a sabbatical leave may be initiated by the executive committee, or the staff member. Sabbatical leave may also be part of a staff member's performance review discussions.

4. All parties involved will engage in such discussions in good faith.

Without limiting the generality of considerations that may arise at the point of discussions, the parties will address the following items, which shall be included in a written agreement to document and define the terms of the leave:

1. The duration of the leave;
2. Any expectations on the part of First that will apply to the staff member's renewal and developmental activities during the leave;
3. The goals the staff member has set for themselves, which include the goals of renewal and personal development;
4. A commitment that the paid time provided will primarily be used for renewal and development activities; and
5. A commitment of the staff member to serve First for a period of at least 12 months after their sabbatical leave.

The duration for any given sabbatical leave may vary, however, the leave will normally be for a period of more than one month and less than six months.

Other Conditions of the Leave

Sabbatical Leave will be considered time worked, except if otherwise set out in this policy.

1. The period of the sabbatical leave will be paid in the same manner as time worked, so a staff member will continue to receive their normal salary, with all applicable deductions.
2. The staff member will continue to accumulate vacation time and other continuous service based rights and benefits while on sabbatical leave.
3. The staff member's activities while on sabbatical leave will not be considered a period of work or "in the course of their employment" in respect to the Workers Compensation Act. Accordingly, an accident or illness occurring during the leave will not be subject to Workers Compensation coverage.
4. If, during the sabbatical leave, the staff member develops a medical condition that would otherwise prevent performance of their normal work, long term disability insurance will apply. The regular process for documenting such illnesses/condition will also continue to apply. Approved disability leave will thereby apply so as not to reduce the staff member's accumulated sabbatical leave time. This condition will not, however, extend the period of the leave beyond the pre-established return date, unless specifically requested by the staff member and subsequently approved by the executive committee.

Earning and using a sabbatical leave

1. The sabbatical leave period will be accumulated at the rate of one month of leave for each year of continuous service.
2. A staff member will be eligible for sabbatical leave after completing their fourth consecutive year of continuous service.

3. A staff member is expected to use some or all of their accumulated sabbatical leave, so their total accumulation does not exceed six months.
4. A period of sabbatical leave, not used at the point a staff member's employment terminates, will not be paid out to the staff member at termination.

Post sabbatical leave discussion

1. A discussion will take place between the executive committee and the staff member after the leave. The discussion will review the activities engaged in by the staff member during the period and generally examine the effectiveness of the leave.
2. The staff member may present recommendations for improvements to the programs and activities under their mandate or otherwise comment on the effectiveness of the sabbatical leave.
3. The executive committee may, as part of their review, consult with individual(s) who provided services during sabbatical leaves.

Vacation and Other Leaves

All staff shall have a leave entitlement commensurate with their employment status. The details of each staff member's leave entitlements are to be stipulated in their employment contracts. The bookkeeper maintains the records of vacation and other leaves taken by the staff.

Vacation time and other leaves are as outlined below, unless negotiated differently in staff contracts.

Vacation or illness leave will be credited at the beginning of the year but earned monthly. When a staff member leaving their job does not work a complete year, their leave time in the final year will be prorated:

- Days earned but not taken will be paid out in the staff member's final pay; and
- Days taken but not earned will be deducted from their final pay.

New staff members will have their vacation and illness leaves prorated for the time worked in the current year and credited at the successful completion of the probationary period.

Except in emergencies, all leaves must be scheduled ahead of time by mutual agreement between the staff member and their supervisor; such agreement should not be unreasonably withheld. Requests for vacations and other absences, including unpaid leaves of absence, should:

- be submitted in writing to the supervisor, and made in consultation with other staff and supervisors prior to taking the time; and
- not scheduled during the staff member's busiest times during the church year.

Vacation leave will be applied in accordance with the following:

1. Vacation leave will be scheduled in accordance with these policies, during the same calendar year that the vacation period is credited, however, upon the

request of the staff member and consent of the supervisor, up to one (1) week of vacation may be carried into the next year.

2. Except in the case of a vacation deferral, as noted in (1), vacation leave which could not be scheduled within the required period will be paid out at the end of that year.
3. Exceptions to these policies will require the approval of the supervisor and Human Resources Committee or other board designate and shall not form a continuing practice for any employee.

Staff receive 15 days of paid sick time annually; which is pro-rated for part-time employees:

- Staff are asked to provide an hour of advance notice, or more when possible, to their supervisor before taking sick leave, especially if their shift must be covered by someone else (i.e., to open and staff the office or to clean the building);
- Sick days not taken in one year will not be carried into the next year nor shall they have a cash value thereafter; and
- The executive committee may ask for a doctor’s note to validate use of sick leave.

Paid bereavement leave of three paid days can be taken when there has been a death in one’s family.

Personal leave can be used for compassionate reasons, family care, family responsibility, or other personal reasons.

Table 4: Leaves

Leave	Permanent	Casual
With Pay		
Sabbatical	Minister, DCM, DLRE	
Vacation	Y	
Illness	Y	
Bereavement	Y	
Without Pay		
Maternity, Adoption and Parental leave – covered by EI	Y	Y
Court (Jury) Duty	Y	Y
Personal	Y	

Professional Development and Study Time

The time required for professional development activities should be considered as part of the staff member’s regular work hours. Where these activities happen outside their normal work hours, time in lieu shall be granted on a straight time basis (1:1).

- Professional development activities should be agreed to in advance, as part of a staff member’s performance review.
- A staff professional development budget should be established as part of the annual budget process.

- Study time, as outlined in employment contracts, will be given in addition to professional development activities.

Staff Members' Expenses

Staff members are entitled to be reimbursed for all reasonable costs incurred for doing the work of the congregation.

Interview Costs

Candidates' expenses to attend an interview for a professional position shall be paid at the cost of the most economical means, balanced by practical considerations.

Moving Costs

Except for the Minister, new staff members are not compensated for the cost of moving to Toronto to assume a position with the congregation.

- Ministers' reimbursement for the cost of using a vehicle to move is permissible up to the cost of the most economical alternative (balanced by practical considerations) as stated below under "Transportation".
- Exceptions must be approved by the Executive Committee.

Transportation Expenses

Transportation expenses should be paid at the cost of the most economical, reasonable means.

- Compensation for the use of a personal vehicle should be at the rate set by Revenue Canada or the cost of most economical means balanced by practical considerations.
- Expenses for getting to work at the usual location, or another location for which travel expenses are less, are not eligible for reimbursement.

Personal Devices

Computers

With the supervisor's agreement, if a staff member chooses to use their own computer instead of the congregation's computer, the staff shall be entitled to reimbursement. The amount shall be set by the treasurer in consultation with the Board of Trustees, as part of the annual budget process. The computer remains the property of the staff member at all times.¹²

All personal computers paid for (in whole or in part) through this agreement must have widely recognized anti-virus and firewall software and office software fully compatible with the congregation's network. The standards applicable will be determined by First.

All work-related files on personal computers paid for (in whole or in part) through this agreement must be backed-up to the congregation's back-up system on the congregation's schedule.

¹² The HR committee, along with treasurer and finance convenor, need to determine the best way to manage this (from a tax perspective / benefit perspective). HR Committee will make a recommendation as part of the 2017 budget. It may be a set dollar value payable on receipt of a copy of the staff member's paid invoice for their computer.

The staff member will immediately notify First if there is a loss of the computer or any loss or corruption of First's data.

When leaving employment with First the staff member will delete and bleach all data files related to First from their computers. This process will be subject to certification by First. To complete the process the computer may be subject to examination by a third party, with any costs associated paid by First.

Mobile Phones

All staff required to have a mobile phone linked to the congregation's phone system shall be entitled to reimbursement. To receive this reimbursement, a copy of the staff member's phone bill must be provided to the bookkeeper. The reimbursement amount shall be set by the treasurer in consultation with the Board of Trustees, as part of the annual budget process. The phone remains the property of the staff member at all times. ¹³

Other Employment Conditions

Intellectual and Creative Property

All data and creative materials **commissioned and paid for** by the congregation remain the property of the congregation. Notwithstanding this, staff members have perpetual use of the creative materials.

Ministers and interns own their creative materials and the congregation has perpetual use.

Confidentiality

All staff are responsible for maintaining confidentiality of information, in whatever format it is transmitted or stored. This may be oral, hard copy, or virtual (e.g., e-mail, USB sticks, laptops used in meetings or removed from the building).

Conflict of Interest

Staff members must declare all situations where they have, or could reasonably be perceived to have, a conflict of interest.

Speaking on Behalf of the Congregation

Speaking Internally

When speaking in the congregation or at other Unitarian gatherings, staff members may speak as experts on matters within their area of responsibility but should not express an opinion on congregational or denominational policies. Personal opinions should be stated as such.

¹³ HR committee is exploring this cost and will make a recommendation as part of the 2017 budget.

Speaking Publicly

Only the president of the Board of Trustees, or designate, may speak (or write) for the congregation.¹⁴ A staff member may be so designated from time to time. A staff member may also be authorized to speak as an expert on a program within their normal area of responsibility.

Staff members should not highlight their association with the congregation while speaking in public on public issues.

Accommodation of Religious Freedom and Observances

Staff members other than the minister(s) and other ministerial staff members do not need to be Unitarian Universalists.

Staff members are entitled to reasonable accommodation to engage in their spiritual practice.

- Those of other faith traditions may request time off work in order to observe holidays of those faith traditions. Approval for this time off will not be unreasonably withheld.
- Days off taken for this reason shall be charged to the staff member's personal or vacation leave, as they choose. They may work time in lieu, if approved by their supervisor.

Staff Covenant

Staff members are encouraged to review the staff covenant at appropriate intervals.

¹⁴ The Congregation's by laws state:

(ii.) The Minister(s)'s Freedom of the Pulpit

The Congregation affirms the freedom of the pulpit as follows:

a. Freedom of the pulpit is a fundamental premise of our Denomination and of this Congregation. Every Minister, when in the pulpit or expressing the Minister's views through other established channels of communication or through personal witness, must be accorded freedom to speak the truth as he or she understands it.

b. By the same token, the Minister(s) must be free to conduct other aspects of the Ministry, such as counselling, according to the best experience and insights of the Minister(s), and in accordance with the ethical standards of the Unitarian Universalist Ministers Association (UUMA), and with due regard to national and provincial laws.

c. The Minister(s) speak personally and does not speak either for the Congregation or for its members. The Minister(s) is also free to identify herself/himself as the Minister of this Congregation and to refer to the principles and sources of our living tradition and resolutions of the Congregation, the Canadian Unitarian Council, or both.

(As Amended May 31, 2015)

Online and Social Media Communications

(Hereafter to be named “on-line communications”)

APPLICABLE TO STAFF AND LEADERSHIP

Covenant

1. Acceptance and practice of this Covenant is the foundation for our congregation’s on-line communications. It applies to all members and staff, including long-term contract employees. In addition, the terms and conditions set out in Section 3 will apply to the individuals identified in that section.
2. Unitarians gather in community with shared understandings, expectations, and codes of conduct to nurture the positive, with respectful and satisfying relationships that characterize a healthy congregational culture. On-line communications form a significant part of our community’s interactions. We therefore consent to and accept measures that ensure our on-line communications are clearly understood and accepted as intended.
3. We recognize that our on-line communications, due to media limitations, can have a unique impact when compared to more fulsome face-to-face or vocal communications. With the absence of vocal tone and body language, on screen messages can be harsher and less indicative of our true intent. We will therefore commit to adjust our on-line voice to assure our on-line communications are clearly stated, received and understood. We will also reserve communications about sensitive matters, debates and disagreements to better suited communication channels.
4. We know that the wider community, including members, friends, and visitors of First Unitarian share in our on-line community. As a result, we will, in on-line communication avoid intentional debates on matters which are sensitive to the congregation. Instead, we agree to direct questions or comments about such matters to the appropriate person or committee for resolution. This direct referral will reduce the risk of misunderstanding.
5. We will call on one another to present our best selves by the way we use on-line communications. To avoid being subsumed in a digital world, we will strive to build greater understanding and more meaningful connections with one another.

General Expectations and Standards

1. While on-line communications will comply with the Covenant, acceptance and practice of the following standards will be specific measures of the appropriateness of on-line communications, both sent and received:
 - Is respect and reason present in our on-line communications?
 - Is the appropriate tone and language used in on-line communications?

- Is the on-line communication unnecessarily aggressive and/or argumentative, rather than being explanatory, clear and communicative?
- Is the on-line communication, based on reasonable standards and analysis, aggressive, confrontational or disruptive to activities and/or relationships within the Congregation?

(Note: Other reasonable specific measures may be added if necessary.)

2. We will respect someone who notes that we have not chosen an appropriate communication medium for particular topics. Should this feedback be received, the originator of the communication will contact that person directly to resolve the matter through off-line discussions.
3. We recognize that if an authorized on-line moderator receives a complaint or observes postings which do not meet the shared norms set out in this policy, they have the authority to remove the postings.
4. The moderator will, in addition to (3) above, have the authority to deny a specific originator access to the email group or on-line forum provided appropriate warnings have first been issued. It is understood that in an extreme case denial of access may take place without warning.
5. The moderator will advise the Executive Committee of all denials or removed postings, in a manner and schedule determined by the Executive Committee.
6. A record of all warnings, posting deletions and denials will be retained.
7. An individual denied access may be reinstated when they have agreed to reasonable measure intended to assure they will abide by this Covenant in the future. Reinstatement and the terms applicable will be determined by the Executive Committee.

Expectations and Standards Applied to Employees and Lead Volunteers

Preamble

Social media tools are powerful channels of communication that often invite audience participation in a conversation. (Examples include, but are not limited to, Facebook, Twitter, LinkedIn, YouTube, Flickr, Instagram, Snapchat and blogs.)

This section sets out additional standards for social media and on-line communications for the staff and lead volunteers listed below, given the potential adverse impact of on-line communications on individuals and the Congregation's reputation; its financial and legal position; and its ability to conduct its affairs.

These terms and conditions are a condition of employment for staff, as well as a condition for the continued engagement of volunteers for the positions they hold.

Application

Our Ministers (note policy on the voice of the Minister)	President of Board of Trustees (note policy on role as official Spokesperson)
Director of Lifespan Religious Education	All Other Board Members
Director of Music	Secretary of the Board
Administrator	All Convenors including Chief Convenor
Long-term contract staff	

Requirements and Conditions

- 1) All posts will reflect the values and high standards of integrity of our congregation.
- 2) First Unitarian's Privacy and Confidentiality Policy will apply. Confidential information includes details about current projects, software, finances and personal information (e.g. personal contact information, photographs, financial and medical information) regarding staff, board members, volunteers and other people involved with First Unitarian.
- 3) When posting, designated individuals will be mindful of laws governing copyright and fair use of copyrighted material. This includes First's publications and logos. Quoted text will be attributed to it's original source.
- 4) People who follow the social networks of those designated will not always see the distinction between a that individual's personal life and their role at First Unitarian. Therefore, designated persons must carefully consider the content they post in any of their social media channels.
- 5) When a personal opinion is posted this will be clearly noted. If designated, as a representative of First, or if First is mentioned on any personal blog or social network, the statement will start by noting that what follows is the individual's personal blog with the ideas, opinions, conclusions, and other content expressed therein not necessarily being a reflection of the policies or views of First Unitarian.
- 6) All social media use must adhere to First Unitarian's Safe Steps Policy, which strives to provide a safe environment for children, youth and vulnerable adults. Those covered by this policy involved in on-line communication with persons under 18, shall:
 - a. Send emails to youth only if parents are copied;

- b. Whenever possible, send group texts rather than individual texts; copy another involved volunteer or staff member on all texts with youth;
 - c. Ensure texts are short and informative, relate only to upcoming or recent events, and require yes or no answers; do not send chatty texts;
 - d. Use a Facebook group, rather than friending individual youth;
 - e. Whenever possible, communicate directly with youth only with the consent of parents;
 - f. Never post photos of youth without explicit parental consent.
- 7) Those designated must not post material that is illegal, obscene, defamatory, profane, libellous, threatening, harassing, abusive, ridiculing or hateful to another person or group of persons or another organization. First Unitarian's Anti-Harassment Policy applies to all on-line and off-line communications.
- 8) The Terms of Use guidelines for every social platform will be respected.
- 9) First Unitarian staff time and technology are reserved for congregational activities. The stewardship of resources is extremely important. Personal social media activities should not interfere with work commitments.

Compliance

Non-compliance with this Policy could lead to disciplinary action, up to and including the termination of an individual's employment or volunteer relationship with First Unitarian. Principles of fairness and due process will apply.

Appendices

Appendix A: The First Unitarian Congregation of Toronto	32
Appendix B: Relevant Legislation	33
Employment Standards Act (ESA), 2000	
Occupational Health and Safety Act, 1990	
Accessibility for Ontarians with Disabilities Act (AODA), 2005	
Pay Equity Act, 1990	
Workplace Safety and Insurance Act, 1997	
Ontario Human Rights Code, 1990	
Canadian Charter of Rights and Freedoms, 1982	
Appendix C: Organization Chart	Error! Bookmark not defined.

Appendix A: The First Unitarian Congregation of Toronto

Ours is a congregation rooted in Unitarian Universalist (UU) values, as stated in our principles and purposes. Within this enduring community, each individual is free to grow personally and in spirit. We strive together to nurture a caring, inclusive, vibrant congregation and to contribute to a better world.

The First Unitarian Congregation of Toronto welcomes into our religious community all who seek to embrace UU values. Bringing together individuals with differing needs, gifts and beliefs, we are inspired and encouraged to live life as an expression of our common values.

We do this by creating an environment and opportunities for:

- Contemplation and celebration;
- Loving interactions with one another;
- Lifelong learning; and
- Engagement in social action, together or individually.

UU Principles

As UUs we covenant to affirm and promote:

- The inherent worth and dignity of every person;
- Justice, equity, and compassion in human relations;
- Acceptance of one another, and encouragement to spiritual growth in our congregations;
- A free and responsible search for truth and meaning;
- The right of conscience and the use of the democratic process within our congregations and in society at large;
- The goal of world community with peace, liberty, and justice for all; and
- Respect for the interdependent web of all existence of which we are a part.

Appendix B: Relevant Legislation

Employment Standards Act (ESA), 2000

The ESA provides the minimum standards for working in Ontario. It sets out the rights and responsibilities of employees and employers in Ontario workplaces.

The ESA covers a wide range of employment standards including:

- Minimum requirements for workplaces;
- Provisions to assist employees with family responsibilities;
- Increased flexibility in work arrangements; and
- Mechanisms for compliance and enforcement.

A key requirement of the ESA is that employers must display the poster “What You Should Know About The Ontario Employment Standards Act” in a place where it is likely to be seen by staff members. The poster is available on the Ministry of Labour’s website at http://www.labour.gov.on.ca/english/es/pubs/poster.php#get_poster.

The ESA also sets out rules about overtime pay for employees. The ESA should be consulted when determining overtime pay:

- For most employees, overtime begins after they have worked 44 hours in a work week.
- An employee does not earn overtime pay on a daily basis by working more than a set number of hours a day. Instead, overtime is calculated on a weekly basis or over a longer period under an averaging agreement.
- An employee and an employer can agree **in writing** that the employee will receive paid time off work instead of overtime pay. This is sometimes called “banked” time or “time off in lieu.”
- If an employee has agreed to bank overtime hours, he or she must be given 1.5 hours of paid time off for each hour of overtime worked, as defined above.
- Paid time off must be taken within three months of the week in which the overtime was earned or, if the employee agrees in writing, it can be taken within 12 months.

Note that no staff member can agree to waive or give up his or her rights under the ESA. Note, too, that the ESA does not apply to certain individuals and persons or organizations for which they work, including people who hold religious offices. It is the intent of the congregation’s human resource policies to provide working conditions for our employees who are not covered by the ESA that are similar to those who are covered by the legislation.

Occupational Health and Safety Act, 1990

The Occupational Health and Safety Act (OHSA) gives Ontarians with the legal framework and tools to achieve the goal of a healthy and safe workplace. It sets out the rights and duties of all parties in the workplace. It establishes procedures for dealing

with workplace hazards and it provides for enforcement of the law where compliance has not been achieved voluntarily by workplace parties.

Under the OHS Act, employers are required to post the Act and any explanatory material prepared by the Ministry, which includes a poster, in the workplace. The poster must be displayed in English and the majority language of the workplace. The poster can be downloaded from the Ministry of Labour's website at:
<http://www.labour.gov.on.ca/english/hs/pubs/posterinfo.php>

Accessibility for Ontarians with Disabilities Act (AODA), 2005

The Act lays the framework for the development of province-wide mandatory standards on accessibility in all areas of daily life. Ontario now has accessibility standards in place in five areas: customer service, employment, information and communications, transportation, and design of public spaces.

More information about the Act, and our obligations for compliance, can be found at http://www.mcsc.gov.on.ca/en/mcsc/programs/accessibility/understanding_accessibility/

Pay Equity Act, 1990

The Pay Equity Act ensures that women and men receive equal pay for performing jobs that may be very different but are of equal value.

The Employment Standards Act, on the other hand, has provisions that ensure women and men receive equal pay for performing substantially the same job.

Workplace Safety and Insurance Act, 1997

The Workplace Safety and Insurance Act (WSIA) provides the Workplace Safety and Insurance Board (WSIB) with its mandate to:

- Promote health and safety in the workplace;
- Facilitate return-to-work and recovery from workplace injury or illness;
- Facilitate the re-entry into the labour market for injured workers and the spouses of deceased workers;
- Provide compensation and other benefits to workers and the survivors of deceased workers; and
- Collect premiums to fund Ontario's workplace safety and insurance system.

The WSIA includes a number of regulations that provide detailed rules, restrictions or instructions for specific issues related to the WSIA. The Workplace Safety and Insurance Board's website at www.Benefitsbenefits.on.ca gives detailed guidance for employers and workers on their responsibilities, which include registering an organization, preventing injuries and illnesses, reporting a workplace-related injury immediately, and managing a claim.

Ontario Human Rights Code, 1990

The Ontario Human Rights Code provides every Ontarian with the right to equal treatment, free from discrimination and harassment, in employment, accommodation, goods, services, facilities, contracts and membership in vocational associations.

The Code prohibits discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex (including pregnancy and gender identity), sexual orientation, disability, age (18 and over, 16 and over in accommodation), marital status (including same sex partners), family status, receipt of public assistance (in accommodation) and record of offences (in employment).

Canadian Charter of Rights and Freedoms, 1982

The Charter is founded on the rule of law and entrenches in the Constitution of Canada the rights and freedoms Canadians believe are necessary in a free and democratic society. It recognizes primary fundamental freedoms (e.g. freedom of expression and of association), democratic rights (e.g. the right to vote), mobility rights (e.g. the right to live anywhere in Canada), legal rights (e.g. the right to life, liberty and security of the person) and equality rights, and recognizes the multicultural heritage of Canadians. It also protects official language and minority language education rights. In addition, the provisions of section 25 guarantee the rights of the Aboriginal peoples of Canada.