



Municipality of the County of
Cumberland

EMPLOYEE POLICY HANDBOOK

October 2024

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PART 1 - Introduction

I. Overview

The purpose of this Personnel Policy is to document the personnel practices and policies of the Municipality of the County of Cumberland and to ensure that there is a clear understanding of the terms, conditions and requirements governing employment with the Municipality. The Municipality aims to provide a fair and equitable working environment for its employees.

Employees must meet the standards and expectations set out in this Handbook. Any breach of those standards or expectations may be treated as misconduct and is subject to discipline up to and including termination, as described in the Progressive Discipline section of the Handbook. The requirements in this Handbook are intended to complement the requirements of applicable labour laws, not replace them.

This Handbook supersedes all prior handbooks and policies.

In this Handbook, unless the context otherwise requires:

- a. "CAO" means the Chief Administrative Officer of the Municipality of the County of Cumberland;
- b. "Complainant" means an employee, volunteer or any person doing business on behalf of the Municipality, that submits a complaint to a member of the Municipality's management staff;
- c. "Complaint" means a formal statement, submitted to management in writing, that describes allegations of treatment in violation of this Handbook, including violence, harassment, discrimination, disrespect or unfair treatment by management, co-workers, volunteers, Members of Council or persons doing business on behalf of the Municipality;
- d. "Corrective Action" has the meaning ascribed to it in the Respectful Workplace Policy (Part 8 of this Handbook).
- e. "Council" means the Council of the Municipality of the County of Cumberland;
- f. "Director" means the Director of Public Works, the Director of Finance, the Director of Development and Planning, the Director of Recreation and Community Services, the Director of Protective Services, the Deputy CAO or any other position at a director level, present or future, as the case may be;
- g. "Employee" means anyone employed by the Municipality in a full-time, part-time, seasonal, casual, or temporary role. Volunteers, committee members, and contracted services may be included in individual policy areas, as necessary.
- h. "Human Resources Generalist " means the Human Resources Generalist of the Municipality of the County of Cumberland;
- i. "Management" means the CAO, Deputy CAO, and Directors;
- j. "Municipality" means the Municipality of the County of Cumberland

- k. "Overtime" means hours worked in excess of normal work hours for which an employee is entitled to compensation in the form of pay or time off in lieu;
- l. "Substantive Position" means the employee's permanent position of employment; and
- m. "Supervisor" and "Manager" mean the person to whom the employee directly reports.

II. Application

The policies contained in this Handbook form the terms and conditions of employment with the Municipality. Further employment details will be contained in the respective letters of offer for each employee.

Where an employee is subject to the terms of a Collective Bargaining Agreement, the terms of the Collective Bargaining Agreement supersede the rights and provisions provided for in this Handbook only to the extent the terms of this Handbook are inconsistent with the terms of the Collective Bargaining Agreement.

III. Management Rights and Responsibilities

Management is responsible for the implementation, administration, and interpretation of this Policy. Every effort shall be made to ensure that the Policy is applied in a timely, consistent, fair and equitable manner.

IV. Compliance with Workplace Laws

The Municipality complies with all laws governing the workplace. Our goal is to create an environment where employees know their rights and feel secure in exercising them. To that end, all employees and members of management are prohibited from interfering with or retaliating against an employee who exercises their legal rights in good faith. Any employee who feels they have experienced such reprisal should report the incident to the Human Resources Generalist.

Employees must not attempt to exercise workplace rights in bad faith, maliciously, or without a reasonable basis. Such attempts, as well as acts of reprisal for exercising rights in good faith, are serious acts of misconduct as described in the Progressive Discipline section of this handbook.

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members of Intent to Consider (7 days minimum): September 18, 2024

Date of Passage of Current Policy: October 2, 2024

I certify that this Policy was adopted by Council as indicated above.



Clerk

October 17, 2024

Date

PART 2 - Confidentiality

I. Policy Objective

To outline the Municipality's commitment to protecting personal privacy and confidential information by ensuring all Municipal employees are aware of their responsibilities and expectations regarding confidential information they are exposed to during their employment.

II. Policy

Protecting the privacy and confidentiality of information received by the Municipality is an important aspect of the Municipality's operations. The Municipality collects a variety of private and confidential information related to its business, finances, plans, citizen concerns, inquiries and information received from outside parties such as government agencies and private businesses. Collecting, using, and disclosing confidential information in an appropriate, responsible, and ethical manner is fundamental to the Municipality's daily functions.

The Municipality strives to protect and respect the personal information of its residents, employees, business partners, and so on in accordance with all applicable provincial and federal laws, while at the same time ensuring that the public has access to appropriate Municipal information to which they are entitled to under the *Freedom of Information and Protection of Privacy* provisions at Part XX of the *Municipal Government Act*.

All staff members are required to sign a Declaration of Confidentiality upon hiring or, in the case of those already employed, upon the adoption of this Policy. Such Declaration is found at **Schedule "A"** to this Handbook.

Confidential information includes, but is not limited to:

- Name, address, email and telephone number lists;
- Any personal information pertaining to the Municipality residents and visitors;
- Medical histories;
- Medical test results, etc.;
- Labour relations issues;
- Human resources planning and other personnel matters;
- Payroll information;
- Contract negotiations;
- Litigation or potential litigation;
- Legal advice eligible for solicitor-client privilege;
- Acquisition, sale, lease and security of municipal property;
- Public security; and
- Any information, or documentation labelled "Confidential" by the Municipality or listed as such by separate memorandum, or e-mail that informs of confidential status

The above list is not exhaustive. Any employee who is unsure whether information is confidential should always check with the employee's Director before disclosing the information.

Employees must treat all confidential information as strictly confidential both during employment and after employment with the Municipality ends. Employees may only use confidential information to fulfil their employment obligations. Confidential information may not be used for any other purpose.

III. Nondisclosure

In working for the Municipality, employees shall not divulge, disclose, provide or disseminate confidential information to any third party not employed by the Municipality at any time, unless written authorization is provided by the Municipality. Furthermore, confidential information shall only be used by authorized employees for the purposes for which it was collected.

IV. Access to Information

The Municipality is subject to the Freedom of Information and Protection of Privacy provisions at Part XX of the Municipal Government Act, which require the Municipality to disclose documents or other records in certain circumstances in accordance the procedure described in Part XX.

Any employee who receives a request from a person not employed by the Municipality for documents or other records that are not in the public domain must refer that request to the Municipal Clerk, who will deal with that request in accordance with Part XX of the Municipal Government Act.

V. Municipal Property

Upon termination of employment with the Municipality, employees shall promptly return (without duplicating or summarizing), any and all material related to the Municipality's business in their possession. This includes but is not limited to: all residents' information (charts, lists, etc.), physical property, documents, keys, electronic information storage media, manuals, letters, notes and reports.

VI. Legal

The requirements of this Policy do not supersede any legal obligation to provide information when required to do so by a court of law.

PART 3 - Recruitment and Employee Classification

3.1. Hiring Authority

I. Council

Council has the responsibility and authority to hire the Chief Administrative Officer (CAO) and to negotiate the terms of their employment. Council may engage third parties to assist in this hiring process.

II. CAO

The CAO has the responsibility and authority to hire Directors. A committee selected by the CAO is responsible for the review of applications and interviewing candidates for Director Positions. The CAO may engage third parties to assist in this hiring process.

III. Directors

The applicable Director shall make a hiring recommendation to the CAO. A committee comprised of the applicable Director, Human Resources Generalist, and other staff selected by the Director or Supervisor is responsible for the review of applications and interviewing candidates for these positions. This committee shall be approved by the Deputy CAO.

IV. Human Resources Generalist

The Human Resources Generalist, in consultation with the appropriate Director and Manager/Supervisor, has the responsibility for the administration of the hiring process including advertising, applications receipt and review, interview questions and scheduling, and all internal and external communications.

3.2. Hiring Practices

It is and shall be a continuing practice of the Municipality to conduct recruitment and hiring practices in compliance with the Nova Scotia *Human Rights Act*, including providing required accommodations, up to the point of undue hardship. For further information on the Municipality's commitment to accommodation, diversity and inclusion, please refer to Part 10 of this Handbook.

The Municipality welcomes applications from Indigenous People, African Nova Scotians and other Racially Visible Persons, Persons with Disabilities and Women in occupations or positions where they are under-represented. Members of these equity groups are encouraged to self-identify on their applications.

The Municipality will also provide the opportunity for employee advancement for qualified and capable existing employees to fill vacancies for certain positions. Specifically:

- a. Vacancies for all positions shall be open to all qualified applicants, unless otherwise superseded by articles of the Collective Agreement for unionized employees
- b. In all cases, selection of a successful applicant shall be based on education, training, experience, ability, competence, attitude, and character.

- c. Current employees that fill vacancies shall be required to complete a 3-month probationary period. Assessments will be held before the end of the 3 months or more often at the request of the employee or applicable Director or Supervisor. Employees that successfully complete the probationary period shall be reclassified as permanent in the new position. If, at any time during the probationary period, either the employee or the Supervisor is of the opinion that it would be in the best interest of the employee and/or the Municipality, the employee shall return to their prior substantive position or, if that position is no longer available, a similar position.
- d. Where vacancies are not filled by an existing employee, the new employee shall be subject to a 6-month probationary period as set out in 3.3 below. Performance Assessment for these new employees will be held before the end of the 6 months or more often at the request of the employee or applicable Supervisor.

Relatives and friends of Council members and employees who apply for employment with the Municipality will not be favoured or discriminated against. Council members and existing employees are not permitted to contact members of a selection committee regarding a particular applicant. Councillors and staff that have friends and/or relatives applying for a position are not permitted to participate in the hiring process. If an applicant provides the name of a Council member and/or existing employee as a reference, that applicant will be requested to provide an alternate reference.

Council Members and employees directly involved in the hiring process must be knowledgeable of and abide with the provisions of the *Municipal Conflict of Interest Act*. It is the responsibility of each individual to notify the CAO immediately if they are of the opinion they might be in a conflict.

3.3. Probationary Period

All new employees shall be on probation for at least the first six months of their employment with the Municipality.

A probationary employee's Supervisor and the Human Resources Generalist will complete a performance assessment at the end of their probationary period and make one of the following recommendations to the Deputy CAO

- a. the probationary employee be reclassified as a permanent employee;
- b. the probationary employee be dismissed at or prior to the end of the probationary period; or
- c. the probationary period be extended for an additional term of not more than six months.

If, at any time during the probationary period, either the employee or the Supervisor is of the opinion that it would be in the best interest of the employee and/or the Municipality, the employee or the Municipality may terminate the employee's employment without notice, pay, or damages in lieu thereof, except to the minimum extent required by the Nova Scotia *Labour Standards Code*.

3.4. Employee Classification

The Municipality's employee classification system includes the following documents:

1. a listing and number of approved positions;
2. salary scales; and
3. hourly wage rate schedules(s).

Council has the responsibility and authority to approve the classification system.

Salary increments for the CAO will be outlined in the CAO's contract

The authority to approve changes to position descriptions and employee classification definitions rests with the CAO. The Human Resources Generalist has the responsibility for maintaining and drafting revisions to the position descriptions.

PART 4 - Performance Management

4.1. General Work Standards

The Municipality expects its employees to devote efforts during working hours to employment responsibilities.

Personal non-medical appointments must not be made during work hours unless the time has been properly booked as time off in lieu or vacation. Employees approved for a compressed work week are encouraged to schedule personal appointments on their days off.

The Municipality expects that during working hours personal phone calls and e-mail will be kept to an absolute minimum, both in number and duration. The Municipality may exercise its right to monitor this activity and take action to ensure employees meet this expectation.

The Municipality also expects that personal use of the internet and social networking sites during working hours will be kept to a minimum. The Municipality may exercise the right to monitor this activity and may take action including prohibiting or preventing access if it is believed an employee is not meeting the Municipality's expectation.

No employee shall volunteer or allow themselves to be nominated for any position with an outside organization or committee, including professional organizations to which they belong as part of their employment, which will require any commitment during work hours or use of Municipal resources, without the prior written authorization of the applicable Director. Any current appointments must be approved prior to renewal.

4.2 Performance Management and Professional Development

The Municipality is committed to continuous employee performance management and development. This process is intended to enhance the effectiveness and efficiency of the organization and its employees, to focus resources on strategic priorities, to align organizational objectives within the organization, to provide a forum to discuss position responsibilities and training and career opportunities, and to build strong, positive relationships between management, supervisors and staff.

It is the objective of the Municipality to have competent, knowledgeable, and highly trained staff in its employ to ensure that the Municipality's mandate and objectives are met.

The Municipality will encourage, promote, and provide funding for training and professional development opportunities and programs that contribute to the development of employees. Development opportunities will be discussed as part of the annual performance management process for each employee. Employees aspiring to advance within the organization will be supported to develop their skills and knowledge to equip them for future opportunities.

If Municipality requires employees to be members of relevant professional development agencies or associations and maintain professional requirements, the Municipality will pay the costs of such memberships.

Employees must complete a written request to attend or enroll in a course of study, conference, workshop or training, or professional development program. The request must include details of the program, including dates, costs, relevance to the employee's responsibilities, and benefits to the Municipality. Registration materials may be used to supply some of this information. No employee shall enroll or register in any such class, conference, workshop or program that will take place during work hours or be funded in any way by the Municipality without prior written authorization from their Director.

At the discretion of the applicable Director, employees that attend or complete any professional development session or program may be required to prepare and present a report to other staff.

4.3 Progressive Discipline

The Municipality will normally respond to employee misconduct with progressive discipline. Progressive discipline ensures employees understand expectations regarding proper conduct and gives them an opportunity to improve. If misconduct persists, more serious penalties will be applied, up to and including termination of employment.

Examples of behaviour that will normally be treated as misconduct and subject to discipline under this policy include, but are not limited to:

- Breaches of the Municipality's policies and procedures, including those described in this handbook.
- Damage to or misuse of Municipal property.
- Poor timekeeping or time wasting.
- Unauthorized absences or late arrival at work.
- Refusal to follow reasonable instructions from management.
- Use of inappropriate language or behaviour in the workplace.
- Some forms of Disrespectful Behaviour as defined in the Respectful Workplace section of this handbook.

I. Stages

Progressive discipline follows these stages:

- **Stage 1:** Verbal Warning.
- **Stage 2:** Written Warning.
- **Stage 3:** Suspension.
- **Stage 4:** Final Written Warning.
- **Stage 5:** Termination for Just Cause.

II. Escalation for serious misconduct

Progressive discipline normally escalates in response to continued employee misconduct. However, the Municipality reserves the right to repeat any progressive discipline step, or to commence disciplinary actions at any step up to and including immediate termination, where justified by the circumstances.

Examples of behaviour that may be treated as serious misconduct and which may justify a more serious disciplinary response or immediate termination include, but are not limited to:

- Serious breaches of the Municipality’s policies and procedures, including those described in this handbook.
- Theft or fraud.
- Insubordination.
- Harassment.
- Workplace violence or bullying.
- Deliberate damage or misuse of Municipal property.
- Bringing the Municipality into disrepute.
- Breach of workplace safety policies or procedures that exposes the employee or others in the workplace to serious risk of injury.
- Criminal conviction for an offense outside the workplace.

III. Investigation

In all cases of alleged misconduct, all facts will be carefully reviewed, and the employee will be given full opportunity to explain their conduct before a disciplinary decision is reached.

Where the alleged misconduct concerns Disrespectful Behavior as defined in the Respectful Workplace Policy, the investigation may be conducted according to that Policy.

IV. Documentation

All progressive discipline will be documented. A copy of investigation materials, written warnings and relevant communications will be kept in the employee’s personnel file. For discipline at Stage 2, 3 and 4, a written warning will be provided to the employee. The written warning will detail:

- The nature of the employee's misconduct.
- Expectations for improvement; and
- Consequences of further misconduct, including the possibility of suspension or termination.

4.4 Dress Code

All employees must present themselves in a professional manner in their dress and grooming. Each employee is responsible for exercising common sense in this respect. To ensure a safe, healthy and professional working environment, the following dress and grooming standards always apply:

Personal hygiene: Employees are expected to maintain good personal hygiene and appearance that is appropriate for the position and work environment.

Scents: Heavily scented products such as perfumes, colognes, lotions, body sprays, and deodorants, are prohibited in the workplace. These can cause allergic reactions, migraines, and respiratory difficulty for others in the workplace. While scented products may be used sparingly, fragrance-free is preferred.

Jewelry and Piercings: Jewelry and piercings should not create potential for injury or entanglement.

Footwear: Footwear should be always worn, be clean, in good condition, and should not create a slip or fall hazard. Employees may be required to wear closed-toed shoes depending on the nature of their position.

Clothing: Unless otherwise specified by an employee’s job description or supervisor, employees are required to wear clothing that is consistent with your work environment each day. Clothes must be clean, and in good condition. Clothing should not feature logos, images, or messages that might be perceived as offensive to a reasonable person.

Municipal Clothing: While wearing Municipally branded clothing, employees are expected to behave in a manner consistent with the Respectful Workplace Policy.

Dress and grooming elements required by personal religious or cultural practices will be accommodated to the extent reasonably possible. However, employees are expected to try to adhere to these dress and grooming rules to the extent permitted within their practices and will not wear elements that cause a safety risk to themselves or others.

Any questions about appropriate clothing, appearance, or grooming should be addressed to the employee’s direct supervisor.

PART 5 - Compensation and Benefits

5.1. Salary Scales and Wage Rates

A salary scale and responsibility review of comparable municipalities will be conducted every 3 to 5 years , as deemed appropriate by the CAO.

Salary scale increments for individual employees are based on the following factors:

- a. performance management and development process results;
- b. market factors for individual positions; and
- c. years of service.

Council has the responsibility and authority to approve salary scale increments for the CAO's contract.

Council may consider changing the approved salary scale for an existing position upon recommendation from the CAO. The CAO will decide whether to make such a recommendation based on a report to be prepared by the Director for that position, in consultation with the Human Resources Generalist. The report will outline the relevant factors for recommending a salary scale change, including some or all of the following:

- a. changes in responsibilities of the position;
- b. a comparison to other salary scales and positions within the organization and to similar positions in other municipalities;
- c. attainment of academic, training or professional development goals which have been specifically approved as part the employee's personal development plan; and
- d. the position is one in high demand in the marketplace and/or is difficult to recruit for due to specialized skills required to perform the job.

V. New Employees

The Director in consultation with the Human Resources Generalist, will make a recommendation for an initial placement of that new employee at the appropriate level on the salary scale. The CAO will approve all initial placements. This placement will be based on the following factors:

- a. the academic qualifications, training, and skill achievements of the new employee compared to those set out in the position description;
- b. market conditions and demand for candidates; and
- c. other relevant factors as appropriate.

VI. Temporary assignments and Acting Pay

The Municipality recognizes that periodically it is necessary for the CAO to temporarily assign an employee additional duties or to a different position. Acting pay may be considered for a temporary assignment when the employee will be performing the principal duties of an existing position of higher value due to a vacancy or a temporary absence. Temporary assignments within the same pay level are considered "lateral moves" and not eligible for acting pay.

Acting Pay will be provided:

- a. For an employee acting in a position for two weeks or less, there shall be no acting remuneration. This is intended to cover for vacations and short-term illness.
- b. For an employee acting in a position for greater than two weeks, the remuneration shall be the greater of the first step in the salary scale for the position in which the employee is acting; or the employee's current salary level plus 10%.
- c. Acting pay is not to exceed the highest salary level of the position being replaced.

Acting pay provisions within an existing employee contract may supersede the above.

VII. Salary Increases

The CAO has the responsibility and authority to approve salary scale increments for the Directors and other positions that report directly to the CAO.

The Directors have responsibility to recommend salary scale increments to the CAO for positions in their respective departments. The CAO will approve all salary scale increments.

Council may, in consultation with the CAO, annually adjust all salary scales with consideration to the cost of living and other employment market factors.

5.2. Travel

Employees may be required to travel as part of their duties with the Municipality. Employees will be reimbursed for reasonable expense, including the cost of highway tolls, bridge tolls, airport parking fees, airport security fees, taxi fares, and public transportation fares while attending approved meetings, conferences, workshops, professional development sessions, or performing other required work activities. Receipts must be provided (except for tolls).

All travel-related expenses must be submitted in accordance with the [Expense Reimbursement Policy](#).

5.3. Pension and Group Insurance

Any employee who has successfully completed the probationary period and has obtained a permanent position is eligible to participate in the Municipality's registered pension plan, subject to the requirements of that plan.

Any employee who has successfully completed the probationary period and has obtained a permanent position is eligible to participate in the Municipality's extended health, dental, life insurance, accidental death and dismemberment, and long-term disability plans, subject to the requirements of those plans. Employees may opt out of health and dental benefits if they prove they have coverage elsewhere. Eligible employees are required to participate in the life insurance, accidental death and dismemberment and long-term disability plans, unless at the time of the adoption of this Policy the employee was not participating in those plans, and they agree to sign a waiver with respect to their participation.

Current contribution rates are as follows:

0-10 years 6% of earnings, matched by the employer

11-20 years 7.5 % of earnings, matched by the employer

20+ years 9% of earnings, matched by the employer

The CAO may waive, in rare instances, the eligibility period for both the pension plan and any health & dental plans as part of a new employee's contract.

5.4. Employer Cell Phones

The Municipality will provide cell phones to employees when required.

Employees must reimburse the Municipality for all charges for personal calls on Municipal phones.

Directors are responsible for the initial decision to issue a cell phone and to review the need for cell phones on an annual basis.

5.5. Expense Reimbursement and Allowances

It is the objective of the Municipality to reimburse employees for out-of-pocket expenses incurred that are associated with employees carrying out the responsibilities of their positions. All requests for reimbursement of expenses must be submitted on the prescribed form.

Employees must make reasonable efforts to minimize expenses. For example, employees must make cost-effective travel, lodging, and meal choices when traveling on behalf of the Municipality.

Expense reimbursement requests must include original receipts or other appropriate substantiating documentation for each expense.

All travel-related expenses must be submitted in accordance with the [Expense Reimbursement Policy](#).

5.6. Employee Computer Purchase Plan

The Municipality recognizes that home computers are an important aspect of employees' family lives and that an employee's computer skills are an asset to the Municipality.

The Municipality will provide financing for the purchase cost of eligible home computer equipment under the following conditions:

- a. The Municipality will provide financing for up to 100% of the cost, to a maximum of \$3,000.
- b. "Eligible home computer equipment" means and is limited to personal computers including desktops, tablets and laptops, monitors, printers, cables, keyboards, mice, speakers and software purchased with the computer.
- c. Employees must choose to finance the purchase on either a one year or a two-year repayment term.
- d. Equal bi-weekly payroll deductions will be used to reimburse the Municipality.
- e. Employees are permitted to repay the entire principal balance outstanding at any time.

- f. Participating employees will be required to sign a Repayment Plan.
- g. An employee leaving the employ of the Municipality will be required to repay the amount outstanding in full. The Municipality will deduct any outstanding amount from any monies owed to the employee.
- h. Any deemed taxable benefits from this financing arrangement will be reflected in the employee's T4.

5.7. Employee Recognition and Service Awards

The Municipality seeks to provide for appropriate recognition of employee service during employment. To that end, employees will be entitled to a Service Recognition Award in accordance with the following schedule of service milestones:

10 years	\$300
15 years	\$400
20 years	\$500
25 years	\$600
30 years	\$700
35 years	\$800
40 years	\$900
45 years	\$1000

The hiring date shall be used when calculating employee service milestones. Employees will be recognized at an annual Employee Recognition Ceremony. All service awards are subject to applicable taxable deductions.

VIII. Recognition Upon Retirement (check numbering)

In addition to any Service Recognition Awards, an employee retiring at or after their 65th birthday shall be entitled to a Retirement Award of the same value, and on the same terms, as their next Service Recognition Award would have been, if they had remained employed with the Municipality to their next milestone.

IX. Employee Retroactive Pay after Separation

An employee no longer employed with the Municipality is ineligible for a Service Recognition Award or any retroactive pay increments.

PART 6 - Attendance and Leaves

6.1. Work Hours

Working hours are normally Monday to Friday, and may vary according to position. Employees on a compressed work week schedule will work 4 days per week, 8.75 hours per day. See the [Compressed Work Week Policy](#) for more details. The generally accepted days and hours of work for each position will be outlined in the job description for each position; however, the days and hours of work may vary based on workload or demand. These standard hours may change subject to direction from the CAO.

Unionized employee work hours are subject to the Collective Agreement.

The Municipality may occasionally require that an employee work beyond standard working hours ("overtime") due to operational requirements or by express agreement between the Municipality and employee. See the [Overtime Policy](#) at 6.2 for details.

Employees are permitted one hour for lunch between 11:30 a.m. and 2:00 p.m., unless on a compressed work week in which case it is 30 minutes. Employees are permitted one 15 minute break in the morning, and one 15 minute break in the afternoon. Supervisory staff have the authority to schedule lunch and breaks for individual employees as may be required to maintain service levels.

6.2. Overtime

It is the objective of the Municipality to maintain appropriate staffing levels for the management, administration, and operations of the Municipality to minimize overtime.

Eligibility for Overtime

Overtime eligibility is indicated in job descriptions, but employees are encouraged to check with Human Resources or their supervisor if they are unsure. Managers and Directors should refer to the [Overtime for Directors](#) section of this policy.

Overtime rate

Eligible employees shall accrue time in lieu at a rate of 1.5 times for each hour worked above their regular work week to a maximum of 70 hours. The employee's Supervisor will approve any overtime and work with the employee to adjust daily work schedules to minimize overtime.

If an employee is called in or contacted at home to work overtime the following provisions will apply:

- a. if the employee can work from their personal residence, overtime shall be compensated at an amount equal to the greater of one hour or the actual time worked at time and one half; or
- b. if the employee must leave their personal residence, overtime shall be compensated at an amount equal to the greater of three hours or the actual time worked at time and one half.

For purposes of this section "actual time worked" shall include travel time to and from the employee's residence.

If an employee is called in or contacted at home to work and was not otherwise scheduled to work, the employee shall be paid for actual time worked, and for a minimum of three hours.

If the employee is scheduled for a regular workday or shift and is asked to do additional work upon returning home, it will be considered an extension of their workday and they will be compensated for actual time worked.

For added clarity, employees will only be paid an overtime rate for hours worked beyond their normal work week, regardless of whether hours were scheduled or called in.

Overtime worked on paid holidays shall be compensated at time and one half in addition to the regular holiday pay.

Approval for Overtime

Overtime must be approved in writing in advance by the appropriate Supervisor, except when emergency or urgent conditions make it impossible to obtain advance approval, or when the responsibilities of the employee prevent return to the office at the end of the normal workday.

Supervisors have the authority to approve all paid overtime in accordance with the provisions of this Policy.

Human Resources shall be responsible for submitting an annual overtime report to the CAO for their department for the previous calendar year, such report to be submitted prior to January 31. The CAO shall determine the details required for this report.

The purpose of this report is to assist in reviewing service delivery options, equitable and fair distribution of overtime, assessing staff resource requirements, annual operating and capital budget deliberations and approval, and position responsibilities and priorities.

Overtime for Directors

It is the expectation of the Municipality that Directors will work a reasonable number of hours outside normal office hours if required to ensure the responsibilities of those positions are performed, without additional compensation. Specifically:

- a. Directors will not be permitted overtime for attending training sessions, conferences, or meetings associated with professional or work-related membership, including travel time for such activities.
- b. Directors will not be permitted overtime within the normal workday and for work performed immediately preceding and following the normal workday unless that work is a meeting or part of a special project.
- c. Directors will be compensated on a straight time basis (normally time off in lieu) for attending evening and weekend meetings.

- d. Directors will be compensated on a straight time basis or time and one-half for other work activities outside regular hours not specifically addressed in this section, on approval by the CAO.

6.3. Remote Work

Directors may authorize non-permanent or occasional opportunities to work away from the Employee's primary or designated work location at the time of the request. Employees do not have a "right" to work remotely.

Permanent remote work arrangements must be approved by the CAO. Changes to job, duties, assignments, projects or changes to operational needs may have an impact on the suitability of remote work; therefore, Directors are responsible for periodically assessing and addressing any change in suitability.

6.4. Statutory and Paid Holidays

I. Statutory Holidays

Except as otherwise provided in this policy or any Act of the Legislature, the Municipality shall grant each eligible employee a holiday with pay on each statutory holiday falling within any period of employment. Employees shall be paid for a statutory holiday in accordance with the *Labour Standards Code*.

The Municipality recognizes the following statutory holidays for all eligible employees:

- a. New Year's Day
- b. Good Friday
- c. Canada Day
- d. Labour Day
- e. Christmas Day

When the CAO requires an employee to work on a statutory holiday, the Municipality shall pay that employee an amount equal to the amount that would have otherwise been paid for that work day. In addition, the employee shall be paid one and one-half times the regular rate of wages for the actual time worked on that day.

II. Paid Holidays

The Municipality recognizes the following paid holidays for eligible employees:

- a. Nova Scotia Heritage Day (third Monday in February)
- b. Easter Monday
- c. Victoria Day
- d. Civic Holiday (first Monday in August)
- e. Truth and Reconciliation Day (September 30)
- f. Thanksgiving Day
- g. Remembrance Day
- h. Boxing Day

Employees are encouraged to verify their eligibility for paid holidays with their supervisor(s).

III. Eligibility

Employees will be paid for the above holidays provided:

They have worked their regularly scheduled shift of work immediately preceding and immediately following the holiday. A paid sick day or a vacation day is considered as a day worked.

To qualify for payment for holiday leave, temporary employees must work their regular working days prior to and following the holiday, unless they are absent on approved paid leave.

The Municipality will not provide additional leave with pay if an employee experiences circumstances on a paid holiday that would otherwise have led to a claim or application for sick or emergency leave.

If one of these statutory or paid holidays fall on a Saturday or Sunday, a day off with pay will be provided for eligible employees on the following weekday.

Employees on a compressed work week schedule will get time off when their normal day off falls on a statutory or paid holiday as outlined in the Compressed 4 Day Work Week Policy 23-04.

6.5. Paid Vacations

All vacation entitlements shall be calculated based on the Municipality's fiscal year (April 1 to March 31), and shall be prorated in accordance with commencement, anniversary, and end of employment dates.

Temporary and part-time employees shall receive vacation pay or time in accordance with the *Labour Standards Act*. Term employees shall receive vacation pay or time in accordance with the *Labour Standards Act* unless they have been provided additional benefits in an employment agreement with the Municipality.

Subject to the *Labour Standards Code*, vacation entitlement up to a maximum of 35 hrs may be carried forward to the next year. The CAO can approve additional hours with reasonable justification.

Employees on leave of absence without pay, maternity leave, or parental leave do not accumulate vacation entitlement. An Employee shall accrue vacation credits while on Long Term Disability or in receipt of Workers' Compensation benefits. The Employee's vacation bank (including any vacation credits existing at the time of injury or illness) shall not exceed one year of annual vacation entitlement. Provided however that such entitlement to vacation pay shall only be awarded after such Employee has returned to regular employment.

Permanent full-time employees and probationary employees shall be entitled to vacation in accordance with the following schedule:

- a. Up to and including the sixth year of employment calculated from the employee's commencement date:
 - i. 8.75 hours per month (equal to 105 hours per year) for employees on a 35-hour work week.

- ii. 10 hours per month (equal to 120 hours per year) for employees on a 40-hour work week.
- b. From the commencement of the seventh year of employment and up to and including the thirteenth year:
 - i. 11.67 hours per month (equal to 140 hours per year) for employees on a 35-hour work week.
 - ii. 13.34 hours per month (equal to 160 hours per year) for employees on a 40-hour work week.
- c. From the commencement of the fourteenth year of employment up to and including the twentieth year:
 - i. 14.59 hours per month (equal to 175 hours per year) for employees on a 35-hour work week.
 - ii. 16.67 hours per month (equal to 200 hours per year) for employees on a 40-hour work week.
- d. From the commencement of the twenty-first year and henceforth:
 - i. 17.5 hours per month (equal to 210 hours per year) for employees on a 35-hour work week.
 - ii. 20 hours per month (equal to 240 hours per year) for employees on a 40-hour work week.

Any employee who leaves the employ of the Municipality during the fiscal year shall have their vacation entitlement prorated, and in the event vacation in excess of the prorated entitlement has been taken, the salary received for the excess shall be repaid to the Municipality.

IV. Requests for Time Off

All requests for vacation of 5 or more days (either continuous or within a two-week period) should be submitted prior to May 31st of each year. In the event of a conflict, seniority and service needs will be considered. Vacation requested after May 31 will be approved on a case-by-case basis and priority will normally be given to the first submission. Vacation will be scheduled to ensure operational requirements are not disrupted and undue hardship is not placed on fellow employees. Reasonable effort will be made to ensure employees will be able to take their annual vacation at a time that is most convenient for them. Employees may be required to split their vacation, taking their vacation at two or more times per year.

All vacation requests, and requests for changes in approved vacation, must be approved by the direct Supervisor, before the requests and changes become effective.

V. Other Approved Leaves During Requested Vacation

An employee who is hospitalized for a continuous period of 48 hours or more, or that can prove (usually with medical evidence) to the satisfaction of the CAO that they were medically incapacitated for a continuous period more than 48 hours, while on vacation, will be permitted to use sick leave and have their vacation entitlement reinstated for that period of hospitalization or incapacitation. For the purpose of this clause, "incapacitated" means disabled to the extent that most normal daily activities cannot be carried out and will only include a major illness or injury.

An employee may request bereavement leave for a period covered by booked vacation. If the leave is granted, the corresponding amount of vacation time shall be reinstated.

Any request for sick or bereavement leave during booked vacation time (pursuant to the preceding two sections) must be made at the first reasonable opportunity. Late requests may be denied.

VI. Mandatory Office Closures

The Municipality requires a mandatory vacation during the Christmas to New Year's Day period. The specific days and duration of the office closure and mandatory vacation days will be determined annually by the CAO with reference to the calendar and work requirements and in consultation with staff.

6.6. Paid Volunteer Workday

The Municipality supports and encourages employees to be members of registered charitable and not for profit organizations that provide services to the residents of Cumberland County.

The Municipality will provide one (1) full day per fiscal year with pay for its employees to participate in such activities.

The employee's Director has the authority to approve this paid volunteer workday.

6.7. Bereavement and Compassionate Care Leave

Employees bereaved by the death of a family member will be granted time off from work, without loss of pay, in accordance with the following schedule and conditions:

- a. on the death of a parent, spouse, partner or child, for a period not to exceed five working days, one of which shall be the day of the funeral;
- b. on the death of a Brother, Sister, Grandchild, Grandparent, Mother In-Law or Father In-Law for a period not to exceed three working days, one of which shall be the day of the funeral;
- c. on the death of a directly related Aunt, Uncle, Brother or Sister In-Law, or Son or Daughter In-Law, one day for the purpose of attending the funeral;
- d. in regard to subsections (a) to (c) above, where the funeral is held at considerable distance a maximum of two additional days may be granted for travel;
- e. on the death of any other relative, fellow employee, former employee, close friend or former Councillor, employees may be granted sufficient time, to a maximum of one-half day, to attend the funeral;
- f. step relations are treated in the same manner as set out above; and
- g. all bereavement leave, as permitted under this section, is subject to the approval of the Director to whom the employee reports.

In the event of an employee's family member's critical illness (spouse, son, daughter, sibling, parent, aunt, uncle, or any relative who resides with the employee), they may be granted leave with pay up to five days at the discretion of the CAO.

In the event additional time is necessary for compassionate purposes an employee may request additional days of unpaid leave and such days may be granted at the discretion of the CAO. Employees may be granted up to a maximum of eight weeks of leave of absence without pay to provide care or support to a family member.

6.8. Paid Sick Leave

The Municipality allows employees to earn and accumulate paid sick leave benefits ("Paid Sick Leave") in order to provide some protection against loss of pay:

- a. in the case of long-term incapacity, during the period between cessation of work and commencement of other benefits, plans or insurance; and
- b. in the case of short-term inability to work due to illness, injury, or the need to obtain medical treatment.

An employee must notify their supervisor directly and immediately when they are taking sick time.

It is expected that not all sick leave earned will be used in short term situations, and that with the passage of time employees will accumulate the maximum allowable to give them protection in the event of serious and extended health problems.

Permanent full-time employees, probationary employees and term employees shall earn sick leave at the rate of 10.5 hours per month, to a maximum of 1050 hours, for those who work 35 hours per week. For those who work 40 hours per week it is 12 hours per month to a max of 1200.

Any employee who uses 42 hours or more of sick leave within any six-month period shall meet with their Supervisor and the Human Resources Generalist. The employee's attendance record for the previous six months will be discussed to determine the reasons for the usage and to identify any steps that can be taken to reduce it. The Human Resources Generalist will then prepare a report for the Supervisor outlining recommendations, if any are warranted, for action to be taken to reduce future sick leave. For more details, refer to [Section 7](#). A record of all such meetings, including their results, shall be maintained. Failure of an employee to make reasonable efforts to control short term sick leave usage may result in Corrective Action.

Employees with multiple extended absences will be required to provide a functional assessment from a medical practitioner and work with the Municipality on a back to work plan.

Human Resources may ask for a sick note if an employee is absent for more than five working days or has already had two absences of five or fewer working days in the previous 12-month period. Employees on long-term disability, maternity or parental leave, Workers Compensation, leave of absence or suspension without pay do not earn sick leave.

Employees with children are permitted to use a maximum of 70 hrs (for those working a 35-hour work week) or 80 hrs (for those working a 40-hour work week) of accumulated sick leave per year to care for those children in the event of serious illness or need for medical treatment.

In the event of a serious illness or need for medical treatment of a spouse or partner, or parent of an employee, up to 70 hrs (35-hour work week) or 80 hrs (40-hour work week) of accumulated sick leave per year may be used to provide care, or when necessary, obtain treatment.

An employee falsely claiming Sick Leave is subject to Corrective Action up to and including dismissal.

At the end of each fiscal year employees who have increased their accumulated unused sick leave shall be awarded a lump sum payment based on the following schedule:

- a. Less than 350 hours total accumulation: no payment;
- b. 350 to 699 hours total accumulation: the payment shall equal 10% of the equivalent value of the increased accumulation;
- c. 700 to 1049 hours total accumulation: the payment shall equal 20% of the equivalent value of the increased accumulation; and
- d. 1050 hours total accumulation: the payment shall equal 30% of the equivalent value of the increased accumulation and what would have been increased accumulation if not for the 1050 hour maximum.

Use of Paid Sick Leave will be inclusive of, and not in addition to, sick leave entitlements under the Nova Scotia *Labour Standards Code*.

6.9. Emergency Leave

Employees may request emergency leave with pay to enable the employee to deal with a sudden or unexpected, extraordinary happening or situation, demanding prompt personal action. Generally emergency leave is not granted in periods of greater than one day. The granting of emergency leave is at the discretion of the relevant Director or Supervisor or the CAO. Emergency leave will not be approved for other permitted leaves as set out in this policy. An employee granted emergency leave with pay shall have an equal amount of time deducted from their accumulated sick leave.

6.10. Domestic Violence Leave

All Employees who have worked for the Municipality for three months or more are eligible for Domestic Violence Leave. Domestic Violence Leave can be taken by an employee who is experiencing domestic violence or whose child (under 18) is experiencing domestic violence. Employees have the option of either:

- a. ten (10) intermittent or non-consecutive days in a calendar year, or
- b. as many as sixteen (16) consecutive weeks.

Any part of a day taken is counted as a full day's leave, but employees will be paid for any portion of a leave day that is worked. The Municipality will provide three (3) paid days of domestic violence leave regardless of which option they choose. The paid leave days will be subtracted from the Employee's total leave entitlement in (a.) or (b.) above.

Employees intending to take Domestic Violence Leave under either option (a.) or (b.) must notify the Municipality's Human Resources Generalist and Deputy CAO in writing as soon as possible. They should indicate the anticipated start and end date. An employee wishing to take an extended consecutive leave under option (b.) may end the leave early by giving the Municipality at least 14 days' notice, and ideally as much notice as possible.

Further information on Domestic Violence Leave including definitions, resources and applicability of provincial legislation can be found here:

<https://novascotia.ca/lae/employmentrights/leaves.asp#domestic-violence>

6.11. Leave without Pay

Requests for leave without pay will be considered on a case-by-case basis and may be granted or refused at the sole discretion of the CAO.

The maximum cumulative amount of leave without pay that may be granted to an employee is one year.

The following are types of leave without pay under which an employee might apply. All the leave entitlements below are intended to meet and/or exceed the statutory required time and therefore constitute an employee's entire entitlement to unpaid leave:

I. Critically Ill Care Leave

Employees may take an unpaid leave to provide care and support to a critically ill family member or a person like family. Employees must have worked for the Municipality for over three months to qualify.

Employees must let the Municipality know in writing as soon as reasonably possible that they intend to take the leave. They must include a plan on how the leave is to be taken (i.e.: all at once, several smaller time periods, etc.). The employer can ask in writing for a copy of the medical certificate.

Additional leave may be granted if supported by medical evidence, in accordance with the *Labour Standards Act*.

Critically Ill Adult Care

Employees may take up to sixteen (16) weeks' leave, which must be taken within a 52-week time frame. The leave may be broken up into separate periods of at least one week.

Critically Ill Child Care

Employees may take up to thirty-seven (37) weeks' leave, which must be taken within a 52-week time frame. The leave may be broken up into separate periods of at least one week.

"Critically ill child" has the same meaning as in the federal *Employment Insurance Act* regulations.

II. Citizenship Ceremony Leave

Employees are entitled to take an paid leave of absence of up to one day, or less if the Employee chooses, to attend their citizenship ceremony. Employees must give as much notice as is reasonably possible.

The Municipality may request evidence that the Employee is attending their citizenship ceremony on a particular day, for example the "Notice to Appear" sent by Citizenship and Immigration Canada.

III. Leave for End of Pregnancy

Employees are entitled to an unpaid leave of absence if they have experienced an end of pregnancy. In this policy, “end of pregnancy” means a pregnancy that does not end in a live birth.

Leave entitlements are as follows:

- a. Employee whose pregnancy ends
 - a. before 19th week of pregnancy: **up to 5 consecutive days**
 - b. after 19th week of pregnancy: **up to 16 consecutive weeks**
- b. Spouse or former spouse of individual contemplated in a.
- c. A person who would have become the parent of a child born as a result of the pregnancy through a surrogacy agreement
- d. A person who would have become the parent of a child born as a result of the pregnancy under an intended adoption pursuant to the laws of Nova Scotia

If an employee’s pregnancy ends while they are on pregnancy leave, and they have taken more than 10 weeks of pregnancy leave when their pregnancy ends, they are entitled to up to 6 additional weeks of unpaid leave from the day their pregnancy ended.

Employees will not be asked to explain the reason for the pregnancy leave.

IV. Crime-related Child Death or Disappearance Leave

Parents and guardians who are facing the death or disappearance of their child (under 18 years of age) resulting from a probable crime and who have worked for the Municipality for 3 months or greater are eligible for 52-104 weeks of consecutive unpaid leave.

V. Elections

Employees who are eligible to vote are entitled to a minimum number of consecutive hours free from work on election day to attend a polling station. For both provincial and federal elections, the minimum period of free time is three hours.

If an employee has not cast an advance ballot and does not have the minimum continuous period free from work before or after their shift/regularly scheduled hours on a polling day, the employee will be permitted to take enough paid time off work to allow the employee the minimum number of free hours while polling stations are open. The scheduling of this time off is at the sole discretion of the Municipality and will be determined by the employee's supervisor.

VI. Jury Duty/Court Leave

Permanent employees who must serve as jurors in any court case must notify the Municipality immediately and provide a copy of the notice. They shall be granted leave of absence for the duration of the case. Employees must show proof of jury duty.

Employees who must appear in court as a party to the action may use vacation time or take leave without pay to cover the absence. When an Employee must attend in the Employee's capacity as

a Municipal Employee outside of normal working hours, the Employee shall appear as requested and the time shall be paid in accordance with regular compensation procedures.

6.12. Prepaid Personal Leave Days

In recognition that the Municipality cannot provide paid leave for all circumstances where it would be beneficial to an employee, the Municipality allows a limited number of prepaid leave days to be accumulated.

Employees can accumulate prepaid leave by requesting that their pay be reduced by an amount equal to one regular day's pay spread evenly over sixteen (16) weeks (8 pay periods). The maximum amount of prepaid leave that can be accumulated is three days.

Requests to accumulate prepaid days must be submitted in writing to the employee's Director. Such requests must be approved by their Director before being implemented.

The forgoing provisions allowing the accumulation of prepaid leave days cannot be used to repay any leave which has been taken or other time which has been missed from work.

6.13. Emergency Service Provider Leave

The Municipality supports local volunteer emergency service providers and recognizes the contributions these organizations and their members make to the health, safety, and well being of the public.

Volunteer Fire Departments, Ground Search and Rescue, Canadian Red Cross, St. John's Ambulance, Medical First Responders, EMO Responders, (including radio operators) and any other volunteer emergency response organizations approved in writing by the CAO are approved organizations for the purpose of Emergency Service Provider Leave.

Employees who are members of approved organizations and who do not receive any remuneration relative to emergency response activities will be permitted to respond to emergency situations as a member of the organization without loss of regular pay and benefits. The Municipality reserves the right to require that an employee return to regular duties, notwithstanding that the emergency response may be ongoing.

Employees wishing to be eligible for Emergency Service Provider Leave must inform the Municipality in writing, and in advance of any such leave being taken of their membership in an organization approved pursuant to this Policy.

An employee that responds to an emergency as a member of an approved organization outside regular work hours from Sunday through Thursday will be allowed to take a rest period of up to eight hours, depending upon what is required, the following workday, without loss of regular pay and benefits.

Employees must inform and obtain approval from their supervisor to leave work to respond to an emergency. Continuity of service, job site safety and other factors must be considered in the decision whether to grant leave or not.

Employees that respond to an emergency during work hours will, if required, be allowed to take a rest period that day without loss of regular pay or benefits. Employees should consult with their supervisor and Director to determine the length of the rest period.

6.14. Pregnancy, Parental and Adoption Leave

Pregnancy Leave

Leave for illness of the employee arising out of or associated with the employee's pregnancy before the commencement of or ending of the pregnancy or parental leave may be granted under the provisions of the Sick Leave Policy. Eligible employees are entitled to up to sixteen (16) weeks unpaid leave.

Parental Leave

An employee who becomes a parent of one or more children through either the birth of a child or the placement of a child in the care of the employee for the purpose of adoption is entitled to parental leave. The Municipality will provide a salary top-up during the legislated Maternity/Parental Leave period (17 weeks) so that employment insurance benefits and the top-up amount equal 80% of an employee's gross salary. The salary that will be used for calculating this amount is the employee's salary on the first day of the parental leave. Adjustments will not be made for salary scale increments or inflationary increases approved during the leave period.

Pregnancy, parental, and adoption leave for an employee shall be in accordance with Nova Scotia *Labour Standards Code*. When an employee returns from leave, they will be reinstated to the same position held immediately before the leave began, or, where that position is not available, in a comparable position with no loss of seniority or benefits.

While on pregnancy, parental, or adoption leave, the Municipality shall grant the employee the option of maintaining their benefits plan in which the employee participated before the commencement of that period. If the employee opts in writing to keep the benefit plan, the cost of coverage shall be shared in the same manner it was prior to leave. The employee portion of the premium shall be paid to the Municipality on the first day of each month of absence. Sick leave or vacation leave does not accrue while the employee is on leave. Employees may continue to accrue pension benefits during their leave, with the employer and employee paying the normal equal amount into the plan.

If an employee requires further leave of absence, as evidenced by a certificate or letter from a certified medical practitioner, that leave of absence must be taken as vacation accumulated to the time of pregnancy or parental leave commenced.

If an employee is taking both pregnancy and parental leaves, the employee must take them one right after the other and not go back to work between the two leaves.

PART 7 - Attendance Management Policy

I. Purpose

The Municipality sets a reasonable expectation that employees regularly perform the functions of their job in line with their employment contract. In many cases, the functions of the job require an employee to be present at a specific location and time of day while engaged actively in the functions of the job. Employees may have roles that include varying locations for work, including job sites and telecommuting or virtual locations and varying hours of work. Notwithstanding the variability in location and time, in most cases the employee must be present at an agreed upon location and time. Failure of an employee to be present where and when expected could disrupt the organization.

The Municipality is committed to working with employees who require reasonable accommodation under the protected grounds of the governing human rights legislation, or who have an illness, injury, or other condition beyond their control that causes them to miss work or prevents them from attending work regularly.

Excessive absenteeism will not be tolerated and may be cause for disciplinary action, up to and including termination. This policy defines absenteeism at the Municipality, outlines the process for correcting unacceptable attendance behaviour, and ensures that absenteeism is managed consistently and fairly.

This policy is to be read in conjunction with Part 5 of this Handbook.

II. Scope

This Policy applies to all employees of the Municipality of the County of Cumberland.

III. Definitions

In this Policy:

- a. “Approved absence” means any workplace absence where the employee is entitled to leave based on applicable legislation or municipal policy and has supervisor approval for the leave: for example, vacation, jury duty, bereavement, or parental leave. Approved absences are not addressed in this Policy.
- b. “Culpable absenteeism” means any workplace absence as a result of factors within the employee’s control: for example, where an employee fails to provide notice of their absence, a falsified illness, an abuse of leave provisions, or arriving late or leaving early without notification or excuse.
- c. “Non-culpable or innocent absenteeism” means any workplace absence because of factors an employee has little or no control over for example, illness, injury, attending a medical appointment, or attending to an emergency or urgent matter.

IV. Absenteeism

The Municipality has determined the acceptable number of occasions of absence that an employee may take off from work each month or within a calendar year for the organizations.

Employees who exceed the acceptable number of occasions of absence may be subject to an attendance management review.

Employees are entitled to leave for the following approved absences:

- a. Parental leaves;
- b. Vacation;
- c. Approved unpaid leaves; and
- d. Approved professional development leaves.

Acceptable number of culpable absences: Zero.

Acceptable maximum number of occasions of non-culpable absences: No more than 42 hours or more of sick leave within any six (6) months period.

V. Tracking

The Municipality will track and record all employee absences, including absences with and without prior permission and both culpable and non-culpable absences. Tracking will include the absences, time and date of absence, reasons if any, and where appropriate and legally permitted any supporting information like a doctor's note. These absences will include full-day and partial-day absences, including arriving late or leaving early without permission.

VI. Notice

The Municipality has taken steps to ensure that all employees are informed of and understand that attendance at work in a time and place expected by the organization, unless explicitly stated otherwise, is a requirement of the job and that failure to comply may result in discipline. This includes missing an entire day or part of a day, such as arriving late, leaving without notice or permission during a shift, or leaving early.

Employees are expected to provide notice of an absence as soon as possible before or after any absence.

VII. Attendance Management Procedure

The following events will trigger the employee's supervisor to set an attendance review meeting:

- a. In the case of a culpable absence; or
- b. When the number of non-culpable absences approaches the acceptable number of occasions.

The attendance review will include a review of the number of and reasons for absences and address any need for accommodation. In determining the reasons for the absences, the Municipality will work with the employee, and their physician when necessary, to determine any reasonable accommodations for needs under the protected grounds of discrimination, as per the governing human rights legislation. The Municipality will offer accommodation up to the point of undue hardship.

Addressing Culpable Absenteeism

If the Municipality determines that an employee's unacceptable absence is the result of one or more culpable absences, the situation may be treated as a disciplinary matter.

Addressing Non-culpable or Innocent Absenteeism

If the Municipality determines that an employee's unacceptable absence is the result of non-culpable absences, the situation will be treated as a non-disciplinary matter, and the Municipality will provide as much support as possible to the employee, subject to the procedure below.

Please note that while the Municipality will make every reasonable effort to work with the employee to address innocent absenteeism issues, where the Municipality determines that the absenteeism rate is excessive and creates a situation where the employee is unable to perform the job duties for which they were hired, the Municipality may be forced to terminate the employment relationship due to a frustration of contract.

The Municipality shall meet its responsibility to reasonably accommodate employees with a medically documented disability and will create appropriate return-to-work programs that take non-culpable absenteeism into account.

VIII. Steps to Address Absenteeism

It is the responsibility of all directors and supervisors to ensure the consistent application of this Attendance Management Policy. In conducting an attendance review, the supervisor will first determine whether the absences are culpable or non-culpable and the applicability of disciplinary and non-disciplinary measures. Supervisors hold responsibility for managing attendance in their respective working groups and shall ensure that appropriate documentation is collected and filed. Supervisors will communicate the requirements for attendance, maintain attendance records, and provide appropriate assistance to employees participating in the Municipality's return-to-work program.

First Coaching Meeting

If at any point an employee's absenteeism exceeds the acceptable number of absences, the supervisor will contact human resources to review the attendance management process. A record of the employee's attendance will be reviewed and a meeting with the employee will be scheduled to discuss their absenteeism. The first coaching meeting will be non-disciplinary and will include the employee, the supervisor, and human resources.

The meeting shall:

- a. Notify the employee of the Municipality's concerns regarding their attendance;
- b. Explain the effect of absences on work operations;
- c. Review the Attendance Management Policy;
- d. Offer the employee an opportunity to explain the pattern of absences;
- e. Set expectations for improved attendance;
- f. Advise the employee that a record of the session will be made available to them;

- g. Identify resources available to help the employee, including the Municipality's Employee & Family Assistance Program;
- h. Set a goal for improved attendance; and
- i. Schedule date of next meeting in two (2) months' time.

If during the initial meeting the employee indicates that the absences are a component of an illness, injury, physical or mental disability, religion, or sex, including pregnancy, the Municipality will work with the employee to confirm their needs and devise acceptable accommodations.

Second Coaching Meeting

If the employee does not meet the established attendance goal, the supervisor shall hold a second coaching meeting with the employee to discuss the issue. The second meeting is non-disciplinary and will follow a similar format to the first meeting, but the tone is more urgent. This meeting will include the employee, the supervisor, and human resources.

The meeting shall:

- a. Notify the employee that the attendance is of concern, causing a problem, and unacceptable;
- b. Review attendance record since first coaching meeting;
- c. Outline the effect on the organization due to absence;
- d. Detail the expectations for improvement;
- e. Offer the employee an opportunity to explain the absences;
- f. Advise the employee that a record of the session will be made available to them;
- g. Identify resources available to help the employee, including the Municipality's Employee & Family Assistance Program;
- h. Set a goal for improved attendance; and
- i. Schedule date of next meeting in two (2) months' time.

This meeting must inform the employee that where the attendance fails to improve, the Municipality may be required to implement appropriate levels of disciplinary action, transfer, demote, or deny the promotion of the employee.

Third Coaching Meeting – Final Warning

If the employee does not meet the attendance goal established at the second coaching meeting, the supervisor shall hold a third and final coaching meeting with the employee to discuss the issue. This meeting will include the employee, the supervisor, human resources, and the director and will stress the urgency of the matter.

The meeting shall:

- a. Remind the employee of the points in the previous meetings;
- b. Review attendance record since second coaching meeting;

- c. Indicate that this is the third and final coaching meeting and that failure to improve attendance within the timeframe may have consequences that could include disciplinary action up to and including termination;
- d. Offer the employee an opportunity to explain the absences;
- e. Advise the employee that a record of the session will be made available to them;
- f. Identify resources available to help the employee, including the Municipality's Employee & Family Assistance Program;
- g. Set a goal for improved attendance; and
- h. Schedule date of next meeting in two (2) months' time.

IX. Failure to Improve Unacceptable Attendance Behaviours

Following the third and final coaching meeting, if the employee continues to exceed the acceptable level of absenteeism in the next two (2) months, the Municipality may determine the case for progressive discipline based on input from the supervisor, director, human resources, and legal counsel (where appropriate).

If the employee is unable to attend any of the above coaching meetings, a letter will be sent to the employee setting out the conditions of their improved attendance as outlined in the relevant coaching meeting.

Termination of employment may occur where acceptable absenteeism levels are exceeded, progressive discipline if appropriate has been provided, or the contract of employment has been frustrated.

The Municipality shall ensure the following conditions are met before any dismissal of an employee for non-culpable absences:

- a. A culminating absence must occur, where a recent absence requires a review of the employee's attendance record and employment with the Municipality;
- b. The Municipality has determined that the employee has a history of absenteeism that exceeds acceptable levels; and
- c. The Municipality has previously notified the employee that further absences could result in their termination.

X. Improved Attendance

If an employee displays improved attendance and the improvement continues for six (6) months, the review process will be considered closed, and the employee will be informed of their success in meeting organizational expectations. If the employee again displays attendance issues following the successful completion of the review period, the process shall begin again at the first coaching meeting stage.

PART 8 - Respectful Workplace Policy

I. Policy Commitment

The Municipality is committed to providing a healthy, safe, and supportive workplace where all individuals are treated fairly and with respect and dignity. Every individual has the right to work in a professional atmosphere that is free from all forms of harassment, including sexual harassment, discrimination, violence and other Disrespectful Behaviour.

Harassment, sexual harassment, discrimination, and other forms of Disrespectful Behaviour are offensive, demeaning and will not be tolerated. This type of behaviour directly harms the well-being of our employees, volunteers, elected officials, community members and persons doing business on behalf of the Municipality, by violating their sense of safety and contributing to a negative workplace environment. The Municipality encourages all employees and elected officials to report any harassment or discrimination they experience or witness. Employees found to have engaged in behaviour that is prohibited by this Respectful Workplace Policy (the “Policy”), including retaliation, are subject to appropriate disciplinary action, up to and including termination.

The Municipality recognizes that its employees can be exposed to harassment and discrimination by other employees as well as by external parties. The Municipality will take appropriate steps with the objective of ensuring that all employees and elected officials are free from discrimination and harassment by both internal and external sources including but not limited to other employees, third parties, supervisors, and managers.

This Policy intends to promote employee involvement in resolving situations. The Municipality is committed to providing all Members of Council, employees, volunteers and others doing business on behalf of the Municipality, with timely and effective support to resolve issues of harassment and discrimination. This Policy is designed to outline forms of Disrespectful Behaviour; the responsibilities of all employees, volunteers and persons doing business on behalf of the Municipality; and possible courses of action when Disrespectful Behaviour occurs. It is important for employees to be able to report workplace harassment to a person who will objectively address the complaint.

Violence in the Workplace

In addition to the Disrespectful Conduct contemplated in this Respectful Workplace Policy, the Municipality recognizes the potential for violent acts directed against Members of Council, employees, volunteers or persons doing business on behalf of the Municipality. The Municipality also acknowledges the potential for physical and emotional harm as a result of these violent acts. No forms of violence will be tolerated in the workplace. Every effort will be made to identify possible sources of violence and implement procedures to eliminate or minimize the risks they create.

The Municipality acknowledges that violence in the workplace is an occupational health and safety hazard that can cause physical and emotional harm. We view any acts of violence or threats of violence in the workplace as unacceptable. We are committed to working to prevent workplace violence and to responding appropriately if workplace violence does occur. All members of the Municipality are responsible for creating and maintaining a safe environment.

II. Purpose

The purposes of this Policy are to:

- secure and maintain a working environment that upholds and values respect, diversity, inclusion, integrity, accountability, and the general well-being of all employees.
- establish the shared responsibility to maintain a respectful workplace.
- ensure that all Members of Council, employees, volunteers and others doing business on behalf of the Municipality understand that conduct such as harassment, sexual harassment, bullying and discrimination may be illegal and is contrary to the standard of conduct expected of employees and directors.
- provide all Members of Council, employees, volunteers and others doing business on behalf of the Municipality with an understanding of the type of conduct, comments and interactions that constitute violence, harassment, discrimination and other forms of Disrespectful Behaviour; provide procedures to support and encourage the prevention, early detection, resolution and elimination of harassment and discrimination.
- define the actions that may be taken when violence or Disrespectful Behaviour has occurred.

III. Application

This Policy applies to all employees, contracted service providers, committee members and other volunteers, regardless of position. This Policy covers behaviour that is connected to the work and services of the Municipality and includes behaviour taking place anywhere in the Workplace as it is defined below.

IV. Implementation

An administrative directive will be approved by the CAO that outline the definitions that constitute disrespectful behaviour, the complaints procedure, the resolution process as well as the roles and responsibilities of employees and management in implementing the policy. This administrative directive will be reviewed periodically.

V. Reprisal or Retaliation

Any alleged reprisal or retaliation taken against any employee, volunteer or person doing business on behalf of the Municipality for using this Policy, expressing an intention to use this Policy, or reporting violence or Disrespectful Behaviour concerns shall be investigated by the CAO or designate. Any employee, volunteer or person doing business on behalf of the Municipality found to have engaged in reprisal or retaliation is subject to appropriate disciplinary action, which may include dismissal. In addition, any employee, volunteer or person doing business on behalf of the Municipality who knowingly pursues a complaint in bad faith, maliciously or without a reasonable and probable basis, will be subject to discipline.

VI. Timely Reporting of Complaints

The Municipality encourages timely reporting of complaints to resolve violence or Disrespectful Behavior and address its impacts, but the passage of time will not prevent or limit access to the procedures and remedies set out in this Policy.

VII. False or Malicious Complaints

Any person who makes a harassment complaint in bad faith, maliciously or without a reasonable and probable basis, engages in a reprisal against an employee for filing a harassment complaint or interferes with a harassment investigation will be subject to discipline, in accordance with the Municipality's Progressive Discipline Policy.

VIII. Other Remedies

Finally, while this Policy outlines the Municipality's goals of promoting a workplace that is free of violence and Disrespectful Behaviour, the Policy is not intended to limit the Municipality's authority to discipline or take remedial action for workplace conduct the Municipality deems unacceptable, regardless of whether that conduct satisfies the definition of Disrespectful Behaviour. Nor is this policy intended to discourage or in any way limit an employee from seeking remedies through applicable human rights and employment legislation.

PART 9 - Health, Safety and Wellness

9.1. Health and Safety

Occupational Health and Safety is guided by provincial Occupational Health and Safety and the Municipality's safety program and administrative directive on incident reporting.

9.2. Wellness

The Municipality is committed to supporting and promoting employee mental and physical wellness through the terms in the Workplace Wellness Policy 17-02.

Employees are eligible up to \$200 per fiscal year to help support expenses related to participating in active living, sport and recreation opportunities of their choice. More details on this program can be received from human resources.

9.3 Work Clothing Policy

i. Purpose

The Work Clothing Policy is intended to set out the conditions for which the Municipality of the County of Cumberland will provide appropriate work clothing to an employee in a fair and consistent manner, and to set out associated responsibilities and procedures.

ii. Definitions

In this policy:

- a. "identification" means the Municipality of the County of Cumberland's logo as identified in the Municipality's Regional Marketing Strategy and may also include position title, and when necessary, is compliant with the Nova Scotia Temporary Workplace Traffic Control Manual standards for safety identification, i.e. ID jackets.;
- b. "work clothing" means clothing assigned for eligible employees under section iv.

iii. Scope

This Policy applies to all employees of the Municipality.

This Policy does not apply to personal protective equipment (PPE). Information regarding PPE is outlined in the Municipality of the County of Cumberland Safety Program.

iv. Eligibility

The Municipality will supply work clothing to employees if one or more of the following conditions are met:

- a. to ensure employees are readily identifiable and visible when exercising the authority of the Municipality in order to enhance compliance from the public and facilitate interaction with other agencies;
- b. to prevent significant wear and tear to personal clothing due to work conditions; and

- c. to protect against contamination or adverse weather conditions.

The Municipality does not provide clothing or a clothing allowance for ordinary day-to-day work activities under benign conditions.

In order to avoid potential abuse and possible perception of undue benefit, all work clothing provided shall remain the property of the Municipality at all times.

- v. *Procurement*

All work clothing purchases must follow the procurement process as outlined in the Municipality's Work Clothing Purchasing Procedure.

- vi. *Responsibilities*

Employees should wear attire that presents a professional appearance appropriate to their duties. Employees are discouraged from wearing work clothing outside of their work duties. If an employee must wear work clothing that identifies them as a municipal employee when not working, the employee is expected to conduct themselves in a manner that reflects well on the Municipality.

Employees assigned work clothing shall:

- a. wear this work clothing while performing their duties;
- b. be responsible for the care and cleaning of work clothing issued to them, unless other arrangements are made;
- c. return municipally issued work clothing to their supervisor when a replacement is required or requested; and
- d. follow the procurement process to ensure consistency and compliance.
- e. ensure clothing that is procured meets our current branding guidelines.

Supervisors shall:

- a. ensure that employees under their supervision are provided with the appropriate work clothing, as identified in the table below
- b. make reasonable efforts to ensure the work clothing they approve is suitable and appropriate;
- c. review work clothing purchase reports from procurement personnel for employees under their supervision;
- d. follow the procurement process to ensure consistency and compliance.

9.4 Drugs and Alcohol in the Workplace

- i. *Purpose*

The purpose of this Policy is to ensure a safe and healthy workplace for all Employees by reducing the risks associated with the use of Alcohol and Drugs. As part of an overall approach to safety,

the Alcohol and Drug Policy and Procedure are integral components of the Municipality's occupational health and safety management system.

Employees are expected to be fit for duty when reporting to work and remain fit for the duration of the day. This includes refraining from use of alcohol, drugs, or other substances that may diminish their capacity to perform the duties of the workplace.

II. Definitions

In this Policy, unless the context otherwise requires:

- a. "Administrative leave" means a temporary leave from a job assignment, with pay and benefits intact.
- b. "Alcohol" has the same meaning as "liquor" in section 2(k) of the *Liquor Control Act*, RSNS 1989, c. 260. Without limitation, alcohol includes beer, wine and spirits such as vodka, gin, rum, whisky and tequila and any beverages incorporating those products.
- c. "Cannabis" means any substance produced or derived from marijuana plants that can be consumed by a person through ingestion, smoking or topical application for medicinal or recreational purposes, whether or not lawfully obtained. Without limitation, Cannabis includes items such as marijuana cigarettes and marijuana infused pills, beverages, food and vapor.
- d. "Drugs" means substances, other than food, which are taken to change the way the body and/or mind function. They may include any of the following:
 - i. Prescription Drugs: drugs which have been legally obtained with a valid physician's prescription and are being used as prescribed, under medical supervision.
 - ii. Over the Counter Drugs: drugs that have been legally obtained but do not require a physician's prescription and are being used as prescribed, under medical supervision.
 - iii. Illicit Drugs: any drug or substance which has not been legally obtained or which is not legally possessed and whose use, sale, possession, purchase or transfer is restricted or prohibited by law.
 - iv. Other Substances (including alcohol): include but are not limited to legal or illegal products that can be inhaled, injected, or consumed by other means, that cause impairment or intoxication and that may not be included in the above definitions.
- e. "Drug and/or Alcohol Dependency" in the context of this Policy, means the use of Drugs and/or Alcohol to the point that it adversely affects performance or safety at work, either directly through intoxication, or after-effects, or indirectly through social or health problems.
- f. "Fit for Duty" in the context of this Policy, means being able to safely perform assigned duties and responsibilities without any impairment due to the influence, or after-effects, of any Drug (as defined in this Policy), that may hinder performance or compromise the safety of the employee, volunteer or others within the context of job duties or participation in Municipality-sponsored programs or events or in any other context to which this Policy applies. A person who is impaired under the definition in this Policy is Unfit for Duty.

- g. "Impairment/impaired" is the condition where the ability to perform one's job has been affected by drugs and/or alcohol, regardless of how much or how little is actually consumed. The following are some possible signs of impairment:
- unstable on feet
 - slurred speech
 - inability to perform duties
 - alcohol on breath
 - red eyes
 - unusual behaviour for employee (may be louder than usual)
- h. "Reasonable Grounds" in the context of this Policy, means that a graded approach, commensurate with risk, that may be used to determine when a person may be impaired to the point of not being able to work, participate safely in an activity, or who may compromise the safety of others.

III. Overview

All employees are responsible for safety in the workplace.

Employees and volunteers have the right to refuse unsafe working conditions. If an employee or volunteer feels their supervisor is not taking the appropriate action to create a safe working environment, they have the right to refuse the work.

This Policy applies to all Members of Council, employees and volunteers of the Municipality of the County of Cumberland.

IV. Expectations

The following expectations apply to members of Council, employees and volunteers alike while conducting work on behalf of the Municipality, whether on or off municipal property:

- Members of Council, employees and volunteers are expected to arrive to work fit for duty and able to perform their duties safely and to standard;
- Members of Council, employees and volunteers must remain fit for duty for the duration of their shift;
- Use, possession on person, distribution, or sale of illicit drugs, cannabis, or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited; exceptions apply for those serving alcohol as part of employment.
- Members of Council, employees and volunteers are prohibited from reporting to work while under the influence of recreational cannabis and any other nonprescribed substances;
- Use and possession on person of medically prescribed drugs is permitted during working hours, subject to the terms and conditions of the Municipality's policies and all applicable legislation;
- Members of Council, employees and volunteers on medically approved medication must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment; and
- Members of Council, employees and volunteers are expected to abide by all governing legislation pertaining to the possession and use of cannabis

The Municipality understands that Members of Council, employees and volunteers may be under medical care involving prescription drugs, including Cannabis, that may have impairing effects. It is the responsibility of all Members of Council, employees and volunteers to become familiar with the effects of prescription drugs and over the counter drugs they are taking and, if the use of such drugs impact performance or health and safety, the employee or volunteer must contact their supervisor or human resources immediately and before reporting to work under the influence of such drugs.

A supervisor or manager who is notified by an employee or volunteer with respect to prescription and over the counter drugs they are taking may not disclose any information provided to any person other than a person who needs to know in order to discharge a statutory or common-law obligation, unless authorized by the employee or volunteer.

Disclosure of Dependency

- Employees and volunteers who believe they may have a Drug and/or Alcohol Dependency, or who believe they have an emerging Drug and/or Alcohol Dependency, are expected to seek prompt assistance and follow appropriate treatment before job performance is affected or violations of this Policy occur.
- Employees and volunteers must disclose a Drug and/or Alcohol Dependency requiring accommodation to the Municipality. No employee or volunteer with a Drug and/or Alcohol Dependency issue will be disciplined for disclosing this information to the Municipality.
- The Municipality may, in its sole discretion, implement discipline in circumstances where the employee or volunteer did not disclose a Drug and/or Alcohol Dependency issue, and the employee or volunteer has violated the terms of this Policy.

V. *Suspicion of Impairment*

Mandatory reporting

In the event an employee or volunteer suspects impairment of another employee or volunteer during regular business hours, the employee or volunteer must:

- a. immediately report this to the appropriate manager/supervisor or designate; and
- b. make every reasonable effort to keep themselves and others safe.

Anyone who suspects another person to be impaired should make notes and document their observations of the person's behaviour.

Reasonable Grounds to suspect impairment

In the event a supervisor has reasonable grounds to suspect impairment of an employee or volunteer during regular business hours, the supervisor:

- a. must confidentially meet with the employee to inform them they are being placed on administrative leave for the remainder of the workday due to suspected impairment and they must leave the worksite immediately for the safety of themselves and others;
- b. must arrange for appropriate transportation for the employee;

- c. should not discuss performance or administer discipline while the employee is impaired;
- d. must document the incident and contact human resources as soon as reasonably possible to inform them of the situation and to schedule a meeting with human resources to determine the appropriate resources and course of action to be taken;
- e. must participate in planning and facilitating the employee's return to work where appropriate.

If an employee or volunteer is considered impaired and deemed “unfit for duty,” this decision is made based on the best judgement of two members of management (when possible) and DOES NOT require a breathalyzer or blood test. However, the Municipality reserves the right to conduct drug or alcohol testing if there are reasonable grounds upon which to do so.

Members of Council, employees, or volunteers who have been sent home due to suspected impairment are expected to return to work for their next scheduled work shift, unless they are medically unable to do so. If the employee or volunteer is medically unable to report for their next scheduled shift they are required to provide medical documentation stating the expected date they will be able to return to work.

Medical Conditions

Some medical conditions and medications can result in similar symptoms to being under the influence of alcohol or drugs. Members of Council, employees and volunteers should not jump to conclusions. If the individual claims to be on medication or to have a medical condition that causes similar symptoms of being under the influence of alcohol or drugs, they should be offered the choice of taking vacation days, sick leave or leave without pay. The affected employee or volunteer should be encouraged to take time off until the medical condition has improved in order to work safely.

Regardless of the source of impairment, the employee or volunteer should not be permitted to drive a vehicle. If the employee or volunteer does not agree to going home in a taxi or otherwise, and there are reasonable grounds to suspect impairment, then the police may be called.

VI. Agreement For the Continuation of Employment

The Municipality reserves the right to invoke an agreement for the continuation of employment in accordance with an employee’s or volunteer’s commitment to become and remain alcohol- and drug-free. The agreement will outline the conditions governing the employee’s or volunteer’s return to the job and the consequences for failing to meet the conditions.

An agreement for the continuation of employment may include a requirement for drug or alcohol testing.

VII. Accommodation and Assistance

Nothing in this Policy is meant to detract from the Municipality’s duty to accommodate a known disability to the point of undue hardship, and/or an individual’s rights under the *Nova Scotia Human Rights Act*. As such, these factors shall be considered in the individualized management of any disclosed Drug and/or Alcohol Dependency and any decision related to the discipline or termination of the employment of the employee.

Any employee who requires accommodation for a Drug and/or Alcohol Dependency has a responsibility to communicate their need for accommodation, and any medical restrictions or limitations, to the Municipality in sufficient detail to indicate the type and duration of accommodation required. Employees, requiring such accommodation must cooperate in the Municipality's efforts to respond to the request.

If an employee is concerned that they may have a drug and/or alcohol problem, they may choose to seek help by contacting the **Employee and Family Assistance Program (EFAP)** or by contacting Human Resources to discuss resources and options available.

Municipal supervisors are expected to maintain the privacy of any employee or volunteer suspected of impairment on the job. Details of all incidents shall remain confidential and be shared only with the Supervisor, Director, Human Resources Generalist and the CAO.

The Municipality recognizes that addictions are an illness and commits to taking reasonable action in supporting individuals suffering from addictions with their recovery and return to work.

The Municipality is not able to diagnose an employee with a Drug and/or Alcohol Dependency, but instead, this is the responsibility of a medical professional. Employees suspected of a Drug and/or Alcohol Dependency will be directed to the appropriate health care professionals for assistance.

If it is revealed that the impaired employee has a Drug and/or Alcohol Dependency, management shall make appropriate accommodations as recommended and respect the privacy and confidentiality of the employee throughout the accommodation process.

VIII. Disciplinary Action

Employees may be subject to disciplinary action up to and including termination for failure to adhere to the provisions of this policy, including but not limited to:

- a. Failure to meet prescribed safety standards because of impairment from alcohol or drugs; and
- b. Engaging in illegal activities (for example, selling drugs or alcohol while on municipal property or conducting municipal business).

PART 10 - Accommodation, Equity and Accessibility

The Municipality is committed to providing an inclusive, safe and supportive work environment that values diversity, is free from discrimination and provides an equal opportunity for all employees to participate and succeed. We aim to ensure that every individual working for the Municipality can effectively use their skills and experience to contribute in the workplace.

To ensure that persons who are otherwise able to work, are not unfairly excluded from doing so based on discriminatory barriers, the Municipality will make every reasonable effort to accommodate the needs of its employees in accordance with its obligations under applicable provincial and federal human rights legislation.

In general terms, workplace accommodation provides temporary or permanent solutions to eliminate discriminatory barriers that prevent employees from performing or fulfilling the essential duties of their jobs. It applies to documented medical, religion and/or family status needs as well as all other grounds protected under applicable human rights legislation.

I. Obligations

The Municipality is committed to responding to accommodation requests in a timely, confidential and sensitive manner. Accommodation is a shared responsibility between employees, Supervisors and the Municipality. Employees are expected to cooperate with the Municipality in the search for and implementation of reasonable accommodation.

The Municipality is responsible for:

- Working towards eliminating barriers that prevent employees from accessing or being included in the workplace on the basis of discriminatory barrier(s).
- Working towards ensuring that employees are advised of their right to seek accommodation based on discriminatory barriers.
- Dealing with requests for accommodation in a timely and sensitive manner.
- Maintaining the employee's or job applicant's privacy, to the extent possible by treating accommodation requests as confidential.
- Identifying suitable accommodations.
- Providing individual accommodation, to the point of undue hardship.
- Providing the employee with a copy of their individualized accommodation plan.
- Informing the employee of the reasons, if their accommodation request is denied.
- Ensuring that this policy is implemented in the workplace.

Supervisors are responsible for:

- Treating all employees with dignity and respect.
- Initiating discussions about accommodation when they are aware that an employee may have a need for accommodation but is otherwise unable to articulate that need.
- Dealing with requests for accommodation in a timely, confidential and sensitive manner.
- Advising their subordinates of the information needed to be provided with their request for accommodation.
- Referring accommodation requests to Human Resources.

- Participating in discussions of accommodations options with the employee and Human Resources.
- Working with Human Resources to facilitate the implementation of any accommodation offered.
- Monitoring any accommodation provided to ensure continued effectiveness.
- Ensuring this policy is implemented in the workplace.

Employees are responsible for:

- Requesting accommodation from the Municipality when needed.
- Helping to identify potential accommodation options.
- Cooperating with the Municipality in the search for and implementation of reasonable accommodation.
- Providing documentation to support their request for accommodation, including information about restrictions or limitations.
- Accepting an offer of reasonable accommodation that meets their needs, even if it is not their preferred accommodation option.
- Providing medical updates, if requested by the Municipality.
- Advising the Municipality if their accommodation needs change or accommodation is no longer needed.

II. [Process for Requesting Accommodation](#)

The need for accommodation may be identified through a request by an employee or through an observation by a supervisor that it is reasonably apparent that an employee has one or more discriminatory barrier(s) that are interfering with their job duties.

Employees who believe that they require accommodation due to disability are responsible for requesting accommodation from their supervisor and the Human Resources Generalist either orally or in writing. The Municipality encourages employees to make their request in writing and to include relevant information, such as:

- A description of the accommodation that is being sought.
- The reason accommodation is needed.
- How the requested accommodation will assist in performance of job functions.

In scenarios where an employee has not requested accommodation, but it is reasonably apparent that the employee may have one or more discriminatory barrier(s) that require accommodation, the employee's supervisor may approach the employee to determine whether the employee wishes to request accommodation under this policy.

If the employee makes a verbal request for accommodation, their supervisor and the Human Resources Generalist will document the request, including the employee's name, position and date of the request, as well as any details and accommodation options suggested by the employee.

The Municipality may require more information related to the employee's accommodation request, including provision of a note from the employee's doctor, if any of the following apply:

- The employee's discriminatory barrier(s) are not obvious.

- The accommodation request does not clearly indicate a need related to one or more discriminatory barrier(s).
- More information on the employee's limitations or restrictions is needed to determine an appropriate accommodation.
- There is an objective reason to question the legitimacy of the employee's request for accommodation.

Failure to respond to such requests for information may delay the provision of accommodation. Where there is reason to question the adequacy or reliability of the information provided by the employee's physician, the Municipality may require the employee to attend an independent medical examination at a health care professional of the Municipality's choosing, at the Municipality's expense.

III. Response to Accommodation Requests

Accommodations are individualized to reflect the employee's specific needs and circumstances, short of causing undue hardship to the Municipality. The employee's accommodation preferences will be considered but are not determinative.

Examples of possible accommodation solutions may include:

- Modifying the employee's work location, work schedule and/or workplace.
- Creating a gradual return to work plan.
- Modifying the way that the employee's work is performed.
- Providing assistive devices for performing work tasks.
- Modifying equipment that is used by the employee.
- Providing information in accessible formats.

The CAO will approve accommodation requests on the recommendation of the employee's Director. Where necessary, temporary accommodation may be provided while longer term solutions are developed. An employee's accommodation needs or the Municipality's organizational requirements may change over time and, as such, any accommodation provided will be monitored and may require adjustments to improve effectiveness or efficiency.

IV. Privacy and Confidentiality

As with the complaints process under the Respectful Workplace Policy, confidentiality will be maintained, subject to the needs of the accommodation process. Personal information will only be disclosed to those with a demonstrated need to know for the purposes of determining or providing accommodation, as required to take corrective action for violation of this policy, or as required by law.

V. No Reprisals

No reprisal or penalty will be taken against a person for requesting for accommodation in good faith. Any employee who pursues a request for accommodation in bad faith, maliciously or without a reasonable and probable basis, or engages in a reprisal against an employee for requesting

PART 11 Volunteering

I. Purpose

The Municipality has created this Policy regarding volunteering for the purpose of:

- a. providing staff and volunteers with guidance to ensure a safe, meaningful, and productive volunteer experience with the Municipality;
- b. recognizing the essential role that volunteers play in building a healthy and vibrant community;
- c. developing systems and processes that support municipal volunteers and volunteerism by establishing best practices in the management of volunteers and minimizing risk to the Municipality and municipal volunteers; and
- d. ensuring volunteers understand their responsibilities and commitments to the Municipality.

II. Definitions

In this Policy, unless the context otherwise requires:

- a. "volunteer" means anyone who offers time, energy, and skills of his or her own free will for the mutual benefit of the volunteer and the organization. Volunteers work without financial compensation, or the expectation of financial compensation beyond an agreed-upon reimbursement for expenses.

III. Guiding Principles

The Municipality encourages citizens to volunteer and contribute their expertise to improve their communities and will actively promote volunteer opportunities.

The Municipality will provide appropriate mechanisms to support volunteers and commits to providing a safe and supportive environment for volunteers.

Volunteers act as representatives of the organization and also have responsibilities. Volunteers make commitments to the Municipality and should act responsibly and with integrity.

Training and supervision is provided to ensure volunteers understand their roles, responsibilities, and limitations and are able to undertake them in an appropriate and safe manner.

IV. Policy Statement

The Municipality values volunteers and believes volunteerism:

- promotes citizen involvement, social and community responsibility, participation, and interaction;
- contributes to a healthy community and a vibrant Municipality; and
- improves the quality of life in the community.

Thus, the Municipality will:

- support volunteers and volunteerism in the Municipality;

- provide positive, meaningful volunteer experiences for individuals who volunteer with the Municipality; and
- work with community and voluntary groups in order to strengthen, recognize, and support volunteerism in the Municipality.

V. Volunteers

Volunteer applicants will complete an application form and will be evaluated based on qualifications, suitability, and availability for the role.

The Municipality will interview interested applicants for the position(s) (when applicable).

All volunteer applicants will be notified in writing once the volunteer position has been accepted.

Volunteers may receive training and safety equipment which is specific and appropriate to their volunteer role.

Criminal record checks will be required for volunteers.

Volunteers will be assigned a municipal supervisor who will supervise and support their involvement.

Volunteers will follow the Municipality's Occupational Health and Safety Policy, and any other policies that may apply.

A volunteer shall not disclose personal information of others they may become aware of in the conduct of their responsibility as a volunteer.

Volunteers will not purchase goods and services on behalf of the Municipality unless expressly requested to do so.

Volunteers may choose to end their involvement with, or can be asked to end their involvement with, the Municipality at any time without reason.

VI. Recognition

Volunteers may be recognized by the Municipality, from time to time, based on the length of time they have been involved, and the significance of their contribution.

VII. Insurance Coverage

The Municipality's liability insurance protects both the Municipality and the volunteer against claims from third parties while the volunteer is performing volunteer activities. This does not cover loss of, or damage to, the volunteer's property. There is no cost to the volunteer for this liability insurance.

Except for volunteer fire fighters, volunteers are not authorized to use Municipally owned or Municipally leased vehicles. The Municipality does not provide auto liability coverage to any volunteer's personal vehicle driven on behalf of the Municipality during their volunteering duties.

Schedule "A" - Declaration of Confidentiality

I. Purpose

The Municipality of the County of Cumberland requires all employees to handle any and all sensitive business information regarding confidential materials (including any personal information relating to the employees of the Municipality), gained through the course of their regular job duties in a confidential and appropriate manner.

Employees of The Municipality of the County of Cumberland are required to keep all confidential information and relevant knowledge regarding the Municipality confidential both during and after their term of employment. These practices have been adopted as they have been deemed essential to the protection of operations and reputation of The Municipality.

II. Confidentiality Agreement

In working for The Municipality of the County of Cumberland, employees shall not divulge, disclose, provide or disseminate Confidential Information to any third party not employed by The Municipality at any time, unless The Municipality gives written authorization. Furthermore, Confidential Information shall not be used for any purpose other than its reasonable use in the normal performance of employment duties for The Municipality. Reasonable efforts will be made to limit access to confidential information to only those who need to know the information and those persons will be advised that the information is to be kept confidential unless otherwise stated.

Employees having knowledge of undisclosed Confidential Information regarding The Municipality, its employees or any third parties are prohibited from disclosing such information.

Employees that are neither official spokespersons nor permanently and/or temporary designated spokespersons cannot, under any circumstances (including on a "no-names" or "off the record" basis), respond to inquiries unless specifically asked to do so by an official spokesperson of the Municipality. All inquiries are to be referred to the Director or CAO.

Acknowledgment and Agreement / Statement of Confidentiality

I, _____, acknowledge that I have read and understand the Confidentiality Agreement of The Municipality of the County of Cumberland. I agree to adhere to this agreement in its entirety and will ensure that employees working under my direction adhere to this Policy. I understand that if I violate the rules set forth in the Agreement, I may face legal, punitive, or corrective action.

Name: _____

Date: _____

Signature: _____

Witness: _____