

**LIIDLII KUE FIRST NATION  
OPERATIONS  
AND  
POLICIES AND PROCEDURES  
MANUAL**

**SECTION TWO:**

***Personnel Management Policies and Procedures***

April 2014

**DRAFT**

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**Preamble:**

The Liidlii Kue First Nation Chief and Council are responsible for leading an effective government and protecting the organization and employees from harm. One way to fulfill these responsibilities is to put current personnel management policies and procedures in place. All elected members and employees of the Liidlii Kue First Nation Council should know and follow the Personnel Management Policies and Procedures.

The Chief works with the Liidlii Kue First Nation Executive Director to ensure that the policies and procedures are followed in the operations of Council. The Executive Director is responsible for day-to-day personnel management in accordance with approved policies and procedures. It is the responsibility of the Executive Director to make the final decision on personnel issues (e.g., with respect to harassment, absenteeism, substance abuse, cultural leave, personal matters). Information on personnel issues will be provided to the Chief and Council as needed.

For reasons of transparency and maintaining membership confidence in the Liidlii Kue First Nation Council to represent all members equally and fairly, the Council has a Personnel Committee. The Personnel Committee is made up of two elected leaders (Councillors) and the Executive Director. The Personnel Committee is involved in hiring and termination decisions of all core staff.

The Executive Director ensures that decisions refer to the relevant personnel policy. If there are gaps in personnel management policies and procedures, the Executive Director addresses these immediately by bringing gaps to the attention of the Chief for resolution by the Liidlii Kue First Nation Council.

The following Personnel Management Policies and Procedures apply to Liidlii Kue First Nation Council and operations which include Kids Corner. They do not apply to Nogha Enterprises or any other Liidlii Kue First Nation organization that operates as a separate entity with its own policies and procedures.

**Policy Number: 2.00:01**  
**Issued on: April 2014**

**POLICY Human Rights**

The Liidlii Kue First Nation adheres to the terms of *The Canadian Human Rights Act* (1985) and the *NWT Human Rights Act* (2012) in all employer-employee relationships.

**PROCEDURES**

1. The Liidlii Kue First Nation will not directly impede or discourage any employee who makes an honest complaint to the Canadian Human Rights Commission and/or the Northwest Territories Human Rights Commission.
2. There will be no adverse implications to any employee who makes an honest complaint.
3. As determination of the validity of any complaint is beyond the jurisdiction of Liidlii Kue First Nation, no disciplinary, corrective, or remedial action will be taken by the Council pending determination of the validity of the complaint, except as may be necessary to ensure ongoing functions are being performed.

**RESPONSIBILITY**

Executive Director

**Policy Number:** 2.00:02  
**Issued on:** April 2014

**POLICY**                      **Employment Standards**

The Liidlii Kue First Nation Council adheres to the *NWT Employment Standards Act* and Regulation which sets out minimum employment standards for most employees and employers that perform work in the NWT. The Liidlii Kue First Nation exceeds these standards in several areas.

**PROCEDURES**

1. A copy of the *NWT Employment Standards Act* and Regulations will be bound in a three-ring binder and kept in a conspicuous place in the offices of the Liidlii Kue First Nation Council.
2. During working hours all employees can freely access the *NWT Employment Standards Act* and Regulations available at the offices of the Liidlii Kue First Nation Council.
3. All formal decisions taken by the Liidlii Kue First Nation Council in the form of motion or resolution which affect employment standards will be posted in the binder with the *NWT Employment Standards Act* and Regulations.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.00:03**  
**Issued on: April 2014**

**POLICY Record of Next of Kin**

The Liidlii Kue First Nation will maintain a current record of the next of kin of each employee.

**PROCEDURES**

1. When an employee commences employment with the Liidlii Kue First Nation, he/she will provide phone numbers for his/her next of kin. These numbers will be placed on the employee's personnel record and kept on file with each program.
2. Employees will communicate any changes to the contact numbers of the next of kin in writing to his/her program manager and the Executive Director.
3. In extenuating circumstances, contact will be made with the employee's next of kin.
4. While ensuring the employee's safety and well-being, contact with an employee's next of kin will be careful not to jeopardize the employee's right to privacy and confidentiality.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.00:04**  
**Issued on: April 2014**

**POLICY Confidentiality of Privileged Information**

Every precaution will be taken to prevent the unwanted disclosure of privileged information with respect to the political, social, financial, or personal affairs of Liidlii Kue First Nation members, Council, employees, and volunteers.

**PROCEDURES**

1. Any Council member, employee, or volunteer who breaches this policy will be subject to disciplinary action up to and including dismissal or removal.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.00:05**  
**Issued on: April 2014**

**POLICY Safety in the Workplace**

The Liidlii Kue First Nation will undertake to protect the rights and person of all Council members, employees, and volunteers from physical, psychological, or emotional harm.

**PROCEDURES**

1. All Council members, employees, and volunteers have the right to be free from any undue danger in the workplace including exposure to hazardous materials and communicable infectious diseases.
2. All Council members, employees, and volunteers will conduct themselves in their relationships with others in the workplace in a respectful manner to ensure that no one experiences any form of threat to person, sexual harassment, personal offence, embarrassment, or fear.
3. Supervision will ensure that no Council member, employee, or volunteer is subject to or exposed to unnecessary danger or harm while at work.
4. Toxic chemicals and other substances which may cause bodily harm over short or long term exposure will be handled only by individuals who have had proper training and only while using the proper protective clothing and equipment.
5. All equipment and machinery used by the Liidlii Kue First Nation Council will be maintained in good repair for efficient operations and the safety of the individuals using them.
6. Training will be provided on the *NWT Public Health Act* and Regulations regarding communicable infectious diseases and these Regulations will be followed in the workplace.
7. The Liidlii Kue First Nation Council will ensure that easily accessible and properly equipped First Aid kits and defibrillations are provided in the workplace.

**RESPONSIBILITY**

Executive Director



**Policy Number: 2.00:06**  
**Issued on: April 2014**

**POLICY                      Accessing and Destroying Personnel Records**

The Liidlii Kue First Nation Council will maintain confidential personnel files for each employee and dispose of inactive personnel files according to approved procedures.

**PROCEDURES**

1. Access to personnel records
  - a. The Executive Director will have unlimited access to personnel records.
  - b. Program managers have access to records of employees under their supervision.
  - c. Written request to review one's personnel records must be made by the employee to the Executive Director. An employee may review his/her personnel file only in the presence of the Executive Director.
  - d. Upon receipt of the written request, appropriate arrangements will be made allowing access to the employee's personnel record.
  - e. The employee may have access to all contents of his/her own records, except letters of reference, once every year in the presence of the Executive Director
  - f. Files will not be removed from Liidlii Kue First Nation offices.
  - g. The personnel files are the property of the Liidlii Kue First Nation Council and not the employee.
  - h. Only in the case of a court order will a third party have access to any specific personnel file.
2. Management and destruction of personnel records
  - a. After termination or in the event that an employee voluntarily leaves employment with the Liidlii Kue First Nation Council, the Executive Director will remove the former employee's personnel file from active status and store it with inactive personnel files for a period of five years.
  - b. Should a former employee return to a position of employment with the Liidlii Kue First Nation Council within five years of leaving, his/her personnel file will be returned from inactive to active status.
  - c. If after five years and a former employee does not return to work for the Liidlii Kue First Nation Council their entire personnel file will without being read, be shredded and discarded in the presence of the Executive Director.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:01**  
**Issued on: April 2014**

**POLICY                      Preferential Hiring**

The Liidlii Kue First Nation Council is committed to employing qualified members of the First Nation or alternatively from other indigenous cultures that share Dene laws, values, and principles.

**PROCEDURES**

1. Normal hiring practices will be followed as outlined in the policy on Hiring and Conditions of Employment (Policy 2.10:02).
2. In all competitions where applicants meet the position requirements and qualify for the position, applicants who are Liidlii Kue First Nation members will be given preference for hiring.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10.02 (page 1 of 3)**  
**Issued on: April 2014**

**POLICY Hiring and Conditions of Employment**

The Liidlii Kue First Nation complies with the *NWT Employment Standards Act* and Regulations and in some cases exceeds these regulations to reflect Dene law and traditions.

**PROCEDURES**

**Hiring Decisions:**

1. Employment decisions will be made without regard to sex, age, marital status, or religion.
2. Notwithstanding #1 above, the Liidlii Kue First Nation Council will implement its preferential hiring policy (Policy 2.10:01).
3. No individual serving in an elected office with the Liidlii Kue First Nation will be eligible for any employment or service positions or contracts with the First Nation.
4. Employment in all categories is subject to the availability of funding.
5. Employees categories:
  - a) A *full time employee* is one who is employed for thirty (30) hours or more per week.
  - b) A *part time employee* is one who works less than thirty (30) hours per week.
  - a) A *temporary/term employee* is one who is paid by the hour, as a replacement worker in cases of illness, leaves of absence, or special projects for a period of ten (10) weeks or less. Temporary positions cannot be renewed or extended.
  - c) A *casual employee* is one who is hired by the Executive Director to fill in a position for up to but not to exceed four months. The letter of offer will state the start and end date of employment.
  - d) A *contract worker* including a professional consultant is an individual or company who is hired by the Liidlii Kue First Nation Council to complete a project in a certain period of time for an agreed upon sum of money, and:
    - Is not entitled to benefits with the Liidlii Kue First Nation.
    - Is required to make his/her own remittance to the Government of Canada and the Government of the Northwest Territories.
    - Is responsible for his/her own statutory withholdings.
    - Does not work out of the Liidlii Kue First Nation office.
    - Must sign a contract with Liidlii Kue First Nation.
    - Is self employed.
    - Honours confidentiality and intellectual property rights and requirements of the Liidlii Kue First Nation.
6. The Liidlii Kue First Nation Council is responsible for hiring and terminating the Executive Director.
7. The Liidlii Kue First Nation Council will have a Personnel Committee made up of two elected Councillors and the Executive Director.
8. The Personnel Committee is involved in hiring and termination decisions of all core staff in the full and part-time employee categories.
9. The Executive Director will be responsible for all other hiring and termination decisions and may consult as required with the Personnel Committee.
10. A standard screening tool will be used to evaluate applications and determine which applicants will be reviewed.
11. When practical, a minimum of three applicants will be interviewed.

12. Hiring Conditions:
  - b) All permanent positions with the Liidlii Kue First Nation Council will be publicly advertised locally for a period of two weeks.
  - c) Job advertisements will include a summary of the job description, minimum qualifications, and closing date for receipt of applications.
  - d) If local advertising is unsuccessful, the Liidlii Kue First Nation may advertise regionally, territorially, or nationally.
  - e) In situations of time constraints which can be justified to Council if called upon to do so, temporary positions may be filled without public advertisement.
13. Reclassification:
  - a) Position reclassification for all full time employees will be subject to the availability of funding.
  - b) Full time employees affected by position reclassification will have the option to accept or reject the reclassified position.
  - c) If a temporary position is reclassified to a full or part-time position, a public competition will be held to fill the position.
14. Reference Checks:
  - a) Reference checks will be conducted for at least the three top contenders for all positions with at least two references, preferably a former employer and a character witness, before the evaluation of potential employees can be completed.
  - b) The values given to reference check questions will be included in the overall evaluation of each applicant.
  - c) The applicant with the highest score on interview and reference checks will be the successful candidate in the job competition.
  - d) Exceptions to this procedure can be made by Council upon referral from the Personnel Committee and in recognition of the Preferential Hiring Policy.
15. Unsuccessful Applicants:
  - a) The Liidlii Kue First Nation Council will establish an independent ad hoc appeals committee.
  - b) Unsuccessful applicants will be notified by mail marked personal confidential.
  - c) No job offer will be made before the appeal period has expired.
  - d) The period for which any unsuccessful candidate can appeal a Liidlii Kue First Nation hiring decision is ten (10) business days from the postal stamp on the letter of notification.
16. Job Offer:
  - a) The employee's job offer will be in writing.
  - b) The job offer will serve as the official record of any terms and conditions of employment which are specific to an employee.
  - c) The offer will include the job title, terms of employment, salary or wages to be paid for services, notice that employment is contingent on funding, effective date of employment, name of the supervisor, and a copy of the job description.
  - d) The notice of job offer must be approved by the Executive Director or in the case of a job offer to the Executive Director, by the Chief.
17. If an employee has a Criminal Record, the Executive Director must be notified before the job offer is made.
18. Employment Anniversary and Appraisal Date:
  - a) For the purpose of the performance appraisal, the anniversary date is the date upon which an employee commenced employment in his/her position.

- b) For the purpose of calculating benefits, the anniversary date is the date upon which the employee commenced employment with Liidlii Kue First Nation.
19. Bonding:
- a) Bonding will be at the employer's expense and at the discretion of the Executive Director.
  - b) Should an employee not be able to be bonded, the Executive Director will restrict access to Liidlii Kue First Nation Council's funds.
  - c) All personnel with signing authority will be bonded.
20. Outside Employment:
- a) Outside employment is all work not paid for by the Liidlii Kue First Nation.
  - b) Outside employment is permitted for full-time employees only if the employment does not affect the employee's job performance or pose a conflict with the interests of the Liidlii Kue First Nation.
  - c) A Liidlii Kue First Nation employee who wishes to take another job will apply to the Executive Director in writing stating the reasons for taking another job and identifying any possible conflict. The Executive Director must give due consideration to the employee's request and reasons to protect both the integrity of the relationship with the employee and the credibility of the Liidlii Kue First Nation. Approval by the Executive Director of any outside employment must be received by the employee before he/she begins another job.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:03**  
**Issued on: April 2014**

**POLICY**                      **Code of Conduct**

Liidlíi Kue First Nation Council members and employees are expected to act in a manner consistent with the Code of Conduct.

**PROCEDURES**

1. All Liidlíi Kue First Nation Council members and employees will adhere to the Code of Conduct and Confidentiality (Governance Policy 1:00:02).
2. All Liidlíi Kue First Nation employees will adhere to the NWT *Employment Standards Act* and Regulations (Policy 2.00:02), the requirements of their job description, and conditions of employment.
3. The Liidlíi Kue First Nation Council members and employees will respect and practice Dene laws, values, and principles described in the Governance Policies and Procedures Preamble, to the best of their ability and in a way that reflects well on themselves and the First Nation.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:04**  
**Issued on: April 2014**

**POLICY Criminal Records Check**

The Liidlii Kue First Nation requires a criminal records check for Council members and those potential employees and volunteers who fill positions of power and/or financial trust, and where those served are vulnerable.

**PROCEDURES**

1. Council members and if required, employees and volunteers will obtain a criminal records check from the R.C.M.P in Fort Simpson.
2. The criminal records check will be a factor in hiring decisions for certain positions.
3. The criminal records check will be appended to the personnel file of employees.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:05**  
**Issued on: April 2014**

**POLICY Commencement of Employment**

In order to commence as an employee with the Liidlii Kue First Nation, several conditions must be completed and agreed to by the employee.

**PROCEDURES**

1. The Executive Director will ensure that documentation is complete and meets all appropriate policy and procedural requirements.
2. The Executive Director will make the probationary period clear to the prospective employee.
3. The Executive Director will ensure that the following forms are signed by the employee, if required:
  - a) Job offer,
  - b) Resume,
  - c) Job description,
  - d) Criminal records check,
  - e) Tax Form TD1, and
  - f) Drivers abstract.
4. An orientation package and letter of welcome with a copy of the signed job description will be given to all new employees at the commencement of employment.
5. The Executive Director will forward a copy of the completed file to the Finance Comptroller to action payroll.
6. New employees will be advised of mandatory reductions and hold backs.
7. New employees will be advised that their personnel file will be secured at all times and retained on site.

**RESPONSIBILITY**

Executive Director



**Policy Number: 2.10:06**  
**Issued on: April 2014**

**POLICY                      **Orientation****

All employees will receive an orientation to Liidlil Kue First Nation Council policies and procedures.

**PROCEDURES**

1. All new employees will receive an orientation within one month of beginning employment.
2. Each program manager must implement a documented orientation that has been approved by the Executive Director.
3. The documentation of orientation will be signed by both the employee and the program manager providing the orientation and filed in the employee's personnel file.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:07**

**Issued on: April 2014**

**POLICY Probation Period**

All full time employees will be on probation for the first six months of their employment without any loss of eligible benefits that began with employment with the Liidlii Kue First Nation Council.

**PROCEDURES**

1. While on probation, the new employee will receive all eligible benefits provided by the Liidlii Kue First Nation Council.
2. A minimum of one performance appraisal will be conducted during the probationary period.
3. Depending on the performance appraisal, the Executive Director may terminate the employee for unsatisfactory job performance, appoint the employee to the position, or have the probationary period extended for a maximum of three more months at which time a decision regarding full time employment will be made.
4. Should the decision to terminate occur, the employee will receive in writing, the reasons for termination.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:08**  
**Issued on: April 2014**

**POLICY                      Job Description and Qualifications**

Current, up-to-date job descriptions are required for all operational and/or administrative positions within the Liidlii Kue First Nation government.

**PROCEDURES**

1. Each job description will contain the following information:

Identification:

- Position title
- Program/Department
- Name of the supervisor
- Date of the last job description revision

Purpose of the position

- The main reason for the position

Scope

- How the position contributes to, and impacts on the Liidlii Kue First Nation Council

Responsibilities

- The major responsibilities/activities or duties of the position
- The target accomplishments or objectives expected of the position

Knowledge, Skills and Abilities

- The knowledge, skills, and abilities needed to meet work expectations

Work Conditions

- The physical working conditions including hours of work.
- The environmental working conditions
- The sensory working conditions
- The mental working conditions

Certification

- This section is signed by the Executive Director or in the case of the Executive Director by the Chief, as certification that the job description accurately reflects the purpose of the position and meets the needs of the Liidlii Kue First Nation Council. This section is also signed by the program manager and the incumbent as evidence that the job description is mutually agreed to.

2. An original copy of the job description will be kept on the personnel file of the employee filling the position, and a copy will be given to the employee during the orientation session.
3. Exceptions to qualifications required for a position can be made by the Executive Director but the reason(s) for the exception must be documented and filed on the personnel file of the employee.
4. Job descriptions should be reviewed and revised as needed. At minimum, job descriptions will be reviewed at least once every year to ensure that they are current and up-to-date.
5. Copies of all current job descriptions for all positions within Liidlii Kue First Nation will be kept in a file at the First Nation offices.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:09**  
**Issued on: April 2014**

**POLICY                      Performance Appraisal**

The Liidlíi Kue First Nation Council will conduct regular performance appraisals to best serve the needs of the First Nation and its employees.

**PROCEDURES**

1. The performance appraisal is a written assessment by the employer of the employee's performance, growth, and general ability to perform his/her responsibilities as outlined in his/her job description.
2. The performance appraisal is based on a comparison of the results achieved by the employee to the mutually agreed upon job description.
3. The performance appraisal determines the employee's suitability for the position.
4. Performance appraisal will be used as the basis for letters of reference written by the Liidlíi Kue First Nation Council on the employee's behalf.
5. A performance appraisal will be conducted at or before the sixth (6<sup>th</sup>) month of employment of all new employees and every twelve (12) months for all other employees. Ideally, all performance appraisals would be conducted concurrent to the annual budget approval process.
6. Both the employee and Executive Director must sign the final completed appraisal.
7. A copy of the completed performance appraisals will be placed on the employee's personnel file. The employee will also be given a copy for their own records.
8. As part of the performance appraisal, the Executive Director will ensure that the employee maintains all necessary professional certifications and license requirements necessary for the employee to maintain the position.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.10:10**  
**Issued on: April 2014**

**POLICY Training and Compensation**

Training is essential for personal and organizational growth and development. The Liidlii Kue First Nation Council supports appropriate and relevant training that enhances needed skills and abilities.

**PROCEDURES**

1. Approval to participate in training will consider the benefits to the Liidlii Kue First Nation and the individual and the most cost effective options.
2. Each employee will have a training plan developed at the time of their annual performance appraisal. This plan will serve as the basis for approving participation in training.
3. All training is contingent on funds being available for this purpose.
4. All training must have the prior approval of the Executive Director.
5. The request for training must be in writing and include any expenses to be reimbursed to the individual attending and any special arrangements regarding working time allocation.
6. Cheque requisitions and travel claims submitted for the purpose of reimbursing a training related expense must include the signed authorization of the Executive Director and the written request for training.
7. No payments of travel for training will be made without prior authorization.
8. All original copies of the request and authorization for training will be placed on the employee's file.
9. When attending training that exceeds six hours in any given day, a day in lieu may be granted.
10. Travel to and from training will be reimbursed at straight time when the travel takes place on a regularly scheduled day off or when it exceeds the six hour shift on a regularly scheduled work day.
11. Reference to training completed by staff will be placed on each employee's personnel file.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.20:01**  
**Issued on: April 2014**

**POLICY**                      **Hours of Work, Attendance and Overtime**

Each employee will report to work regularly and on time each working day, and record their attendance on their time sheet for each pay period. The Liidlii Kue First Nation will monitor the hours of work in approved job descriptions and ensure adherence and regard to the *NWT Employment Act*.

**PROCEDURES**

1. Within the performance appraisal process, job descriptions including hours of work, statutory holidays, lieu time, sick days, and special leave will be reviewed.
2. No salaried employees can accrue overtime.
3. All hourly employees will have overtime hours pre-authorized in advance of working these hours.
4. An employee who is absent for personal reason or an appointment will not be paid without prior approval from the Executive Director.
5. An employee who is unable to report for work or who is going to be late must inform their program manager within one half hour of their normal starting time.
6. If the employee does not contact the program manager within the allotted half hour time they will be considered absent without leave. Disciplinary action may be taken as a result.
7. Repeated lateness will result in disciplinary action.
8. Employees who have more than three late arrivals within one reporting period (bi-weekly) will be given a written warning.
9. All late arrivals are unpaid leave and reported in performance appraisals. Employees will not be paid for time lost due to lateness.
10. A salaried employee who is aware in advance that he/she will not be starting work at the normal time, must give written notice of the fact to their program manager.
11. All employees must complete bi-weekly time sheets in accordance with Liidlii Kue First Nation practices and timelines.
12. All time sheets will be submitted by 12:00 PM on the Thursday immediately prior to payday.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.20:02**

**Issued on: April 2014**

**POLICY Payroll and Benefits**

All Liidlii Kue First Nation employees are paid fairly, equitably, and in a timely manner and offered benefits as part of their compensation for services.

**PROCEDURES**

1. The Liidlii Kue First Nation Council will follow a bi-weekly pay schedule, providing 26.08 pay periods per annum.
2. Salaries or wages are paid at the rates agreed to by the employee and the Executive Director.
3. All new employees are subject to a two week hold-back at the beginning of their employment.
4. As required by law, the Liidlii Kue First Nation Council contributes the employer's share of CPP and EI premiums to Canada on behalf of salaried and wage employees.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.20:03 (page 1 of 2)**

**Issued on: April 2014**

**POLICY Leave**

The Liidlii Kue First Nation Council provides employees with opportunities for paid and unpaid leave.

**PROCEDURES**

Special First Nation Leave

1. The Liidlii Kue First Nation Council sets dates for closing its offices for ten (10) business days excluding statutory holidays, during the month of December. This period is Special First Nation leave with pay for full and part-time employees.
2. The Liidlii Kue First Nation Council may also establish other Special First Nation Leave from time to time.

Special Leave

3. Full-time employees earn special leave at a rate of one (1) day per month.
4. Special leave to a maximum of five (5) days can be carried over from one budget year to the next.
5. The First Nation Manager may grant special leave with pay for a period of up to five (5) days as unforeseen circumstances arise and are consistent with Dene laws, values, and principles.

Cultural Leave

6. The Liidlii Kue First Nation Council will provide a maximum of two (2) business days of paid cultural leave to all employees in order that they can pursue/practice Dene traditions.

Sick Leave Earned

7. Sick leave will be earned by full-time employees at a rate of one and one-quarter (1 ¼) business or working days per month to a maximum of ninety (90) days.

Granting and Managing Sick Leave

8. Sick leave may be granted with pay when an employee is unable to perform work duties due to illness or injury, provided that the employee has the necessary sick leave credits.
9. Full-time employee will receive sick leave with pay up to a maximum of fifteen (15) days in one fiscal year based on accumulated sick leave credits. Any leave in excess of 15 days will require the Executive Director's approval.
10. If an employee's position with the Liidlii Kue First Nation Council ceases before the credits are earned, the employee will be required to reimburse Liidlii Kue First Nation for the value of the unearned sick leave. The required amount will be deducted from his/her final pay cheque.
11. Employees must produce a doctor's certificate or a written note from a traditional healer after two (2) consecutive days of absence from work due to illness.
12. Recognized holidays which fall within the period of sick leave taken will not be charged to the employee's accumulated sick leave.
13. Employees suffering from illness or an accident which causes them to be unable to work for a considerable projected period of time as ordered by a doctor or traditional healer, will apply for leave without pay for the estimated time.
  - i. Permanent physical or mental incapacity which is declared by a physician or traditional healer and which prevents the employee from performing his/her regular employment duties, will be considered just cause for terminating



employment with the Liidlii Kue First Nation after every effort has been made to reassign the employee to another position which he/she may be able to perform.

14. On termination of employment, no financial compensation will be provided for accumulated sick leave credits.
15. An employee is ineligible for sick leave with pay for any period during which he/she is on leave without pay or is under suspension.
16. If an employee suffers a work-related injury or illness, he/she must report this immediately to his/her program manager and the Executive Director.
17. An accident report is require as soon as possible by the employee and the Executive Director and sent to the Workers' Safety and Compensation Commission (WSCC) the same day.

#### Court Leave

18. Leave with pay will be given to any employee other than an employee on leave without pay or under suspension, when the employee is subpoenaed to appear as a witness, participate in a jury selection process, serve on a jury or appear in court as an official First Nation delegate.
19. In cases where an employee is required to appear in court for personal reasons, either as a plaintiff or as a defendant, leave will be either without pay or chargeable against accumulated holiday credits.

#### Casual Leave

20. At the discretion of the Executive Director full and part-time employee(s) may be granted casual leave with pay to a maximum of two (2) hours per week for education, medical, dental, legal appointments, or fulfilling voting responsibilities.

#### Maternity Leave

21. An employee who is pregnant is eligible for maternity leave without pay.

#### Leave For Injury On Duty/Workers' Compensation Leave

22. Full and part-time employees injured on the job will be subject to WSCC guidelines related to leave and compensation.
23. This leave is provided on a short term basis.
24. Leave and compensation for all other employees injured on the job will be determined by the Executive Director in accordance with NWT laws and regulations.

#### Education or Training Leave

25. Full and part time employees may be granted short-term leave for educational purposes with full or partial salaries subject to the Executive Director's approval.

#### Leave Without Pay

26. Leave without pay of up to three (3) days may be given to a full or part-time employee with the Executive Director's approval if this leave does not interfere with the employee's duties and the Liidlii Kue First Nation Council's operational requirements.
27. Leave without pay will be negotiated in advance of taking leave.
28. The Executive Director will not guarantee that any employee taking a long period of leave without pay, will be able to return to his/her same position.

#### Other Leave

29. The Executive Director may grant leave with or without pay for any reason considered valid.

## **RESPONSIBILITY**

Executive Director

**Policy Number: 2.20:02 (page 1 of 2)**  
**Issued on: April 2014**

**POLICY Vacations and Designated Paid Holidays**

Liidlii Kue First Nation employees will receive vacation benefits and paid designated holidays.

**PROCEDURES**

**Vacation Benefits:**

1. For each month of a fiscal year in which a full-time employee receives twenty (20) days pay, he/she will earn vacation leave at the following rate:
  - a) During their first and second year of continuous employment, the employee will earn one and one-quarter ( $1\frac{1}{4}$ ) days each month to a maximum of fifteen (15) days annually.
  - b) During their third to fifth years of continuous employment, the employee will earn one and two-thirds ( $1\frac{2}{3}$ ) days each month to a maximum of twenty (20) days annually.
  - c) During their sixth or more years of continuous employment, the employee will earn two (2) days each month to a maximum of twenty-five (25) days annually.
2. A current record of holiday credits will be maintained on the employee's personnel file.
3. Part-time and casual employees will have vacation benefits paid out in each pay period as required by the *NWT Employment Standards Act*.
4. If an employee dies, the employee's estate will be paid earned vacation pay in addition to any wages owing.

**Granting Vacation Leave:**

5. Full-time employees will be encouraged to take vacation leave within the fiscal year in which they earned the leave.
6. A maximum of five days of vacation leave can be carried over to the subsequent fiscal year.
7. Employees will request annual leave in writing to the Executive Director at least two weeks before beginning leave.
8. Employees cannot apply for vacation leave within the first six months of continuous employment with the Liidlii Kue First Nation Council.
9. All vacation leave requires the approval of the Executive Director or in the case of the Executive Director, the Chief.
10. The Liidlii Kue First Nation will to the extent possible ensure that vacation leave does not disrupt the organization's ability to fulfill its roles and responsibilities.

**Statutory Holidays:**

11. The following statutory holidays are recognized as paid holidays for all Liidlii Kue First Nation Council employees:
  - New Year's Day
  - Good Friday
  - Easter Monday
  - Victoria Day
  - Canada Day
  - Civic Holiday (August)
  - Labour Day
  - Thanksgiving Day

- Remembrance Day
  - Christmas Day
  - Boxing Day
12. The following days are recognized as paid holidays for all full time employees: Treaty Day, National Aboriginal Day, and a First Nation Holiday to be declared by Council (e.g., Family Day).
  13. If a statutory holiday falls on either Saturday or Sunday, the following Monday will be observed as a holiday.
  14. Discretionary holidays will be approved by Council either prior to or early in the fiscal year. Cultural events may be designated as discretionary holidays by Council and employees are encouraged to assist in these events.
  15. Employee(s) who do not work on a statutory holiday are entitled to payment for their normal daily hours at their regular rate of pay if they:
    - a) had worked for the Liidlil Kue First Nation on at least thirty (30) calendar days before the holiday, and
    - b) had reported for work on both his/her last regular working day before the designated paid holiday and the next regular working day following the holiday, unless the employee had permission from his/her program manager and the Executive Director to be absent.

**RESPONSIBILITY**

Executive Director

**Policy Number:** 2.20:05  
**Issued on:** April 2014

**POLICY**                      **Complaints, Grievances and Appeals**

All legitimate complaints and grievances will be treated seriously, and fully investigated in a manner that is sensitive to the impact of the issue on the integrity of the Liidlii Kue First Nation and the rights of employees. For the purposes of this policy, a complaint is defined as a disagreement with others in the organization. A grievance is defined as a disagreement with the policies, plans, and procedures of the organization.

**PROCEDURES**

1. All employees who have a complaint or grievance will put it in writing to the Executive Director.
2. If the complaint or grievance cannot be addressed to the mutual satisfaction of the Executive Director and the employee, it will be dealt with by the Chief and if appropriate, with the Personnel Committee.
3. All complaints and grievances will be dealt within ten (10) business days of when the complaint was submitted in writing.
4. If complaints or grievances cannot be resolved by any of the above parties, the Personnel Committee will strike an independent appeal committee to resolve it.
5. All complaint and grievance processes and remedies will comply with the *NWT Employment Standards Act*, the *NWT Human Rights Act*, and related Government of Canada legislation.
6. At each stage of the complaints or grievance process, the employee involved will be notified in writing of any decisions and action.
7. Any complaint or grievance related documentation to be placed on the involved employee's personnel file must be signed by the employee involved.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.20:06**  
**Issued on: April 2014**

**POLICY                      Discipline**

In all cases where an employee fails to adhere to policies and procedures or fulfill their roles and responsibilities and conditions of employment, the Liidlii Kue First Nation Council will take disciplinary action that is respectful of Dene traditions and practices, and territorial and federal government laws.

**PROCEDURES**

1. Where an employee fails to adhere to policies and procedures or fulfill his/her position roles and responsibilities and conditions of employment, the matter will be brought to the attention of the Executive Director for disciplinary action.
2. When a matter requiring disciplinary action is identified, the Executive Director:
  - a) will discuss the matter with the employee and issue a verbal warning.
  - b) if after ten (10) days of issuing a verbal warning, the employee involved has taken no corrective action, a written warning will be issued and also placed on the employee's personnel file.
  - c) if after ten (10) days of issuing the written warning, the employee involved has taken no corrective action, the employee will be removed from his/her position and documentation of this decision will be placed on the employee's personnel file.
  - d) if an employee is removed from his/her position, all employees with the Liidlii Kue First Nation Council will be informed of the action taken.
3. In the case where the Executive Director fails to adhere to policies and procedures or fulfill his/her position roles and responsibilities and conditions of employment, the matter will be brought to the attention of the Chief and the steps in section 2a to 2d will be taken.
4. At all stages of the above mentioned progressive discipline process, the Liidlii Kue First Nation Council will take all steps possible to support and assist any employee subject to discipline to take corrective action.
5. Exceptions to the above mentioned progressive discipline process will be made and will be grounds for instant dismissal for just cause, in cases of:
  - i. dishonest conduct,
  - ii. theft of Liidlii Kue First Nation Council property,
  - iii. wilful destruction of Liidlii Kue First Nation Council property,
  - iv. falsification of employment records,
  - v. conflict of interest,
  - vi. conduct containing elements of criminal behaviour whether in or away from the workplace, and/or
  - vii. endangering the safety of other employees through incompetence or negligence.
6. In the event of dismissal for just cause, the employee is entitled to outstanding wages and accumulated vacation pay up to the last day of work. Payment will be made within thirty (30) days.

**RESPONSIBILITY**

Executive Director

**Policy Number: 2.20:07**  
**Issued on : April 2014**

**POLICY Notice of Lay Off and Termination of Employment**

The Liidlii Kue First Nation Council will follow fair and consistent procedures for notifying all employees of layoff and for handling employee terminations.

**PROCEDURES**

1. To the extent possible, the Liidlii Kue First Nation Council will provide verbal notification of lay off or termination two months prior to the end of continuous employment.
2. One month prior to lay off or termination, written notification of the reason(s) for lay off or termination and if applicable, the length of lay off will be provided to the affected employee(s).
3. A copy of the written notification of the reason(s) for lay off or termination and if applicable length of lay off, will be placed on the employee's personnel file with his/her permission.
4. Should the employee choose not to work during the period between the verbal or written notice of the lay off or termination date, he/she will not be paid for that time.
5. Any employee may appeal a lay off or termination notice.
6. All vacation leave and days off in lieu of overtime should be taken before the effective lay off or termination date.
7. In exceptional cases, the accumulated vacation of an employee terminating his/her work with the Liidlii Kue First Nation Council may be provided as a cash payment subject to a negotiated agreement with the Executive Director prior to the last day of work.
8. Used unearned vacation time will be deducted from the employee's final pay cheque.

**RESPONSIBILITY**

Executive Director