



BYTE - Empowering Youth Society Policies & Procedures Manual

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1 INTRODUCTION

The policies, conditions and benefits included in this manual apply to all staff with whom BYTE enters into an employment relationship. This employment relationship may be determinate or indeterminate, full-time or part-time. It does not apply to independent contractors.

2 STATEMENT OF PRINCIPALS

The BYTE employment practices conform to the Canadian Charter of Rights and Freedoms. This Charter specifically prohibits discrimination based on any ground prescribed by the Federal Human Rights Code. BYTE employment practices also conform to the Yukon Human Rights Code.

BYTE supports the principles of employment equity for people with disabilities.

All expenses are conditional on the availability of funding.

3 GENERAL

3.1 Purpose

The purpose of this manual is to provide the basis for consistent and fair employment practices within BYTE. Each employee shall receive a copy of this manual upon signing his or her Letter of Agreement designating employment within the organization.

3.2 Interpretation

The unabridged Oxford English Dictionary will be used for defining the normal, everyday meaning of words and phrases within this manual.

3.3 Application

All employment issues shall be settled in accordance with the Human Rights and Labour Standards Code and Regulations of the Yukon Territory.

The Board or delegate will be responsible for the implementation of the policies, conditions and benefits included in this manual.

4 CONTRACTS & HIRING

The position description related to each employee will be included in the employee's personnel file. The position description will describe the duties and responsibilities of the employee's position. This file will be retained in a secure manner (see section 11).

4.1 Indeterminate staff

Indeterminate staff refers to employees who are employed to perform on an ongoing basis those duties and responsibilities as defined by their contract. A performance evaluation will be completed on an annual basis.

4.2 Determinate staff

Determinate staff refers to employees hired for a specific project with a designated start and completion date.

4.3 Employment Authority and Hiring Procedures

New or vacant positions will be filled as determined by the Executive Director, except for hiring the Executive Director, which will be carried out by the Board. For all other staff, the Executive Director will carry out screening, interviewing, selection of applicants and performance evaluations, according to the required criteria.

Written confirmation of an offer of employment shall be sent to the successful candidate. In the case of hiring an Executive Director, the letter shall be approved by the Board.

4.4 Orientation

The Executive Director will ensure that a reasonable orientation program and safety/emergency procedures in accordance with the Occupational Health and Safety Act is made available and accessible to all new staff.

5 HOURS OF OPERATION

Regular office hours are 9:00 am – 5:00 pm. BYTE will be open to the public 9:00 am – 4:30 pm unless otherwise posted.

6 HOURS OF WORK

Staff will work between regular office hours except in cases where activities occur outside the office, including evening events or have modified work schedules. Weekly work hours will be stated in employee contracts and work schedules will comply with the Employment Standards Act Labour Standards Act.

6.1 Flexible Time

The Employer reserves the right to regularly schedule the employee's work hours. Work assignments are to be completed within regular work hours whenever possible.

However, it is recognized that, in order to provide services, an employee may have to schedule work hours outside of the regular hours of operation.

Any indeterminate employee - excluding the Executive Director - may work flexible hours, outside of the regular hours of operation, in order to carry out work duties with approval from the Executive Director. Flex time noted in the employees time-sheet and will be reviewed on a bi-weekly basis unless otherwise discussed. Flex hours will be determined in accordance with Employment Standards Act Labor Standards Act.

An employee may use the accumulated flexible hours towards regular working hours that were not worked. Staff will document hours of work on time-sheets provided.

Definition of Flexible Time:

Flexible hours are defined as hours of work in excess of 7 hours in a 24 hour period or 35 hours in a week.

6.2 Overtime

Indeterminate staff will accrue flexible time for any hours worked beyond 7 hours in one day or 35 hours in one week (see 6.2).

Determinate staff may also be required to work beyond these hours, but do not accrue flexible time. In this case, these staff will continue to be paid at 1.5 times their hourly rate and will be encouraged to take time off in the following days.

GENERAL EMPLOYMENT CONDITIONS

6.3 Police Check

All employees must provide a security check satisfactory to the Board. Completed checks will be placed in employee files. A Criminal Record Check is conducted for a new employee prior to being hired by BYTE. BYTE pays for the initial Criminal Record Check when a fee is charged.

As the request for a Criminal Record Check could take some time, the employer may decide to offer the position pending the results of the request. If, as a result of the search, a criminal record exists, the employer reserves the right to determine whether the type of conviction and offence would restrict BYTE from continuing to employ the candidate.

6.3.1 Procedure

6.3.1.1 New Employees

1. The prospective employee completes a “Request for Criminal Record Check” prior to being hired, thereby, permitting the BYTE to conduct the Criminal Record Check.
2. When the result of the Criminal Record Check is sent to the employer, it is reviewed by the Executive Director. If such cases, where the results of the Criminal Record Check are sent directly to the employee, the employee will provide the original copy to the Executive Director for review, as soon as possible.
3. If the Criminal Record Check indicates that there is no offence or conviction, the Criminal Record Check is then placed in the employee file..
4. Where the initial Criminal Record Check is inconclusive, the prospective employee may be required to complete a more detailed Criminal Record Check that includes fingerprints. The cost for this more conclusive Criminal Record Check will be borne by the employee. The employee will be reimbursed by the BYTE only if no record exists after completion of the final Criminal Record Check.
5. If, as a result of the search, a criminal record exists, the employer decides whether the type of offence warrants (dis)continuation of employment.

6.3.1.2 Existing Employees

A Criminal Record Check will be updated:

- Every year for employees who have had continuous service with BYTE;
- If the employee has been convicted or believed to have committed an offence that would normally be checked for in the specific position held by that employee.

6.4 Probation

The period of probation period for the position of Executive Director shall be six months or 900 hours, with a written evaluation at the end of this period. For all other positions, the period of probation shall be three months or 450 hours.

Where reasonable doubt remains as to the suitability of an employee on probation, the Executive Director or Board of Directors can extend the probation period for up to an additional three months.

6.5 Disciplinary Action

Disciplinary action will take place only where there is just cause for discipline. Employees will be informed of the intention to conduct an investigation and the grounds for doing so, unless there is reasonable cause to withhold this information from the employee. Information will be removed from employee file after a 24 month period has passed without further disciplinary action taken.

(See warning notice)

6.6 Termination of Employment

Termination of employment of staff will be the responsibility of the Executive Director in accordance with the Yukon Employment Standards Act. Termination of the Executive Director will be the responsibility of the Board or designate and in accordance with the Yukon Employment Standards Act.

6.7 Notice of Termination

Notices of termination will comply with the Yukon Employment Standard Act.

Termination with cause is not subject to notice and may include, but not be limited to, the following:

- Theft;
- Insubordination;
- Violent behaviour that endangers another employee;
- Sexual harassment;
- Breach of confidentiality;

6.8 Resignation

All staff shall comply with the Yukon Employment Standard Act.

7 PERFORMANCE EVALUATIONS

Before the end of the probationary period (see 7.2), and on an annual basis, a performance evaluation shall be carried out for each employee. Performance evaluations will be filed in the employee's personnel file.

Before the end of the probationary period, and on an annual basis, the Board or designate shall carry out a performance evaluation of the Executive Director.

8 STAFF TRAINING AND PROFESSIONAL DEVELOPMENT

BYTE encourages and supports staff training and professional development that is commensurate with the realization of organizational goals and objectives.

All staff are encouraged to attend professional development seminars and programs that will contribute to both the staff member's performance and organizational goals.

The Executive Director must approve all applications for reimbursement of fees within budgetary limitations and adjustments to work hours that may be required to attend staff training and other professional development opportunities.

In the event that staff are supported as noted above, confirmation of attendance and the successful completion of the course or training are required within three weeks of completion. Failure to successfully complete the course or program without a reason satisfactory to the Executive Director and Board of Directors will require a reimbursement of any fees.

9 SALARIES AND BENEFITS

9.1 Payroll

Timesheets are to be submitted to the Executive Director by 5:00pm each Monday following the completion of a pay period. A pay schedule will be provided to each employee. All employees will be paid bi-weekly. If pay-day falls on a weekend or holiday, pay cheques will be issued on the last working day prior to the holiday.

All employees shall provide proper authorization for deductions from salary as required by law (Income Tax, Canada Pension, Employment Insurance, etc.) and for participation in the benefit plan.

9.2 Self-Directed Benefits

The Employee Benefit Plan is a self-directed benefit plan.

Full-time status indeterminate BYTE employees will receive \$1000 per year, on a pro-rated basis, beginning April 1st each year.

Full-time Determinate Staff Members – may receive up to \$100/month after 3 months, dependent upon funding.

New full-time status employees are not eligible for monies until they have been employed for three consecutive working months.

Employees who have monies remaining in their self-directed benefits plan after the roll over date of April 1stth will have their remaining amount paid out via cheque or direct transfer.

Following implementation of the Employee Self-Directed Benefit Plan, the employee will be provided with regular updates of their plan details.

The Parties agree that reimbursement from the self directed benefits plan will be based on the principle of provision of the receipt related to the following:

- Dental work
- Vision care
- Prescription drugs
- Vaccinations
- Orthotics
- Medically recommended devices or equipment
- Medically recommended devices and/or equipment
- Holistic therapies
- Habilitation and rehabilitation services
- Chiropractic services
- Life insurance premiums

- Individual Long Term Disability Policy
- Medically related travel expenses not covered by other agencies
- Any other expenses agreed to by the Board of Directors

Any employees, who are laid-off, resign or are terminated for any reason will have their monies remaining in their self-directed benefits plan paid out via cheque or direct transfer upon the completion of the Fiscal Year on April 1st.

9.3 Travel Bonus

Travel Bonus is available to all BYTE employees. \$1.50 for each hour worked will be taken off regular salary and allocated towards the Travel Bonus. This does not affect payroll or net income for employees. Employees are able to claim this benefit back through box 32 in the Northern Residence Tax Claim.

9.4 Salary Scale

Salary increments are issued yearly on date of hiring.

Proposed		\$1 incremental increase every year	
Executive Director	Per Hour	Annual	
START:	\$27.00	\$52,650.00	
YEAR 1:	\$28.00	\$54,600.00	
YEAR 2:	\$29.00	\$56,550.00	
YEAR 3	\$30.00	\$58,500.00	
YEAR 4	\$31.00	\$60,450.00	
Program Coordinators			
START:	\$20.00	\$36,400.00	
YEAR 1:	\$21.00	\$38,220.00	
YEAR 2:	\$22.00	\$40,040.00	
YEAR 3:	\$23.00	\$41,860.00	
YEAR 4:	\$24.00	\$43,680.00	

9.5 Vacation Pay

Indeterminate Staff Members (see section 4.1) will be paid 8% holiday pay. Whereas, Determinate Staff Members (see section 4.2) will be paid 4% holiday pay. This may increase to 8%, dependent upon the length of the term and availability of funding.

All employees who begin their period of employment before the 15th calendar day of a month shall be deemed to be employed for that full month for the purpose of calculating their vacation days. All employees who begin their employment after the 15th day of the month shall have their vacation time begin to accrue as of the first day of the month following.

Vacation time is to be used within the year in which it is accrued. Vacation time may be carried forward from one year to the next with permission from the Board or designate.

Staff requesting vacation time must submit a written request to the Executive Director. The request will not be reasonably refused. Any remaining vacation time will be paid out to each employee upon their leaving the employ of the organization.

9.6 Management Leave

In addition to the 6% holiday pay outlined in section 10.5, the Executive Director will be provided 2 weeks paid Management Leave each fiscal year. Management Leave cannot be carried forward from one year to the next. Unused Management Leave will be forfeited at fiscal year end.

When requesting holiday time, the Executive Director must specify if time being taken is Management Leave or standard holiday time.

10 OTHER LEAVE

All employees are requested to arrange medical and dental appointments after work hours or as the first or last appointment of the work day. Where this proves impossible, the employee is to obtain prior approval from the Executive Director for the absence from work. For other appointments flex time is to be used. Time away from work, as noted above, is to be made up within the pay period in which it is used. In cases of emergency, employees are permitted to attend appointments at any time. The Executive Director is to be notified as soon as possible.

10.1 Sick Leave

All employees shall be entitled to the following paid leave. Employees working fulltime hours (7 and above hours a day, 5 days a week) shall accrue 1.25 days of sick leave for every full month of employment, to a maximum of 15 days per year.

Employees working 30 hours a week will accrue 1 sick day for every full month of employment shall accrue to a maximum of 12 days per year.

Sick days may be accumulated year to year to a maximum of 60 days.

From time to time, an employee may be sick and cannot attend work. A doctors note is required if more than three days of work is missed and the note will be kept in the employee personnel.

No remuneration or compensating time-off shall be granted in lieu of accrued sick leave, either during an employee’s period of employment or following resignation, termination or any other cause for leaving the organization.

10.2 General Holidays

All full-time employees shall be entitled to the holidays listed below:

New Year’s Day	Discovery Day
Rendezvous	Labour Day
Good Friday	Thanksgiving Day
Easter Monday	Remembrance Day
Victoria Day	Christmas Day
Canada Day	Boxing Day

If a stat holiday falls on an employee’s regularly scheduled day off or on a weekend day, they will be entitled to the next regular working day off or shall be paid out for that day.

If a statutory holiday is observed on a normal workday within an employee’s vacation period, the employee will receive an additional day of vacation.

Staff may request that the Board or designate approve the substitution on a one for one basis of other cultural and religious holidays for those listed above.

All staff shall be paid their regular salary for the statutory and public holidays if the employee has not been absent from work without permission on the regular working day immediately preceding or following the paid holiday.

10.3 Leave Without Pay

Upon the recommendation of the ED, the Board may grant a leave of absence without pay. For any leave so granted that exceeds two months, the employee must assume responsibility for the full payment for his or her premium for any employee benefit package.

10.4 Parental Leave

During the time of pregnancy and/or parental leave, the employee shall be entitled to retain any sick leave and vacation leave which had previously been accumulated. Their cost-share of any benefits plan is to be paid during this period by the employee and processed in the same manner by the employer as if the employee was working.

10.5 Bereavement Leave

The employee must notify the Board or designate as soon as possible of the need for bereavement leave. Time off with pay, to a maximum of three days, will be granted to an employee in the event of a death in the immediate family, or at the discretion of the Board or designate.

11 PERSONELLE FILES

A confidential personnel file shall be maintained for each employee of BYTE. It will, at minimum, contain the following information:

- Original Letter of Employment
- Resumé
- Reference check information
- Correspondence related to changes in job description
- Annual performance evaluations
- Salary information
- Incident reports, grievances and other pertinent correspondences
- Signed Confidentiality Agreement
- Hiring documentation
- Police Check

12 CONFIDENTIALITY

All staff and volunteers at BYTE will sign a Confidentiality Agreement.

Employees are required to safeguard confidential materials and information from accidental loss and misuse by any unauthorized individuals, organizations or government departments.

A breach in confidentiality is just cause for termination of employment.

13 DISCLOSURE POLICY

13.1 Preamble

Often times signs of child abuse and neglect can be subtle and difficult to detect. It is not appropriate to make accusations against guardians or to question children about their home situations; however, if situations arise wherein a youth discloses their own personal history of abuse/ situation with you, then by law you are required to pass this information on to the appropriate authorities.

13.2 BYTE Policy

If a disclosure of abuse takes place, then the following steps need to be undertaken:

1. Tell Trip Coordinator of the disclosure – Trip Coordinator then reports to Executive Director. Decision is made whether or not the child or youth is in need of 'protective intervention', i.e. if they are at risk of being harmed physically, sexually or emotionally.
2. The mandated reporter (the person who fielded the disclosure) must report the known or suspected incident of child abuse to a child protective agency immediately or as soon as practically possible by telephone. To report, call Family and Children's Services at 667-3002. OR call local RCMP; and/or the Regional Social Worker

13.3 SUPPORTING AND BACKGROUND INFORMATION

If you have concerns about the safety of a child or youth (under the age of 19), please contact one of the following: the Family and Children's Services, the Regional Social Worker or the RCMP to report your concerns.

You must make a report immediately (or as soon as practically possible) by phone. A written report must be forwarded within 36 hours of receiving the information regarding the incident.

Physical Evidence is not needed to make a report. However, reports must be made in good faith. Use common sense. A report of child abuse is serious and may have a lifelong impact on the child and his or her family. The Act states that is illegal to make a false or malicious report. If you are in doubt at all about whether to report a particular situation, telephone the emergency response intake worker at the local RCMP office or 667-3002 and discuss the situation before reporting.

The following information must be provided at the time of the call:

- Name of the reporter (which is confidential with limited exceptions);
- Name of the child;
- Present location of the child;
- Nature and extent of the injury and;
- Any other information, including that which led the person to suspect child abuse, requested by the child protective agency.

14 ALCOHOL & DRUG USE POLICY

Our policy is to ensure a workplace free from alcohol abuse or the use of illegal drugs. Any employee who violates this policy will be disciplined. This may include termination, even for a first offense.

We strive to provide a safe and healthy work environment, free from the use of illegal drugs and abuse of alcohol and set forth the following rules:

1. Employees may never use illegal drugs on or near our premises, or when representing BYTE in any capacity whatsoever.
2. Employees may not report to work under the influence of drugs or alcohol.
3. Employees will not drink alcohol on our premises during office hours (9:00am - 4:30pm). On approval of the Executive Director, alcohol may be consumed within our premises for a special occasion. This may include events such as the Christmas party.
4. BYTE is a charitable organization and it is not appropriate for any of the organizations funds to be spent on the procurement of alcohol (other than for fundraising purposes).
5. When representing BYTE in any capacity, staff must use good judgement around the consumption of alcohol. If in any doubt whatsoever, staff should consult with the Executive Director before consuming alcohol.

Definition of Illegal Drugs:

Illegal drugs are drugs that have controls on them by a government and are illegal in certain situations (a person is not allowed to have them). Some controlled drugs are allowed if you have permission (called a "prescription") from a doctor. Other drugs are illegal - meaning you are never allowed to have them.