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1.0 Introduction

The Human Resources Policies, by defining the terms and conditions of employment, provide the basis for mutual understanding and agreement between the employer and the employee. The following terms and conditions meet the requirement of The Employment Standards Act and all relevant legislation. The terms and conditions specify the responsibilities and obligations of both the employer and the employee.

Human Resources Policies of the Workforce Development Board Windsor Essex will be administered by the Executive Director of the Workforce Development Board Windsor Essex, in accordance with the attached policies and the following relevant employment relationship legislation in Ontario:

Ontario Employment Standards Act, 2000 (ESA) — with explanation
Ontario Employment Standards Amendment Act (Family Medical Leave),
2004 — with explanation
Ontario Human Rights Code, 1990 (OHRC) — with explanation

It is the responsibility of all employees and members of the Board of Directors to familiarize themselves with all sections of this policy. Not only will this clarify the individual employee's role within the organization but it will assist all in appreciating the duties and requirements of fellow workers.

Employees and Board Members should also recognize that non-familiarity with the content or intent of this policy will not be considered a valid reason for non-performance of duties. It is the employee's responsibility to seek from the appropriate source clarification of the meaning or intent of any section of this policy, if so required.

1.1 Human Resource Policy Administration

The Workforce Development Board Windsor Essex, its Directors or its nominees will administer the Human Resources policies. This policy clarifies individual employees' roles within the organization and assists all to appreciate the duties and requirements of fellow workers.

1.2 Position Descriptions

A position description is an outline of duties, responsibilities and qualifications, which have been set by the Workforce Development Board Windsor Essex for each position.

1.3 Purpose

It is the responsibility of the Workforce Development Board Windsor Essex to provide a clear and specific outline of the duties and responsibilities for which the employee was

hired. This will provide a clear understanding of what is expected within a particular position by both the employee and the Workforce Development Board Windsor Essex.

1.4 Lines of Accountability

The Workforce Development Board Windsor Essex staff is accountable to the Executive Director, who is accountable to the President of the Workforce Development Board Windsor Essex, who in turn is accountable to the Board of Directors.

1.5 Employment Equity

The Workforce Development Board Windsor Essex will provide equal opportunity employment to all employees and applicants for employment. No person working for the Workforce Development Board Windsor Essex is to be discriminated against in employment because of race, religion, colour, sex, age, national origin, handicap, marital status, sexual orientation or citizenship.

This policy applies to all terms, conditions and privileges of employment including but not limited to hiring, training, promotion, transfer, compensation, benefits, layoff, termination and retirement.

2.0 Hiring of Employees

2.1 Hiring Policy

Staffing decisions are based on the following principles:

- Selection of staff is based on merit;
- Staffing processes and procedures are free from overt and systemic barriers; and
- Staffing is conducted in accordance with Ontario Human Rights Code, 1990 and other relevant legislation.

A vacancy occurs when an incumbent has resigned, been terminated or transferred to another position, and/or when a new position has been established. A temporary vacancy may also occur due to a long-term leave of absence, or temporary assignment.

2.2 Selection Criteria

All selection criteria upon which the selection decisions will be based must be:

- developed from the duties of the position and represent bona fide occupational requirements;
- established at the outset and not changed for individual positions or candidates during the selection process; and
- free of barriers to the hiring of employment-equity designated groups and groups as identified under Ontario Human Rights Code, 1990.

Essential duties of the position must be shared with the candidate.

2.3 Area of Search and Advertisement

The area of search must include Windsor Essex so that at least three (3) eligible applicants who meet the advertised requirements are likely to apply.

The advertisement must be placed a minimum of ten (10) working days prior to the deadline for applications.

Advertisements will include the words "We appreciate all those expressing interest, however only those selected for an interview will be contacted. Workforce Development Board Windsor Essex is an equal opportunity employer."

2.4 Selection Committee

A Selection Committee may be appointed by the Executive Director or by the board when selecting an Executive Director.

No Director or employee may sit on a Selection Committee with respect to a competition for which one of his/her immediate family members is an applicant. Directors are expected to comply with the Code of Ethics and the Conflict of Interest Guidelines in all matters.

The Selection Committee must establish an agreed upon format in interviewing and evaluating candidates.

If the position requires proficiency in French, one member of the Selection Committee must be able to conduct part of the interview in French.

2.5 Screening and Assessment

Candidates must be screened and rated only against reasonable and bona fide job requirements using valid and bias-free methods, such as selection interviews, tests, candidate's work samples.

Candidates selected for an interview must:

- be legally entitled to work in Canada;
- meet the statutory age limitations;
- meet the credential requirement, or equivalent, where one is established; and
- have their application received or registered in an inventory by the established closing date of the competition.

Candidates must not be penalized during screening, or assessment, or during the selection process because of either an identified or perceived need for special accommodation on the job.

2.6 Interview Process

Interviews are arranged at the discretion of the Selection Committee. The time, place and approximate length of the interview should be determined and the candidate(s) advised. Depending on the number of candidates, a preliminary screening may be advisable. Ensure questions are job related, not personal, and are non-discriminatory.

2.7 Interview Guidelines

The following guidelines are designed to assist the Selection Committee members to prepare for and conduct the interview(s):

Prior to the Interviews:

- Identify preferred and essential criteria;
- Prepare interview questions relevant to the position;
- Review candidate's application prior to the interview.

During the Interviews:

- Greet the candidate and introduce him/her to the Selection Committee;
- Take the time to make the candidate feel comfortable;
- Explain the total selection process, including time frames, purpose and process of the interview;
- Provide an overview of the Workforce Development Board Windsor Essex.
- Question each candidate thoroughly and consistently with the prepared questions;
- Be objective. Avoid any expression of approval, condemnation or criticism during the interview;
- Encourage and provide adequate time and opportunity for the candidate to ask questions, expand on his/her qualifications and explain his/her interest in applying for the position;
- Provide time for review and clarification of any outstanding or addressed issues;
- Clarify that reference checks will be undertaken from references provided;
- Determine any objections by the candidate. Candidate must sign a Release of Information identifying references that may be contacted.
- Thank the candidate for his/her interest and time.

After the Interviews:

- Allocate time immediately after each interview or after all interviews are complete to review perspectives of the Selection Committee on candidate's suitability, based upon resumes, interviews and/or reference checks;
- When appropriate, test candidate's skills ensuring all tests are job-related.
- Ranking Form will be completed based on competencies for the position.

2.8 Reference Checks

Reference checks must be conducted on all candidates who would be offered the position. A minimum of two (2) references will be required with at least one (1) reference being in a supervisory work-related position. If the candidate is a recent graduate with no work-related references, references will be sought from teachers or guidance counsellor, volunteer supervisors, etc.

Written consent from applicants must be obtained before checking their references. Questions for References must be factual, objective, accurate and consistent with established selection criteria.

The Selection Committee should always indicate and reserve the right to contact whomever it chooses from the references provided.

2.9 Offer of Employment and Contract

When a suitable candidate has been selected, the initial Conditional Offer of Employment can be made verbally to the candidate stipulating what the conditions are that will have to be met:

- Favourable Police Check will be provided for those dealing with finance and confidential information.
- Agreement to sign Code of Conduct and Confidentiality Agreement
- The verbal offer will be followed by a written "Letter of Understanding" (e.g. letter). A "Contract of Employment" will be endorsed by both the candidate and the Executive Director, or by the Board in the case of the Executive Director.

The employment agreement will be provided to the prospective employee a minimum of 5 business days prior to the job start date so they have appropriate time to review it and obtain independent legal advice should they wish. The employment agreement should be signed by both parties in advance of the job start date.

2.10 Unsuccessful Candidates

When a Conditional Offer of Employment has been accepted and the conditions met by the successful candidate, other prospective candidates will be immediately notified that the position has been filled.

2.11 Competition Documentation

The competition file of interviewed candidates is a record of the selection process and must be kept for at least one (1) year after use.

A complete file must be kept for each competition, to include:

- the job description;
- selection criteria;
- area of search;
- acknowledgement correspondence to all applicants and offer or rejection letters where applicable;
- Selection Committee members' names and telephone numbers;
- interview schedule;
- candidate's written consent to check references;
- resume;
- reference check information;
- rating and ranking materials, including questions and anticipated responses; and
- sufficient information to explain the treatment of every applicant, including screening, rating and ranking steps.

2.12 Hiring of Relatives

An immediate family member of any Director or current employee is not prohibited from applying for any advertised position. However, in any hiring situation, as in all matters, Directors must comply with the Code of Ethics and the Conflict of Interest Guidelines. For purposes of this section, immediate family includes: mother, father, wife, husband, sister, brother, daughter, son, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparent, grandchild, step-child, foster child, or common-law spouse.

A relative of any Board Director or current employee may equally apply for any advertised position. If the relative should be recommended as the successful candidate, the following criteria must be demonstrated:

- standard competition procedures have been followed;
- the applicant is the most qualified;
- no undue influence was exerted on the hiring committee/Directors;
- no potential conflict or difficulties appear to exist;
- the applicant's relative is not involved in the hiring process
- there will not be a direct supervisory relationship between the two relatives.

2.13 Probationary Period

All new employees shall be subject to a three (3) month probationary period (reference clause to which should be included in any employment agreement), during which time a performance review will be conducted.

2.14 Hiring of Contract Staff

The Executive Director has the responsibility for hiring short/long-term contract staff and professional and consulting services. The terms and conditions of employment or contracted service will be governed by the contract.

3.0 Termination

All employees are entitled to be treated with compassion and fairness regardless of the circumstances of their termination, which may include dismissal, permanent layoff or resignation.

The termination procedures will conform to the Ontario Employment Standards Act, 2000 (ESA).

Procedures for terminating the employment of employees shall be based on the individual circumstances of each case.

All employees are to be fully informed regarding their separation.

3.1 Mandatory Requirements for Termination

Resignation

Resignation is defined as a voluntary termination of employment. The employee is required to inform the Workforce Development Board Windsor Essex in writing, of his/her intent to terminate employment, a minimum of two (2) weeks prior to the last day of employment.

Abandonment of Position

Abandonment is defined as being absent from duties without permission. If after three (3) consecutive days of absence the Workforce Development Board Windsor Essex has not been able to contact the employee nor has the employee contacted the Workforce Development Board Windsor Essex, the position will be considered to have been abandoned by the employee. Notice of termination shall be delivered by registered letter, or hand delivered to the employee's last known address, stating that the employee has been declared to have abandoned his/her position and is therefore no longer an employee of the Workforce Development Board Windsor Essex.

Release

Employees must receive a written notice of release. Probationary employees may be released during the first three (3) months of employment for failure to meet the

requirements of the position. Employees with more than three (3) months of employment may be released provided:

- they were given the chance to understand the job's requirements and the opportunity to demonstrate compliance with those requirements;
- periodic appraisals show that performance on the job failed to improve to the level expected; and
- they were kept informed of their shortcomings and provided with adequate assistance and opportunity to overcome them.

Release will also be used to terminate employment as a result of shortage of work, lack of funds, the abolition of a position or other organizational change.

Dismissal for Just Cause

In all cases of dismissal for just cause:

- the employee must have been informed of any unsatisfactory performance or behaviour that is cause for dismissal;
- there must be sufficient documentation to substantiate any decision to dismiss; and
- the employee's behaviour or offence must warrant dismissal as an appropriate action.

The employee must receive a written notice of dismissal setting forth:

- the reason for dismissal;
- effective date of dismissal; and
- the authority under which the dismissal is being effected, such as the Ontario Employment Standards Act, 2000 (ESA) or a section of employee/employer performance.

Just cause for dismissal involves a serious misconduct. Examples include:

- theft;
- fraud;
- dishonesty;
- gross insubordination;
- wilful misconduct;
- harassment;
- unauthorized leave;
- misappropriation of funds;
- breach of duties to Workforce Development Board Windsor Essex including any breach of Workforce Development Board Windsor Essex rules, policies and procedures;
- gross misconduct, incompetence or negligence;
- violent or harassing behaviour;
- conviction of a criminal offence under the Criminal Code of Canada and/or other applicable legislation;

- acting in a conflict of interest, including the solicitation of Workforce Development Board Windsor Essex clients or affiliates for personal gain or profit.

3.2 Progressive Discipline

Discipline will be progressive in nature except where the conduct is such that immediate dismissal is warranted.

Step 1: Verbal Warning

Management shall identify the problem to the employee and suggest corrective behaviour.

The verbal warning will include advice of potential future disciplinary action which may include suspension or termination of employment if the offending conduct is not ceased.

Step 2: Written Warning

A written warning will be provided to the employee clearly outlining the reason for the disciplinary action and advising of potential future disciplinary action which may include suspension or termination of employment if the offending conduct is not ceased.

Step 3: Final Written Warning

A final written warning will be provided to the employee clearly outlining the reason for the disciplinary action and advising of potential future disciplinary action which may include termination of employment if the offending conduct is not ceased.

Step 4: Termination of Employment

This may be with or without written notice or payment in lieu thereof at management discretion.

3.3 Exit Interviews

Where possible employees who have vacated their positions voluntarily, either by resigning or retiring, will be asked to complete exit interviews with the Executive Director, or with the Board President in the case of the Executive Director.

The information obtained during the exit interview will be used to:

- identify systemic barriers;
- help create new policies;
- improve such areas as employee supervision, training and performance appraisal; and
- address organizational and workplace problems.

3.4 Death

In the circumstance that an employee may pass away, the Executive Director or a Board delegate will contact the deceased employee's executor. Disbursement of any

wages or benefit entitlement will be made in accordance with the Workforce Development Board Windsor Essex benefits package. The date of death should be ascertained through a copy of the death certificate and is considered the completion date of employment.

3.5 Termination Due to Lack of Funding

If funding for a particular position is discontinued, the position will cease to exist. Employees will be given at least two weeks notice in writing prior to the last day of employment. Any notice period will be at minimum, in compliance with ESA.

3.6 Job Redundancy

In the circumstance that the Workforce Development Board Windsor Essex decides to eliminate a job, an employee's position may be eliminated. In this circumstance, the employee will be given at least two weeks notice in writing prior to the last day of employment. Any notice period will be, at minimum, in compliance with ESA.

144.0 Terms and Conditions of Employment

4.1 Security of Employment

All employment positions are dependent upon availability of funding.

4.2 Overtime/ Lieu Time

Overtime

On occasion, the Board will need employees to work overtime hours in order to satisfy client demand. Employees are expected to work overtime as needed. Eligible employees will be compensated for any hours they work over their standard work week. As per ESA, entitlement to compensation at the overtime rate begins only after the employee has worked forty-four (44) hours in a work week. Vacation time, leave time, or other excused absences do not count towards calculating the forty-four (44) hours of work. Only time that an employee actually works will be counted towards the forty-four (44) hours. Every employee must receive advance authorization from his or her supervisor prior to working overtime. Employees may not start work early, work through lunch or breaks, work late, take work home, or work overtime without the prior approval of their supervisor or manager.

(1) Time Off

Employees may elect to convert banked overtime hours, up to an extra four (4) hours per week for a total of forty-four (44) hours per week, as equivalent time off. Any overtime earned beyond forty-four (44) hours per week will be converted to time off at the rate of one and half (1.5) times the overtime hours worked.

Lieu time needs to be taken within 3 months of the work week in which the overtime was earned or, with the employee's agreement, within 12 months of that work week.

(2) Compensation

Employees may elect to be paid for overtime work. Overtime hours worked beyond forty four (44) hours per week will be paid at a rate of one and a half (1.5) times the regular wage rate.

4.3 Attendance & Punctuality

Regular and prompt attendance is expected of all employees. The Executive Director will maintain a record of absences for holidays, vacation, leaves, (including type of leave — doctor, dentist, sick, pregnancy, parental, bereavement, family medical, jury or witness duty, etc.), overtime and illness. All days off will be approved by the Executive Director, supervisor or manager. Absence is defined as the failure of an employee to report to work at the time for which they are scheduled to do so, regardless of whether or not such failure to report is excused.

Absence: When an employee is unable to fulfill his/her obligation to report to work, arrive when expected or work their regularly scheduled times, as expected, he/she is responsible for ensuring that his/her immediate supervisor or the office is informed as much in advance as possible. Appointments should be advised in advance, and every effort made to schedule these outside of regular work hours.

4.4 Hours of Work

In general hours of work are 9am to 5pm Monday to Friday, with one hour unpaid lunch, for a total of 35 hours per week. It is understood that most positions will require evening and weekend work. Hours of work will be clearly outlined in all position descriptions and will be discussed with potential employees during the selection process.

5.0 Orientation, Training and Development

5.1 Orientation

Orientation is a process designed to systematically introduce and familiarize a new employee to all aspects of the Board as well as outline his/her duties and responsibilities.

5.2 New Employee Orientation

It is the responsibility of the Executive Director to ensure that all new employees are aware of:

- Board's purpose, philosophy and history;
- Board's structure, organization and reporting relationships;
- Services and Programs;
- Policies and Procedures;
- Duties and Responsibilities; and
- Introduction to Staff and Board Members.

Each new employee will be provided with a copy of the Workforce Development Board Windsor Essex Employee Orientation Handbook. An orientation checklist must be signed and dated by both the Executive Director and the new employee within the first week of employment.

5.3 Training and Development Policy

The Board recognizes that job-related training and career development has the following advantages:

- Provides organizational continuity;
- Improves motivation, morale, performance and productivity;
- Enhances achievement of employer and employee goals and objectives;
- Supports the Board's strategic plan and performance objectives;
- Improves an employee's current job performance;
- Allows for expansion or enhancement of an employee's current job;
- Enables an employee to perform needed or potentially needed duties outside the current job at the same level of responsibility;
- Meets organizational needs in response to human resource plans and re-engineering, downsizing, restructuring, and/or program changes.

Therefore, it is the policy and philosophy of the Board to make every conceivable effort, based on funds and expertise available, to offer all employees the opportunity for job-related training and development. All staff requests for training and development, including funding/reimbursement thereof, must be made to the Executive Director in writing. Requests will be reviewed and evaluated on a case by case basis, in terms of cost, availability of funding, and positive outcomes for the organization.

5.3.1 Policy Statement

The Board recognizes the importance of education and training in order to allow employees to best perform their duties. To enable employees to be aware of and participate in training, both internal and external, the following guidelines are established. Professional conferences are considered training and these guidelines should be used in determining costs and paid time.

5.3.2 Selection of Training

All conferences and training programs must be planned and approved in accordance with the Board budget.

The Executive Director, in consultation with the Executive Committee, is responsible for identifying and seeking out training that will improve an employee's job performance.

5.3.3 Categories of Training

Correspondence Courses, Certificate Programs and other courses required by the Board: The Board will pay 100% of the cost. Local training will be used, where possible.

Workshops, Seminars and Conferences: The Board will pay up to 100% of registration and expenses.

Correspondence Courses, Certificate Programs and other courses for staff development that will benefit the Board: The Board will pay up to 100% of the tuition.

Training unrelated to job duties: The Board will not pay for training that is unrelated to job duties.

Employee attendance at training outside of working hours that is voluntary, is not required by the Board, and is not directly related to the employee's job, will not be considered time worked.

5.3.4 Approval

Executive Committee recommends and the Board approves training and development.

5.3.5 Training Expenses

The Board will pay, or reimburse an employee, for necessary expenses incurred in connection with the successful completion of approved training. This includes tuition, books and supplies. The Board may pay for accommodation and meal costs for an extended course training program. Necessary training expenses do not include an employee's pay or other compensation.

5.3.6 Travel Expenses

For approved out-of-town courses, workshops, seminars and conferences, travel expenses will be reimbursed in accordance with the Travel Policy.

5.3.7 Training Time Away from Regular Work

The time that an employee spends at an approved training program shall be considered as part of the employee's normal work hours.

Full day training seminars and full day classes shall be treated as full days of work and employees are not required to return to work.

Half day training seminars shall be treated as a half day of work. Employees are required to return to work if travel time permits.

For courses, workshops, seminars and conferences that require attendance during the regular work day, the employee will be allowed time off from their regular work duties with pay at their regular rate of pay.

5.3.8 Training Feedback

Staff should provide feedback as to the quality and effectiveness of training received. This information is beneficial in determining future training opportunities.

5.3.9 Documentation of Training

All documentation of training should be provided for inclusion in the employee's personnel file.

6.0 Freedom from Harassment and Discrimination in the Workplace

It is the policy of the Workforce Development Board Windsor Essex that:

We maintain an environment FREE FROM HARASSMENT AND DISCRIMINATION of any sort;

- Complaints concerning harassment and discrimination receive prompt and thorough investigation;
- Board member(s) found to have harassed/discriminated against another Board Member/Staff/Community Partner Affiliate will be subject to penalties up to and including removal from their Board position, if deemed necessary by the results of the investigation; and
- Staff Member(s) found to have harassed/discriminated against another Board Member/Staff/Community Partner Affiliate will be subject to discipline up to and including discharge, if deemed necessary by the results of the investigation.

6.1 Definition of Harassment

Harassment is a form of discrimination. It is against the law. Harassment is defined by the Ontario Human Rights Code, 1990 as:

"A course of vexatious comment or conduct that is known or ought reasonably to be known as to be unwelcome."

It may consist of words or actions that belittle or cause humiliation to a Board Member/Staff Member by reason of that Board Member's/Staff Member's race, ancestry, place of origin, citizenship, creed, sex, sexual orientation, age, record of

offences, family status, or handicap as outlined in the Ontario Human Rights Code, 1990.

Vexatious; as defined in Webster's 9th Collegiate Dictionary, Thomas & Son Ltd.

- 1a. causing vexation; DISTRESSING
- b. intended to harass

2. full of disorder or stress; TROUBLED

6.2 Definition of Discrimination

For the purpose of this policy, discrimination is action based on prejudice resulting in unfair treatment of other people. To discriminate is to make distinction between people on the basis of class or category without regard to individual merit. Examples include race, religion, gender, weight, disability, ethnicity, employment circumstances, sexual orientation, and age.

Harassment can take many forms and can occur between employees and/or Directors at any level in the organization. Whatever form it takes, personal harassment is a disruptive element in the work environment that undermines the integrity of the business relationship. It threatens the well-being and job performance of the Board Member/Staff/Community Partner Affiliate Member.

Harassment includes being subjected to unwelcome verbal or physical conduct that offends and humiliates. It can take many forms, such as:

Threats, intimidation or verbal abuse;

Unwelcome remarks or jokes about subjects such as race, religion, disability, age, or sexual orientation;

Physical assault;

Types of activity prohibited under this policy include not only the obvious things, i.e. slanderous statements or actions directed towards a particular Staff Member/Board Member/Community Partner Affiliate, but also actions or conditions that create a "poisoned work environment."

6.3 What is Sexual Harassment?

Sexual Harassment is defined as: Any solicitation or advance directed at an individual or group by another individual or group of the same or opposite sex who knows (or ought reasonably to know) that this attention is unwanted; or

Any implied or expressed promise of reward for complying with an implied or expressed solicitation or advance; or

Any threat or reprisal for refusing to comply with an implied or expressed solicitation or advance; or

Repeated behaviour, verbal or physical, that by denigrating an individual or group on the basis of sexual orientation or gender, interferes with the work environment.

Examples include, but are not limited to:

- Demeaning remarks, jokes, or other types of verbal abuse of a sexual or sexist nature directed at an individual or group;
- The inappropriate and uncalled for comments about an individuals body or dress;
- The inappropriate and uncalled for display in the workplace of sexually suggestive objects or pictures;
- Unnecessary touching or offensive gestures;
- Compromising invitations;
- Demands or innuendos for sexual favours;
- Sexual assault (an offence under the criminal code),
- Leering or inappropriate staring.

6.4 What is not Sexual Harassment?

An occasional compliment or remark is not included in this definition.

Relationships between consenting adults, which are voluntary and are based on mutual attraction, do not constitute sexual harassment. On the other hand, behaviour which is intimidating, one sided and unwelcome by its male/female victims is harassment.

Harassment is not:

- Consensual sexual behaviour between two people who are attracted to each other;
- A hug between friends;
- Flirting;
- A genuine expression of affection between two consenting adults where no intimidation or power is intended or involved.

Although the above is not considered harassment, it is still inappropriate behaviour in the workplace and may be subject to connective action being taken.

6.5 Confidentiality During Harassment Investigation

The Workforce Development Board Windsor Essex considers confidentiality a critical part of the personal rights of all Directors/Staff Members.

The Director's/Employee's "RIGHT TO PRIVACY" will be upheld at Workforce Development Board Windsor Essex to the best of the Board's ability. This may not always be possible, depending on the situation.

The complainant of a harassment/discrimination charge will be advised of the investigation and the procedures of his/her complaint; however, will not receive full disclosure of all reports or files generated by the investigation. This is done to ensure there is no invasion of the privacy of either the accuser or the accused.

It is the policy of Workforce Development Board Windsor Essex to protect the privacy of both the accuser and the accused Director/Staff Member in all cases of harassment of any sort.

Sensitive information will be kept private to ensure privacy of alleged perpetrator and accuser.

6.6 Retaliation / Retribution

Threatening, intimidating or discriminating against someone who has either filed a complaint or who is providing evidence or assistance in complaint proceedings is a criminal offence.

If any Director/Staff Member is found, through investigation, to have or is participating in retribution or retaliation, that Director/Staff Member will be subject to discipline up to and including termination of employment or removal from the Board.

6.7 Penalties

Any individual who is found to have harassed/discriminated against another individual will be subject to discipline up to and including termination of employment. Every incident of harassment is considered serious by Workforce Development Board Windsor Essex, however, not every incident may warrant discharge.

6.8 Reporting Harassment

Any Staff Member who feels that he/she is being harassed/discriminated against is advised to:

TRY to MAKE IT CLEAR to the offending party that his/her actions are UNWELCOME;

Maintain a record of what happened, noting the facts (re: dates, times, witnesses, nature of the harassment, reactions, etc.);

Lodge a formal complaint with the Executive Director or Board President.

As soon as a harassment/discrimination issue comes to light, the Executive Director will commence a thorough and CONFIDENTIAL investigation of the matter.

All complaints will be investigated to completion within ninety (90) (as per OHRC) days of the complaint being filed. Appropriate action to address the complaint will be initiated promptly as follows:

- The alleged victim will be interviewed by an appropriate person who can collect the information and summarize the events.
- An appropriate person will interview potential witnesses to assist in ascertaining whether or not the complaint is valid and assessing the seriousness of the conduct in question.
- The alleged harasser will be interviewed by an appropriate person. The individual must be given an opportunity to present his/her side of the story. Where investigation discloses harassment/discrimination, Workforce Development Board Windsor Essex will take prompt and remedial action. The alleged victim will be advised of the investigation procedures taken as well as the outcome of such investigations.

Notwithstanding the provisions of this policy, Staff Members have the right to seek the advice and services of the Ontario Human Rights Commission at any time.

This Policy has been compiled for Workforce Development Board Windsor Essex in accordance with the Ontario Human Rights Code, 1990.

7.0 Electronic Communications

To remain competitive, better serve our clients and provide our employees with the best tools to do their jobs, Workforce Development Board Windsor Essex makes available to our workforce access to one or more forms of electronic media and services, which may include computers, e-mail, telephones, voicemail, fax machines, external electronic bulletin boards, wire services, online services, intranet, Internet and the World Wide Web.

To ensure that all employees are responsible, the following guidelines have been established for using e-mail and the Internet. No policy can lay down rules to cover every possible situation. Instead, it is designed to express the philosophy of the Workforce Development Board Windsor Essex and set forth general principles when using electronic media and services.

Workforce Development Board Windsor Essex encourages the use of these media and associated services to make communication more efficient and effective and as valuable sources of information about vendors, customers, technology, and new products and services. However, all employees and everyone connected with the organization should remember that electronic media and services provided by the organization are Board property and their purpose is to facilitate and support Board

business. All computer users have the responsibility to use these resources in a professional, ethical, and lawful manner.

7.1 Monitoring Systems

The contents of any and all e-mail and voice mail communications are accessible at all times by appropriate management and supervisory personnel, as well as authorized third parties. (?) As a result, the Board's voice and e-mail systems (and the contents of all messages composed, sent, or received via such systems) and their usage are subject to periodic and unannounced review and should be treated like any other shared filing system or other records that are accessible by third parties.

The Board reserves the right, in its sole discretion, to review from time to time, any user's electronic files, voice mail messages, voice and e-mail usage, and any and all messages composed, sent, or received by the user.

7.2 Passwords

Although each user of any e-mail, or voice mail services provided by the Board may have an individual password to access the organization's e-mail and voice mail systems, these systems and any and all voice or e-mail messages composed, sent, or received by Board personnel over or through these systems are the property of the Board. All system passwords and encryption keys must be available to the Board's management.

7.3 Board Property

All e-mail and voice mail messages constitute Board records. The contents of any voice or e-mail message may be disclosed to authorized management and supervisory personnel without employee permission or knowledge, subject to applicable privacy laws. The Board maintains a policy of backing up and maintaining voice and e-mail messages for various business and legal reasons, and this applies even to messages that have been "deleted." Even when a message is deleted, it is still possible to recreate the message.

7.4 Confidentiality of Information

Since no computer or communication system is completely secure, and may be accessed by those outside the organization, the Board's voice and e-mail systems are not intended to transmit sensitive or confidential material such as pricing information, trade secrets, client information, employee information or any other proprietary Board information. Caution and good judgment must be exercised when considering sending confidential, proprietary or potentially harmful information over these systems.

Internet access is provided to employees by the organization for business use only, including electronic communications to clients, suppliers and vendors and for other business use and research. Internet usage is for appropriate business purposes only.

The Internet and the Board's e-mail system should not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization. It will also be a violation of this policy for any employees to download or distribute information that is offensive, insulting or demeaning to employees or any other person, such as sexually explicit or gender-specific pictures, cartoons or jokes; ethnic or racial slurs; or any other message that may be construed to be unlawful harassment or which concerns any ground prohibited under applicable human rights legislation.

All users, other than authorized management and supervisory personnel in the circumstances described above, are prohibited from the unauthorized access of another user's voice or e-mail messages. No employees (other than authorized management and supervisory personnel in the circumstances described above) may: (a) attempt to read or "hack" into other systems, or other user's electronic or voice mail boxes; (b) "crack" passwords or breach computer or network security measures; or (c) monitor electronic files or communications of others. Only authorized management and supervisory personnel are permitted, subject to applicable privacy laws, to gain access to another user's electronic files without that user's express permission.

In the event an employee receives an attachment warning that when opened it may contain a Virus, and that it should be saved to disk, or should only be opened if the sender is known to be a secure environment, the attachment must not be opened on the Board's system.

7.5 Use of Portable Electronic Storage Devices

Portable electronic storage devices, such as memory sticks, diskettes, flash drives and CDs are to be used for legitimate business purposes only.

7.6 Prohibited Use of Systems

Personal use of the Board's computer and e-mail systems is strictly prohibited. Other unacceptable use of the electronic communication systems includes, but is not limited to:

- Excessive use or time theft.
- Accessing sexually explicit websites, or those relating to violence or other inappropriate content (i.e. sites containing information that is considered obscene, defamatory, profane, libellous, threatening, harassing, abusive, hateful, etc.)
- Accessing web-based e-mail, weblogs or other "chat"-based sites, including social networking pages, i.e., Facebook must only be used for the purpose of conducting Board business.
- Posting information about Workforce Development Board Windsor Essex or our businesses, including comments about our products, services, operational strategies, financial results, clients or competitors, even in response to a false

statement or questions (unless specified by the Executive Director).

- Making disparaging comments about our business or employees within the business.

Any concerns should be raised with the Executive Director.

Employees will be required to abide by the guidelines outlined in this policy and to sign confirming that they have read and agree to the policy as detailed.

8.0 Holidays and Vacations

8.1 Holidays

The office of the Workforce Development Board Windsor Essex will be closed on the following Holidays:

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

* Although not a statutory holiday, the Board has voluntarily chosen to treat it as such.

All full-time, part-time, permanent or limited-term contract employees and students are entitled to these days off with pay regardless of how recently they were hired, or how many days they worked before the holiday, in accordance with the Ontario Employment Standards Act, 2000 (ESA).

In order to be paid a public holiday pay, employees must work their entire shift on their regularly scheduled days of work before and after the public holiday (this is called the "Last and First Rule"), which do not necessarily have to be the days right before or right after the holiday. Exceptions will be made where employees can show reasonable cause for missing work (e.g. illness, injury, medical emergencies, deaths or other emergencies which may be related to family members).

8.2 Holiday Pay

Statutory and civic holidays will be paid in accordance with the Ontario Employment Standards Act, 2000 (ESA) based on the following formula:

The summation of all of the regular wages and all of the vacation pay the employee earned in the four (4) work weeks ending just before the work week with the public holiday, divided by twenty (20).

If the holiday falls on a day when the employee does not normally work or they are on vacation, the employee will be entitled to a substitute holiday off with public holiday pay, no more than three (3) months after the public holiday or, if the employee agrees in writing, up to twelve (12) months after the public holiday. If an employee's job ends before he or she has taken the paid public holiday time off, the employee will receive public holiday pay at the same time the employer pays the employee's final wages.

Workforce Development Board Windsor Essex employees are not permitted to work on public holidays without the prior written approval from the Executive Director, which may only be granted in extreme circumstances.

8.3 Holiday Falls on a Weekend

When any recognized holiday falls on a Saturday or Sunday and is not proclaimed as being observed on some other day, then a day established by mutual agreement should be deemed to be the holiday.

8.4 Vacations

Vacation entitlement for all employees will be in accordance with the Ontario Employment Standards Act, 2000 (ESA), or as identified in the Employment Contract, and shall be earned and taken within the fiscal year of the Workforce Development Board Windsor Essex, being April 1st to March 31st.

Vacation accrual begins on date of hire and will be prorated for the remainder of that 1st fiscal year of employment.

There are two parts to vacation: vacation time and vacation pay. All employees are entitled to take annual vacation days earned after twelve (12) months of employment, regardless of whether they are full-time, part-time, temporary, seasonal, contract or student workers.

The minimum vacation time all employees are eligible for is two (2) weeks of vacation time after twelve (12) months of employment, which includes both active and inactive employment (i.e. it includes time off for layoff, sickness or injury, approved leaves, and pregnancy, parental and emergency leaves). The minimum vacation pay all employees are eligible for is four (4) percent of gross wages earned in that same twelve (12) months of employment. Salaried employees will receive their normal pay when they are off on vacation which is the equivalent to the vacation pay statutory requirement. Hourly employees have the option to either accrue their vacation pay and have it paid to them in a lump sum just prior to taking vacation days or, if agreed in writing, to have their vacation pay added to each pay cheque, in which case they would receive no pay during their actual vacation days off.

The scheduling of vacation time is subject to approval by the Executive Director. It will be based on seniority (i.e. those with the highest seniority will have first choice of vacation time) and should be taken in a manner which impacts as little as possible on the activity of the Board.

If an employee's job ends before he/she has received all of the vacation pay earned, the employee will receive their outstanding vacation pay earned no later than the latter of seven (7) days after the date the employment ended, or on what would have been the employee's next pay day.

8.5 Cumulative Vacation

Vacation time may not be accumulated from year to year unless approved by the Board of Directors.

9.0 Principles of Compensation

9.1 Transparency

In keeping with the organizational values of Workforce WindsorEssex (WFWE), employee compensation will be public knowledge and employees will be consulted on any changes to the compensation package.

9.2 Flexibility

WFWE's compensation approach will align with its character as a versatile and agile organization. Compensation decisions will balance the need for financial stability with a commitment to reward employees for increased competency and strong performance.

Monetary compensation will fluctuate based on funding provisions and restraints. While WFWE cannot make a commitment to providing long term employment, it will attempt to bridge employees to new contracts and opportunities within the organization. Responding to changes in the funding environment will be a team responsibility. Employees can expect to share in gains, but may also be asked to make concessions for the good of the organization.

9.3 Performance Management

WFWE will provide employees with clear expectations about their duties and assignments and will deliver verbal and written feedback on employee performance in a timely manner. Employees will be clear about their learning objectives and career development interests. All aspects of the performance planning process will align with the values of the organization.

9.4 Total Compensation Approach

WFWE will consider non-salary compensation strategies that are fiscally responsible, approved by the Board and supported by the majority of employees. These may include insured benefits, non-insured benefits, training opportunities, professional development arrangements and support for mentorships or job

shadowing.

9.5 Work Life Balance

The WFWE organization is focused on achieving results. Employees will be evaluated on their ability to implement deliverables within agreed upon timeframes. WFWE will foster a family friendly environment and will allow employees flexibility in performing their work. Employees will recognize that additional time sacrifices will be required of them during busy work periods.

9.6 Workforce Culture

WFWE's workplace culture will have a compensation value in itself. Employee consultation will be given a high priority in decisions that affect the workplace. In addition, the ability to work in a collegial environment, contribute to an effective governance framework and make connections with talented people in the WindsorEssex community will serve as a powerful employee recruitment and retention incentive. WFWE will be recognized in the community as an organization that develops leaders and values learning.

10.0 Compensation

10.1 Overtime

Refer to Section 4.2 Overtime/Lieu

Time

10.2 Review of Salary/Wages

Salaries, wages and benefits shall be reviewed by the Executive Committee and approved by the Board of Directors, either annually as of March 31, or in conjunction with employee performance evaluations.

10.3 Benefits Package

Employees may be eligible to participate in any group insurance plan and other benefit programs which may be in effect at that time for employees of the Board. If an employee chooses not to participate in the benefits package as a result of coverage through a partner/spouse, should long-term disability and life insurance currently be a benefit offered by the Board, that coverage may remain mandatory, subject to the conditions of the current benefit plan(s) in effect. Employees who opt out of the optional benefits may be required to prove proof of coverage through another source.

10.4 Expenses and Travel

All expenses are subject to appropriate reconciliation before reimbursement will be considered. In the case of travel, the reason for travel, receipts or a mileage statement will be required. In the case of meals, only expenses supported by appropriate receipt will be considered. Expenses will be reimbursed for employees in accordance with the Travel, Meals, and Accommodation Policies. Reimbursable travel is based on distance from the normal work place or point of departure whichever is closer.

All related travel expenses will be paid at the rates established by the Board.

11.0 Leave of Absence

11.1 Long-Term Leave

In general long term leave must be requested in writing and will be granted by the Board on a case by case basis.

11.2 Short-Term Leave

In general short term leave must be requested in writing and will be granted by the Board on a case by case basis.

11.3 Sick Leave

The Board will provide up to five (5) days per calendar year of sick leave with pay to full time employees.

11.4 Maternity and Parental Leave

Maternity and parental leave shall be granted to all employees regardless of whether they are full-time, part-time, permanent, or contract employees, in accordance with the Ontario Employment Standards Act, 2000 (ESA), provided they were hired at least thirteen (13) weeks before the baby's expected birth/due date. Request for maternity and parental leave must be in writing. While an employee is on pregnancy or parental leave, Workforce Development Board Windsor Essex will continue to pay its share of the premiums on benefit plans (i.e. life and extended health insurance plans) that were offered before the leave, if applicable.

11.4.1 Written Notice

An employee who is entitled to maternity leave is required to give the Board at least two (2) weeks written notice of the date the leave is to begin.

An employee returning from maternity or parental leave is required to provide the Executive Director with at least four (4) weeks written notice of the expected date of return. The Executive Director shall place the employee in her/his former position, or a comparable position if their job no longer exists, at the same rate of pay earned immediately prior to the commencement of leave or a higher rate of pay if the wages for that job increased or would have increased, if they hadn't been on leave. If an employee on pregnancy/parental leave decides to resign before he/she returns to work, they must give at least four (4) weeks written notice to the Executive Director.

11.4.2 Pregnancy Related Complications

If pregnancy related complications force the employee to stop work before she has arranged her leave, she is required to give the Executive Director written notice within two (2) weeks from the date and to provide a medical certificate confirming the circumstances and estimated expected date of return or when or whether she will start pregnancy leave or take sick leave.

11.4.3 Ending leave early

An employee may end her leave earlier than the day set out in writing by giving her employer written notice at least four weeks before the day she wishes to end her leave. 2000, c. 41, s. 47 (2).

11.4.4 Changing end date

An employee who has given notice to end her pregnancy leave may end the leave,

- on an earlier day than was set out in the notice, if the employee gives the employer a new written notice at least four weeks before the earlier day; or
- on a later day than was set out in the notice providing that date falls within the normal statutory pregnancy leave duration, if the employee gives the employer a new written notice at least four weeks before the day indicated in the original notice. Ontario Employment Standards Act 2000, c. 41, s. 47 (3).

11.4.5 Employee not returning

An employee who takes pregnancy leave shall not terminate her employment before the leave expires or when it expires without giving the employer at least four (4) weeks' written notice of the termination. Ontario Employment Standards Act 2000, c. 41, s. 47 (5).

11.5 Bereavement Leave

Employees will be granted three (3) days leave with pay in the event of a death in their immediate family. For purposes of this section "immediate family" is generally defined to be the employee's mother, father, wife, husband, same sex spouse, sister, brother,

daughter, son, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparent, grandchild, step-child, foster child, step-parent, legal guardian, grandparent of spouse, adopted child, step sister, step brother, foster sister, foster brother, or common-law spouse. Further unpaid leave may be requested from the Executive Director and such request will not unreasonably be denied.

Employees shall be granted one (1) days leave with pay in the event of a death of other family members such as aunt, uncle, niece or nephew. An additional bereavement leave without pay will be considered for necessary travel time.

11.6 Jury Duty/Witness Duty & Subpoena

It is a citizen's civic duty to report for jury duty if called to do so. Therefore, any full-time employee will receive full salary and benefits (where applicable) limited to twenty (20) working days while on jury duty. Employees must return to the Board any jury money received except for any expense money (travel, meals, etc) that may have been included in the jury money. Such expenses may not be claimed from both the Crown and the Board.

Part-time employees may be entitled to reschedule their time lost.

11.7 Compassionate Care Leave (Family Medical Leave)

Employees may be eligible for an eight (8) week unpaid job-protected leave of absence in accordance with the ESA, Ontario, 2000, if they are required to care for and support a family member who has a serious medical condition with a significant risk of dying within a twenty-six (26) week period. Family members include spouse (including common law), parents (including step and foster parents) and children (including step and foster children). Workforce Development Board Windsor Essex will abide by all rules and regulations as per legislation.

11.7.1 Eligibility

All employees, regardless of whether they are full-time, part-time, permanent or contract employees and regardless of how long they have been employed with Workforce Development Board Windsor Essex will be eligible for the leave outlined in this policy, in accordance with the Ontario Employment Standards Act, 2000 (ESA).

In order to commence Family Medical Leave, a request must be directed to the Executive Director, in writing, as far in advance as possible prior to the date the leave is to begin, or as soon as possible after it begins, accompanied by a medical certificate confirming that a family member has a serious medical condition with a significant risk of death occurring within a twenty-six (26) week period.

Family Medical Leaves of up to eight (8) weeks may be taken in periods of entire

weeks only, and may be extended with one or more subsequent medical certificates for additional twenty-six (26) week periods. For purposes of this leave, a "week" is defined as a calendar week (i.e. Sunday to Saturday).

An employee may begin a Family Medical Leave no earlier than the first week of the twenty-six (26) week period set out in the medical certificate. The leave must end no later than the earlier of:

- The last day of the week in which the ill family member dies; or
- The last day of the week of the twenty-six (26) week period in the certificate; or
- The last day of the eight (8) weeks of family medical leave, which based on the definition of "week," would always end on a Saturday.

It is not necessary for an employee to apply for or be in receipt of employment insurance benefits for "compassionate care" under the Employment Insurance Act to be entitled to Family Medical Leave under the Ontario Employment Standards Amendment Act (Family Medical Leave), 2004. However, an employee must supply a medical certificate issued by a qualified health practitioner as soon as possible after the employer requests it, verifying that an ill family member (i.e. a spouse, or common-law partner, parent, step-parent, common-law spouse of a parent, or foster parent; child, step-child, or foster child of the employee or the employee's spouse; or a prescribed family member) needs care and support, and has a serious medical condition with a significant risk of death within a period of twenty-six (26) weeks.

While an employee is on Family Medical Leave, Workforce Development Board Windsor Essex will continue to pay its share of the premiums on benefit plans (i.e. pension plans, life and extended health insurance plans, accidental death plans, and dental plans) that were offered before the leave, if applicable.

11.8 General Provisions Concerning Leaves

11.8.1 Benefit plans

During any leave, the employee continues to participate with respect to pension plans, life insurance plans, accidental death plans, extended health plans, dental plans and any prescribed type of benefit plan. The employer continues to make the employer's and employee's contributions for any plan. Ref. Ontario Employment Standards Act 2000, c. 41, s. 51 (3).

11.8.2 Leave and completion of vacation conflict

If an employee is on leave on the day by which his or her vacation must be completed, the uncompleted part of the vacation shall be completed immediately after the leave expires or, if the employer and employee agree to a later date, beginning on that later date. An employee may forego vacation and receive vacation pay rather than

completing his or her vacation. Ontario Employment Standards Act 2001, c. 9, Sched. I, s. 1 (11).

11.8.3 Reinstatement

Upon the conclusion of an employee's leave, the Workforce Development Board Windsor Essex will reinstate the employee to the position the employee most recently held with the Board, if it still exists, or to a comparable position, if it does not. The Board will pay a reinstated employee at a rate that is equal to the greater of,

- (a) The rate that the employee most recently earned with the Board; and
- (b) The rate that the employee would be earning had he or she worked throughout the leave. Ontario Employment Standards Act 2000, c. 41, s. 53 (3).

Any benefit contingent upon continuous service will continue to accrue while on

leave. 11.8.4 Definition of Spouse

For the purposes of bereavement leave, a spouse is defined as a:

- i) Husband or a wife,
- ii) Common-law partner,
- iii) Same sex spouse, or
- iv) Same sex common-law partner

A common-law partner shall include any two people who have co-habited as partners for a period of not less than six (6) months.

12.0 Confidentiality

12.1 Confidentiality of Corporate Information and References

In order to remain competitive, Workforce Development Board Windsor Essex must ensure its employees are not sharing confidential information with individuals outside Workforce Development Board Windsor Essex. Business, commercial or competitive information coming to the employee's attention in relation to their duties is provided for the specific task at hand and must be kept confidential at all times.

Confidential information means information, whether in written, oral or electronic form, which is not generally known outside of Workforce Development Board Windsor Essex, which if known would compromise or injure the Board or aid current and future competitors.

Confidential information includes such things as:

Daily operating procedures	Intellectual property
Personal information regarding employees	Marketing information
Scheduling information	Revenue figures
Training procedures and techniques	Earning information
Service specifications	Service pricing
Business or promotion concepts	Client lists and information
Trade secrets, patents & inventions	Designs and operating techniques

During employment with Workforce Development Board Windsor Essex, or at any time thereafter, employees may not copy, use or disclose to any person any secrets or business information relating to the private or confidential affairs of Workforce Development Board Windsor Essex or its affiliates, suppliers, clients or prospective clients.

Should employees receive any inquiries from the public or other 3rd parties (i.e. media) soliciting information about Workforce Development Board Windsor Essex, immediately refer the inquirer to the Executive Director.

Any employee who divulges or fails to appropriately safeguard confidential information without prior authorization may be disciplined.

12.2 Statement of Confidentiality

All Board members and employees are required to sign the following statement of Confidentiality.

_____, state that as a member of the Workforce Development Board of Windsor Essex, I will keep in strict confidence any information deemed confidential regarding the Workforce Development Board Windsor Essex and its activities as well as information related to any legal entities or private persons disclosed to me through my involvement with the Workforce Development Board Windsor Essex.

I will guard written material in confidence and will not disclose any such materials that I gained through my role to other parties.

12.3 Privacy of Personal Information

All members of the Workforce Development Board Windsor Essex and employees of the Workforce Development Board Windsor Essex who are privy to any personal information with regard to any employee, must hold that information as confidential, unless otherwise requested by law. For complete or specific rules and regulations, refer to The Freedom of Information and Protection of Privacy Act and the Personal Information Protection and Electronic Documents Act (PIPEDA)

Every employee has the right to access their personal file pending a 48-hour notice. No

files or any part thereof can be removed from the premises. Confidential information within the office shall be inaccessible to non-authorized personnel as determined by the Board of Directors and/or the Executive Director. All documentation remains the property of Workforce Development Board Windsor Essex.

In the case of a deceased employee, a personal representative or the executor or administrator of the employee's estate will have the right to access the employee's personal file for a specific reason. The request must be made in writing. A copy of the death certificate is required prior to access being granted.

12.4 Written Consent

Consent for release of personal information must be given in writing by the employee.

13.0 Evaluation Policy (Annual Performance Review)

It is the policy of Workforce Development Board Windsor Essex to conduct and maintain an evaluation of all employees on an annual basis on the anniversary of their employment.

The evaluation of the Executive Director will be the responsibility of the President using whatever process is deemed appropriate. *The Executive Director is expected to implement an annual planning process, such that each staff member submits a plan for their area of responsibility to the Executive Director, who then creates an annual plan to submit to the President and the Board. The annual plan is expected to be aligned with the expressed goals of the Board.*

All staff evaluations will be carried out by the Executive Director. Confirmation of completion of evaluations will be made to the Board on an annual basis. Evaluations will be made available to the Board of Directors for review. Once signed, a copy will be given to the employee and the original will be kept in each employee's personnel file.

New Employee Evaluations

For new employees, an evaluation shall be conducted prior to the end of the three (3) month probationary period and maintained on an annual basis on the anniversary of their employment.

14.0 Management of Records

The Board is required to keep all information records for a minimum of seven (7) years. It

is the responsibility of the Secretary (or designate) to ensure that all records are stored in a fashion as to guarantee confidentiality, privacy and security of information. Confidential records must be destroyed by shredding.

14.1 Record Keeping

In accordance with the requirement of the Ontario Employment Standards Act, 2000 (ESA), the following records will be kept and retained (for the time period indicated) for each employee, and made available for inspection as required by an employment standards officer, if necessary:

The employee's name and address — for up to three (3) years after the employee ceased to be employed;

- The employee's date of birth, if the employee is a student or under eighteen (18) years of age — for up to three (3) years after the employee's eighteenth (18th) birthday, or three (3) years after the employee ceased to be employed, whichever is earlier;
- The date on which the employee began his or her employment — for up to three (3) years after the employee ceased to be employed;
- The number of hours the employee worked in each day and each week — for up to three (3) years after the day or week to which the information relates; The information contained in each written statement given to the employee for the following — for up to three (3) years after the information was given to the employee:
 - The gross amount of wages, vacation pay, termination pay or severance pay (if applicable) paid to the employee and how that amount was calculated;
 - The pay period for which the wages/payments were paid;
 - The wage rate, if there is one;
 - The amount and purpose of each deduction from wages/payment;
 - The net amount of wages/payment paid to the employee;
 - The amount of vacation time, if any, that the employee had earned since the start of employment but had not taken before the start, or at the end, of the vacation entitlement year;
 - The amount of vacation pay paid to the employee during the vacation entitlement year, including the amount of wages on which the vacation pay was calculated and the period of time to which those wages relate; and
 - Records pertaining to all notices, certificates, correspondence and other documents given to or produced by the employer that relate to an employee taking pregnancy leave, parental leave, or family medical leave — for up to three (3) years after the day on which the leave expired.

15.0 Health and Safety

Workforce Development Board Windsor Essex. as a responsible employer, is committed to providing and maintaining a healthy workplace, in accordance with the Occupational Health and Safety Act of Ontario to "take every precaution reasonable in the circumstances for the protection of the worker."

15.1 Safety and Emergency Procedures

15.1.1 Minor Injury

Any work-related injury, minor or otherwise must be reported to the Executive Director immediately. A first aid kit is available.

15.1.2 Serious Injury

A serious illness or injury is any physical condition that is life threatening or requires immediate medical attention. Examples include unconsciousness, bleeding, absence of breathing or pulse rate, uncontrolled breathing and/or severe chest pain. In an emergency situation, the employee should call 911 from any of the available telephones and immediately alert the Executive Director or any member of management.

When calling for help state whether the person is conscious or unconscious and how many people have been injured. Also, state the exact location, including company name, street address, floor, department and other specific information. It may be advisable to state the closest intersection. Do not hang up the phone until instructed to do so by the Emergency Dispatcher.

15.1.3 Fire

In the event of a fire, the person who discovers the fire should:

1. Remain calm.
2. Sound the fire alarm by activating a pull station, located by every exit door. This will automatically notify the Fire Department.
3. Alert others in the immediate vicinity and ensure that they leave via the nearest exit in the opposite direction of the fire, closing all doors behind them.
4. Attempt to extinguish the fire with a portable extinguisher, but leave the area if the first attempt is unsuccessful.

5. Telephone 911 (Emergency) to verify that the Fire Department received the alarm.

Upon hearing the alarm, all staff should:

1. Stop whatever they are doing and leave the building in an orderly manner.
2. Leave the building by the nearest exit and assemble in the designated area, well away from the building. Keep talking to a minimum.
3. If smoke is encountered in a stairway, use an alternate exit. If heavy smoke is encountered, employees should stay low and crawl if necessary. Use a wet fabric to breathe through.
4. Proceed with caution to the designated meeting area and wait for further directions.
5. Managers and supervisors are responsible for accounting for each employee present that day.
6. Do not return to the building until instructed by the fire department.

15.2 Out of Office Policy

In order to deal with the possibility of a crisis, the Board has instituted a procedure to track all staff who are out of the office for business meetings or business trips. To this end, and in the interest of safety, if an employee will be out of the office, they must leave the following information regarding their whereabouts with the designated contact in their department as well as the receptionist:

- Purpose of trip
- Name of contact and assistant
- Address of meeting
- Date, time and expected duration of meeting and expected time of return.

If staff find themselves in a situation which they think may cause the Board concern about their safety, they should call their supervisor regarding their whereabouts and status.

15.3 Working Alone

Employees are encouraged to assess their work situation on an ongoing basis, to apply heightened awareness and plan proactively to avoid any potential or actual hazards.

Wherever possible, working alone should be avoided. Examples of strategies to avoid risks

associated with working alone when it is unavoidable include but are not limited to:

- confirming that public or unauthorized access to the workplace is controlled during and after regular work hours
- implementing a 'buddy' system involving another employee, family member or friend, with regularly scheduled 'check ins' to ensure continuing safety during working hours and while in transit to and from the office or other work location.
- having a cell phone programmed with emergency numbers and kept readily available
- regularly reviewing building safety systems and emergency protocols
- parking only in well-lit, populated parking areas and moving one's car to the closest available parking location in anticipation of working late
- taking a taxi to one's car or to public transit, and waiting for the taxi inside the building or other secure location
- considering the use of a taxi rather than public transit during very early or late hours. (Note that with prior approval, taxi costs may be claimed as an expense in the normal fashion.)

15.4 Workplace Violence Policy

The Workforce Development Board Windsor Essex is committed to providing a violence free environment and recognizes that workplace violence is a health and safety issue. Violence is defined as an act of aggression, verbal or physical assaults, or threats in a workplace which may involve, but are not limited to name calling, threatening, swearing, hitting, biting, scratching, pinching, use of a weapon, sexual harassment or assault and battery.

Acts of workplace violence by employees, volunteers, clients, or visitors will not be tolerated.

An employee who is a victim of workplace violence will be treated with respect and consideration and Workforce Development Board Windsor Essex will support the employee's rights by providing immediate medical, emotional and legal assistance.

It is strongly encouraged that all acts of violence be reported immediately to your Executive Director whether witnessed or experienced.

15.5 Smoking

The Board is committed to providing a comfortable, smoke free environment for all employees, clients and other visitors. In accordance with the Smoking in the Workplace Act in Ontario, no person shall be permitted to smoke in the workplace. Smoking is also not permitted on Company property except in outdoor designated areas identified to staff.

15.6 Alcohol and Substance Abuse

It is the Board's desire to provide a drug-free and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. Violation of this provision may lead to disciplinary action up to and including termination of employment for cause. Such violations may also have legal consequences.

While on Board premises no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. From time to time, the organization may sponsor a social event during which alcohol may be served. In such cases, employees are expected to conduct themselves responsibly and to avoid drinking to excess.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Any employee reporting for work and found to be under the influence of alcohol, illegal drugs or other controlled substances will be asked to leave the premises but, in view of their condition, will be provided transportation in order that they arrive home safely.

15.7 Flu Outbreak or Pandemic

Workforce Development Board Windsor Essex has developed this policy to inform staff of the company's statement about any such outbreaks or quarantines, and how this would effect day to day operations. Should there be any type of flu pandemic or health related issues such as a S.A.R.S. outbreak, this policy is in place to insure all staff and their families are protected to the best of our ability.

All Board Members, management and staff are responsible for ensuring compliance with this policy and all employees are encouraged to receive a flu shot at their doctor's office or through one of the free clinics. Staff is permitted to attend a clinic during work hours to receive their flu shots.

The Executive Director will be the coordinator of the Contingency Plan, and will keep the organization up to date on any developments which may affect the operation of Workforce Development Board Windsor Essex.

Staff and management will be provided with N95 masks and latex gloves for use in the office and in public areas where safety may be compromised. Staff is asked to increase their hand washing regularly throughout the day and observe the suggested length of washing to decrease the risk of spreading germs within the office.

Any officer, employee or agent of the Board traveling to an "area affected by an outbreak" will not be permitted to return to the work premises until that person has undergone an appropriate period of quarantine or has produced a medical certificate from either a clinic or a qualified medical practitioner certifying that the person is not a suspect or probable case of infection. Affected area means areas published by the World Health Organization or the

Windsor Essex Region or Essex Medical Health Officer. If an employee thinks they may have come in contact with someone who is infected they are to inform the Executive Director immediately.

Should an employee become quarantined, and they are able to continue to work from home, they will continue to receive regular salary. Should the employee be unable to work from home, due to severe flu symptoms, the normal company policy on sick leave will apply. Disciplinary action could be taken if an employee returns to work early and infects or even could potentially infect other staff members.

Diseases such as flu, SARS, and avian bird flu can be potentially fatal to some. It is for this reason all employees are asked to take every possible precaution when coming into contact with these types of diseases.

15.8 Hazardous Conditions

The general policy regarding hazardous conditions is that the office closure must be balanced with the risk of danger to full-time, part-time and/or hourly contract employees. Employees should make every attempt to get to work within the bounds of their personal safety. Each employee is expected to make his/her own decision to travel. In the event of hazardous road conditions, the Executive Director or designate will invoke the policy.

15.8.1 Inclement Weather

The Workforce Development Board Windsor Essex recognizes that throughout the year, weather conditions may make it unreasonable to expect staff to travel to work and arrive home again safely.

To protect the safety and well being of staff, it is recommended that employees monitor the weather and if they have concerns, please contact the Executive Director. All Environment Canada website weather warnings will be adhered to. All staff are responsible for ensuring compliance with this policy.

Staff will be contacted by phone in case of office closure due to an unexpected overnight storm.

Weather changes during the work day will be monitored and staff advised to leave early if it is evident that conditions will only worsen as time passes.

It is advised that work be taken home when severe weather is in the forecast; it is expected that staff work at home to minimize lost productivity during office closures. For those who do not choose to work from home, the time off will be considered as lieu time, or vacation time. The only exception will be in cases of blackouts or

other storm conditions making it inadvisable, unsafe or impossible to work from home.

The decision to officially close the office remains with the Executive Director or upon consultation with the Executive Committee in the event the storm occurs overnight or unexpectedly over a weekend. However, any staff member either out of town, or in town, should feel comfortable in their own decision to either stay home if they have safety concerns or to leave work early if they are concerned about arriving home safely.

In the event of severe weather, the Workforce Development Board Windsor Essex will cover the cost of basic accommodation, with pre-approval of the Executive Director or the President. Permission will not be unjustly withheld.

16.0 Complaint Resolution

16.1 Purpose

The purpose of complaint resolution is to ensure employee concerns arising out of the application, interpretation or alleged violation of their employment agreement are dealt with in a fair, orderly, and expeditious manner. It is expected that the parties involved must make serious attempts to solve the issue(s) and to explore innovative solutions to resolve employee concerns.

16.2 Personal Submission of Concerns

Any employee may present his/her personal complaint to his/her employer at any time. Any such complaint may be subject to consideration and adjustment as provided in the following complaint resolution process.

16.2.1 Complaint

If an employee or a group of employees has a complaint they must bring it to the attention of the supervisor within twenty (20) working days of the occurrence or knowledge thereof.

The supervisor and the employee(s) shall make a sincere and genuine effort to resolve the complaint. Once a complaint has been lodged, the parties will

agree on a reasonable time frame to deal with the issue. Unless otherwise agreed, such time frame shall not exceed twenty (20) working days from the date the complaint was first raised. If no resolution is agreed to, the supervisor shall communicate his/her decision to the employee in writing within the above noted time frame. At any point during the resolution discussions, the employee may have another employee present as support or as an advisor the Workforce Development Board Windsor Essex. and its employees to resolve any issues/complaints as quickly as possible, ensuring both parties are fairly treated and dignity is maintained.

16.2.2 Formal Complaint

If the issue is not resolved at the complaint stage above, no later than within twenty (20) days from the occurrence or knowledge thereof or within twenty (20) days of it being unsuccessfully dealt with at the complaint stage, a formal complaint shall be filed in writing.

Unless otherwise mutually agreed upon, a meeting must take place within twenty (20) days from the date of the filing of the formal complaint between the employee and the Supervisor and a member of the Administration committee delegated to assist in the resolution of the issue or, in the case of a complaint filed by the Executive Director, with the full Administration Committee. Any complaint resolution meeting shall take place during working hours.

The parties shall record the issue(s) and position(s) as understood by the other side. The parties shall fully discuss the issue(s) and make a sincere effort to resolve the issue(s).

Settlements at this level shall have no precedent value and will not be referred to or imposed by either party to this agreement within the organization, unless the parties mutually agree to do so. Minutes will be kept and read and signed by both parties at the end of the meeting. A copy of such minutes shall be maintained in the offices of the Workforce Development Board Windsor Essex.

16.2.3 Mediation

If the issue(s) is (are) not settled on final discussion, either party must inform the other party at the meeting of its desire to have the issue(s) resolved by a third party mediator.

Any complaint to be referred for mediation by Workforce Development Board Windsor Essex shall be aired and confirmed at a full Board of Directors Meeting at the

first opportunity. If at all possible the complainant shall remain unidentified and the accusation shall be kept as confidential as is possible under the circumstances.

If a mediator is unable to resolve the issue the complainant may proceed to discuss the issue with the Ministry of Labour, Human Rights Commission, or whatever professional body is appropriate given the circumstances (although at no point in time is the complainant unable or discouraged to seek Ministry of Labour or other professional guidance.)

At this stage (or perhaps before), if this issue is still unresolved, the Board will seek legal counsel and any further action by the Board will reflect the legal recommendation. The employee(s) are also free to obtain their own legal counsel. And proceed in accordance with that counsel.

17.0 Personal Appearance & Attire

17.1 Dress Code

The Workforce Development Board Windsor Essex does not expect staff to dress in formal business attire except in instances where that may be appropriate; however, a neat and tidy appearance is important to ensure a professional business image is presented at all times to our clients. All employees are expected to maintain appropriate standards of grooming, personal hygiene, and dress during working hours. No apparel, personal grooming, or hygiene practices should distract or offend others, or create a safety hazard for the employee or his/her co-workers. To encourage a comfortable working environment, the Workforce Development Board Windsor Essex has adopted a "business casual" dress code. The following is a brief outline of what is considered acceptable "business casual" attire. The list is intended to serve as a guideline only.

Pants/Skirts

Cotton, khaki, twill or wool pants/skirts are acceptable. With the exception of Fridays, anything denim (including coloured denim) is unacceptable. Including Fridays, sweatpants, bib overalls, wind suits, leggings, spandex, and any other form fitting pants are not acceptable.

Shirts

Casual shirts, golf shirts, sweaters, or turtlenecks are all acceptable. Inappropriate items, at all times, include tank tops, halter tops, and clothing made of see — through materials.

Footwear

Gym shoes, joggers, sneakers, flipflops and tennis shoes are inappropriate. The above list is not intended to be inclusive of all clothing items. A good rule of thumb is, if uncertain as to the acceptability of an article of clothing, choose something else

instead. Questions regarding this policy should be directed to the Executive Director.

18.0 Conflict of Interest

Integrity and commitment are among our core values. These values imply that each employee acts in the best interest of Workforce Development Board Windsor Essex and refrains from any conduct or activity that is actually or potentially detrimental to the wellbeing of Workforce Development Board Windsor Essex, or that may be so perceived.

A conflict of interest arises when an employee is faced with a choice of acting in some matter where the interests of the Workforce Development Board Windsor Essex conflict with the interests of the employee or any other person to whom the employee owes a duty.

Examples of conflict of interest situations include:

- Borrowing money from a supplier or client
- Receiving gifts or favours of more than nominal value (\$75??? or less), particularly in situations in which business judgement may be influenced.
- Transacting with a supplier, client or competitor out of the ordinary course of business.
- Direct or beneficial ownership of an interest in the securities of a supplier, customer or competitor, except in the case of an investment representing less than 1% of the outstanding securities of a publicly traded corporation
- Supplying goods and services to the Workforce Development Board Windsor Essex via a business controlled by the employee or an immediate family member
- Engaging during working hours in activities, which are not directly related to and required in the performance of his or her duties, on behalf of individuals, associations or other companies, with or without remuneration, that deprive the board of the employee's services. Exceptions may be made on a specific and irregular basis, with the express approval of the immediate supervisor.
- For employees and members of their immediate family, accepting from or being a part to giving gifts or favours to anyone with whom the Board is doing or negotiating business. However, this is not intended to prohibit normal and widely accepted ethical business practices such as business meals and receptions, including mementos or gifts of nominal value (up to \$50) from or to individuals or firms with which the Board does business.

The Board recognizes that an employee may be asked to serve as a director on the board of a company or of a trade, business or professional association or society. The Workforce Development Board Windsor Essex is, in principle in favour of an employee becoming a director of such an organization, provided that it does not create any conflict with or prejudice to the interests of the Workforce Development Board Windsor Essex

and provided that such activity does not unduly restrict the time that the employee should be devoting to his or her employment. Prior to accepting any such position, an employee must obtain approval from the Executive Director.

19.0 Telephone and Cell Phone Use

19.1 Telephone and In Person Etiquette

Employees are expected to answer the telephone in a friendly and polite manner. The phone should be answered promptly (within at least three rings). Employees should be as helpful as possible, referring the caller to a staff member who is qualified to assist the caller, as required.

Employees should always greet visitors to the Workforce Development Board Windsor Essex as soon as possible after they enter the office. Even if engaged in another task, the employee must acknowledge the visitor and assure him/her someone will be right with them. If necessary, the employee should locate another individual who can quickly provide assistance.

19.2 Personal Phone Calls

Employees are asked to use discretion when using the phone for personal use and to keep personal phone calls during office hours to a minimum. The use of cell phones for personal use in the office is discouraged. Personal outgoing long distance calls are permitted if made infrequently. Should management determine that an employee is making excessive use of the Workforce Development Board Windsor Essex long distance service; the employee will be charged for these calls.

19.3 Company Property (Credit Cards/Cell Phone, Pager)

All Workforce Development Board Windsor Essex property is entrusted to its employees for use in performing their jobs. Employees are expected to maintain any items assigned to them in good working order, and keep them secure at all times.

If Board issued equipment leaves Workforce Development Board Windsor Essex property, such as a laptop computer, cell phone, pager, etc., the employee is responsible for ensuring the safekeeping of this company-owned equipment. Lost,

stolen or damaged equipment should be reported immediately to your Executive Director (and to the police in the event of a break-in/theft).

19.4 Cell Phone

Company cell phones may be provided to employees. The following guidelines should be followed in regard to the use of a company cell phone on the job:

- Know when to turn the device off or to vibrate mode:
 - A. OFF during meetings, seminars, and most importantly when with a client.
 - B. VIBRATE when in public places where it is possible to take a call, but where the ringing would disturb others.
- Avoid talking in an area where it may be distracting to others or where the conversation can be overheard — confidentiality must be maintained at all times.
- Lower the ring volume of the phone.
- When it is necessary to take a call, others must be informed at the beginning of a meeting that an important call is expected, the individual must excuse himself/herself and leave the room when the call comes in.
- Avoid talking at the table while in a restaurant. If the call must be taken, the call should be answered, the caller requested politely to hold for a moment, the individual must excuse himself/herself from the table, and take the call in a quiet corridor in the restaurant or outside.

20.0 Lunch Room and Premises Housekeeping

A lunchroom is provided for the benefit of the staff. A microwave and refrigerator are supplied by the Workforce Development Board Windsor Essex for the storage and preparation of lunches. It is expected that users of these facilities and appliances will keep them clean and tidy.

Coffee, cream and sugar are supplied by the Workforce Development Board Windsor Essex for employee enjoyment. The removal of any of these items from the Workforce Development Board Windsor Essex locations will be considered theft and will be dealt with accordingly.

21.0 Ethical Conduct

The Workforce Development Board Windsor Essex maintains the highest standard of ethics in the conduct of its business and in relation to its employees, clients, and members of the community. The Workforce Development Board Windsor Essex integrity and reputation for ethical practices are among its most important assets. Integrity and a reputation for ethical practices depend upon the conduct and personal integrity of our employees. We rely on each member of the Workforce Development Board Windsor Essex to understand and deliver their work in a manner which is

consistent with socially responsible and acceptable ethical business practices. Compliance is expected during work hours and at work related functions that take place after hours.

The Workforce Development Board Windsor Essex expects all employees to:

- Conduct themselves in a friendly, courteous and professional manner
- Maintain the highest ethical standards and refrain from gossip
- Contribute to the efforts of the team and offer assistance wherever required, whether or not such assistance falls within the normal responsibilities of their job
- Co-operate freely
- Ensure the smooth delivery of the Workforce Development Board Windsor Essex services
- Be honest, trustworthy, reliable and dependable
- Take direction from their supervisor
- Work co-operatively and collaboratively with direct reports, colleagues and clients
- When the proper course of action is unclear, the matter should be discussed openly with the Executive Director.

Board members and all employees are expected to sign the following Code Of Ethics statement, which comprises Schedule "A" of the Board's By-law Number 1, on an annual basis.

21.1 Code of Ethics

The Workforce Development Board Windsor Essex is governed by a Code of

Ethics. Board Directors and staff shall:

Be governed by the principles of accessibility, accountability, coordination, equity, self-reliance, mutual responsibility and simplicity.

Be governed by the values of: consistency, fairness, openness, integrity, honesty, excellence, quality, service, encouragement, patience and human dignity.

Board Directors and staff, when representing the Board

shall not: Speak disrespectfully of or to another person; Use

offensive words or inappropriate language;

Speak in public on behalf of the Board without authorization and/or, consultation with the Board;

Be critical of policy, practices or persons unless this is within the proper Board forum.

All Board Directors and staff must sign the Code of Ethics on an annual basis.

A Board Director or a staff person can be removed or may be asked to resign if they are not in agreement with the Code of Ethics or their behaviour violated the Code of Ethics for the Workforce Development Board Windsor Essex.

22.0 Open Door Policy

An "Open Door Policy" is maintained in the Workforce Development Board Windsor Essex. The Board values employee input and wants to know employee concerns in order to deal with them effectively. Employees are encouraged to discuss problems, concerns, decisions, etc. with the Executive Director. Confidentiality is expected to be maintained in all matters.