

Trent Lakes Public Library



Policy Type: **Human Resources**

Policy Number: **HR - 03**

Policy Title: **Terms and Conditions of Employment**

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The Library Board's terms and conditions of employment are in compliance with the Ontario employment legislation, such as **Employment Standards Act S.O.** 2000, Chapter 41., **Ontario Human Rights Code R.S.O** 1990 H.19, and the regulations of the **Accessibility for Ontarians with Disabilities Act** 2005.

Section 1: Hours of Work

1. The library's hours of operation are set by the CEO in response to community needs and include morning, afternoon, and evening hours, throughout the week, including weekends. As such, library employees' hours of work are scheduled to support the delivery of library service to the public.
2. All breaks including rest and lunch breaks are schedule by the CEO.
3. An employee is entitled to a 30-minute break free from work, taken within five hours of the start of the shift.

Section 2: Overtime

1. All overtime shall be pre-authorized in writing by the CEO.
2. An employee may choose cash payment for work in excess of 70 hours in a two-week period. Payment is at the rate of one and one-half times the normal rate of hourly pay. Alternately he or she may choose to receive time off equivalent to one and a half times the hours worked at a time agreed to by the CEO.

Section 3: Attendance

1. An employee is responsible for communicating before the start of the shift any absence or anticipated lateness to the CEO.
2. Repeated attendance problems are cause for formal discipline.

Section 4: Dress

1. The library strives to present an approachable and professional image to users and visitors. Employees are requested to wear business or business casual attire.

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2. Casual clothing worn at school or at home (e.g. ripped jeans, short shorts, sweatpants, flip-flops) is not always suitable for a work environment.
3. Clothing must be clean and in good condition.

Section 5: Inclement Weather and Unscheduled Library Closing

1. Occasionally, the library will be closed due to inclement weather or maintenance issues. If the CEO decides to close the library, employees scheduled to work that shift will be paid. Employees unable to reach the library due to inclement weather when the library is open will not be paid.
2. When weather deteriorates or a maintenance issues occurs during the workday that requires the library to close, employees sent home will be paid for the remainder of their shifts.

Section 6: Professional Development

Professional development is a shared responsibility of the library and the employees. Professional development allows employees to enhance their skills and meet the evolving needs of the library.

1. Employees must obtain prior approval from the CEO for participation in, and reimbursement for, all professional development activities during work hours.
2. Employees are required to participate in professional development activities.
3. Professional development opportunities will take into account the accommodation needs of employees with disabilities.
4. The library pays employees to attend approved events including seminars, workshops, and conferences. The library pays for the cost of registration and travel expenses.
5. Fees for courses or tuition will be fully reimbursed to employees if courses relate directly to current work requirements. Fees are reimbursed when proof of successful course completion is submitted.
6. Fees for courses or tuition may be reimbursed by up to 50% if courses are developmental and increase competencies or provide for career progression. Fees are reimbursed when proof of successful course completion is submitted.

Section 7: Job Accommodation

1. The library supports employees with disabilities by taking into account the employee's accessibility needs.
2. Upon request, and in consultation with the employee with a disability, the library will provide or arrange for the provision of accessible formats and communication support for information that is needed in order for the employee to perform his or her job as well as information that is generally available to all employees.
3. Individualized workplace emergency response information will be provided and employees will be designated and trained as emergency response support when an employee with a disability makes the library aware of the need for an accommodation.
4. The CEO will develop, and document, processes to support the needs of employees with disabilities in the following areas:
 - a. an individual accommodation plan which meets the legislated requirements of the ***Integrated Accessibility Standards (IASR) Ontario Regulation 191/11***,

- b. return to work for employees requiring accommodations after an absence due to an injury or illness, and
 - c. notice of career development and advancement opportunities.
5. The CEO may require the employee to provide a doctor's letter confirming accommodation requirements. The cost of preparing such a letter will be borne by the library.

Section 8: Complaints

Situations may occur where an employee believes that the fair and consistent application of a policy affecting him or her has not been followed. A complaint is defined as a claim that the library has violated a published policy in the manner in which an employee was treated. The library has a specific policy to address complaints related to harassment in the workplace: refer to **HR-07 Human Rights – Discrimination and Harassment**.

Every effort shall be made to address the complaint fairly and promptly, in the following manner:

- a) *Step 1. Informal Step.* In many cases, disputes over the application or interpretation of policy can be resolved through a discussion between the employee and the CEO. The employee should promptly bring the matter to the attention of the CEO explaining the nature of the problem and the relief sought. A verbal response will be given in five business days. A written record of the response will be prepared.
- b) *Step 2. Formal Step.* If the matter is not resolved via Step 1, the employee may proceed by submitting a written statement to the CEO within five days of receiving the verbal response for Step 1. This statement should outline the relevant facts that form the basis of the complaint indicating the policy that has allegedly been violated and stating the resolution sought. Upon the receipt of the written complaint, the CEO will investigate and provide the employee with a written decision within 10 working days.

Step 3. Appeal. If the employee is unsatisfied with the response from the CEO, the employee can submit a written request to the Board Chair for a hearing before an appeal committee of the Library Board. A three-member committee of the Library Board will hear the complaint and provide a written decision to the CEO based on stipulated facts and evidence presented at the hearing. The written decision will be reported to the CEO 20 working days after the conclusion of the hearing. The CEO will implement the decision of the Library Board.

Section 9: Conflict of Interest

1. As a public sector employer, the library must ensure that its activities are consistent with public interest. Conflict of interest is a matter of personal responsibility and integrity and should be guided by the principals of service to the public and common sense.
2. Conflict of interest is defined as a conflict between an employee's personal interest and his or her role with the library as a publicly funded employee. It generally arises when an employee has the opportunity to influence decisions in ways that could lead to personal benefit or advantage.
3. Conflict of interest may exist when a monetary gain has been or may be conferred on an employee and includes both actual and perceived conflicts. Direct monetary interest is one in which an employee or his or her family could benefit from a decision while a larger group of people could not.
4. Conflict includes any social, professional, personal, or organizational affiliation that is so substantial as to interfere or appear to interfere with an employee's responsibility to the library.
5. An employee is required to disclose to the CEO, as soon as it arises, circumstances that may represent an actual, perceived, or potential conflict of interest. This includes disclosure of financial interests in any entity known to have business, directly or indirectly with the library.

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6. Having identified an apparent conflict of interest at the library, the CEO shall consult with the employee involved in an attempt to resolve the apparent conflict in a manner consistent with the best interests of the library and the rights of the employee, while maintaining the highest ethical standards.

Section 10: Resignations and Retirements

1. The library expects an employee who is leaving to cooperate in a smooth transfer of responsibilities.
2. The library asks that an employee who wishes to resign give written notice, of a period of time equal to the individual's annual vacation entitlement.

Section 11: Termination

1. The library values a secure employment relationship with its employees, however, in circumstances where this relationship must be terminated, the library provides fair and reasonable treatment in accordance with the **Employment Standards Act** and common law practices.
2. The library considers the following grounds for termination,
 - a) continual absence without appropriate notification,
 - b) failure to meet standards of performance after warnings and suspensions as set out in **HR-06 - Performance and Discipline**, or
 - c) an act of willful misconduct, disobedience, or neglect of duty.
3. Terminations are to be treated in a confidential, professional manner by all concerned.
4. Prompt notification to the staff will be given by the CEO that an employee has been dismissed.

Related Documents:

Trent Lakes Public Library **HR-02 Staff Selection and Assignment**

Trent Lakes Public Library **HR-06 Performance and Discipline**

Trent Lakes Public Library **HR-07 Human Rights – Discrimination and Harassment**
Employment Standards Act S.O. 2000, Chapter 41