



KITIGAN ZIBI ANISHINABEG

**HUMAN  
RESOURCES  
POLICY**

**Staffing & Recruitment**

May 31, 2017



## **PREAMBLE**

The Kitigan Zibi Anishinabeg Band Council is committed to providing a safe, healthy, respectful and harmonious working environment which fully abides by all applicable laws of the workplace.

Every employee will be expected to share these commitments and to work prudently and diligently to further the goals, objectives and aims of the Kitigan Zibi Anishinabeg.

## **Vision Statement**

The Kitigan Zibi Anishinabeg through its peoples shall strive to achieve a balanced society where every member has an equal opportunity to fulfill their individual potential, in a safe, sustainable environment on traditional lands, where the spiritual, cultural, physical and mental well being can be achieved and where the basic human needs can be attained.



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## TERMS & DEFINITIONS

For the purpose of this Human Resource Policy and its appendices:

<b>Band Council</b>	Duly elected Kitigan Zibi Anishinabeg Band Council
<b>Employee</b>	A person employed by the employer. Employees are classified as indeterminate or term contract on a full time or part time basis.
<b>Employer</b>	Kitigan Zibi Anishinabeg
<b>Current Immediate Family</b>	<ul style="list-style-type: none"><li>▪ Spouse or common law partner</li><li>▪ Parent/ step-parent</li><li>▪ Child/step-child</li><li>▪ Sibling</li><li>▪ Grandparent, Grandchild</li><li>▪ Uncle/ Aunt</li><li>▪ Niece/Nephew</li><li>▪ Father-in-law, Mother-in-law, brother/sister-in-law, son/daughter-in-law</li><li>▪ Or a person living in the same household or raised in the same household for over one continuous year and considered to be part of the family</li></ul>
<b>Management</b>	A Service Director
<b>Policy</b>	This Human Resource Policy and its appendices.
<b>Seniority</b>	Related to an Employee's Years of Consecutive Service to the Employee
<b>Service Director</b>	Director of any one of the Employer's Service Sectors
<b>Service Sectors</b>	<ol style="list-style-type: none"><li>1. Kitigan Zibi Police Sector</li><li>2. Kitigan Zibi Education Sector;</li><li>3. Kitigan Zibi Health and Social Services Sector;</li><li>4. Kitigan Zibi Community Services Sector; or</li><li>5. Any other entity designated as such by the Band Council</li></ol>
<b>Spouse/Common Law spouse</b>	Means a person who is cohabiting with an individual in a conjugal or common law relationship; having so cohabited for a period of at least one year.
<b>Supervisor</b>	Any person who has been assigned supervisory responsibilities for the work performance of another person or group of people.

## 1.0 APPLICATION

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This Policy is the expression of the Kitigan Zibi Anishinabeg and applies to both indeterminate and term contract positions. There are separate policies that address Human Resource guidelines. The Preferential Hiring Policy is now incorporated in this guide in order to simplify the recruitment process and minimize redundancy in policies or documents affecting the same process. This policy has been approved by Band Council by virtue of a resolution and requires ratification to amend or change part or all of this policy.

This policy does not discriminate between the genders and unless dictated by context or explicit mention, use of the masculine equally designates women and men.

Where a mandatory provision of the Canada Labour Code or other applicable legislation provides standards which exceed those of this Policy, the mandatory provision shall prevail. Where circumstances or situations occur not covered in this policy the Canada Labour Code shall apply.

The Employer abides by the provisions of the Canadian Human Rights Act (R.S. 1985 c.H-6) and the principles set out in the Privacy Act and Personal Information and Protection of Electronic Documents Act (2000, c.5)

For the purposes of clarification, interpretation of this policy will be provided by the Human Resources Coordinator and decided by the Band Council.

This Policy takes effect on May 31, 2017 as approved by Band Council via Resolution number 25.

## 2.0 HISTORICAL APPROACH

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The Kitigan Zibi Anishinabeg have always been an industrious community seeking to improve the lives of its people. Through the test of time we have gathered in the great circle, we have dialogued together and we have made decisions with the foresight and planning for the generations to come. The decisions we make affects the lives of our children and their children.

As challenging as it may be, the leaders of today must ensure that the leaders for tomorrow are well prepared, trained and knowledgeable of the past and the present. This forms the basis for which to forge forward in a positive and focused manner, Leaders at all levels must be prepared to deal with new systems, deal with different ways of thinking and learn the impacts that the external world has on its collective survival. For this reason, many decisions have been made to invest in the Kitigan Zibi Anishinabeg membership with our time, our energy and by using the resources and gifts the creator has given us.

Preferential Hiring

All applications for employment are reviewed in the same manner and using the same process. However, in its efforts to enhance the community's labour force, the Kitigan Zibi Anishinabeg will recruit within its membership first to find human resources fit for the position. Not finding any, the following preferential hiring pattern is followed:

### THE PRIORITY FOR HIRING

- Qualified Kitigan Zibi Anishinabeg
- Qualified other First Nations
- Qualified Canadian Citizens



There is a cooling off period for one year for employees who have retired from the Kitigan Zibi Anishinabeg and have received severance. An exception to this provision can be made in circumstances where there is no other employee or candidate available who possesses the qualifications of the retiree and specific skills or licenses that are required or mandatory to fill a vacancy. This is a temporary measure and does not require Band Council approval for periods of up to 10 weeks.

## **3.0 STAFFING PROCESS**

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The Human Resources Coordinator and/or Service Directors are responsible for appointing members of a Selection Committee. The role of a Selection Committee is to select and make recommendations for the hiring of competent professional, technical and administrative staff. These staff members are hired to deliver quality services within the approved allocated budgets.

In selecting and hiring staff, special care will be taken to avoid real, potential conflicts of interest.

### **3.1 Job Postings and Job Descriptions**

Every job posting must have a current job description stating: its main functions and duties; reporting levels; required education/training and required work experience. All job descriptions and job postings must be reviewed, approved and signed by the appropriate Services Director. In the creation of job descriptions, the Service Director will also take into consideration any limitations that may cause or lead to discriminatory practices and make an effort to eliminate those factors.

Job Descriptions must be reviewed to ensure they continue to be valid for organizational purposes. Once reviewed, job descriptions for existing positions should be signed by the employer representative and employee. Job descriptions for newly created indeterminate positions must be approved by the Band Council.

Upon hiring, one copy of a job description must be retained in the personnel file and one copy be given to the employee. Any changes to a job description must be reviewed and approved by the Service Director.

### **3.2 Hiring Procedure**

In effort to bridge the gap between an historically under-represented population in the labour force, the Kitigan Zibi Anishinabeg have made and will make management decisions to invest in its human resources with our time, energy and funding. The recruitment process is intended to provide applicants with a fair and equitable opportunity in obtaining employment.

#### **3.2.1 Step One**

In order to promote employment opportunities for Kitigan Zibi Anishinabeg band members, preference will be given to suitable candidates who are registered Kitigan Zibi Anishinabeg band members. (Preferential Hiring Policy applicable)

If no registered band member meets the required qualifications, job qualifications, responsibilities, duties may be lowered and in consequence the salary as well. In this case training and mentoring process may be recommended to provide a candidate

the opportunity to acquire the basic qualifications. This process must clearly be outlined in a conditional letter of offer or employer/employee agreement.

### **3.2.2 Step Two**

If no Kitigan Zibi Anishinabeg member meets the required qualifications, a second posting will go out opening the door to other First Nations.

### **3.2.3 Step Three**

If no First Nation Candidate meets the requirement qualifications, a third posting will be open at large to Non-First-Nations but who are legally able to work in Canada.

## **3.3 Recruitment of Indeterminate Positions or Renewable Term Contracts**

Unless otherwise stipulated, when an indeterminate or renewable term contract position becomes vacant or is newly created, it is to be filled by a competition process. The Service Director can also recommend to the Band Council not to fill the position due to reorganization or budgetary restrictions. All reorganization requires the written approval of the Band Council with a clear indication of the division of tasks and task re- assignment.

### **3.3.1 Recruitment of Non Renewable Term Contracts**

The recruitment and hiring for all term positions over 400 hours must be posted for a minimum of five (5) working days. Successive shorter contracts by a Director cannot extend longer than 400 hours without Band Council approval. The recruitment and hiring of workers for a term of 400 hours or less is under the authority and discretion of the Service Director, who may, for valid reason, decide to forego the competition process and refer to employment lists maintained in their office or from the Employment Officer's Almass List.

The competition process may be limited to a selection committee reviewing the applicant's credentials, cover letter and/or resume, and/or by skill testing the applicant and/or by interview.

## **3.4 Advertising of Competitions**

All Competitions Shall Be Advertised In The Following Manners:

- a. At least one of the following two (2) forms of advertisement shall be used: Advertisement in local, regional or national newspapers (depending on the availability of funding);
- b. In newsletters, flyers, community radio, electronic information systems and other standard means of recruitment.
- c. The job posting for an indeterminate position or a renewable term contract position shall be for a minimum of ten (10) working days.
- d. The job posting for a non renewable term contracts will be for five (5) working days.



The means used shall depend on the specific recruitment needs of the employer.

Candidates must ensure they receive a confirmation of their application.

#### **3.4.1**

Posters and ads will clearly outline the main functions, duties of the job, mandatory requirements, required skills, statement of qualifications and the conditions of employment.

#### **3.4.2**

All candidates invited for an interview will be given, upon request, a copy of the job description and any other public document pertaining to the position. Applicants must make this request prior to the scheduled interview.

Verbal information regarding the position will also be given to candidates, upon request.

#### **3.4.5**

Any modification to the salary or job description in an original job posting will require the cancellation of that posting. A written public notice will outline the changes made.

Amendments to: salary levels, basic requirements or duties are considered to be “new postings” and therefore must be posted for a total of five (5) consecutive working days.

#### **3.4.6**

All candidates who do not meet the initial mandatory requirements or screening will be notified in writing. The job can then be reposted for five days for the second or any other subsequent time. As result, the posting will be considered a new competition and the new applicants must formally apply by submitting all required documents. Note that candidates who are re-applying may request that their previous application be brought forward to the new posting. The candidate must make this request in writing to the HR Coordinator.

### **3.5 Selection Process for All Sectors**

The selection process will be conducted with the highest degree of equity and fairness. The selection process is intended to recruit the most suitable and competent employee(s) who can best serve the interests of Kitigan Zibi Anishinabeg as well as provide quality services to its members. Every effort shall be made to avoid real or apparent conflicts of interest or nepotism. To avoid any possible conflict of interest and to ensure objectivity, immediate family members as defined in the Human Resources Policy; individuals who reside with a candidate; close friendships or obvious feuds cannot sit as a member of the Selection Committee nor participate in the selection process.

If any applicant feels that there is a conflict of interest during the staffing process, a written letter must be provided to the Service Director. Where a Service Director is in conflict, the Band Council Portfolio Holder.

### **3.5.1 Conflict Of Interest for Interview Committee Members**

For purposes of the selection process and interpreting the present subsection only, “immediate family” means: a spouse/common law spouse, child or step-child, parent or step-parent, grandparent, aunt, uncle, niece, nephew, brother/sister, grandchild, mother-in-law/father-in-law, brother-in-law/sister-in-law, daughter-in-law/son-in-law or a person living in the same household and considered to be part of the family. Individuals who are the first cousin of the applicant cannot sit on an interview board. In case of uncertainty, the Human Resources Coordinator determines whether a potential or apparent conflict of interest exists.

When an applicant declares a conflict of interest at the interview process, the interview will continue with the other two interviewees.

## **3.6 Procedure for an Interview**

### **3.6.1**

A Selection Committee consisting of at least three (3) members; at least one (1) of whom is knowledgeable in the prospective field; will be convened to evaluate all candidates. The Selection Committee will appoint a Chairperson whose responsibility will be to guide the Committee’s actions. The Selection Committee may also include Service Sector representatives, technical advisors or any other person deemed to possess expertise in the position being filled. All Selection Committee members must sign the confidentiality statement in Appendix 1.

### **3.6.2**

The Selection Committee will be provided with: information regarding the staffing process; the statement of qualifications and/or skills and abilities needed; as well as any education and personal suitability that the candidate must possess.

## **3.7 Application Process**

### **3.7.1**

All candidates must submit current curriculum vitae or resume; as well as any other information required/requested in a job posting. Failure to provide all documentation required in a job posting; by the stated deadline; will result in a candidate not being eligible.

### **3.7.2**

The Selection Committee may pre-screen candidates for a position using exams, competency tests or other tools to evaluate capacity or skills of the candidates for positions. These assessments can be done prior to holding interviews and proctored for out of town candidates in order to reduce travel expenses for the applicant. Only applicants who demonstrate that he/she meets the minimum requirements of the position will be invited for an interview.

The Employee receiving the applications will screen the applications before providing them to the Selection Committee. If the person receiving the applications is in conflict with one of the applications, this task will be delegated to the Selection Committee.

### **3.7.3**

All candidates invited for an interview will be notified beforehand via letter, phone or email at least three (3) calendar days in advance.

### **3.7.4**

Interview dates, times and the duration of interviews will be determined by the Selection Committee and are not subject to change unless extenuating circumstances require a change in date. Acceptance or refusal of the request for a change of interview date and time will be at the discretion of the Chairperson.

### **3.7.5**

All candidates are expected to attend the interview in person on the determined date. An exception can be made to allow for candidates to be verbally interviewed using other methods such as: skype, face time, webcast or videoconferencing under controlled circumstances. Granting interviews using alternate methods other than face to face or in person is at the discretion of the Service Director and is not automatic. The practical portion of an interview, if any, must be performed by an acceptable proctor approved by the Service Director or Human Resources Coordinator.

Candidates can request an alternate interview method under the following circumstances: distance and travel costs; an illness or death affecting the candidate's ability to attend an interview. An illness must be supported by a medical certificate justifying the reason why a candidate cannot attend on interview in person. Other circumstances may be considered on a case by case basis but are not automatic.

### **3.7.6**

The Selection Committee will prepare a list of questions in relation to the position, accompanied by the selection criteria and evaluation scale. The Sector Director must approve tests, questionnaires and evaluation exercises. Should the Director be in conflict a qualified designate will review and approve.

### **3.7.7**

Written tests and/or skills tests may be used to assess a candidate or screen for basic competencies.

### **3.7.8**

Each candidate will be given the same questions, tests, opportunity and conditions to answer in the interview.

### **3.7.9**

Candidates will be assessed and ranked according to their performance at the interview and/or tests, based on the pre-established criteria and requirements.

### **3.7.10**

Candidates must score a pre-established threshold of at least sixty-five percent (65%) to be recommended by the Selection Committee and Service Director for a job.

### **3.7.11**

The Selection Committee will provide the Service Director with a list and score of the top three candidates who meet the minimal threshold and who successfully pass reference checks.

If the Service Director is deemed a conflict it can be forwarded to the Assistant Director, Human Resources Coordinator, designate or Band Council Portfolio Holder. An offer of employment will be extended to the top ranking candidate who successfully meets the minimal score and is approved by the Band Council. If the top candidate does not accept the job position, the second candidate may be chosen.

For any valid reason invoked by any Service Director, recommendations may be brought forward to the Band Council to not select a candidate and/ or repost a position.

### **3.7.12**

If after posting a position twice and there are no applicants or no candidate successfully meets the minimal score or pass the screening process, the Services Director may lower the requirements or review the job description to recruit trainees.

If a position becomes vacant within six months of hiring a new employee, the Service Director has the authority to choose another candidate who has been interviewed; for that same posting; and has met the minimal score.

### **3.7.13**

Where it is required by law to hold a license; designated credentials; be a member of an order of professionals; or to practice a profession, it is the responsibility of the Selection Committee Chair Person to ensure validation. An employee should not start work before verification is made. A copy of required credentials must be kept in the personnel file.

### **3.7.14 Selection Process Without Interviews**

Term positions do not require an interview. A Selection Committee should be appointed in the same way as for an indeterminate position. However, instead of using an interview questionnaire, a screening grid can be used to rank candidates based on the job requirements. The selection process for larger scale projects and projects with specific timelines does not require interviews.

## **3.8 Appointment Process**

All offers of employment are conditional upon satisfactory completion of the following:

- work-related criminal record checks, where appropriate; medical exams, where appropriate;
- the provision of a valid Quebec driver's license or such other licenses, certificates or diplomas, where mandatory and appropriate. A valid/full Quebec driver's license with the ability to drive band vehicles may be specified.

Prior to starting employment, persons offered employment through a letter of offer; for an indeterminate or a renewable fixed-term contract are to receive: a signed copy of their job

description and work code of ethics; be informed of their scheduled work hours and work conditions and be provided with a copy of the Human Resource Policy.

An "Employee Payroll Information Form" shall be completed by the Employer for indeterminate and renewable fixed term contracts. Persons offered employment for a non renewable term shall sign a "Payroll Term Contract Agreement" All documentation is to be completed before the employee starts work.

### **3.9 Acting Appointment for Purposes of Continued Operations**

To ensure continuity in the delivery of services and programs, along with sound management and supervision, employees may be replaced by existing colleagues when absent from the office. When an employee replaces a colleague it is an "Acting appointment." Acting appointments shall not exceed twenty four (24) months. Acting appointments can occur between administrative sectors and require the approval of Band Council for any appointments exceeding thirty (30) days.

#### **3.9.1**

It is the responsibility of the Service Director to proceed with an acting appointment and forward all payroll forms required to make adjustments to an employee's pay

#### **3.9.2**

An employee who acts in a higher responsibility level for (5) consecutive work days or more shall receive a fifteen percent (15%) increase in their salary for the first thirty (30) days. After thirty (30) days in an acting position, the employee shall receive the greater of fifteen percent (15%) or the lowest range in the acting position. If the position is at the same or a lower paid level and the employee assumes additional work duties above their regular duties, the Service Director will compensate that employee at the overtime rate applicable. If in a work week there is a statutory holiday; that day will be considered as a day worked.

The additional workload must not be given to an employee to replace another employee's duties for other reasons than sick or vacation leave.

Any permanent changes to an employee's job description of more than twenty-five percent (25%) requires the written approval of the Band Council.

Abolishing a position for reasons of reorganization or budget requires the approval of the Band Council.

#### **3.9.3**

In no case may the salary in the higher responsibility level exceed that of the maximum compensation for said level. Upon return to the position of origin, the employee's salary returns to his original salary level unless it is a situation of slow re-integration. There is no grace period in regards to the transition of salary rates.



### **3.10 Secondment**

All secondments (internal and external) are subject to written approval from the Band Council. Secondments requested from an external agency will only be considered in rare and special cases which will directly benefit the Kitigan Zibi Anishinabeg.

To ensure continuity in the delivery of services and programs, along with sound management and supervision, employees may be replaced by existing colleagues when absent from the office. When an employee replaces a colleague it is an “acting appointment”. Acting appointments shall not exceed twenty-four (24) months. Acting appointments can occur between administrative sectors and require the approval of Band Council for any appointments exceeding thirty 30 days.

#### ***Internal Secondment***

An internal secondment is when an employee from one sector is transferred to another sector to perform work or duties of another employee who is absent due to illness/death or has vacated his or her position. The position must be deemed vacant for more than 30 consecutive working days. The maximum duration of an internal secondment is 90 consecutive working days.

An employee seconded to another position will continue to receive their current salary, or higher when applicable. The employee will not be expected to perform their current duties while on secondment. It is a Service Director’s responsibility to ensure that if one of their employees is seconded to another sector that provisions are made to ensure that operations continue and the position and work held by the employee that is seconded is done.



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