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Human Resources Management Policy

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Appendix 1 – Definitions and Categories of Employees

1.0 Introduction

- 1.1 The Ontario Land Trust Alliance (“OLTA”, “Alliance” or “Trust”) employs staff and engages professionals on short and long term contracts.
- 1.2 The positive attitude and professional capacity of the Alliance staff has an important influence on relations with clients, members, donors and partners as well as the progress and results of the OLTA programs. To accomplish and monitor this purpose and intention for its human resources:
 - 1.2.1 The OLTA expects all employees will comply with the OLTA Code of Conduct and carry out their duties in a manner that will reflect credit and benefit to the mission of the Alliance;
 - 1.2.2 The OLTA is committed to providing a healthy, safe and productive environment in which to conduct its business; and
 - 1.2.3 The OLTA supports staff development and learning through its work practices and staff training opportunities.

2.0 Principles

- 2.1 Performance excellence in human resources is not only about working hard to get things done right but also about working smart and managing time to do the right things in priority order and systematically with the right people.
- 2.2 Effective communication, creative thinking, problem solving, networking and pro-active teamwork are basic, essential and valued qualities in all staff.
- 2.3 The OLTA shall comply with all applicable employment laws, comply with the Employment Standards Act of Ontario and consider the requirements that are specified in the applicable laws as our minimum acceptable standard.
- 2.4 The OLTA is committed to the principles and values in its policies on code of conduct, anti-harassment, diversity, inclusion and conflict of interest.

3.0 Authority

- 3.1 This Organization Policy applies to the Ontario Land Trust Alliance and any and all subsidiary organizations, foundations or joint ventures, collectively referred to herein as “OLTA”, “Alliance” or the “Trust”.
- 3.2 The Trust operates with help from volunteers who work alongside paid staff. This policy, unless otherwise specified, is applicable to paid staff only.
- 3.3 This Organization Policy is issued under the authority of the Board of Governors, subject to the OLTA By-laws, guided by the Canadian Land Trust Standards & Practices and must comply with employment legislation.
- 3.4 This Policy will be reviewed every two years or when there is a material change in circumstance that prompts a policy review.

4.0 Conflict of Interest

- 4.1 All staff members, regular and contract, and all volunteers must bring forward to the Executive Director or Chair of the Board of Governors, any matters which may place the individual or the Trust in a conflict of interest.
 - 4.1.1 A conflict exists where the staff member or a volunteer may benefit financially or through enhancement of position or other benefits to the individual or to immediate members of his or her family.
- 4.2 Staff shall disclose potential for conflicts due to formal memberships with other groups or organizations dedicated to similar goals and programs in accord with the OLTA “Conflict of Interest” policy and related guidelines.
- 4.3 Staff shall not use information owned by the OLTA (i.e. lists, computer data or equipment, grant information and other proprietary information, tools or equipment) to further their personal interests or another organization’s goals without written approval of the Chair or the Executive Director.
 - 4.3.1 OLTA property belongs exclusively to OLTA and may not be used by a person who is no longer employed or retained by OLTA.
- 4.4 Staff members shall not accept personal gifts or gratuities from individuals or companies doing business or seeking to do business with the Alliance.
- 4.5 If any staff or Board member perceives that there may be a conflict of interest by any staff or Board member, volunteer or consultant they must communicate their concerns to the Executive Director and to the OLTA Chair.
 - 4.5.1 In the event that a conflict of interest is confirmed, the individual will be instructed and requested to resolve the conflict.

5.0 Employee Conduct and Expectations

- 5.1 The staff of the OLTA shall:
 - 5.1.1 Perform all their duties in an efficient, safe and professional manner;
 - 5.1.2 Observe, be guided by and comply with the laws of Canada and the Province of Ontario, the policies and guidelines of the Alliance including the “Code of Conduct and Conflict of Interest” policies and the approved Canadian Land Trust standards and practices;
 - 5.1.3 Maintain a clean, neat and responsible appearance while on duty;
 - 5.1.4 Treat the public, co-workers and Trust volunteers with professional courtesy, fairness and respect at all times;
 - 5.1.5 Wear and use safety clothing and equipment as required by statutory regulations and policies of the Alliance;
 - 5.1.6 Respond promptly and appropriately to requests for information with due diligence and within the limits of their job capacity.
 - 5.1.6.1 Staff acknowledge that confidential information to which they have access is proprietary and held by the employee

- solely for the benefit of the Alliance and its clients.
- 5.1.6.2 Staff have no authority to remove or share with other organizations, any files or records without written authorization from the Chair or Executive Director.
 - 5.1.6.3 No information or document of a confidential nature shall be disclosed or communicated unless legally required or authorized or as requested through a proper request within the dictates of the Freedom of Information and Privacy Act or from the Canada Revenue Agency.
 - 5.1.6.4 All requests for private or confidential information shall be forwarded to the Executive Director and Chair of the Board of Governors for due review and diligent action.
- 5.1.7 Not sell, rent, lend or in any manner dispose of any Trust-owned materials, equipment and/or services, except as authorized.
 - 5.1.8 Advise the Executive Director of any outside activity or employment that may interfere with the performance of their specific OLTA duties or conflict with the delivery of Trust programs.
 - 5.1.9 Advise the Executive Director with reasonable advance notice (and not less than two weeks) on when they intend to take vacation.
- 5.2 Employee Complaints
- 5.2.1 Employees should always try to resolve their workplace problems themselves through communication and understanding. Employees having an unresolved workplace complaint shall first discuss the matter with their immediate supervisor for advice on resolution.
 - 5.2.2 If the matter remains unresolved, the staff member shall document the complaint and provide this in writing to the Executive Director and to the OLTA Chair who will review and address the matter.
- 5.3 The Alliance generally tries to operate within traditional business hours but, recognizing the realities of business, contractual and funding limitations, actual working hours will be determined within each individual's contract. Employees may be required to work evenings and weekends to attend meetings and will receive lieu time for these situations. A one-hour lunch is provided.
- 5.4 Staff may be permitted to do some work on flexible time and from their home when and if appropriate with the approval of the Executive Director.
- 5.5 The OLTA recognizes paid holidays in accord with the Employment Standards Act (ESA), plus Easter Monday and Civic Holiday. Furthermore, the office is also closed between Dec 25 and Jan 01 for these additional paid winter holidays. When holidays fall on a weekend, the ESA provides for alternate days.
- 5.5.1 Employees, with approval of the Executive Director, may take time off as deducted from accumulated overtime or vacation or receive approved time off or approved leave of absence without pay.

- 5.6 The Executive Director must authorize all overtime in advance (when overtime is required). Employees shall be granted time off in lieu of overtime on an hour for hour basis subject to Employment Standards Act requirements. Time off will be taken as approved with the least work place disruption.
- 5.7 Employees shall be paid on a bi-weekly or monthly basis at the rate approved in their employment agreement. Merit increases in pay will be awarded where deserving as determined through the OLTA performance review process and as can be supported by the Board approved annual OLTA budget.
- 5.8 Employees may incur reimbursable expenses on behalf of the OLTA with the consent of the Executive Director and in compliance with the Board approved annual budget may claim re-imbusement for out of pocket expenses.
 - 5.8.1 Staff members will follow the expense procedures and policy requirements as provided in Board approved documentation.
- 5.9 The Executive Director may determine based on weather reports if the office will be closed and employees permitted to return or stay at home.
 - 5.9.1 If the office is closed employees may be paid for the day or have the opportunity to work an extra day as may be appropriate.
- 5.10 If staff members decide to not report to work due to bad weather when the office is remaining open, they may make up the time by applying overtime credits or vacation time or by working an extra day at another time.
- 5.11 Intellectual property that is developed by staff and volunteers as part of their work is considered owned by the Alliance unless a specific, signed agreement between the OLTA and the staff confirms or states otherwise.
- 5.12 The Ontario Land Trust Alliance equipment is only for the use of authorized and trained employees and volunteers of the Alliance.
 - 5.12.1 Making copies of documents or software or sharing documents or software for personal use is not permitted.
 - 5.12.2 All business correspondence will be in a professional manner.
 - 5.12.2.1 Email is for business use only and therefore staff may not send or receive material written or pictorial that is or may be considered discriminatory, harassment, pornographic or obscene or is considered simply for personal use.
 - 5.12.2.2 Any employee found using email for use outside of the OLTA purposes may be subject to disciplinary action.
 - 5.12.2.3 The Alliance reserves the right, as the legal owner of its hardware and software, to monitor email and internet usage from time to time to ensure compliance.
 - 5.12.3 Users are expected to comply with the OLTA protocol for computer use e.g. run anti virus scans and back up for corporate e-books, e-files and e-records on defined periodic and automatic schedules.

- 5.13 Employees must notify the Administrative Officer as soon as possible if they change their telephone, address or other employee contact details.
- 5.14 Problems regarding computer or email problems should be brought to the attention of the Administrative Officer and Executive Director.
- 5.15 All office computers and e-records are to be kept in secure locations.
- 5.16 Equipment must be operated and maintained with professional diligence.

6.0 Health and Safety in the Workplace

- 6.1 The OLTA is committed to a safe and healthy work environment.
- 6.2 Employees are required to comply with health and safety legislation and the policies and practices of the Alliance that are applicable.
- 6.3 Employees are required to wear and use safety clothing and equipment as required by statutory regulations and/or OLTA policies including work gloves and safety shoes during planting and other outdoor activities.
- 6.4 Workplace Safety and Insurance Act Requirements
 - 6.4.1 Employees and volunteers cannot operate certain machinery (i.e. power tools, all terrain vehicles and heavy equipment) without having proof of valid certification to operate such equipment.
 - 6.4.2 All employees who require medical aid or are absent from work as a result of an accident, injury or occupational illness incurred during the performance of their work duties shall report and document incidents and be entitled to all benefits to the extent such benefits are provided for and required by the Workplace Safety and Insurance Act.
- 6.4 Workplace Hazardous Materials Information System
 - 6.4.1 In Ontario, the Workplace Hazardous Materials Information System applies to all workplaces covered by the Occupational Health and Safety Act, and to all federal government workplaces.

7.0 Benefits and Eligibility

- 7.1 Leaves of Absence
 - 7.1.1 Bereavement leave is granted as per the Employment Standards Act in the event of the death of a spouse or child and also for the death of a parent, sibling, in-laws, grandparent, grandchild, ward or guardian. Currently OLTA provides 5 days leave for death of a spouse or child and 3 days leave for the death of other relations as are listed above.
 - 7.1.1.1 Additional bereavement leave may be granted by the Executive Director as well for attending a funeral.
 - 7.1.2 Maternity or paternity leave shall be granted as specified under the provisions of the Employment Standards Act.

- 7.1.3 Parental and adoption leave may be granted without pay according to the terms of the Employment Standards Act.
- 7.1.4 The Executive Director or the OLTA Chair may grant leave without pay to deal with a personal or family emergency, severe illness or under other similar special conditions upon request.
- 7.1.5 Staff members unable to attend their duties due to illness or injury must advise the Executive Director on the first day of absence.
 - 7.1.5.1 Ten (10) sick days per year are allowed for regular full time employees (accumulated at the rate of 1 day per month in each fiscal year for the first 10 months) and there is no carry over or compensation for any unused sick days.
 - 7.1.5.2 Contract, project or specific term staff do not receive sick leave until they meet the eligibility requirement of one year and continuing service but can be absent from work without pay with approval of the Executive Director.
 - 7.1.5.3 Sick leave is defined as an employee being absent when sick or to care for a sick person in immediate family and if absent for 3 days, a doctor's letter may be requested.
- 7.1.6 Employees may be granted lieu time for overtime hours subject to any current laws or provisions of the Employment Standards Act.
- 7.1.7 Accumulation of lieu credits will be allowed for attendance at Board and Committee meetings held outside of normal staff hours.
 - 7.1.7.1 Employees are encouraged to take time off in same week as the meeting and to not accumulate lieu time.
- 7.1.8 On termination employees will be entitled to payment for previously approved lieu time credits up to a maximum of five days.
- 7.2 Professional Development and Education
 - 7.2.1 Subject to the availability of funds, and approval of the ED, employees may obtain reimbursement of tuition and related expenses as provided in their training program or their employment agreement.
 - 7.2.2 Additional costs beyond this are the responsibility of the staff member or as agreed to and approved by the Executive Director or OLTA Chair, bearing in mind, the value of staff education to the Alliance.
 - 7.2.3 Staff members shall be paid while they are on approved professional development courses during their normal office hours.
 - 7.2.3.1 For weekend approved professional development courses employees will not be paid but may claim expenses.
- 7.3 Recognition and Service Awards
 - 7.3.1 The Trust will provide current and retiring employees with appropriate awards of service recognition to celebrate their years of service and

their contributions to the success of the OLTA and its members.

7.4 Vacation

7.4.1 The Alliance provides vacation for its regular full time staff, and other eligible employees, in accord with its HR Policy, dependent on years of service or as negotiated within a specific employment agreement.

Standard vacation is based on years of service as follows:

7.4.1.1 Years 1 to 2, inclusive: Two (2) weeks of vacation

7.4.1.2 Years 3 to 5, inclusive: Three (3) weeks of vacation

7.4.1.3 Years 6 +, inclusive: Four (4) weeks of vacation

7.4.2 Vacation for regular part time employees is pro-rated in relation to the provisions for full time staff. Vacation must be taken in the year it is earned except as allowed under 7.4.2.1 and 7.4.2.2 below.

7.4.2.1 A maximum of five (5) vacation days carry over may be permitted by special approval in writing to recognize an extenuating circumstance and must be granted by the Executive Director or Chair of the Board of Governors.

7.4.2.2 Carry over vacation days must be used within the first three (3) months of the following year or be forfeited.

7.5 Extended Health Care Insurance

7.5.1 The OLTA may provide regular full time staff with support for extended health care benefits in a bona fide insurance plan. The annual cost of any premiums for health insurance payable by the OLTA shall not exceed an approved upset limit as set by the Board of Directors.

7.6 Eligibility for Benefits

7.6.1 Regular (permanent or long term) staff positions are eligible for OLTA benefits. Benefits for regular part time staff will be pro-rated as a percentage in relation to full time work. Other staff employed on contracts or terms for specific programs and projects within approved budgets and funding will not receive benefits beyond legal statutes until they are employed continuously for more than one year. Specific benefits may be negotiated and included as part of individual job agreements for special circumstances with Board approval.

8.0 Staff Positions and Responsibilities

8.1 To ensure continuity of OLTA's programs and services and to allow for effective forward planning and program fundraising, the OLTA Board of Governors has established regular full time staff positions and other contract and part time positions, to be evaluated in annual budget review or when required.

8.1.1 Regular paid staff positions include the Executive Director and Member Services Coordinator as essential office and program staffing.

- 8.2.2 Other paid contract, project, term or part time positions vary from year to year with the design and extent of programs and services and the availability of donations, grants, income or revenues to support OLTA initiatives. All staff positions are subject to approved budgets.
- 8.2.3 Definitions for categories of employees e.g. regular vs contract, full time vs part time and project or term employment are in Appendix 1.
- 8.2.4 All OLTA staff positions will be subject to their job descriptions, hiring processes and performance review in accord with the HR Policy.

9.0 Recruitment and Hiring

- 9.1 The Executive Director is responsible for hiring staff consistent with Board approved policies on human resources and approved salary budgets.
- 9.2 Regular and contract positions shall be advertised both internally and externally to attract a strong candidate pool for hiring consideration.
 - 9.2.1 Interviews will be conducted by the Executive Director, Board Chair or Officers and/or staff as may be appropriate with results on the hiring reported to the Executive Committee for information.
 - 9.2.1.1 Job descriptions, qualifications, interviews and selection criteria will be developed and provided, as needed, for each hiring action to ensure professionalism.
 - 9.2.1.2 Executive Director recruitment will be carried out by the Chair and a specific Hiring Committee. The job description, salary, hiring process and selection shall be recommended to and approved by the Board of Governors.
- 9.3 A written offer of employment to the selected candidate will be provided upon satisfactory review of the references that have been provided.
 - 9.3.1 The employment agreement must be signed by the employee, the Executive Director and Chair and will outline the hours, rate of pay, start date and include a job description and termination clause.
 - 9.3.2 New employees will be employed with up to a six-month probationary period. During this period, employment agreements can be terminated without cause upon notice of OLTA or the employee.
 - 9.3.3 An orientation session will be provided by the Executive Director or a qualified designate and new staff members will be required to sign a 'new employee form' confirming that they are generally aware of OLTA policies including its current manual for human resources.
- 9.4 Relatives of staff, Board or Committee members shall not be employed by the Trust unless approved by the Chair and Executive Committee and in such cases the perception or potential for conflict of interest shall be avoided.
- 9.5 Contract employees must negotiate sick leave or time off without pay as part of

their job agreement or specific contract for professional services until they become eligible for any such OLTA benefits as described in HR Policy.

9.5.1 Contract employees are not entitled to vacation credits and receive vacation pay in accord with the Employment Standards Act until such time as they meet the defined eligibility criteria of HR Policy.

10.0 Performance Management

10.1 Performance management is a professional HR system to encourage, monitor, support, mentor, review and evaluate staff productivity, identify key areas for recognition or improvement, develop plans and priorities for future work and determine relevant opportunities for staff training and development.

10.2 Performance management for all OLTA employees is guided by approved job descriptions and work plans, within approved policies and budgets. Dialogue and meetings between managers and employees confirm mutual expectations. Managers will coach, direct, lead and support staff with professional care and diligence and staff will endeavor to learn and meet defined expectations and professional standards. Formal performance evaluation reports are completed annually within the scope of these principles and values and within the details of HR operating procedures for staff set out by the Executive Director.

10.2.1 Formal performance review reports will be signed by the staff member (with comment as desired) and by the Executive Director to indicate the review of performance has been completed. The report will also be reviewed and signed by the Chair as the third party reviewer.

10.2.2 For the Executive Director, completed performance review reports will be provided to the Board by the Chair, signed by the Executive Director and the Chair and thirdly by the Vice Chair or other Officer.

11.0 Termination of Employment

11.1 Notice of job termination by and to an employee shall be in accordance with the provisions of the Employment Standards Act of Ontario.

11.1.1 Termination provisions are outlined in the individual employment agreement. Notice will be not less than two (2) weeks.

11.1.2 Job agreements for contracts and short term positions must always specify the end date of the project or employment period.

11.1.2.1 No contract extension is implied or in force without prior signed agreement between OLTA and the employee.

11.2 Termination for Convenience

11.2.1 An employee may terminate their employment with the Alliance by providing a minimum of two (2) weeks of notice, or as designated in their employment agreement, to the Executive Director.

- 11.2.1.1 Staff members are requested to provide as much notice of termination as possible for mutual convenience.
 - 11.2.1.2 If a staff member wishes to terminate their employment at the end of their contract commitment, two (2) weeks of notice shall be required in writing unless otherwise documented in law or their employment agreement.
 - 11.2.2 Should there be a need to reduce staff currently employed by reason of budgetary constraint or organization change, a minimum of two (2) weeks of notice of termination of employment shall be given in writing to those employees affected, unless terms of notice are otherwise documented in law or their employment agreement.
- 11.3 Discipline and Termination
- 11.3.1 Employees who consistently fail to conform to the specifics of their position description or exhibit unacceptable behavior or persist in unsatisfactory performance shall be required to meet with the Executive Director to identify the problems and agree to a remedial action plan to improve their performance.
 - 11.3.1.1 The remedial action plan will provide mutually agreed upon solutions, action plans to implement and mutually agreed upon time frames for actions to be taken and the issue to be resolved to the satisfaction of the OLTA.
 - 11.3.1.2 Details of the meetings will be documented, signed by all parties as a correct representation of points discussed and placed in the employee's personal file at the OLTA.
 - 11.3.2 If unacceptable performance persists, a verbal warning will be given by the Executive Director and will be supported by a written document signed by both parties and placed in the employee's file.
 - 11.3.3 If the employee's inappropriate behavior or performance continues, the employee shall be dismissed with appropriate notice.
 - 11.3.3.1 Formal dismissal shall only occur when these reasonable efforts to correct the problems have failed.
 - 11.3.3.2 Dismissal shall take place, consistent with applicable laws, only after consultation by the Executive Director with the OLTA Chair before action, and may also be referred to the Executive Committee at the discretion of the Chair.
 - 11.3.4 Employment may be terminated for just cause and without notice (after consultation between the Chair and the Executive Director) in regard to unacceptable behaviour in the following matters:
 - 11.3.4.1 Gross misconduct or insubordination;
 - 11.3.4.2 Workplace harassment and discrimination including sexual abuse and harassment;

- 11.3.4.3 Performance of assignment(s) while under the influence of alcohol or illegal drugs;
 - 11.3.4.4 Theft of property or misappropriation of funds;
 - 11.3.4.5 Abuse and damage of equipment or materials;
 - 11.3.4.6 Falsification of books and records;
 - 11.3.4.7 Failure to resolve conflict of interest;
 - 11.3.4.8 Misrepresentation of personal information;
 - 11.3.4.9 Illegal, violent or unsafe actions; and
 - 11.3.4.10 Abusive treatment of clients or co-workers, either physically or mentally
- 11.4 Prior to dismissal, all properties belonging to the OLTA will be returned.
- 11.5 Prompt notification to the OLTA staff and the Board of Governors regarding dismissal of an employee is the responsibility of the Executive Director.

12.0 Guidelines for Administration

- 12.1 Forms, manuals and templates for job descriptions, employment agreements, service contracts and performance review may be developed by the Executive Director, Executive Committee and/or the Board in accord with professionally accepted practices to further support implementation of this HR Policy.
- 12.2 Job descriptions, employment agreements, compensation rates, benefit packages and annual performance review reports for the Executive Director shall be formally reviewed and approved by the OLTA Chair and the Board.
- 12.3 Any change in legislation or regulations affecting employment standards for charities and not for profit corporations shall automatically cause this policy to be amended as necessary to comply with the minimum requirements.

Appendix 1 – Definitions and Categories of Employees

- 1.0 Regular staff are employed on a permanent or long term basis as defined in this HR Policy. They may be full time or part time. Regular staff lists may be updated as part of annual budget approval and at other times by the OLTA Board.
- 2.0 Full time employees work an average of 37.5 hours or more each week.
- 3.0 Part time employees work an average of 30 hours or less in each week.
- 4.0 Contract, program/project and casual staff are employed for varying terms of service in accord with approved program/project funding, job descriptions and budget limitations to carry out priority work or perform backfill services.
- 5.0 Consultants and contracted service providers are not OLTA employees.