

# NIBINAMIK FIRST NATION



## HUMAN RESOURCES CODE

**Nibinamik First Nation**

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# Section 1: Introduction

## 1.1 Principals of NFN Human Resources

Nibinamik First Nation (NFN) employees serve our community's band members. The services provided by the employees of Nibinamik First Nation are important for our community's well-being, and the health, education and welfare of our people.

All employees of Nibinamik First Nation are required to respect our community's history, culture, traditions, values, language and customs. The services provided by NFN employees will reflect our community's way of doing things, while also meeting the needs of community members.

Each employee of Nibinamik First Nation fulfils an important role in the operation of our First Nation and the services provided to our people. Employees, including management, serve the people of Nibinamik First Nation. All employees are expected to remember that their role is to serve the people of Nibinamik First Nation.

## 1.2 Role of the NFN Ogamakanuck

The elected leadership of NFN serve as the representatives of the NFN band members and the governing authority for the NFN. It is the role of the Ogamakanuck as a whole to advocate for community members, to protect the community's best interests, to set goals and policies, and to hire and supervise the NFN Band Manager.

The Ogamakanuck, through the Band Manager, are the ultimate decision makers when it comes to employee issues within NFN. The Ogamakanuck delegate their authority over employees to the Band Manager. The Ogamakanuck also establish and approve policies and procedures for employees to follow.

## 1.3 Purpose of Human Resources Code

The purpose of this Nibinamik First Nation Human Resources Code is to promote good governance in regards to the relationship between NFN and its employees, through the involvement of the NFN band members and the elected leadership of NFN.

This Human Resources Code (the "Code") is connected to the Nibinamik First Nation Human Resources Policy and Procedures Manual (the "Human Resources Policy"). The Human Resources Policy contains the policies and procedures that govern the relationship between NFN as an employer, and its employees.

This Human Resources Code provides an opportunity for the band members of Nibinamik

First Nation to reflect on the Human Resources Policy, and ensures that processes exist for the good governance of NFN as an employer.

## **1.4 Overview of Human Resources Code**

The Human Resources Code is separated into four sections. The introduction section sets out the purpose and objectives of the Code. Section 2 provides an overview of the sections of the Human Resources Policy, in order that NFN band members can reflect on what is in the Human Resources Policy. Section 3 sets out the community's rules on review and amendments to the Human Resources Policy. And Section 4 provides the NFN Ogamakanuck with instructions on reviewing and amending this Code.

# **Section 2: Overview of Human Resources Policy**

## **2.1 Overview of Human Resources Policy**

The Human Resources Policy is split into six sections. The sections are:

- Section 1: Introduction
- Section 2: Definitions
- Section 3: Employment
- Section 4: Compensation and Benefits
- Section 5: Conduct
- Section 6: Health & Safety

## **2.2 Overview of sections of Human Resources Policy**

2.2.1 Section 1 of the Human Resources Policy involves an introduction to the community and to the structure of the First Nation. It outlines the operating philosophy of NFN as an employer, and the purpose of the policy.

The purpose of the Human Resources Policy is to provide NFN employees guidelines for the daily administration of NFN, and to communicate procedures and policies applicable to NFN employees.

Section 1 also sets out the lines of authority and communication for employees. The Band Manager is the only direct report to the Ogamakanuck. Other employees report to the Band Manager, and the Band Manager is responsible for communicating with the elected leadership regarding employee issues.

2.2.2 Section 2 of the Human Resources Policy is definitions for the rest of the policy.

2.2.3 Section 3 of the Human Resources Policy sets out the employment policies for the First Nation's employees. This section includes policies on the various employment

categories for the First Nation (ie. Full time, part time, casual employees, etc) and the use of independent contractors for the First Nation.

Section 3 also includes a policy on discrimination, to ensure that employees do not suffer discrimination in the workplace, as well as accessibility and accommodation requirements for employees with disabilities. There is a recruitment and hiring policy, a preferential hiring policy, policies on payroll administration and employee recognition, policies on performance evaluation, and policies on progressive discipline and termination. There are also grievance procedure policies outlining how employee complaints are addressed and how external complaints are addressed.

Finally, Section 3 has policies governing the end of the employment relationship: layoffs; job abandonment; and return of NFN property policies.

- 2.2.4 Section 4 of the Human Resources Policy covers the compensation and benefits sections of the Policy. This section governs how employees are compensated, and the other benefits they receive through their employment with NFN.

There is a policy that sets out rules on how salaries are set, and another policy on the hours of work required of employees. There is a disconnecting from work policy regarding expectation of employees after work is over, and travel policies regarding work travel and NFN vehicle use.

Section 4 also contains the policies on the leaves of absence available to employees, including Bereavement Leave; Education Leave; Professional Development; Sick Leave; Medical Leave; Vacation; Public Holidays; Maternity and Parental Leave; Compassionate Care Leave; Critical Illness Leave; Cultural Leave; Family Violence Leave; Child Death and Disappearance Leave; and Personal Leave.

- 2.2.5 Section 5 of the Human Resources Policy covers the conduct of employees expected by NFN.

This section includes the Employee Conduct policy, the Media Relations Policy, the employee Dress Code and Hygiene policy, employee Conflict of Interest, and a policy governing what happens if an employee is charged criminally during employment with NFN.

- 2.2.6 Section 6 of the Human Resources Policy covers the Health and Safety requirements of Nibinamik First Nation as it relates to its employees.

There are policies on using keys and locking devices, Health and Safety requirements, and identifying hazardous materials or situations in the workplace. There is a policy on reporting workplace injuries, investigating workplace accidents, and an employee's right to refuse unsafe work.

Section 6 also includes a policy on the use of Personal Protective Equipment (PPE) in

the workplace, WHIMIS compliance, and a substance abuse (drug and alcohol) policy. There is a smoke-free workplace policy, and a policy on Workplace Violence, Harassment and Sexual Harassment. There is a safe driving policy, a privacy policy, and an electronic monitoring policy. There is also a computer and internet use policy and an information technology policy, as well as policies on keeping files safe, and employee files.

## Section 3: Creation, Amendment and Approval of Human Resources Policies

### **3.1 Governing Principles**

The members of Nibinamik First Nation elect the Ogamakanuck to operate the First Nation, and represent the band member's interests.

The members of Nibinamik First Nation expect that the Ogamakanuck establishes policies, procedures and other governing regulations to ensure that employees of the First Nation are treated fairly, and in accordance with relevant labour laws and the NFN laws, bylaws and rules governing the First Nation.

The members of Nibinamik First Nation expect that the Ogamakanuck, through its direct employee the Band Manager, conducts the operations of NFN and directs the employees of NFN in a way that best meets the needs of the community members of NFN.

The members of Nibinamik First Nation require that the Ogamakanuck review and revise NFN's human resource policies and procedures on a regular basis.

### **3.2 Ogamakanuck authority to enact Policies and Procedures**

The members of Nibinamik First Nation authorize the Ogamakanuck, acting through quorum of council, to create, approve and ratify any new Human Resource Policies and Procedures that, in the view of the Ogamakanuck, are required by NFN.

The Ogamakanuck may delegate the creation of any human resource policies and procedures to the Band Manager or others, as it sees fit.

The Ogamakanuck cannot delegate its authority to approve and ratify new human resource policies and procedures. All new human resources policies and procedures must be approved and ratified by a quorum of Ogamakanuck.

### **3.3 Ogamakanuck authority to review and revise Policies and Procedures**

The members of Nibinamik First Nation authorize the Ogamakanuck, acting through quorum of council, to review and revise any new Human Resource Policies and Procedures that, in the view of the Ogamakanuck, are required by NFN.

The Ogamakanuck may delegate the review and revision of any human resource policies and procedures to the Band Manager or others, as it sees fit.

The Ogamakanuck cannot delegate its authority to approve and ratify the revised human resource policies and procedures. All revised human resources policies and procedures must be approved and ratified by a quorum of Ogamakanuck.

### **3.4 Ogamakanuck to ensure policies and procedures provided to employees**

The members of Nibinamik First Nation expect that the Ogamakanuck, through the Band Manager, shall provide copies of all policies and procedures currently in place to all employees of the NFN.

## **Section 4: Communication with Membership**

### **4.1 Ogamakanuck to confirm to members that policies reviewed and ratified**

The members of Nibinamik First Nation require that the Ogamakanuck report to members once per year, at a members meeting, the policies that were enacted during the previous year.

This update shall include the name of the policies that were enacted and a brief explanation of the policies. The policies shall not be shared with members.

The annual update will also include policies that were revised and ratified during the previous year.

THIS HUMAN RESOURCES CODE WAS HEREBY APPROVED BY THE MEMBERS OF NIBINAMIK FIRST NATION THIS \_\_\_ DAY OF \_\_\_\_\_, 2023, AT NFN'S ANNUAL GENERAL MEETING.

A LISTING OF BAND MEMBERS IN ATTENDANCE IS ATTACHED TO THIS DOCUMENT.

A MAJORITY OF BAND MEMBERS IN ATTENDANCE VOTED TO APPROVE THE HUMAN RESOURCES CODE.

SIGNED:

\_\_\_\_\_  
Ogamakan Michael Sugarhead

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Deputy Chief Gershom Beaver

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Councillor Hezekiah Neshinapaise

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Councillor Jolene Neshinapaise

\_\_\_\_\_  
Councillor Richard Roundhead

