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CONGREGATION | *Est.* 1845
OF TORONTO

Human Resources Policy

May 2014

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**First Unitarian Congregation of Toronto
Personnel Policy Manual (Draft)**

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First Unitarian Congregation of Toronto Personnel Policy Manual

Introduction

The staff members of the First Unitarian Congregation of Toronto (“First” or “the Congregation”) are an essential and valued part of the congregation who, along with members, friends and volunteers, provide the capability and capacity to fulfil our vision and mission. Each year, staff members review and enter or renew a covenant, which helps forge and maintain strong positive relationships among their group and for the congregation in support of its mission and vision, and gives strength to their teamwork and cooperation.

Complementing the above-mentioned process, the policies described in this manual are intended to support staff members and the people responsible for managing them (e.g., to guide decisions and expectations in relation to personnel issues) and ensure balanced consideration of the needs of the organization with the needs of individuals on staff. They are to be consulted in situations where problems or uncertainties arise.

The policies are consistent with our Unitarian Universalist (UU) principles (outlined in Appendix A) and the by-laws of the First Unitarian Congregation of Toronto and are informed by government legislation, financial and operational considerations and previously contracted obligations.

The Board of Trustees’ Role

The Board of Trustees is mandated to manage the Congregation’s policies on an ongoing basis, and may choose to delegate some or all of this authority and accountability to a convenor or committee, such as a Personnel Committee. This responsibility includes approving new or amended policies, obtaining updates to applicable legislation, and initiating discussions about the need for policy changes.

All personnel policies and changes to these require approval by the Board. The Board will consider presentations from convenors, staff or the Executive Committee, Personnel Committee, or members of the congregation who have been assigned policy work. A process of research and stakeholder consultation, authorized by the Board, should take place before policy recommendations are presented for final approval. Approval will be formally recorded in Board minutes and noted in the Personnel Policy Manual.

Monitoring and Maintenance

To maintain a level of confidence that policies continue to meet the needs of the staff and the congregation, the Board is to:

- Ensure all new Board members, staff members and members of the Executive Committee and convenor team are familiar with the Personnel Policy Manual.
- Invite a representative of the Personnel Committee to a Board meeting each year, to summarize any current policy-related decisions or challenges.

- At least once every two years, schedule time during a Board meeting to consider the current state of the Personnel Policy Manual and identify any need for updates or revisions. The Board should ensure there is a specific person responsible for:
 - obtaining updates to applicable legislation and reporting these to the Board for action; and
 - confirming that annual personnel management tasks (e.g. performance reviews, contract updates) have been completed.

The Executive Committee can approve exceptions to personnel policies under unusual circumstances, provided they remain in compliance with any applicable legislation and/or existing contracts. The Board is to be informed of any such exception at the next Board meeting, when it will be recorded and included in the next scheduled review.

Legislative Context and Requirements

As an employer, First Unitarian Congregation of Toronto must comply with various federal and provincial legislation and regulation. The Board, or those delegated to work on human resource issue on behalf of the Board, is responsible to ensure updates to legislation are noted and incorporated in policy updates at least annually. Relevant legislation includes:

- *Employment Standards Act (ESA), 2000;*
- *Occupational Health and Safety Act, 1990;*
- *Accessibility for Ontarians with Disabilities Act (AODA), 2005;*
- *Pay Equity Act, 1990;*
- *Workplace Safety & Insurance Act (WSIA), 1997;*
- *Ontario Human Rights Code;* and
- *Canadian Charter of Rights and Freedoms.*

See Appendix B for further information.

Employment: Recruiting New Employees

For some positions, notably those of the minister, ministerial staff and director of lifespan religious education (DLRE), policies of the Unitarian Universalist Association (UUA) and/or the Canadian Unitarian Council (CUC) are followed in the recruitment, orientation and/or probation process. These policies are not outlined in this manual, as they may change from time to time, but will be available on the respective organizations' websites.

The following process is designed to optimize the recruitment process for other positions, and facilitate the hiring of the excellent staff we require.

Search Committee

Recruitment is to be done by a team named by the Executive Committee, Personnel Committee, the Board of Trustees or other authority, and should include the position's

immediate supervisor(s) and at least one other person. All recruitment processes are to have the prior approval of the Board and/or the Executive Committee.

Budget

The person leading the recruitment process is responsible for ensuring that there are sufficient funds in the current year's budget for the duration of the employment period.

For positions that will extend beyond the current budget year, there must be agreement by the Board and/or Executive Committee that, under normal circumstances, there will be sufficient funds in the subsequent years' budgets for the duration of the employment contract.

Job Descriptions

Before the recruitment process begins, the job description is to be reviewed and revised, as appropriate.

Competitive Process

All permanent positions are to be filled through a competitive process (with the exception of those reporting to the Director of Music, which may be filled at his/her discretion due to the artistic nature of the work). Recruitment notices/ads are to be placed in such a way that there is a reasonable expectation of several qualified candidates applying.

- The use of existing UUA, CUC and associated organizations' resources where they are available, in addition to government and other appropriate general media, is recommended.
- Exceptions to this process must be approved by the Board and/or the Executive Committee.

The job posting for positions of trust (such as working with children and vulnerable adults or having access to congregational funds) will include notice that the successful candidate will need to provide evidence of no prior criminal offenses relevant to the position. This screening is usually done through local police offices in conjunction with the Canadian Police Information Centre (CPIC) as discussed in the **Safe Steps** section below.

Employment Eligibility

Religious Affiliation

Only the minister, interim minister, intern and student ministers are required to be Unitarian Universalists.

Ineligibility of Members, Relatives or Friends

Insofar as is practical and possible, and to avoid having conflict of interest situations or human resource issues become membership issues, members, friends of the congregation and relatives are not eligible for regular employment.

- Exceptions can be made in emergency situations (unexpected resignations or terminations); where remuneration is minor (e.g., for casual employees); or where the regular recruitment process has not been successful in identifying suitable candidates.
 - Exceptions must be approved by the Executive Committee, either case-by-case or an ongoing exemption for a specific staff position.
 - Emergency exemptions will be permitted for a short, finite period.

In this policy document:

- A member is someone who has formally joined the congregation and has been active (e.g., attending services, participating in activities and programs) at any time during the last three years. Cancelling one's membership does not make one eligible for the position.
- The term "friend of the congregation" includes a person who behaves similarly to a member without having formally become a member, is someone who is more than an acquaintance of a member or staff member, and/or is someone who might expect to be considered for employment without having gone through a competitive process.
- Relatives include those by blood, marriage or long-term partnerships, for example partner/spouse, parent, child, sibling, aunt, uncle and first cousin.

Interviews

The Search Committee is to select a short list of the most qualified candidates, all of whom would be interviewed, using the same list of questions.

In cases where the interview is by telephone or internet conference, a follow-up in-person interview should be completed prior to the official offer of employment.

Employment Equity / Accommodation

In a situation where the best candidate discloses the need for some type of accommodation to fulfill the duties of the position, the Search Committee should determine the feasibility of meeting those requirements prior to requesting the Executive Committee's approval for an offer of employment.

The congregation will abide by the letter and the spirit of all applicable laws and internal policies. Accommodations will be made to the extent resources allow.

Safe Steps

All staff members are subject to the congregation's Safe Steps policy. Employees who will hold positions of trust are required to provide evidence of no prior criminal offenses relevant to the position. This screening is usually done through local police offices in conjunction with the Canadian Police Information Centre (CPIC).

The top candidate must provide a certificate of clearance and positive references before being placed permanently in the position. The congregation will pay for expedited clearance so that no staff member begins their position without first having received clearance.

References

All applicants must be asked for three references, two of these being employment-related while one may be character-related. The Search Committee will contact references for the top candidate/candidates.

References who are contacted will be asked questions regarding the candidate's ability to perform the work involved in the position, as well as questions related to the congregation's Safe Steps policy.

Decisions

All candidates are to be evaluated in the same way; with the decision criteria and scoring system being determined before the beginning of the competition.

Offers of Employment

All offers of employment require prior approval by the Executive Committee and/or the Board.

Offers will stipulate, at a minimum:

- position title;
- position description;
- date of appointment;
- length of probation;
- terms of employment, such as:
 - regular (full-time or part-time) or casual;
 - contract duration as "short term" (with a stipulated end date) or "permanent" (without a defined end date);
- ownership of materials and intellectual property, where appropriate;
- starting salary or wages;
- benefits, if applicable; and
- any other conditions of employment.

Contracts and Letters of Agreement

All employment contracts and letters of agreement are to be signed by the employee/contractor and the president of the Board of Trustees or, in his or her absence, by another person specified under "Execution of Documents" in the congregation's by-laws.

The length of employment must be clearly stated in the contract, with renewal options specified.

Orientation

New employees should be given an orientation within the first week of employment, with this including (but not limited to):

- a copy of this manual;
- a list of all other congregational manuals and covenants and their location;
- an overview of the roles and responsibilities of all staff, convenors and Board members;
- a tour of the building;
- a copy of the UU principles; and
- a copy of the staff covenant.

As soon as possible, new staff members will be introduced to all staff, Board members and convenors.

Probation

There will be a minimum six-month probationary period for new staff members, which can be shortened based on a successful performance review at three months. The exception to this is ministers, for whom there is a different process described in the by-laws.

Management

Staff Classifications

Staff may work full time or part time and may be paid a salary or on an hourly basis.

Regular Staff Members

Regular staff have ongoing responsibilities and hours of work, and are expected:

- to work with minimal supervision;
- to have any certifications or training / education required to fulfill their employment obligations.
 - Additional professional development will be supported, as appropriate.

Casual Staff Members

Casual staff members are paid on an hourly basis. They may have regular hours of work, and/or may work outside any regular hours on an as-needed basis. The pianist and resident musicians will have flexibility in their work schedule, to be arranged on an on-going basis with the Director of Congregational Music (DCM).

Students on placement (student ministers etc.) are not employees of the congregation and therefore not included in this table.

Table 1: Staff Classifications

Regular	Casual	Self-employed Contractor
Minister	Senior nursery staff	Pianist
DCM	Nursery assistants	
DLRE	Fill-in custodians	
Administrator	Resident musicians	
Head custodian	Sound technicians	
Assistant custodian		
Bookkeeper ¹		
Intern minister ²		
Summer minister		

Positions Not Covered by this Policy

This policy does not apply to lay chaplains who are governed by separate CUC and Congregational policies. This policy does not apply to self-employed individuals or individuals employed by a firm that has a service contract with the congregation, such as caretakers, bookkeepers or musicians employed by another organization. The terms of their employment are as laid out in the service contract.

Personnel Files

A confidential personnel file for each staff member and contractor is to be kept in a secure location. This file can be accessed by the staff member accompanied by their supervisor, or a member of the Executive or Personnel Committee. It can also be accessed by the person's supervisor(s), the Executive or Personnel Committees on a need-to-know basis.

The file will contain, but is not limited to:

- the application and references;
- the CPIC clearance required for the Safe Steps policy;
- the offer of employment;
- the position description and all revisions;
- all performance reviews;
- any disciplinary documentation;
- a record of pay rates and benefits; and
- personal identifying information required for the administration of this policy, including: name, address, phone number, SIN, marital status, dependents, emergency contact information, changes in professional status or documentation.

Position Descriptions

Position descriptions shall be reviewed and revised as necessary to keep them current. At a minimum, position descriptions shall be updated:

¹ Bookkeepers may be permanent or fixed term, depending on the contract

² Many aspects of the Intern Minister's job are detailed in the Intern Handbook published by the CUC.

- prior to beginning recruitment;
- informally during annual performance reviews; and
- formally every 3 years.

Performance Reviews

Supervisors are to hold performance reviews with staff:

- before removal of a staff member's probationary status; and
- annually thereafter.

The performance reviews are to discuss the previous year's performance, plan for the upcoming year, help staff members meet the congregation's expectations and, if necessary, to improve performance. Reviews should:

- be based on current position descriptions and work plans;
- establish mutually agreeable goals and expectations for the next year; and
- establish the staff member's annual (professional) development plan.

Supervisors should gather broad input on the staff member's performance, e.g., by consulting with relevant convenors and members of the congregation where appropriate.

There should be no surprises for staff members at the end of a probation period or during the annual performance reviews. Staff members should have met with supervisors on a regular basis to discuss their work performance, and receive ongoing and timely feedback.

It is also recommended that each year, staff members meet with their supervisors to discuss how their work supports the mission and mandate of the congregation.

Discipline

The need for a disciplinary process can sometimes arise due to performance or behavioural issues.

- Normally, performance issues are included in the regular performance review process, but occasionally an urgent or substantial issue requires more immediate attention.
- Problematic behavioural issues are to be dealt with as soon as they are known, except where it is a course of related incidents that raise a concern.

The objective of discipline is to allow the staff member to make corrections and/or improvements to return to a positive track.

By applying disciplinary action, the congregation is protected from potential wrongful dismissal actions and damages.

Generally, the congregation is to use progressive disciplinary steps. Typical steps, in order of seriousness, are:

- between supervisor and staff member:
 - oral warning; then
 - written reprimand.
- among supervisor, staff member and member of Executive or Personnel Committee:
 - written reprimand;
 - suspension; then
 - termination.

Each step shall identify:

- the behaviour or shortcoming;
- the corrective action required; and
- a reasonable length of time in which the corrective action should be made.

All disciplinary steps include discussion and submission of documentation to the staff member's personnel file. The staff member is to acknowledge having been informed of the disciplinary record being added to his or her personnel file by signing this record.

Issue Resolution: Questions, Concerns, Complaints, Grievances and Appeals

If issues/problems arise with or for a staff member, the first attempt at resolution should be made by the immediate and second level supervisors. If the problem cannot be resolved at that level, it should be referred to the Executive or Personnel Committees for resolution with the staff member and supervisor.

Employment-related problems are not included within the mandate of the congregation's conflict resolution process.

End of Employment

All staff members who are leaving their jobs may request a letter of recommendation or employment history/confirmation signed by the president or, in his or her absence, by other officials as specified for "Execution of Documents" in the by-laws of the congregation.

Staff-Initiated Resignation and/or Retirement

Staff can retire and/or resign their position at any time with two weeks written notice, or as otherwise established in their contract. The notice period can be shortened or withdrawn at the supervisor's discretion.

As there is no mandatory retirement age under Ontario law, retirement is the sole prerogative of the staff member.

Termination by the Employer

When the congregation terminates the employment of a staff member:

- the Board and/or the Executive Committee must authorize the termination;

- a human resources expert and/or employment lawyer should review the termination notice and advise the Board;
- the president (or, in his or her absence, other officials as specified for “Execution of Documents” in the by-laws of the congregation) shall sign the termination notice.

In most cases under the *Employment Standards Act (ESA)* if an employer terminates the employment of a person who has been employed continuously for three months or more, the employee must be provided with *either* a written notice of termination, termination pay or a combination of these (as long as the notice and the termination pay together equal the length of notice the employee is entitled to receive).

The amount of termination pay³ required is determined by the length of employment, not the manner in which termination occurs. It is generally equal to one week of payment for every year worked, to a maximum of eight weeks of payment.

Employer-Initiated Termination During Probation

Employers are not required to give an employee a reason why his or her employment is being terminated during the probation period. However, unless there are urgent/unusual circumstances, employees should have had a performance review during the probation period and an opportunity to correct any problems that have arisen.

Employer-Initiated Termination Due to Restructuring or Insufficient Budget

Staff members should be given an opportunity to apply for any vacant position for which they are qualified. In this case, no termination pay is paid.

Employer-Initiated Termination For Cause

Termination for cause should normally be the last step in a process of progressive discipline or follow from a series of unsatisfactory performance reviews.

Immediate dismissal with cause is reserved for situations where a staff member has committed an egregious act (e.g., fraud, sexual harassment, wilful neglect of duty that is not trivial and has not been condoned by the employer).

Employer-Initiated Termination Without Cause

The employer may sometimes need to terminate the staff member’s employment without cause, including for reasons of insufficient budget.

Notice of termination will be given as indicated here or as outlined in the contract.

³“Termination pay” differs from “severance pay”; the latter is paid to a qualified employee who has his or her employment severed, and is different than termination pay. In 2013, to qualify for severance pay, the employer must have a payroll in Ontario of at least \$2.5 million or sever the employment of 50 or more employees in a six-month period because all or part of the business closed.

Table 2: Notice of Termination

Cause of Termination	Notice Period	Pay-in-Lieu
Resignation	2 weeks	
Retirement	2 weeks	
During Probation	Up to 2 weeks	Up to 2 weeks
Due to Restructuring	1 month	First's choice
For Cause	2 weeks	First's choice
Without Cause	1 month	First's choice

Exit Interview

Terminating staff members may be requested to take part in an exit interview, in order to provide closure and help both the employee and congregation learn from their mutual experience. These interviews should be arranged at a mutually acceptable time, preferably before the staff member's last day of work.

In some cases, a follow-up communication may occur where a period of reflection generates additional or different information.

Compensation and Hours of Work

The congregation is to provide fair, consistent and competitive compensation to all employees commensurate with its status as a small employer and consistent with guidelines to be published by the CUC (upcoming in 2014).

Compensation for self-employed/service contracts should be set as part of the recruitment process, and will not be discussed in this section.

Salaries

All positions are to have defined salary ranges. To establish starting salaries, the Congregation will use salary ranges provided by the Unitarian Universalist Association (UUA) and/or Canadian Unitarian Council (CUC) where these exist, adjusted for the size of the congregation and its Toronto location.

These guidelines should be reviewed every three years and prior to commencing recruitment. Merit pay increases can be considered if/when practical, in terms of budget implications.

Cost of Living Adjustments

To keep salaries current, it is recommended that all salaries be adjusted annually for changes in the Revenue Canada Consumer Price Index (CPI). Those determining the level of cost of living adjustments should be cognizant of the currently-published UUA or CUC guidelines.

If the CPI is negative, salaries will be maintained at the previous rate until such time as the CPI exceeds the previous level.

Acting Pay

Where a staff member is requested to do a substantial portion of the work of a position with a higher pay range for a period of time longer than three weeks, they should be paid the minimum rate for the higher position or 5% more than their normal salary (whichever is greater).

Benefits

All staff shall have a standard benefits package commensurate with their employment status. Part time employee benefits shall be proportional to their normal work week.

- Short-term disability insurance will be offered to staff members on a self-pay basis.
- Other benefits shall be stipulated in employment contracts.
- Where the benefits package allows, part time employees may choose to bring their benefits level up to that available for full time employees by paying 100% of the additional premium, including the employer portion.
- Staff members may choose to opt out of benefit coverage and will not have the employee portion of benefit payments removed from their pay. They will not, however, have the employer portion of benefit payments added to their pay.

Table 3: Benefits

Benefit	Regular	Casual
Workers Compensation	Y	Y
Employment Insurance	Y	Y
CPP	Y	Y
Other Retirement ⁴	Y	
Medical/Extended Health Care ⁵	Y	N
Short Term Disability ⁵	Y	Y
Long Term Disability ^{5, 6}	Y	N

Coverage of professional memberships, if/when appropriate, will be limited to those required in job descriptions or undertaken at the request of the Board or Convenors.

Hours of Work

Most staff members are regularly required to work on Sundays and to have non-traditional and irregular hours as part of their normal employment. Compensation will be according to the Employment Standards Act, as applicable⁷.

- The Executive Committee and the administration convener will establish regular office hours during which time the office is to be open for business.

⁴ Does not apply to employees with short-term contracts.

⁵ Offered on a self-pay basis only.

⁶ Timing of application for LTD benefits is important regarding insurer's acceptance of claims; policy must be checked early in sickness/injury absence period.

⁷ The Employment Standards Act does not apply to employees holding religious office. While this can be broadly interpreted to mean any employee of a religious organization, it is the intent of First to provide fair and equitable working conditions to all employees.

- Staff positions vary greatly in the need for regularly scheduled work hours. However, to the extent possible/practical, a consistent schedule should be set for each staff member. This is to be done by mutual agreement between the staff member and their supervisor.
- Such schedule should include some standard hours when the staff member is normally available to members and these should be posted in a prominent place in the office and on the church website along with contact information.
- With the agreement of their supervisor, a staff member may vary their normal hours or work location.
- If an emergency or unexpected situation (e.g., due to weather or traffic conditions) requires a staff member to vary their normal hours or location without the prior agreement of their supervisor, the supervisor should be informed after the fact.

Flex Time and Work Location

Flexible time and work location arrangements (e.g., work from home) for professional and ministerial staff may be established, providing for enough common time to allow for collegial relationships and teamwork and for meeting the needs of the congregation.

Overtime

Full-time employment is as set out in each staff member's employment contract.

- Overtime work should be approved by the supervisor in advance, except in emergency situations.
- Written agreements may be made that allow for staff members to receive paid time off work instead of overtime pay ("bank" time, or "time off in lieu").
- Staff members required to work overtime in one pay period should normally be compensated by time off in a succeeding period. This is to be arranged by mutual agreement between the person and their supervisor, and time off should be taken within three months of the overtime being earned.
- Financial compensation for overtime worked is the employer's option and must be approved by the Executive Committee, except where legislated by the Employment Standards Act (Appendix D).
- Overtime above a staff member's contracted hours but below the provincial threshold (generally 44 hours/week) should be compensated (whether by lieu time or payment) at straight time (1:1). Overtime above the provincial threshold should be compensated at time-and-a-half (1:1.5).

Statutory Holidays

Staff members who are required to work on a statutory holiday as part of their regular employment will be compensated by time-in-lieu at the earliest, mutually convenient time and within three months of the holiday.

Vacation and Other Leaves

All staff shall have a leave entitlement commensurate with their employment status. The details of each staff member's leave entitlements are to be stipulated in their

employment contracts. The bookkeeper maintains the records of vacation and other leaves taken by the staff.

Vacation time and other leaves are as outlined below, unless negotiated differently in staff contracts.

Vacation or illness leave will be credited at the beginning of the year but earned monthly. When a staff member leaving their job does not work a complete year, their leave time in the final year will be prorated:

- days earned but not taken will be paid out in the staff member's final pay; and
- days taken but not earned will be deducted from their final pay.

New staff members will have their vacation and illness leaves prorated for the time worked in the current year and credited at the successful completion of the probationary period.

Except in emergencies, all leaves must be scheduled ahead of time by the mutual agreement of the staff member and their supervisor; such agreement should not be unreasonably withheld. Requests for vacations and other absences, including unpaid leaves of absence, should:

- be submitted in writing to the supervisor, and made in consultation with other staff and supervisors prior to taking the time; and
- not scheduled during the staff member's busiest times during the church year.

Vacation leaves must be taken within the year earned:

- one week of vacation may be carried into the next year;
- vacation leave not used within the required period will be paid out in lieu of deferring time off; and
- exceptions require the approval of the supervisor and Personnel Committee or other Board designate.

Staff receive 15 days of sick time annually; which is pro-rated for part-time employees:

- sick days not taken in one year will not be carried into the next year; and
- the Executive Committee may ask for a doctor's note in order to validate use of sick leave.

Paid bereavement leave of three days can be taken when there has been a death in one's family.

Personal leave can be used for compassionate reasons, family care, family responsibility, or other personal reasons.

Table 4: Leaves

Leave	Regular	Casual
<i>With Pay</i>		
Illness	Y	
Vacation	Y	
Bereavement	Y	
Sabbatical	Minister Only	
<i>Without Pay</i>		
Maternity, Adoption and Parental leave – covered by EI	Y	Y
Court (Jury) Duty	Y	Y
Personal	Y	

Professional Development and Study Time

The time required for professional development activities should be considered as part of the staff member's regular work hours. Where these activities happen outside their normal work hours, time in lieu shall be granted on a straight time basis (1:1).

- Professional development activities should be agreed to as part of a staff member's performance review.
- A staff professional development budget should be established as part of the annual budget process.
- Study time, as outlined in employment contracts, will be given in addition to professional development activities.

Staff Members' Expenses

Staff members are entitled to be reimbursed for all reasonable costs incurred for doing the work of the congregation.

Interview Costs

Candidates' expenses to attend an interview for a professional position shall be paid at the cost of the most economical means, balanced by practical considerations.

Moving Costs

New staff members are not compensated for the cost of moving to Toronto to assume a position with the congregation, with the exception of a minister.

- Ministers' reimbursement for the cost of using a vehicle to move is permissible up to the cost of the most economical alternative (balanced by practical considerations) as stated below under "Transportation".
- Exceptions must be approved by the Executive Committee.

Transportation Expenses

Transportation expenses should be paid at the cost of the most economical, reasonable means.

- Compensation for the use of a personal vehicle should be at the rate set by Revenue Canada or the cost of most economical means balanced by practical considerations.
- Expenses for getting to work at the usual location, or another location for which travel expenses are less, are not eligible for reimbursement.

Computers

With the supervisor's agreement, if a staff member chooses to use their own (portable) computer instead of the congregation's computer, the staff shall be entitled to reimbursement. The amount shall be set by the treasurer in consultation with the Board of Trustees, as part of the annual budget process. The computer remains the property of the staff member at all times.

All personal computers paid for (in whole or in part) through this agreement must have widely recognized anti-virus and firewall software and office software fully compatible with the congregation's network.

All work-related files on personal computers paid for (in whole or in part) through this agreement must be backed-up to the congregation's back-up system on the congregation's schedule.

Other Employment Conditions

Intellectual and Creative Property

All data and creative materials **commissioned and paid for** by the congregation remain the property of the congregation. Notwithstanding this, staff members have perpetual use of the creative materials.

Ministers and interns own their creative materials and the congregation has perpetual use.

Confidentiality

All staff are responsible for maintaining confidentiality of information, in whatever format it is transmitted or stored. This may be oral, hard copy, or virtual (e.g., e-mail, USB sticks, laptops used in meetings or removed from the building).

Conflict of Interest

Staff members must declare all situations where they have, or could reasonably be perceived to have, a conflict of interest.

Speaking on Behalf of the Congregation

Speaking Internally

When speaking in the congregation or at other Unitarian gatherings, staff members may speak as experts on matters within their area of responsibility but should not express an

opinion on congregational or denominational policies. Personal opinions should be stated as such.

Speaking Publicly

Only the president of the Board of Trustees, or designate, may speak (or write) for the congregation.⁸ A staff member may be so designated from time to time. A staff member may also be authorized to speak as an expert on a program within their normal area of responsibility.

Staff members should not highlight their association with the congregation while speaking in public on public issues.

Accommodation of Religious Freedom and Observances

Staff members other than a minister, intern, student or interim minister do not need to be Unitarian Universalists.

Staff members are entitled to reasonable accommodation to engage in their spiritual practice.

- Those of other faith traditions may request time off work in order to observe holidays of those faith traditions. Approval for this time off will not be unreasonably withheld.
- Days off taken for this reason shall be charged to the staff member's personal or vacation leave, as they choose. They may work time in lieu, if approved by their supervisor.

Staff Covenant

Staff members are encouraged to review the staff covenant at appropriate intervals.

⁸ The Congregation's by laws state the Minister(s)'s Freedom of the Pulpit to be:

- a. Freedom of the pulpit is a fundamental premise of our Denomination and of this Congregation. Every Minister, when in the pulpit or expressing the Minister's views through other established channels of communication or through personal witness, must be accorded freedom to speak the truth as he or she understands it.
- b. By the same token, the Minister(s) must be free to conduct other aspects of the Ministry, such as counselling, according to the best experience and insights of the Minister(s), and in accordance with the ethical standards of the Unitarian Universalist Ministers Association (UUMA), and with due regard to national and provincial laws.
- c. It should be clear that the Minister(s) speak(s) personally and does/do not speak either for the Congregation or for its members.

Appendices

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Appendix A: The First Unitarian Congregation of Toronto

Ours is a congregation rooted in Unitarian Universalist (UU) values, as stated in our principles and purposes. Within this enduring community, each individual is free to grow personally and in spirit. We strive together to nurture a caring, inclusive, vibrant congregation and to contribute to a better world.

The First Unitarian Congregation of Toronto welcomes into our religious community all who seek to embrace UU values. Bringing together individuals with differing needs, gifts and beliefs, we are inspired and encouraged to live life as an expression of our common values.

We do this by creating an environment and opportunities for:

- contemplation and celebration;
- loving interactions with one another;
- lifelong learning; and
- engagement in social action, together or individually.

UU Principles

As UUs we covenant to affirm and promote:

- the inherent worth and dignity of every person;
- justice, equity, and compassion in human relations;
- acceptance of one another, and encouragement to spiritual growth in our congregations;
- a free and responsible search for truth and meaning;
- the right of conscience and the use of the democratic process within our congregations and in society at large;
- the goal of world community with peace, liberty, and justice for all; and
- respect for the interdependent web of all existence of which we are a part.

Appendix B: Relevant Legislation

Employment Standards Act (ESA), 2000

The ESA provides the minimum standards for working in Ontario. It sets out the rights and responsibilities of employees and employers in Ontario workplaces.

The ESA covers a wide range of employment standards including:

- minimum requirements for workplaces;
- provisions to assist employees with family responsibilities;
- increased flexibility in work arrangements; and
- mechanisms for compliance and enforcement.

A key requirement of the ESA is that employers must display the poster “What You Should Know About The Ontario Employment Standards Act” in a place where it is likely to be seen by staff members. The poster is available on the Ministry of Labour’s website at http://www.labour.gov.on.ca/english/es/pubs/poster.php#get_poster.

The ESA also sets out rules about overtime pay for employees. The ESA should be consulted when determining overtime pay:

- For most employees, overtime begins after they have worked 44 hours in a work week.
- An employee does not earn overtime pay on a daily basis by working more than a set number of hours a day. Instead, overtime is calculated on a weekly basis or over a longer period under an averaging agreement.
- An employee and an employer can agree **in writing** that the employee will receive paid time off work instead of overtime pay. This is sometimes called “banked” time or “time off in lieu.”
- If an employee has agreed to bank overtime hours, he or she must be given 1.5 hours of paid time off for each hour of overtime worked, as defined above.
- Paid time off must be taken within three months of the week in which the overtime was earned or, if the employee agrees in writing, it can be taken within 12 months.

Note that no staff member can agree to waive or give up his or her rights under the ESA. Note, too, that the ESA does not apply to certain individuals and persons or organizations for which they work, including people who hold religious offices. It is the intent of the congregation’s personnel policies to provide working conditions for our employees who are not covered by the ESA that are similar to those who are covered by the legislation.

Occupational Health and Safety Act, 1990

The *Occupational Health and Safety Act* (OHSA) gives Ontarians with the legal framework and tools to achieve the goal of a healthy and safe workplace. It sets out the rights and duties of all parties in the workplace. It establishes procedures for dealing

with workplace hazards and it provides for enforcement of the law where compliance has not been achieved voluntarily by workplace parties.

Under the OHS Act, employers are required to post the Act and any explanatory material prepared by the Ministry, which includes a poster, in the workplace. The poster must be displayed in English and the majority language of the workplace. The poster can be downloaded from the Ministry of Labour's website at:

<http://www.labour.gov.on.ca/english/hs/pubs/posterinfo.php>

Accessibility for Ontarians with Disabilities Act (AODA), 2005

The Act lays the framework for the development of province-wide mandatory standards on accessibility in all areas of daily life. Ontario now has accessibility standards in place in five areas: customer service, employment, information and communications, transportation, and design of public spaces.

More information about the Act, and our obligations for compliance, can be found at http://www.mcsc.gov.on.ca/en/mcsc/programs/accessibility/understanding_accessibility/

Pay Equity Act, 1990

The *Pay Equity Act* ensures that women and men receive equal pay for performing jobs that may be very different but are of equal value.

The *Employment Standards Act*, on the other hand, has provisions that ensure women and men receive equal pay for performing substantially the same job.

Workplace Safety and Insurance Act, 1997

The *Workplace Safety and Insurance Act (WSIA)* provides the Workplace Safety and Insurance Board (WSIB) with its mandate to:

- promote health and safety in the workplace;
- facilitate return-to-work and recovery from workplace injury or illness;
- facilitate the re-entry into the labour market for injured workers and the spouses of deceased workers;
- provide compensation and other benefits to workers and the survivors of deceased workers; and
- collect premiums to fund Ontario's workplace safety and insurance system.

The WSIA includes a number of regulations that provide detailed rules, restrictions or instructions for specific issues related to the WSIA. The Workplace Safety and Insurance Board's website at www.Benefitsbenefits.on.ca gives detailed guidance for employers and workers on their responsibilities, which include registering an organization, preventing injuries and illnesses, reporting a workplace-related injury immediately, and managing a claim.

Ontario Human Rights Code, 1990

The Ontario Human Rights Code provides every Ontarian with the right to equal treatment, free from discrimination and harassment, in employment, accommodation, goods, services, facilities, contracts and membership in vocational associations.

The Code prohibits discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex (including pregnancy and gender identity), sexual orientation, disability, age (18 and over, 16 and over in accommodation), marital status (including same sex partners), family status, receipt of public assistance (in accommodation) and record of offences (in employment).

Canadian Charter of Rights and Freedoms, 1982

The Charter is founded on the rule of law and entrenches in the Constitution of Canada the rights and freedoms Canadians believe are necessary in a free and democratic society. It recognizes primary fundamental freedoms (e.g. freedom of expression and of association), democratic rights (e.g. the right to vote), mobility rights (e.g. the right to live anywhere in Canada), legal rights (e.g. the right to life, liberty and security of the person) and equality rights, and recognizes the multicultural heritage of Canadians. It also protects official language and minority language education rights. In addition, the provisions of section 25 guarantee the rights of the Aboriginal peoples of Canada.

Appendix C: Organization Chart
 First Unitarian Congregation of Toronto
 At May 2014

