



CONDITIONS OF EMPLOYMENT

MUNICIPALITY OF NORTH NORFOLK

BY-LAW NO. 6/2015

BEING A BY-LAW OF THE MUNICIPALITY OF NORTH NORFOLK PROVIDING FOR THE CLASSIFICATION, CONDITIONS AND BENEFITS OF THE OFFICERS AND EMPLOYEES OF THE MUNICIPALITY OF NORTH NORFOLK

WHEREAS Section 231 (a) and (b) of the Municipal Act provides in part as follows:

- 231 The power given to a council under this Division to pass by-laws is stated in general terms
- (a) to give broad authority to the council and to respect its right to govern the municipality in whatever way the council considers appropriate, within the jurisdiction given to it under this and other Acts; and
 - (b) to enhance the ability of the council to respond to present and future issues in the municipality.

AND WHEREAS the Council of the Municipality of North Norfolk deems it necessary to pass a by-law respecting duties and conditions of employment for employees;

NOW THEREFORE BE IT AND IT IS HEREBY ENACTED as a by-law of the Municipality of North Norfolk in Council duly assembled as follows:

- 1) **THAT** Schedule "A" attached hereto and forming part of this by-law is hereby ratified.
- 2) **THAT** R.M. of North Norfolk By-Law No. 801/13 and Town of MacGregor By-Law No. 783/13 and amendments be hereby rescinded.

DONE AND PASSED in open Council assembled at the Municipal Office, 27 Hampton Street East, MacGregor, in the Province of Manitoba this 11, day of June, A.D. 2015.

"original signed by Neil Christoffersen"

Mayor

"original signed by Valorie Unrau"

Chief Administrative Officer

Read a first time this 13th day of May, A.D. 2015.

Read a second time this 11th day of June, A.D. 2015.

Read a third time this 11th day of June, A.D. 2015.

MUNICIPALITY OF NORTH NORFOLK

BY-LAW NO. 6/2015 SCHEDULE "A" – Resolution #294/2021

HOURS OF WORK - ARTICLE 1

1:01 Office Administration Employees

The normal work week for office administration employees shall consist of five (5) consecutive days, Monday to Friday inclusive. The office shall be kept open from 8:30 A.M. to 12 o'clock noon and from 1:00 P.M. to 4:30 P.M. each of the above days. In addition, the Chief Administrative Officer shall work the necessary time for meetings as scheduled by Council.

1:02 In addition, office administration employees other than the Chief Administrative Officer may be required to attend regular or special meetings of the Council. No overtime will be paid, although time off in lieu of overtime pay shall be granted equal to the overtime hours worked, at the regular overtime rate, to be taken at such time as approved.

1:03 Public Works/Outside Municipal Employees

a) Equipment Operators

From May 1 to November 30, (summer hours), depending on the weather and at the discretion of Operations Manager, the work hours for (gravel truck/grader/pay scraper), also called outside municipal employees, shall:

- be from 7:00 a.m. to 4:30 p.m., Monday to Friday inclusive,
- include a daily unpaid one-half hour lunch break, and
- be to a maximum of **50** hours per week.

From December 1 to April 30, (winter hours) outside municipal employees will, depending on the weather and at the discretion of Operations Manager work:

- 40 hours per week.
- 8 a.m. to 4:30 p.m. with an unpaid ½ hour lunch break;

Overtime will be paid at a rate of 1½ to equipment operators:

- after 10 hours per day, Monday to Friday, during summer hours,
- after 8 hours per day Monday to Friday, during winter hours.

Except in emergencies, the Operations Manager, CAO, Mayor or a Councillor of the Municipality must approve, in advance, any hours worked in excess of the established working day or week. In the event that the operators are called out on Saturday or Sunday or a statutory holiday, this shall be considered overtime and the employee will be compensated at the overtime rate.

Any change to the start and finish times set out in section 1:03 must be approved by council resolution.

b) Other Public Works Employees

- Regular hours of work are 8:00 a.m. to 4:30 p.m., with ½ hr. unpaid lunch break;
- Monday to Friday, 40 hours/week: January – December;
- Overtime will only be paid for snow clearing duties for urban centres if authorized by the CAO or Operations Manager according to the snow clearing policy. i.e. Austin/MacGregor Public Works. It is noted that time off for snow clearing should be taken in lieu of overtime payout (i.e. start early, leave early after 8 hours if possible.)

c) Utility Operators (MacGregor, Austin and Regional Water Employees)

- will work from 8:00 a.m. to 4:30 p.m. Monday to Friday with a half hour for lunch, for a total of 40 hours/week.
- All utility public works employees shall work in co-operation to check and maintain the water treatment plants on a rotation basis for weekends. The individual who is required to work on Saturday or Sunday shall be deemed to be on call, and shall, in the event of an emergency situation, carry out duties and/or responsibilities of all positions in order to rectify all emergency situations.
- The public works shall receive 1 ½ time off in lieu of pay for the overtime acquired when performing on call utility duties, to be taken at a time mutually agreed upon; based on a 3-hour minimum call out. (Generally, 1 day off per weekend worked). It is recommended that this time be used within two weeks.
This banked time should not exceed forty hours (40) and must be noted on their timesheet and reported regularly to the CAO.
- Overtime hours related to water/sewer breaks shall be paid out at the overtime rate and not banked.
- Overtime hours shall be pre-approved by the Operations Manager.
- A utility employee classified as on call must remain within 30 minutes of the municipality.

1:04 Other Full Time Employees

- a) Landfill Attendants
Will be under the supervision and direction of the Operations Manager
- will work from 8:45 a.m. to 5:15 p.m. Tuesday to Saturday with a ½ hour unpaid lunch break.
 - Overtime is recorded after 8 hours per day at 1½ time off in lieu of pay for the overtime acquired, to be taken at a time mutually agreed upon.
 - All overtime must be authorized by the Operations Manager or CAO;
- b) Weed Department- may or may not be a full time position;
- All employees will work under the Operations Manager
 - may work up to 50 hours per week during the active spray season (under direction of the Operations Manager) (May – Sept), depending on weather and spray conditions in order to fulfill the requirements of the job. Regular hours are from 7:00 a.m. to 4:30 p.m. Monday to Friday; ½ hour unpaid lunch.
 - Overtime is only calculated after 10 hours per day and banked to be taken during the off season or on inclement weather days when not suitable for spraying. Any utility work performed must be scheduled in the regular daily hours.
 - From October 1 – April 30th, regular hours will be from 8:00 a.m. to 4:30 p.m. with a ½ hour unpaid lunch. – these hours will be to fulfill other duties as assigned by the Operations Manager under Public Works duties;
- c) Other Weed Department seasonal employees including summer student)
- will work up to 40 hours per week, from 8:00 a.m. to 4:30 p.m. depending on weather and spray conditions in order to fulfill the requirements of the job. ½ hour unpaid lunch; If needed an earlier start time will be required to fulfill the requirements of the job.
 - Obtaining certification is expected for performing spraying;
- d) Recreation Director
- Regular office hours are 9 a.m. - 5:30 with unpaid ½ hour for lunch
 - is required to have regular office hours to correspond with the municipal office hours. Some flexibility will be allowed as evening meetings and weekend work will be expected.
 - The recreation director will work 80 hours per pay period before any overtime is calculated. Any overtime must be authorized by the CAO and regularly reported to the CAO.
 - Time off in lieu of overtime pay shall be granted for approved overtime hours worked, at the overtime rate. The authorized overtime hours may be banked up to a maximum of 20 hours.
 - is required to keep the office informed of their schedule and its flexibility;
- e) Other Recreation Employees, i.e. Nor Mac Centre & Golf course attendants
- **1/2-hour unpaid lunch break must be taken in accordance with Manitoba Labor**
 - will work 80 hours per pay period before any overtime is granted.
 - time off in lieu of overtime pay shall be granted for approved overtime hours worked, at the overtime rate. These hours may be banked up to a maximum of 20 hours. The Recreation director may authorize how the time is spent between the NorMac Centre & Golf course; (depending on the season). The Golf course board will reimburse the municipality a mutually agreed upon amount in compensation of the golf course attendant (s). *The Golf course board has no jurisdiction over the municipal employee, but may provide input through a liaison to the Recreation Director.*

1:05 Seasonal Equipment Operator Employees

Shall work Monday to Friday inclusive, with an unpaid one-half hour lunch break, to a maximum of 50 hours worked per week.

- Road/gravel seasonal employees shall be from 7:00 a.m. to 4:30 p.m.
- Truck drivers may work up to 12 hours per day (i.e. 6:00 a.m. to 6:00 p.m.)
- Seasonal start dates and finish dates at the discretion of the Operations Manager, with no prior notice (Heavy Duty Construction Labor Standards)

Seasonal Equipment Operators employees will be paid overtime after 10 hours per day, in accordance with the requirements of The Construction Industry Wages Act and The Employment Standards Code. Except in emergencies, the Operations Manager or CAO of the Municipality must approve, in advance, any hours worked in excess of the established working day or week.

1:06 Professional Attendances

All employees shall be permitted to be absent during working days to attend approved professional meetings in accordance with The Municipal Act and to attend to such outside

professional duties in the municipal field as approved by Council and will be fully compensated service time, and such time shall not be considered vacation time. The Municipality will reimburse all reasonable expenses incurred as a result of attendance at such approved professional meetings.

PROBATIONARY PERIOD – ARTICLE 2

- 2:01** The first six months of employment of any office administration or outside municipal employee, and the greater of one season or six months in the case of a seasonal employee, shall be probationary. During this period, CAO may terminate the employee's employment with the Municipality with or without notice or pay in lieu of notice as CAO may in its absolute discretion decide, subject to any requirements of The Employment Standards Code and The Construction Industry Wages Act.
- 2:02** Upon successful completion of the probationary period, the employee shall become a permanent employee of the Municipality.

VACATIONS - ARTICLE 3

- 3:01** Vacations with pay shall be granted to full time office administration and other municipal employees as follows:
- a) After one (1) year continuous service: ten (10) working days.
 - b) After four (4) years continuous service: fifteen (15) working days.
 - c) After ten (10) years continuous service: twenty (20) working days.
 - d) After eighteen (18) years continuous service: twenty-five (25) working days.
 - e) Equipment Operator Municipal Employees may take up to two (2) weeks or 10 working days in between May 1st and October 31st at 9 hours per day. The balance of annual vacation must be taken between November 1st and April 30th at 8 hours per day, as approved in advance.
 - f) The Chief Administrative Officer will be granted (5) five days off per year over and above his/her regular vacation time earned in lieu of overtime hours for attending meetings.
- 3:02** Any casual employee, or office administration or outside municipal employee leaving the service before qualifying under 3:01a shall be paid 4% of gross earnings (exclusive of overtime) for the time worked in that particular period, and any employee leaving the service before completing a year of continuous service as set out in 3:01a shall receive a payout of their accumulated vacation to date. Payment will be made to the employee at his/her standard rate of pay.
- 3:03** Vacation days should be used in the year earned and should not be carried over to the following year. Exception to this clause may be granted at the discretion of the CAO.
In the event that the vacation time was not used by the end of the year following the year it was earned, it may be paid out within the requirements of The Employment Standards Code.
- 3:04** Seasonal employees shall earn and be paid vacation pay in accordance with the requirements of The Employment Standards Code and The Construction Industry Wages Act. They are not eligible to take vacation days off.
- 3:05** All employees must complete the absent from work request form and submit it in advance of the date upon which vacation time will commence to The Chief Administrative Officer for approval.
- 3:06** Vacations shall be arranged according to workload.

STATUTORY HOLIDAYS - ARTICLE 4

- 4:01** The following shall be granted as paid holidays for office administration and outside municipal employees:
- a) New Year's Day
 - b) Louis Riel Day
 - c) Good Friday
 - d) Easter Monday
 - e) Victoria Day
 - f) Canada Day
 - g) Civic Holiday
 - h) Labor Day
 - h) Truth & Reconciliation Day
 - i) Thanksgiving Day
 - j) Remembrance Day
 - k) Christmas Day
 - l) Boxing Day

and any such other holidays as may be proclaimed by Civic, Provincial and Federal Governments.

- 4:02** With the exception of Remembrance Day and Truth & Reconciliation Day and unless otherwise approved by Council, if any of the above holidays falls on a
- a) Saturday, office administration and outside municipal employees may take the day before off.
 - b) Sunday, office administration and outside municipal employees may take the day after off.
 - c) day other than a Saturday or Sunday and is an office administration or outside municipal employee's regular day off, that employee shall receive another day off, such time to be taken within forty (40) days.
- 4:03** Employees who are required to work on any of the above holidays shall be paid overtime rates for all hours worked.
- 4:04** If a holiday occurs during an employee's annual vacation, an extra day's vacation shall be added to the employee's vacation.
- 4:05** Seasonal employees will receive statutory holiday pay or time off in lieu in accordance with the requirements of The Employment Standards Code.

PENSION AND INSURANCE BENEFITS - ARTICLE 5

A) Office Administration and Outside Municipal Employees

- 5:01** Pension Plan -
An employee shall become a member of the Municipal Employees Pension Plan after successfully completing the six (6) month probationary period. Contributions to the Plan by the employee and the Municipality shall be as set out in the applicable municipal by-law.
- 5:02** Long Term Disability Program -
All employees shall participate in the Disability Part of the Municipal Employees Pension Plan successfully completing the six (6) month probationary period. Contributions to the Plan are established in the applicable municipal by-law.
- 5:03** Group Insurance -
An employee shall become a member of the Municipal Employees Group Insurance Plan after successfully completing the six (6) month probationary period.
- 5:04** Health & Dental Plan III -
After completing three (3) months of permanent employment, an employee will be offered the Health & Dental Plan III as provided by Western Financial Inc. The Municipality will pay 75% and the employee will pay 25% of the total premium costs of said plan.
- 5:05** An employee who is on lay-off and is enrolled in the Health and Dental Plan III at the time of lay-off is responsible for payment of 100% of the total cost of premiums for the duration of the lay-off.
- 5:06** All full-time, permanent employees, including fire fighters, will be eligible for Family Services Employee Assistance Program offered through the Municipal Employees Benefits Program. The Municipality will pay 100% of the premium costs.

B) Seasonal Employees

- 5:06** Pension Plan-
A seasonal employee who earns more than ¼ of the yearly Canada Pension Plan earnings (including overtime) in two consecutive years shall join the Municipal Employees Pension Plan on the first day of the first pay period commencing in the month after the month in the second consecutive year in which earnings exceed ¼ of the yearly Canada Pension earnings.
- 5:07** Long Term Disability Programs-
A seasonal employee who joins the pension plan automatically joins the Disability Income Plan on the same date unless "not actively at work" throughout the week immediately prior to that date.
- 5:08** Group Insurance-
A seasonal employee who joins the Pension Plan automatically joins the Group Insurance Plan on the same date unless "not actively at work" throughout the three-week period immediately prior to that date.
- 5:09** Health & Dental Plan III (Blue Cross)-
Seasonal employees are not eligible for the Health and Dental Plan.

SICK LEAVE - ARTICLE 6

- 6:01** The Municipality will grant sick leave to all permanent employees after completing 6-month probationary period, except seasonal employees, as follows:
- a) At the rate of one and one half (1 1/2) days for each complete month worked.
 - b) Sick leave may be accumulated to a maximum of one hundred (100) working days.

Seasonal employees are not eligible for sick leave.

- 6:02** Sick leave shall be defined as a period of time when an employee is permitted to be absent from work with full pay by virtue of being sick or being disabled by an accident for which compensation is not payable under the Workers Compensation Act.
- 6:03** The Municipality may require an employee to produce a certificate from a duly qualified Medical Practitioner for any absence due to illness of three (3) working days or less, certifying that such employee is unable to carry out his duties due to illness. An employee must produce a certificate from a duly qualified Medical Practitioner for any absence due to illness exceeding three (3) working days.
- 6:04** Employees who are absent from work, must notify the department head and supervising officer of the reason, as soon as possible (before requesting the time off). A form must be completed for all work absences.

BEREAVEMENT LEAVE - ARTICLE 7

- 7:01** The Municipality will grant paid bereavement leave to all permanent employees, except seasonal employees, as follows:
- a) up to five (5) working days in the event of the death of the employee's spouse, child or parent;
 - b) up to two (2) working days in the event of the death of the employee's sibling, parent-in-law, sibling-in-law, grandparent or grandchild;
 - c) up to one (1) working day in the event of the death of a co-worker.

Seasonal employees are not eligible for bereavement leave.

- 7:02** Other bereavement leave may be granted with or without pay, or taken as a holiday on authorization and discretion of the Mayor or Chief Administrative Officer.

DISMISSAL AND LAYOFF PROCEDURES - ARTICLE 8

- 8:01** Subject to Article 2:01, the Municipality may at any time dismiss an employee without notice or pay in lieu of notice for just cause including but not limited to:
- a) Willful misconduct, or insubordination, or remaining absent from work without cause;
 - b) being under the influence of liquor and/or illegal or legal, mind-altering drugs or being in possession of liquor and/or illegal or legal, mind-altering drugs while on the job;
 - c) theft of municipal property; and
 - d) willful damage, related to municipal property.
- 8:02** The employee shall be provided with written reasons for their dismissal within forty-eight (48) hours.

WORK PERFORMANCE AND ATTITUDE - ARTICLE 9

- 9:01** All employees are expected to show care and economy in the use of the Municipality's supplies and equipment.
- 9:02** The Municipality's employees are public servants and as such should be very conscious of the importance of their relationship with the public.
- 9:03** Methods of improving the service and efficiency are constantly being sought and the Municipality welcomes suggestions from any employee.
- 9:04** An annual evaluation may be taken of all employees of the Municipality in October of each year. The CAO and Operations Manager (if applicable) will review with the employee;

RESIGNATION - ARTICLE 10

- 10:01** Any employee who wishes to terminate his/her employment with the Municipality must provide the CAO fourteen (14) days written notice.

PROFESSIONAL DEVELOPMENT TRAINING - ARTICLE 11

- 11:01** All employees are encouraged to enroll in professional development courses or training that may enhance their skills and ability on the job. With the prior approval of Council, employees who successfully complete a relevant professional course or training will be reimbursed their tuition and book costs.

WORKPLACE HEALTH & SAFETY TRAINING – ARTICLE 12

- 12:01** All employees will be expected to work towards a safe and respectful work environment for all staff and the public. Employees are responsible to treat each other with respect. No one may be harassed and no one has the right to harass anyone else at work or in any situation related to this employment. Harassment may be in any type of inappropriate conduct about a person's age, race, creed, religion, sex, sexual orientation, marital status, family status, economic status, political belief, association or activity, disability, size, weight, physical appearance, nationality, ancestry or place of origin. Harassment also can be referred to as bullying behavior that may involve repeated humiliation or intimidation.
- 12:02** All employees are expected to cooperate with the safety manager to ensure a safe and healthy workplace. It is the employee's responsibility to ensure that they are familiar with the Workplace Safety Policy handbook.
- 12:03** All employees are expected to participate in and attend any First Aid and safety training courses as provided by the municipality.
- 12:04** All public works and outside municipal employees will be allowed, in each calendar year, an allotment of \$150.00 towards the purchase of CSA approved safety wear. This amount may be banked up to two years, to a maximum of \$300.00. Purchases must be approved by the Operations Manager, and a receipt must be presented in order to receive reimbursement. All public works and outside municipal employees will be expected to wear CSA approved safety clothing.