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HUMAN RESOURCE MANAGEMENT

PROCEDURES HANDBOOK FOR HUMAN RESOURCES

1.0 THIS DOCUMENT IS DESIGNED TO:

- Provide an enabling set of standards to guide Administrators and Department Managers in making decisions about managing the people in their organizations;
- Provide Administrators and Department Managers with a principle-based approach to managing people; and
- Guide the Human Resources Department in advising Administrators and Department Managers.

1.1 PRINCIPLES OF HUMAN RESOURCE MANAGEMENT

The principles of human resource management, derived from management philosophy, organizational values and legislation, are guides that enable Administrators and Department Managers to exercise judgment in various day-to-day situations.

Human resource management includes broad managerial functions related to directing organizations: human resource planning, organization design and development, employment diversity and equity. It also includes functions related to managing employees, such as staffing, job classification and evaluation, compensation, labour relations and training.

1.2 VISION

To promote a highly effective, professionally competent, respectful, responsive and relevant educational services within The Red River Valley School Division that reflects the needs and diversity of its students.

1.3 MISSION

To provide direction to the Administration, related to the implementation of human resource strategies, policies and support services that meet the needs of The Red River Valley School Division and anticipate the demands of a dynamic and constantly changing environment.

The Human Resources Department provides its services in a pro-active manner and strives to recruit and maintain a competent workforce, to foster and promote good labour/management relationships, to respond to management's needs through delivery of relevant and current Human Resources programs and services, to provide timely management information reports and to provide ongoing consultation services.

1.4 MAIN FUNCTIONS AND ACTIVITIES OF HUMAN RESOURCES

- To develop and apply human resource management programs, including leadership, co-ordination and support to the Administrators and Department Managers who are essential to that effectiveness;
- To ensure human resources are managed in a manner consistent with approved policies and practices;
- To provide a comprehensive range of human resource services in the areas of staff recruitment and selection, labour relations and policy and collective agreement interpretation in the human resource areas;
- To take a lead role in human resource program development;
- To provide advice and consultation to the Superintendent & CEO, Administrators and Department Managers on emerging human resource management issues and problems;
- To assist with labour relations' services by investigating complaints, such as allegations of employee misconduct, and providing consultation to Administrators and Department Managers and employees concerning appropriate disposition, so that effective labour management relationships are achieved and maintained; and
- To assist the Superintendent & CEO and/or Secretary Treasurer in gathering data and preparing briefs when representing the employer at arbitration, appeal and Labour Board hearings.

The Department functions in accordance with the ethics of the human resources professional as defined by the human resource management/personnel professional associations and ensures human resource services provided are consistent with human resource management principles.

1.5 PHILOSOPHY OF HUMAN RESOURCE MANAGEMENT

The management philosophy is based on the following concepts:

1. People are the most valued asset in The Red River Valley School Division. Division employees are managed with diligence and respect. Division Administrators and Department Managers must demonstrate an honest commitment to encouraging their employees to realize their potential.
2. Effective administration / management creates a goal-oriented atmosphere resulting in excellent service to students and the public. Administrators and Department Managers work efficiently and effectively with their employees to achieve goal-oriented results.
3. Each Administrator and Department Manager's outlook must go beyond the boundaries of their specific areas of responsibilities, in order to align their efforts with the broader Division objectives.
4. Administrators and Department Managers are change agents, striving to make improvements, and managing the process of change.
5. Human resource planning is an important element of strategic planning, resource allocation and operational planning.

2.0 LEGISLATIVE FRAMEWORK

2.1 Legislation which impacts on human resource management includes:

- *The Canadian Charter Of Rights And Freedoms*, which guarantees freedom of expression, freedom from discrimination, and equality and mobility rights;
- *The Manitoba Human Rights Code*, which “prohibits discrimination on matters relating to employment, based on group characteristics such as ancestry, nationality, ethnic origin, religion, sex, pregnancy, and other gender determined characteristics, sexual orientation, marital or family status, source of income, political belief, and physical or mental disability” (www.gov.mb.ca/hrc). It explicitly allows for Employment Equity programs;
- *The Employment Standards Code*, which sets out minimum standards for working conditions for employees, and promotes fairness in the workplace;
- *The Labour Relations Act*, which promotes fair labour practices;
- *The Personal Investigations Act*, which establishes requirements for consent and disclosure in investigations related to employment;
- *The Personal Health Information Act* (PHIA) which provides individuals with the right to access to their personal health information and the right to have their personal health information kept private and held in the strictest confidence by those who maintain it;
- *The Freedom Of Information And Protection Of Privacy Act*, (FIPPA) which provides individuals with rights to access information, and the protection of privacy;
- *The Workers’ Compensation Act*; and
- *The Workplace Safety And Health Act*.

Specific to Education, the following legislation also impacts human resource management:

- *The Public Schools Act*; and
- *The Education Administration Act*.

2.2 Collective Agreements

Employees who are employed under the terms of a Teacher Contract are governed by the current collective agreement which outlines the terms and conditions of employment. Collective agreements are legal contracts and must be adhered to by both parties to the contract. Where conflict occurs between the collective agreement and a Division policy, the collective agreement shall supercede the policy.

3.0 SCOPE AND APPLICATION

3.1 Scope

The procedures contained in this document apply to all Schools and departments of The Red River Valley School Division. Schools or Departments may implement supplementary school policies if necessary. Actions which are contrary to Divisional human resources procedures *must* be sanctioned by the Superintendent & CEO.

3.2 Application

All Administrators and Department Managers are responsible for applying the contents of this document to their site/department. If Administrators and Department Managers need additional guidance, the Superintendent & CEO or the Human Resources Department will provide expertise and interpretation. The Superintendent & CEO with the assistance of the Human Resources Department will ensure that each school and department is applying Divisional policy, protocol and procedure appropriately, under their delegated authorities.

3.3 Employee Files

1. Employee files shall be administered in a security conscious manner, and maintained in locked cabinets, in a secure location, in the administration office.
2. Only “authorized personnel” shall have access to employee files. The Superintendent & CEO shall designate the names of the personnel who shall have access to employee records.
3. Employee files shall be administered and maintained in a manner that is in compliance with applicable privacy protection and human rights legislation.
4. Schools and operating departments may maintain duplicate employee files on site for their own administrative requirements. Duplicate employee files shall be administered in a manner that mirrors the security requirements of the “official” files; (i.e., with authorized access only, and in compliance with applicable legislation).

For reasons of security and privacy protection, schools and operating departments shall not have access to employee files, other than those employees directly under their administration, in their own school or department.

4.0 EMPLOYMENT EQUITY

The Red River Valley School Division is committed to employment equity that achieves a workforce that is representative of the citizens it serves at all levels of the organization, including women, Aboriginal persons, persons with disabilities, and members of visible minorities. Employment equity seeks to remove discriminatory barriers and ensures equality of treatment of all employees within the Division. A Division that reflects the public it serves is better able to design and deliver relevant, effective and responsible services.

4.1 Accountability For Employment Equity

Senior Administrators, Department Managers, Supervisors, and School Administrators are responsible for ensuring employment equity. Employment equity is a factor in all staffing actions. Each appointment is an opportunity to carefully examine a prospective employee's qualifications in terms of the organization's needs at the time of hire.

4.2 Employment Equity and French Language Services

Employment Equity and French Language Services are both important and are not mutually exclusive. French Language services and Employment Equity both reflect the Division's commitment to serve the diverse student body that make up the Division's population. Positions requiring competency in the French language should be designated as "bilingual", which is an essential criteria for recruitment purposes for such positions.

5.0 STAFFING PRINCIPLES

As the success of any organization depends on its people, the Division is committed to hiring the employees or contract workers who are best suited for the job to be performed, and to help it to achieve its mission and goals.

5.1 Public Interest In Staffing

The needs of the public include effective education and student services, cost effectiveness, representation and access to employment opportunities.

The public interest is served when the Division is able to enlist the services of qualified people who are best suited to help it accomplish its goals.

The public interest is served when hiring decisions are based on merit, fairness and equity, and are free of nepotism, favouritism and bias.

The public interest is served when the needs of the Division and its employees are in harmony.

5.2 Employee Interest In Staffing

Employees must be comfortable in the knowledge that they can pursue a career with the Division, and that their employer is committed to supporting them in their efforts to realize their goals. Employee interests are achieved through our commitment as their employer to principles of merit, fairness and equity.

5.3 Principles Of Merit, Fairness and Equity

Merit refers to hiring individuals who offer the closest possible match between the needs of the organization and the position being filled, and the knowledge, skills, abilities, experience and personal attributes of the candidate selected.

Fairness refers to a staffing process that is unbiased, impartial, just and honest and that treats all applicants consistently.

Equity refers to the collective results of our staffing actions: a workforce that is representative of the Division's needs and the population it serves; the treatment of all employees equally. The concept of equity has evolved from "treating everyone the same" to "accommodating differences".

5.4 Accountability For Ensuring These Principles Are Upheld

In general, anyone who makes or participates in a staffing decision is responsible for upholding these principles. In particular the Superintendent & CEO, through Senior Administrators, Department Managers, Supervisors, or School Administrators is ultimately accountable for ensuring that these principles are upheld.

5.5 Accountability For Ensuring Legal Obligations Are Met

The Superintendent & CEO, through Senior Administrators, Department Managers / Supervisors, or School Administrators, are responsible for ensuring all employer obligations under legislation, policy and collective agreements are met.

6.0 EMPLOYMENT CATEGORIES

- **Permanent Employee** - carries out and occupies a continuing function and has all the rights and privileges of permanent status. Includes full and part-time functions.
- **Term Employee** – an employee who is employed for an assignment on a temporary basis: maternity leave, sick leave or sabbatical leave replacement; substitute teacher, etc. The expiry date of a term appointment should be clearly communicated to the term employee. Term employment is an appropriate staffing option when the work may not be on-going. Options include:
 - filling a term FTE for a specific period of time
 - filling a regular position with a term employee
 - hiring project employees
- **Ten Month Employee** - an employee who carries out and occupies a continuing function but is subject to lay-off during periods when school is suspended (Winter Break; Spring Break; Summer Break). Administrators or Department Managers, using written notification, may recall employees in this category upon resumption of school activities.
- **Casual Employee** – a temporary or term employee who is called to work only as, if and when needed.
- **Fee-for-Service Employee** – the employment of a person on a contract basis, normally when:
 - special knowledge or expertise is required but not available within the Division.
 - the work is of a one-time, non-recurring nature
 - objectivity is of particular importance

7.0 STAFF RECRUITMENT AND RETENTION

The Division will:

- Whenever possible employ competitive appointments in the filling of positions;
- Hire the people who are best suited to perform the work to be accomplished; using competitions to determine merit when two or more candidates have expressed an interest in applying for a position;
- Take such action and measures as necessary to inform the public of opportunities for employment in the Division in order to attract well-qualified people as candidates for appointments.

7.1 Definition Of Competitive Appointment

A competitive appointment entails the examination of two or more candidates for a position which results in the selection of one of the candidates.

A competitive appointment is by its nature more transparent and therefore is perceived by employees and the general public to be fair.

7.2 Types Of Competitions

Competitions for positions will be conducted by an interview / selection committee comprised of members as outlined in Staffing Policy H.9.

Internal Competition

Vacancies within the Division will be posted internally before being opened to the general public. These competitions are considered closed to all but existing Divisional employees (including term and casual employees) until such time as they are advertised externally. There will be occasions when this procedure is waived (with Superintendent & CEO approval) and positions will be advertised externally at the outset.

Open Competition

Competitions will be open to the general public after it is determined that the processes of internal competition (which may or may not include staff transfer) failed to yield a candidate who satisfactorily met the requirements of the position.

8.0 STAFF RECRUITMENT PROCEDURES

8.1 Procedures

A. Review The Position to Determine if it is Still Relevant And Necessary

Before commencing the recruiting process, it is important to examine the position to determine if it is still needed (still serving a relevant and necessary purpose). Sometimes jobs become obsolete or there may be other ways to accomplish the same results without hiring another person. Sometimes we have to become more creative in ways to achieve the same results with less people, to affect cost savings. When someone leaves, we need to make sure that hiring a replacement is a good decision.

B. Obtain permission from either the Superintendent & CEO or the Assistant Superintendent.

As the Superintendent & CEO is the hiring authority for all positions in the School Division within the budget allotted for staffing by the Board, it is important that the Superintendent's Department remain aware of where and when hiring is taking place. In order to comply with this procedure an email or written request is required to inform the Superintendent's Department of an Administrator's or Department Manager's intention to begin recruiting.

C. Create a Competition File

A competition file should consist of the following information:

- list of selection criteria
- screening criteria
- job posting and advertising material
- all applications received, including resumes and letters
- list of selection board/committee members
- list of interview questions and answer notes
- documented notes of verbal offer, date, and reply from candidate
- copy of formal letter of offer
- all correspondence including e-mails, relating to the competition, including replies to unsuccessful candidates

Competition files must be maintained for a period of two (2) years. Un-solicited resumes must be maintained for a period of only one (1) year.

D. Submit Job Postings Or Advertisements

Job postings for all positions shall be processed by the Human Resources Department of the Division.

- Media advertising for Educational Assistants, School Secretaries and Library personnel are the responsibility of the school.
- All other Media advertising is the responsibility of the Human Resources Department.

1. Postings or advertisements will be drafted at the school or department level following approval from the Superintendent's Department to hire.
2. Postings or advertisements will subsequently be e-mailed by the Human Resources Department to all schools within the Division for posting at each location.
3. Media Ads must reach the Administration Office by 9:00 a.m. Thursday to meet the deadline for placement in the appropriate Saturday paper.
4. Job postings or advertisements must indicate the closing date for receipt of applications (i.e. "Applications will be received until 5:00 p.m. Friday.")
5. Positions being advertised will be posted on the website and placed in applicable newspapers identified by the Superintendent & CEO.

9.0 PROCESSING APPLICATIONS

Individuals seeking employment with the Division must complete and sign a Division Application For Employment. Resumes will be accepted along with a signed application form.

9.1 Procedures And Guidelines

A. Applications

1. Applications being submitted in response to advertised positions must indicate the title of the position being applied for.
2. Applications must be completed and signed in the space provided, to certify that:

“the information furnished in connection with this application for employment is correct and true to the best of my knowledge, and I understand that the giving of false, misleading or incomplete information may constitute just cause for dismissal”... (plus include for teachers / contract employees...) “and my employment contract declared null and void.”

3. A **standard reference consent** statement is:

“I expressly consent to The Red River Valley School Division verifying any information supplied by me in this application for the purpose of obtaining any other information pertaining to my suitability for employment, The Red River Valley School Division may contact any person or persons (not including my present employer) unless otherwise noted in this application.”

4. Where only a resume has been accepted the applicant must sign the above declarations if invited for an interview.

10.0 STAFF SELECTION PRINCIPLES AND PROCEDURES

The Division is committed to hiring the people who are best suited to help it achieve its mission and goals.

10.1 Who is Legally Entitled To Work?

All Canadian citizens are legally entitled to work in Canada, as well as persons who are from another country but are permanent residents. It is illegal to hire foreign workers who are not authorized to work in Canada.

Should a potential employee's eligibility be in doubt, human resources will ensure a candidate is legally entitled to work in Canada. If a candidate's Social Insurance Number begins with a "9", the person is not a permanent resident unless the person can produce a current "Minister's Permit" indicating permission to work and a current Employment authorization.

- **Permanent Resident** means a person who is not a Canadian Citizen, but has been granted "landing"(i.e. lawful permission to come into Canada to establish permanent residence);
- continues to maintain residency in Canada; and
- has no deportation order currently in effect.

If there are doubts concerning the applicant's eligibility, *Citizenship and Immigration Canada* must be contacted at:

Citizenship and Immigration Canada
Prairie/NWT Region
Johnson Terminal
Room 400 – 25 Forks market Road
Winnipeg, MB, R1C 4S9
Telephone: Winnipeg 983-2043
Outside Winnipeg 1-800-663-9640

10.2 Methods Of Assessing Candidates

The most powerful tool in recruiting is information. Good managers, given good information can make good hiring decisions. The amount of information needed to assess a candidate depends on the nature and importance of the selection criteria. A variety of methods, applied at different stages of recruitment increases the reliability of assessment information used to select the best candidate.

The following assessment methods may be used to evaluate candidates:

- screening
- interviews

- tests
- work samples
- role play
- reference checks
- security checks
- medical examinations for bus drivers (when applicable)

Assessment methods are based on the theory that the best predictor of future performance is past performance in a related situation.

A good assessment method is characterized by:

- standardization – consistent content and administration;
- objectivity – interpreting and scoring answers consistently;
- norms – using scores to compare an individual with the group average;
- reliability – providing consistent measurement; and
- validity – measuring what it is supposed to measure.

10.3 Screening Of Applications

All applications are screened consistently and fairly using screening criteria that are derived from the selection criteria. Only candidates who meet the essential screening criteria are short-listed.

A. Purpose Of Screening

Normally screening is conducted by reading an applicant’s application and resume carefully to determine if the screening criteria are met. It would be inefficient to screen all candidates on all criteria. Accordingly, it makes sense to screen candidates who do not meet essential criteria as soon as possible in the assessment process. The result of screening is a short-list of candidates who meet the essential screening criteria.

Screening criteria are derived from the selection criteria. They reflect the minimum education, training and experience requirements of the position. All short-listed candidates must meet the “essential” criteria. Screening criteria and practices must be based on bona fide (genuine) job qualifications relevant to job performance.

B. Responsibility For Screening

The Administrator or Department Manager, with assistance from the Human Resources Coordinator if requested, is responsible for screening applications. In regards to the interview / selection committee, any member may screen the applications to ensure a balanced perspective.

C. Late Applications

Since it is in the public interest to select the most suitable person for employment, it may be inappropriate to screen out an application solely because it was received after the closing date. Late applications may be considered up to the point of screening, particularly if the competition yielded a low number of applications. However, when an exception is made, all late applications must be given the same consideration.

D. Too Many Applications

In some cases, there may be an unusually large number of applications received from people who meet the initial screening criteria. There are several approaches that can be used for reducing the number of applicants:

- **Tighten screening criteria** – look for more specific education, training, or experience
- **Add screening criteria** – based on qualifications stated as “preferred” or “assets” in the advertisement
- **Conduct a round of screening / preliminary interviews** – following which a short-list will be created. Preliminary interviews conducted by the interview / selection committee, should be brief (15 minutes) with a view to determining which candidates meet the essential criteria. Conducting preliminary interviews is the preferred option because it provides an opportunity to meet and / or talk to the applicants, and may prevent grievances. These interviews may be conducted by telephone or in person.

E. Too Few Applications

The following options help to expand a short list if too few candidates meet the screening criteria:

- Loosen screening criteria (more broad)
- Extend closing date
- Advertise again

The principle of fairness is applied by ensuring all applicants are treated consistently when reducing or expanding the short list.

11.0 USE OF SELECTION CRITERIA FOR STAFFING

Selection criteria shall be used in the staff selection process. Selection criteria represent the standards and requirements of the position that must be met by the candidate. The Selection criteria must be job-related, fair and realistic. They are usually articulated in terms of the knowledge, skills or competencies, abilities, and attributes needed to meet the requirements of the position.

Employment equity may factor into the selection criteria. For example, “fluency in both official languages” or similar requirements may be important considerations in certain positions. Where this is the case, these standards or requirements should be mentioned in the job postings and advertisements. Selection criteria help the interviewers approach staff selection in a systematic and professional manner. Applying job standards or selection criteria increases objectivity in the hiring process and helps the interviewers focus on relevant, job related information that is needed to identify a qualified candidate.

11.1 Developing The Selection Criteria

The process of determining selection criteria should begin by assessing the needs of the position and the organization. Consider such matters as;

- *Purpose* (key responsibilities and objectives)
- *Knowledge required* (and how it is acquired)
- *Skills* (computer skills; supervisory skills; mechanical diagnostic skills)
- *Abilities* (decision making ability; able to work independently)
- *Working relationships* (team player; respects others)
- *Attributes* (positive attitude; good role model; leads by example)
- Major challenges of the position
- The authority the position has for action (use of authority)

11.2 Weighting The Selection Criteria

All selection criteria are not of equal importance; therefore, criteria should be assigned values or weights in proportion to how critical the need or requirement is. An example follows:

3	Critical / Essential	The candidate must meet this criterion, or could not be offered the appointment.
2	Important, but not essential	An important requirement of the position; however, failure to meet it would not be considered a “deficiency”, and in itself, may not preclude an appointment.
1	Desirable asset, but not essential	Possession of this knowledge, skill or attribute is desirable, but the lack of same would have no direct affect on the candidate’s ability to meet the expectations of the position.

12.0 SELECTION INTERVIEWS

12.1 Purpose of the interview

The purpose of the interview is to obtain the information that will enable the recruiters to assess applicants for a position and make a good hiring decision, based on merit. Interview questions must be skillfully designed to test the candidate's knowledge, skills, abilities and attributes in areas defined by the selection criteria. Using this approach is referred to as "interviewing by objectives".

12.2 Guidelines For Interviewing

1. Create an atmosphere of mutual respect and rapport with the candidates to increase chances for a good, open exchange of information.
2. As each candidate is brought in to the interview room, the chairperson should introduce each member of the interview / selection committee and explain their respective roles in the organization (if applicable).
3. The candidate should receive a brief overview of the interview process, how and when they may expect to learn of the interview / selection committee's decision, and that they will have an opportunity to ask questions near the end of the interview. These courtesies should take only a few minutes.
4. Time spent carefully reviewing and asking for verbal confirmation of the applicant's education, training, positions held, work experience, past accomplishments and their reasons for applying for the position can be revealing. The balance of the interview is devoted to obtaining relevant and essential information, using questions based on the selection criteria.
5. The Administrator or Department Manager, with the assistance of the Human Resources Coordinator upon request, must spend the necessary time to properly plan a competition. He / she should develop, in advance of the competition, any or all of the following, as applicable:
 - the selection criteria;
 - the interview questions to test the candidate in the areas defined by the selection criteria;
 - an answer guide for each question, that describes the responses that will indicate that the minimum requirement for each selection criterion is met; and
 - the assessment method to be used for each criterion;
6. To be effective, each member of the interview / selection committee must have a reasonable orientation to, and understanding of the selection criteria, the answer

guide, the assessment methods and rating scales to be used (as applicable). They must also discipline themselves to document good interview notes.

Preparing an answer guide facilitates a fair and consistent evaluation of each candidate, and helps to reduce bias. It also serves as a tool for explaining the results of the competition to candidates. The selection criteria and answer guide form part of the competition record.

7. The challenge in developing an effective interview is to construct interview questions that elicit information at the level required by the position and allow candidates to demonstrate the required knowledge, skills and abilities.

The ideal interview is a structured, behavioural interview. A structured interview is fair because it asks the same questions of all candidates in the same order. Behavioural interviews use questions that guide candidates to provide specific, behavioural-based examples of past performance. The following tips may be helpful in constructing interview questions:

A. Knowledge Criteria

Knowledge is the range of a person's information and understanding of subjects, which is normally gained through study, reading, training and experience. Ask questions that require candidates to show or explain the theory, process or procedure that is required to solve a given problem. Avoid questions which ask a candidate to recall and describe their knowledge or simply to list steps in a procedure, since you want them to demonstrate that they know how to apply their knowledge in practical situations.

B. Skills Criteria

Skill is an accomplished level of expertise or proficiency that is normally acquired through special training, experience and practice. Ask questions that require the candidate to demonstrate how problems are solved, to analyze why an action was taken, or to evaluate the outcome of an action.

C. Abilities Criteria

Ability is having the physical and mental capacity to do something. Use situation & behaviour based questions directly related to the work to assess the candidate's potential to perform various duties.

13.0 GUIDELINES FOR TESTING

All tests must be valid, related to selection criteria, free of bias and written at the reading and writing levels required by the position.

Tests that may be used in staff selection are:

- Skills and knowledge tests (pencil and paper or computerized tests);
- Short answer quizzes for testing technical knowledge where there are universally accepted answers; and/or
- Essay examinations to assess work simulations, broad concepts and writing skills.

13.1 Guidelines For Work Samples

Work samples are work simulations. This method measures a candidate's actual performance of a simulated position duty. It has a high validity for predicting future work performance. Some skills that can be evaluated using work samples are:

- Mechanical and technical skills;
- Computer application skills such as word processing and computer graphics, etc.; and,
- Analytical and decision making skills.

13.2 Guideline For Assessing a Candidate's Past Performance

The quality of a candidate's past performance can be assessed not only through reference checks, but also through a variety of methods at different stages of the staffing process:

In screening, you can assess specific work-related experience and training by ensuring that you ask specific interview questions.

Develop interview questions that:

- Ask candidates to describe their major achievements in various areas to indicate the differences between an average and strong performer;
- Present work related scenarios or incidents and ask them what they would do in that situation; and,
- Ask candidates to describe examples of situations in their past experience where they demonstrated a specific skill in resolving teaching or work-related problems.

14.0 EVALUATION OF THE CANDIDATES

At the conclusion of the interviews, the information received from each candidate through all assessment methods is evaluated vis-à-vis the selection criteria.

14.1 Guidelines

1. Order of Preference for Appointments

Whether in the case of internal or external candidates being considered, the interview / selection committee's mandate is to uphold the division's philosophy of hiring the best candidate for the position, using the selection criteria as one of the main processes in its decision-making.

2. Open Competition

In an open competition that is conducted to hire for a divisional position, the Administrator or Department Manager shall facilitate the hiring process with the interview / selection committee. When required, the Administrator or Department Manager shall make the final recommendation for hiring to the Superintendent & CEO.. Where two candidates appear equal, it is recommended the Administrator or Department Manager ensure that reference checks be conducted on both candidates prior to recommending an appointment (see Reference Checks).

3. Rating And Ranking

The interview / selection committee documents its ratings of each candidate and ranks the candidates in order of merit after considering all assessment information.

4. Determine Ratings by Consensus

To arrive at rating decisions for a candidate, the interview / selection committee reviews all assessment information gathered and decides the degree to which each criterion has been met. Ideally, candidate evaluations should take place as early as possible following their interviews, while information is still fresh in the minds of the interviewers.

Ratings should be documented for the record in a competition file. Under a collective agreement, a candidate's ratings may be subject to disclosure should the selection decision be challenged. Therefore, the interview / selection committee must ensure that the ratings are adequately documented and reflect all assessment information, not only interview assessments. They may also be subject to disclosure under the "Freedom of Information & Protection of Privacy Act".

5. Ranking of Candidates

The interview / selection committee integrates information from all the methods used to assess the candidates to produce ranking considerations (tests, quizzes, work samples, role play, etc.) Using this information, the interview / selection committee first identifies the candidates who have met the requirements for all the “essential” selection criteria. Candidates who meet the essential criteria are given further consideration and those who do not are eliminated. The interview / selection committee then reviews the competitive results of each candidate’s ratings, considers all selection factors, and determines the rank order of merit by consensus.

Note:

1. Rankings can change as a result of reference checks. When reference checks do not corroborate the interview / selection committee’s initial assessment of a candidate, the candidate ranking should be adjusted accordingly.
2. It is necessary to document reference checks, as candidates who are not selected on the basis of information obtained through a reference check may request the results of the reference check.

15.0 INTERVIEW / SELECTION COMMITTEES

The hiring authority rests with the Superintendent & CEO for all positions except those that are the responsibility of the Board. (Policy H. 9)

15.1 Guidelines

Interview / selection committees are to be constructed of at least two (2) members and not more than five (5) members, so as to conduct a fair, complete and competent assessment of the candidates.

15.2 What are the roles and responsibilities of the members of an interview / selection committee?

All members of the interview / selection committee have the following responsibilities:

- To uphold the staffing principles of merit, equity and fairness;
- To conduct competent assessments of the candidates;
- To conduct objective assessments;
- To declare any real or potential conflict of interest and excuse themselves from the selection board if necessary; and
- To maintain and respect confidentiality during the selection process.

15.3 Interview Committees (Policy H.9)

The interview committees for various positions are identified in Policy H.9. For those specific positions, the interview committee will be made up as specified in the Protocol.

In addition to sitting on the interview committee, the Trustee shall be responsible for soliciting opinions and information from parents and parent groups when applicable/necessary.

In addition to sitting on the interview committee, the Superintendent & CEO shall be responsible for soliciting opinions and information from divisional staff when applicable/necessary.

15.4 Interview Committees (for positions not covered by Policy H.9)

For all other positions, the Superintendent & CEO, as the hiring authority (see 15.0) will set the interview / selection committee make-up.

Within the guidelines set by the Superintendent & CEO, where applicable, the School Administrator or Department Manager with the vacancy may be assigned the “lead role” in facilitating the make-up of the interview / selection committee.

The Superintendent & CEO must approve the membership of the interview / selection committee in advance of the interview.

For all positions, the membership of the interview / selection committee will be identified on the “Permission For Employee Appointment or Change in Status” form.

16.0 REFERENCE CHECKS

Reference checks shall be conducted before a recommendation is forwarded to the Superintendent & CEO, to verify the assessed merits of the qualified candidate and to further assess character and past performance.

Reference checks are a critical step in the hiring process. Reference checks are an important method of assessing the competence, reliability and integrity of a candidate, and accordingly, their suitability for appointment. Reference checks are normally conducted after all other assessments, but before an appointment is offered.

16.1 Guidelines

1. A satisfactory reference check must be obtained prior to recommending the hiring of a new employee. The reference check process shall be facilitated by the Administrator or Department Manager.
2. Applicants must provide written consent before references are checked with persons other than those listed on the application or resume.
3. Candidates are contacted for consent before conducting reference checks with current employer, particularly if the candidate is from outside the Division. Normally, a reference check is conducted with the current employer only when there is a high probability that an offer of employment will be made.
4. Written consent can be obtained in the following ways:
 - by signing the standard reference consent statement on the application;
 - by including references on their application or resume; or
 - by request from the Administrator or Department Manager who is hiring.
5. Past Work Record
 - A. It is important to know about the candidate's previous work history and performance record because past performance is generally the best predictor of future performance. For this reason, at least two of the references obtained should be from past employers.
 - B. When checking references with past employers, it is preferable to speak with people who have observed the candidate's work. Their former supervisors are the people best suited to provide this information. If someone other than the former supervisor's name is given as a reference, permission should be requested from the candidate to speak to their former supervisor.

Note: If the former supervisor is unavailable, obtain the candidate's consent to go up the line and speak to the supervisor's superiors, or the Human Resources Department to see if the needed information can be obtained from the employee file. The candidate must first give the Human Resources Department permission to disclose personal information.

6. Character References

Character references are very important, especially for teaching positions. The interview / selection committee should attempt to perform a minimum of two checks, or as many as deemed necessary until the information being collected seems consistent and contributes sufficiently to the overall assessment.

7. On Whom Are References Checked?

Reference checks are usually conducted on the highest ranked candidate. However, references may be checked on several highly qualified candidates in order to verify their reliability and fitness for appointment, especially if the rankings are very close.

8. Responsibility For Conducting Reference Checks

Any member of the interview / selection board can conduct reference checks.

9. Seeking The Right Information

Before contacting a reference, the interview / selection committee must know what information is wanted and should plan their questions accordingly, following guidelines set up by the HR Department. A list of questions should have been developed to confirm information on character, work performance, skills and attributes, and any information elicited during the interview, that is needed to confirm that criteria have been met. Be certain all questions you intend to ask are legal, in accordance with the Pre-Employment Inquiries Guidelines (under the Human Rights Code).

Typical lines of enquiry with a past employer are:

- Confirmation of the position held.
- Character – Information about personal work habits, including absenteeism, respect for others, disciplinary incidents or behaviour issues.
- Work performance – Information contained in the most recent documented appraisal, for example performance ratings, areas of excellence, areas needing improvement, any special accomplishments, achievement of objectives.
- Attributes – Leadership, team player, works well independently, demonstrates initiative, and takes charge. Ask reference to support opinions with facts, or examples of behaviours, critical incidents and recent knowledge of the candidate.
- Ask about reasons for separation from the employer – was the candidate dismissed for disciplinary reasons? Was he/she released for incompetence? Did he/she abandon the position?
- In closing, ask the question “Given the opportunity, would you hire this person back?”

10. Document Reference Information

Document the information received in reply to each question. Be alert to unusual hesitations, ambiguous or evasive answers, overly negative or vindictive responses, or overly enthusiastic responses. If the reference isn't being completely frank, note your concerns and return to these points at a later time or check them out with another reference. Apply the information gathered to determine effect on the rating and ranking of the candidate.

11. References are a Matter of Record

Reference checks are a matter of record and must be documented in the competition file.

17.0 SECURITY CHECKS

Security checks are conducted as part of the hiring process.

- A. All prospective employees shall be required to undergo a criminal record check as a condition of employment.
- B. All prospective employees are required to undergo a child abuse registry check as a condition of employment.

17.1 Procedures

- A. Forms are available in the Schools or Administration Office.
- B. A security check is a highly confidential investigation into a candidate's criminal or child abuse record. It involves both a criminal records check and a child abuse registry check. A security check supplements the reference check. It is needed to assess the reliability and suitability of a candidate for appointment.
 - Criminal Record Check is an investigation to determine the non-existence or potential existence of a candidate's criminal record.
 - Child Abuse Registry Check is an investigation to determine if a candidate is registered on the provincial child abuse registry.

17.2 Candidates Must Be Informed That a Security Check is Required

The job advertisement advises potential applicants that appointment is subject to a security check. At the time of the selection interview, the interview / selection committee informs candidates of the security requirement when providing an overview of the selection process, and requests written consent to conduct a security investigation, or informs the candidates that continued employment would be conditional on completion of a security check.

17.3 Who Conducts Security Check?

Normally the candidate is responsible for providing their own (original) copy of a criminal record and the Payroll Department arranges for the Child Abuse Registry check. Details of the security check are placed in the employee's file.

17.4 A Criminal Record in Itself May Not be a Barrier to Appointment.

If a qualified candidate has a criminal record, a member of the interview / selection committee must then contact the candidate and discuss the results of the check. The nature, time and extent of the record and its relevance to the position must be weighed, to assess if the candidate is suitable relative to the selection criteria. The Superintendent & CEO must be consulted before continued employment of a candidate with a criminal record is recommended.

17.5 Candidate Deemed Unsuitable Due to Security Check

When a candidate is deemed unsuitable for appointment on the basis of a security check, the candidate must be informed.

17.6 Reliability and Fitness of a Candidate

In cases of hiring a bus driver, the division may request a recent physical examination report by a physician before forwarding a recommendation for hiring to the Superintendent & CEO.

18.0 COMMUNICATION WITH SUCCESSFUL CANDIDATE

After completion of the appropriate background checks and requesting a willingness to accept the position if offered, the Administrator or Department Manager involved in the interview / selection committee will forward the written Recommendation to Hire form to the Superintendent's Department for approval.

Once the Superintendent & CEO has accepted the recommendation, the Administrator or Department Manager should verbally communicate to the applicant an offer to hire. The Administrator or Department Manager will also communicate to the applicant the understanding that a confirmation of the offer, written by the Superintendent & CEO (and a contract in duplicate for signature, when applicable) will be issued following the verbal communication by the Administrator or Department Manager.

18.1 Appointment Letter

- A. The candidate shall receive a formal appointment letter, signed by the Superintendent & CEO, or his designate, to confirm the appointment. Teaching contracts (where applicable) will be included with the appointment letter.

The appointment letter should cover the following subjects:

- Classification of position (with FTE percentages where applicable);
- Effective date of appointment, or start date (as negotiated);
- Start and end dates for term appointments; and,
- Welcome to the Division.

A payroll package will follow shortly after the appointment letter and contracts (if applicable).

- B. Salary on appointment may be as per terms of the collective agreement; or, for non-teaching positions, the minimum of the pay range, unless there is strong justification to start above the minimum. Before offering a salary in excess of these standards, the Administrator/Department Manager must receive approval from the Superintendent & CEO. Application requests must include the following considerations:

- Why does the candidate merit a higher salary?
- Is there a general skills shortage for this position?
- Did the competition yield other qualified candidates?

- C. For teaching positions, a contract in duplicate will be included with a confirmation letter. The letter stating the hiring of an applicant will be forwarded to Payroll as information and record. Two copies of the contract and a copy of the confirmation letter will be sent to the successful applicant. Both copies of the contract must be signed by the candidate and witnessed. Both copies are to be returned as soon as possible. The contract will be signed by the Superintendent & CEO and the Secretary-Treasurer. One copy will be returned to the candidate and the other placed in their personnel file.

D. Staffing reports will be provided to the Board of Trustees at each regularly scheduled meeting for acceptance.

18.2 Communication to Unsuccessful Candidate(s)

A member(s) of the interview / selection committee communicates with unsuccessful candidates, to let them know the position has been filled, and to thank them for their interest in working for the Division.

19.0 PROBATION PERIOD

Upon initial appointment, transfer or promotion, employees are subject to a three-month probationary period (unless otherwise determined by the terms of an existing Collective Agreement), during which an employee or employer may terminate without notice.

19.1 Purpose Of Probation

The purpose of a probationary period is to allow a period of assessment to determine that the employee is a suitable match for the position. The probationary period should be regarded as an extension of the assessment process which led up to the appointment. It is an opportunity to assess the employee's ability to perform the position duties to standard, as well as to meet the organization's standards for conduct, including punctuality and attendance. The probationary period also gives the new employee a period to adjust to new duties in a new environment.

19.2 Informing The Employee

The employee must be informed in writing of the probationary period.

19.3 Administrator or Department Manager's Responsibility

Because the decision to select the employee was a management decision, the Administrator or Department Manager has the responsibility to assess the employee's performance and either confirm the appointment following probation, or justify a decision to reject on probation, by:

- Ensuring the new employee receives an adequate orientation to his/her position responsibilities, and training to their new duties;
- Informing the new employee, verbally or in writing, of the performance expectations and standards that are being evaluated during the probationary period;
- Monitoring and documenting the employee's performance and providing appropriate performance-related feedback and coaching;
- Documenting the rationale for any request to extend the probationary period;
- Documenting the reasons to reject on probation;
- Notifying the employee when the probationary period has ended, or if an extension is necessary;
- Consulting with the Superintendent's Department and/or Human Resources Department on situations where extending probation or rejecting on probation may be necessary;
- Receiving instruction and direction on probation and requesting a formal letter of rejection from the Superintendent & CEO if applicable: and,
- Verbally advising the employee of rejection on probation.

Before confirming or rejecting an employee on probation, the Administrator or Department Manager should conduct and document a performance evaluation at least three weeks before the probationary period expires.

19.4 Employee's Responsibility

A probationary employee has the following responsibilities:

- Meeting the performance standards and requirements of the position;
- Meeting the organization's standards for conduct, including attendance standards; and
- Demonstrating suitability for the position and compatibility with peers and students or clients.

19.5 Rejection On Probation

Rejection on probation must be approved by the Superintendent & CEO or Assistant Superintendent (as applicable).

Rejecting an employee must be for cause, based on unsatisfactory performance or other job related factors. This standard is lower than the "just cause" standard for termination / dismissal of a regular employee and can include the following situations:

- The employee is unable to perform the position duties to standard, even after training, regular performance feedback and opportunities to improve;
- The employee proves to be incompatible with the nature of the workplace, with other employees in the workplace, with the culture and values of the employer, or with the organization's standard of conduct; or
- The employee is rejected for disciplinary reasons (a notice period would not be necessary in this circumstance).

The probationary employee must be notified of the decision to reject on probation by their employer prior to the date when the probationary period ends and in accordance to the Labor Act and / or division standards communicated in the employee pamphlet.

19.6 Extension Of Probation

The probationary period may be extended for a further period where the circumstances may justify it. Extensions must be approved by the Superintendent & CEO or Assistant Superintendent (as applicable), prior to the completion of the probationary period.

20.0 ORIENTATION

Employee orientation should be completed within the first month following the employee's starting date in the new position. Administrators or Department Managers are responsible for ensuring that new employees are oriented.

The orientation may involve the Administrator or Department Manager, supervisor, co-workers, payroll and Human Resources. Human Resources is responsible for implementing and administering a Division-wide orientation program and ensuring all new employees have received an orientation.

20.1 Purpose of Orientation

Employees are oriented to help them achieve a satisfactory performance level in their newly assigned duties as quickly as possible while being integrated into the Division.

An orientation program helps the employee understand their assigned duties, and the terms and conditions of employment, as well as the organizational culture. Orientation may include any combination of the following information:

- Detailed review of position description;
- Explanation of duties and responsibilities;
- Explanation of performance standards and expectations;
- Employment terms and conditions, including conflict of interest, confidentiality, etc.;
- Policies relating to human resource management, and training and development, staffing, labour relations, collective agreements, compensation and classification;
- Employee benefits, payroll and benefit deductions, union deductions (teachers);
- Introduction to the people in the work unit and other key personnel of the school or department;
- Introduction to payroll (registration) and Human Resources staff;
- Conditions of employment. If the employee is included in the Collective Bargaining unit, a union representative should be provided with an opportunity to meet with the new employee during regular working hours, in accordance with the collective agreement; and
- Orientation to the Divisional Workplace Safety & Health Program (conducted by the site representative on the WSH Divisional Committee).

21.0 CONFLICT OF INTEREST

The Red River Valley School Division is entrusted with the protection of the Public interest. In view of the importance of this trust, it is essential that employees maintain high standards of honesty, integrity, impartiality and conduct. Employees must be constantly aware of the need to avoid situations which might result in actual or apparent misconduct or conflicts of interest, and to conduct themselves accordingly.

21.1 Guidelines

Employees must avoid acting in any manner which might result in or create the appearance of using their employment with the Division for personal gain.

1. Employees shall not engage directly or indirectly in any personal business transaction or private arrangements for personal profit which accrues from or is based upon their official position or authority or upon confidential or non-public information which they gain by reason of their position or authority.
2. Employees shall not divulge confidential information to any unauthorized person or release such information in advance of authorization for its release.
3. Employees shall not have direct or indirect personal business or financial activities which conflict with their official duties and responsibilities.
4. Employees shall not place themselves in a position where they are under obligation to any person or organization that might benefit from improper consideration or favour on their part or seek in any way to gain improper treatment from them in the discharge of their official duties and responsibilities.

21.2 Disclosure

1. The first step is to discuss the situation with your Administrator or Department Manager to see if they can determine if the situation is a potential conflict of interest, and if so, may be able to advise of the steps that may be taken to eliminate or avoid a conflict of interest. If the situation cannot be resolved at the site or department level, a disclosure statement in writing should be made to the Superintendent & CEO, or in the case of the Superintendent & CEO, to the Board.
2. Employees are responsible to disclose to the Superintendent & CEO any situation or matter where they have a conflict of interest or the foreseeable potential for a conflict of interest. In the case of the Superintendent & CEO, disclosure will be to the Board of Trustees.
3. Employees who wish to receive clarification when a situation arises that may appear to be a conflict of interest may request such a clarification from the Superintendent & CEO. In the case of the Superintendent & CEO, such clarification should be obtained from the Board.

4. Formal disclosure statements are to be made in writing by the employee and addressed as “confidential” to the Superintendent & CEO, or in the case of the Superintendent & CEO, to the Board. Disclosure statements will be treated with strict confidentiality. Employees will thereafter be advised of steps, if any, that must be taken to eliminate or avoid a conflict of interest.
5. Departure from any of these rules by employees without the specific prior approval of the Superintendent & CEO (or in the case of the Superintendent & CEO, the Board) may be cause for disciplinary action up to and including dismissal.

21.3 Employment of Immediate Family Members

Since discrimination based on marital status or family status is prohibited; the principles of merit, equity and fairness apply. Therefore, immediate family members of existing employees may be hired by the Division, unless the Superintendent & CEO determines that the risk of conflict of interest outweighs the benefits of the appointment.

A. Guidelines

1. Immediate family members of employee include father, mother, siblings, spouse, children, wards of employees, or relatives permanently living in the employee’s household.
2. An Administrator or Department Manager must consider if hiring an existing employee’s immediate family member would negatively affect the operation or create a potential conflict of interest. The potential for conflict of interest is magnified when the immediate family member would be in a line reporting relationship to the existing employee.
3. Conflict of interest may arise when personal relationships interfere with decisions and work relationships. Even a “perceived” conflict of interest may have adverse affects on other employees. Administrators or Department Managers finding themselves in this position should consult the Superintendent & CEO or Human Resources, or turn the selection decision over to an impartial third party.

B. Potential Risks In Hiring Immediate Family Members

There are several potential risks in hiring immediate family members:

- Potential areas for conflict of interest or perceived collusion;
- Grievances or disciplinary action processes hampered or unduly influenced;
- Adverse impact on morale of other staff;
- Unfair advantage gained by family member or perceived favouritism;
- Possible negative cross-over with the employees’ personal relationship; and/or,
- Negative perceptions arising from the appointment.

C. Can Decision Not To Hire Immediate Family Member Be Challenged?

Yes. Candidates may complain to the Ombudsman or file a complaint to The Human Rights Commission.

22.0 CLASSIFICATION OF POSITIONS

Administrators or Department Managers are responsible for assigning duties and preparing position descriptions. Teaching positions are classified in accordance with the collective agreement. (Non-teaching positions shall be classified according to salary scale.)

22.1 Definitions

A. Classification

Classification is the grouping of jobs into classes or categories based on their unique characteristics (common titles, similarity of purpose and objectives, and the education, training, skills and abilities required).

B. Salary Ranges

Salary ranges are assigned to each class or category of job, based on their relative worth. Salary ranges may be determined through collective bargaining, or by comparison to similar jobs in the job market (supply and demand). All salary rates are approved by the Board of Trustees.

Teaching positions are classified under The Red River Valley School Division Teachers' Association Collective Agreement. Salary ranges for non-teaching positions are established and approved by the Board of Trustees and are based on factors such as the local economy and the ability to compete on the job market (supply and demand).

22.2 How Positions Are Classified

A. Non-Teaching positions:

A thorough analysis of the duties and responsibilities assures that the position is assessed against the appropriate classification series and level, and the appropriate comparative factors are used to determine the correct classification and level.

Position descriptions should be updated when significant changes to duties and responsibilities occur, or prior to recruiting, when a position has been vacated. Administrators and Department Managers may submit new and updated position descriptions to Human Resources for assistance and/or review. Ideally, position descriptions should be reviewed and updated regularly, to ensure they are being maintained on a current basis. The ideal time to undertake this review is when preparing for an employee's performance evaluation as the position description should be the point of reference for the performance evaluation.

Non-Teaching positions in the Division are not covered by a collective agreement. They have titles and pay rates determined by the Board.

B. Teaching Positions:

Teaching positions are classified and paid in accordance with the Collective Agreement.

C. Compensation

The division will adhere to Policy H.17 in terms of compensation of an employee.

23.0 ACTING STATUS

23.1 Definition

Acting Status is the temporary assignment of an employee to the duties of another (vacant) position with a higher maximum rate of pay.

23.2 When is use of Acting Status appropriate?

Vacancies will occur unexpectedly at senior levels where the need for leadership and direction may be important to the continued high performance and well being of the program or unit of operations.

In recognition of this need, the Administrator or Department Manager may elect to temporarily promote an existing employee on an “acting basis”, until a replacement formally is appointed.

23.3 Termination of Acting Status

Acting appointments are for a specified period of time. When the term of the “Acting Status” appointment expires, the incumbent is returned to their original position and rate of pay.

24.0 REASSIGNMENT

24.1 Definition

Reassignment means appointment to another job with a lower maximum grade of pay and generally occurs due to reorganization or job modification. Reassignment may also occur for health reasons, or for disciplinary reasons, Reassignment for disciplinary reasons is referred to as “demotion”.

25.0 SECONDMENT

25.1 Definition

Secondment means the temporary re-assignment or loan of an employee, with no loss of pay or benefits, to other programs or operations, for a specified period of time. Secondments are generally approved in order to temporarily meet other organizational needs, or the developmental needs of an employee.

25.2 Circumstances Under Which A Secondment Can Occur

A secondment may occur to provide temporary assistance to another program or operation that is experiencing a shortage of particular skills.

25.3 Job Must Be Guaranteed

Where a secondment is agreed to, the seconded employee must be guaranteed a position with the school Division upon their return.

26.0 LATERAL TRANSFER

26.1 Definition

A lateral transfer is defined as a move from one position of a particular classification and salary range to another position with the same or similar classification and salary range.

Lateral transfers may occur as a result of a competition, or by direct appointment. All lateral transfers must be approved by the Superintendent & CEO.

27.0 EFFECTIVE PERFORMANCE APPRAISALS

Administrators and Department Managers shall implement the Division's performance appraisal system to help employees meet the full requirements of their positions. The following guidelines apply to those employees not covered under The Red River Valley School Division Professional Growth Plan and the accompanying Red River Valley School Division Pro Grow Manual.

27.1 Purpose of Performance Appraisals

The purpose of this section is to help Administrators and Department Managers improve individual and organizational performance in keeping with general management principles, and to help Administrators and Department Managers remain accountable for the organization's results by effectively guiding and developing their employees.

27.2 Guiding Philosophy

The Red River Valley School Division embraces a management philosophy which recognizes that its people are the most important resource of the Division. This implies that:

- Employees are managed effectively and with appropriate respect for the individual;
- Employees have opportunities to develop their full potential and use their abilities; and,
- Employees have a right to hear timely and balanced feedback on their performance so they can avoid making costly mistakes.

27.3 Purpose Of Appraisals

Administrators or Department Managers have an obligation to ensure that employees follow the rules, learn their jobs and achieve expected results. Only then can they begin to evaluate each person's performance in its full context.

Performance appraisals are a chance for the Administrator or Department Manager and employee to review and evaluate their job responsibilities, performance results and expectations. It is also the opportunity to plan for the coming year. What does the employee need to do to continue to develop in his job? What skills does she need to master to continue to grow and make a positive contribution? If there are no scheduled discussions, then the team may receive little performance feedback, and the staff typically assumes that performance is acceptable. Or, employees may only hear complaints when things go wrong. Neither of these alternatives promotes a good understanding of job expectations.

By reviewing performance results and achievements, and strengths and weaknesses the Administrator or Department Manager can determine if the employee is ready for more responsibilities, or help him plan for future responsibilities.

The goals in managing performance standards are to:

- Develop an objective basis for discussing performance;
- Let employees know the difference between acceptable and unacceptable results;
- Increase job satisfaction ensuring the team knows when the job is well done;
- Let new staff know of your expectations about job performance; and,
- Encourage an open and trusting relationship with employees.

Administrators and Department Managers can address these objectives using the framework provided in this document.

27.4 Phases Of The Performance Appraisal System

1. **Planning:** The position duties are reviewed to ensure alignment with organizational objectives and are recorded in an updated position description. The Administrator or Department Manager communicates performance standards and expectations through discussion and confirms the understandings in writing.
2. **Planning Your Discussion:** Think through the kind of discussion that you want to have with your staff. Try to anticipate their reaction to your performance rating. The performance appraisal should be a review of issues that you and your employee have already discussed at the beginning of the performance appraisal period, and throughout the year. There should be no surprises.

The employee signs the documented performance appraisal plan and expectations as having read and understood and receives a copy. The original copy is placed on the employee file. Schedule performance appraisals so that the employee knows of it well in advance.

3. **Responsibility For Performance Appraisals:** Working on performance appraisals is an ongoing process. It is the responsibility of supervisors to provide on-going coaching, guidance and feedback to their employees. They ought to review the desired results and standards regularly to ensure they remain valid. Administrators or Department Managers ensure there are no barriers to performance and take corrective action using a development plan, if required.
4. **Conducting The Performance Appraisal:**
 - A. Supervisors are responsible for:
 - Conducting annual formal performance reviews;
 - Conducting interim performance reviews as required;
 - Periodic performance reviews during the probationary period, with a formal performance review at least three weeks before the probationary period expires;
 - Maintaining confidentiality of performance information;
 - Distributing signed copies as follows;
 - Original to employee file
 - Copy to employee
 - Copy to Department Manager /Administrators file.

- B. Performance appraisal planning and review sessions can help to determine how well the employee progresses in the job:
- It is a time when the employee and supervisor formally discuss the employee's work performance;
 - It is an opportunity to give feedback in terms of what the employee is doing well and what can be done better;
 - It is an opportunity to discuss goals, and to plan the employee's future development; and
 - Performance appraisal reviews are also important in cases where an employee is not performing up to standard. It is important to give the employee honest feedback and to document that feedback. This is especially true if the employee ultimately is dismissed for cause, due to unsatisfactory performance. In an arbitration case, the Division must show proof that it gave the employee adequate opportunities to improve performance, and meet the standards and expectations of the position.
- C. Performance appraisals must be balanced and constructive in tone and content. The supervisor and the employee objectively compare the actual results obtained by the employee over the evaluation period to the performance standards and expected results for each duty or responsibility of the position as discussed in the planning stage. Variances are identified and discussed. Training needs are identified and discussed. The Administrator or Department Manager records the appraisal concisely and the employee signs the review document, adding comments if desired. Performance standards and objectives may be revised if necessary and new objectives may be established for the up-coming year (review period).
- D. Be friendly yet professional. The tone of the performance appraisal should be friendly, positive and businesslike. If the employee has serious performance problems, then your manner should be firmer in communicating your expectations for improvement so they will understand the seriousness of poor performance.
- E. Praise achievements. Recognize and praise your people for their achievements. This will motivate them to continue to perform effectively. When giving praise be specific. It will show how much you know about the individual and the situation under discussion.
- F. Identify areas for growth. Development expectations should also be discussed and noted. You need to talk about future plans and the need to deal with any gaps in their skills or knowledge that must be gained before advancement can take place. You have a shared responsibility to develop a plan on how your employee will close the gaps. For example, does he/she need to take some courses, and is there money in the training budget to accommodate the need?

- G. Set performance goals. Once performance problems are highlighted, it is necessary to set some goals for performance improvement so that the employee has a target to work towards. Goals should be specific, measurable and achievable within a set time. It is also important to set performance goals for top performers to spur them on to even greater accomplishments.
- H. Give specific examples. Advise your employees of what they need to do, and give specific examples. Do not speak in vague generalities. Be sure to listen to the employee's explanations for under-performance, as there may be legitimate reasons why they fail to deliver what is needed. Sometimes a previously good employee may be experiencing problems in other areas of life, or the job has become too boring and unchallenging. The reasons for poor performance can significantly affect how you choose to resolve the issue.
- I. Be clear about the consequences of continued under-performance. Document your discussions in case the continuing poor performance leads you to dismiss the employee. The reasons for poor performance and discussions held must be clearly documented in the personnel file.
5. Development Planning: The Administrator or Department Manager and the employee should prepare a development plan to address gaps between actual and expected performance and to capitalize on the employee's strengths. The object is to help the employee build on their strengths while overcoming performance deficiencies.

27.5 Responsibilities of the Superintendent & CEO (for Performance Appraisals)

- Clarifying and communicating Divisional priorities and objectives;
- Guiding the implementation of a performance management system;
- Ensuring the Administrators and Department Managers have the skills to implement the system and that responsibility for performance management is written into their position descriptions;
- Monitoring the quality of the Division's system and improving it as needed, with assistance of the Assistant Superintendent, Human Resources, Administrators and Department Managers;
- Assuring that the system produces effective performance information for administrative action and for assessment of its effectiveness;
- Involving the Human Resources Department in assisting with the implementation of the performance appraisal system; and
- Establishing the standards for documenting performance appraisals.

27.6 Responsibilities of Administrators or Department Managers

- Including responsibility for managing performance in their position descriptions and obtaining the skills required to implement the Division's performance appraisal system effectively;
- Preparing and documenting annual results-oriented objectives for each employee as well as performance standards or expected results;
- Guiding and coaching employees on an ongoing basis by focusing on problem solving and professional development;
- Conducting annual formal performance appraisals based on established performance standards and results / objectives (and not on peer comparisons) and documenting the results of the review;
- Conducting the performance appraisal with the employee;
- Conducting interim performance appraisal as required;
- Conducting periodic performance appraisals during the probationary period, with a formal performance appraisal at least three weeks prior to expiry of the probationary period;
- Involving employees in planning and assessing their own performance;
- Problem-solving with employees who require corrective action to achieve satisfactory performance and taking disciplinary action when corrective action does not produce satisfactory performance results;
- Removing any barriers that impede employees from achieving results and standards and enriching the work of employees who are interested and capable of additional responsibilities;
- Managing confidential performance information appropriately; and
- Working with employees to prepare a development plan, which includes:
 - Nature and degree of change expected in performance;
 - Development activities and resources;
 - Time frames;
 - Accountability for completing each aspect of the plan; and
 - The Administrator or Department Manager must be committed to providing the necessary training, resources, and developmental opportunities discussed in order to improve performance. A commitment involving financial expenditures should not be formalized in the plan until availability of funds has been confirmed.

27.7 Responsibilities of Employees

- Performing work to standard to achieve desired results and objectives;
- Asking for help in solving problems when necessary and informing the Administrator or Department Manager of barriers to achieving desired standards and results;
- Participating in performance planning and objectives and preparing for performance appraisals / discussions; and
- Taking responsibility for improving performance in areas where developmental needs are identified, and making every effort to complete any training and development plan.

27.8 Responsibilities of Human Resources

- Assisting the Superintendent & CEO in implementing, monitoring, assessing and improving the Division's performance appraisal system;
- Training Administrators or Department Managers if necessary, providing them with sample forms and procedures and assisting in assessment of training needs;
- Ensuring performance appraisals are conducted; and
- Assisting employees to improve competence and providing access opportunities for development.

28.0 RECOGNIZING PERFORMANCE

The Division may recognize exceptional performance in several ways:

- verbal commendation;
- newsletter or other publication;
- a letter of commendation from the Superintendent & CEO;
- plaques, certificates or other mementos of recognition;
- special recognition award;
- special training and development opportunities; or,
- special assignment.

Administrators or Department Managers apply the principles of fairness, consistency and merit to determine if an employee's performance is exceptional relative to job standards and results, and other employee's performance.

29.0 EMPLOYEE BENEFITS

See the following:

- Employee Benefits Brochure;
- Pension Plan Eligibility For Non-Teaching Employees; or,
- Collective Agreement

30.0 SEXUAL HARASSMENT

30.1 Respectful Workplace Policy H.20

Policy:

The Red River Valley School Division is committed to providing a working environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory and harassing practices. The Red River Valley School Division tries at all times to provide a work environment that is supportive, respectful, cooperative and understanding.

Protocol:

- Discrimination and harassment are contrary to the Human Rights Code of Manitoba. Any repeated and unwelcome sexual comment, look, suggestion, or physical contact that creates any uncomfortable working or learning environment for the recipient and that is made by a person who knows, or ought reasonably to know; that such attention is unwelcome constitutes abuse and a break of this policy.
- Work related discrimination or harassment could occur in places other than the work place;
 - o At a work related social function,
 - o On work related conferences or travel,
 - o Elsewhere where the individuals involved have a work related relationship.
- Any individual, regardless of position, found to have engaged in conduct constituting harassment or discrimination is subject to disciplinary action up to and including expulsion or the termination of employment.
- If the complaint of abuse is found to have been brought frivolously or maliciously, disciplinary action may be appropriate against that complainant and the outcome of the inquiry will be recorded in the individual's personnel file.

30.2 Definition of sexual harassment

The Manitoba Human Rights Code prohibits sexual harassment including five types of behaviours:

- A course of abusive remarks or behaviours directed at other employees or students, based on sex or gender;
- A series of objectionable sexual advances or solicitations;
- A sexual advance or solicitation made by a person who is in a position of authority, and can confer or deny any benefit if the person making the advance knows or ought reasonably to know that it is unwelcome;
- A reprisal or threat of reprisal for rejecting a sexual advance or solicitation; and
- Reprisal for filing a sexual harassment complaint.

Sexual Harassment is not:

- The normal exercise of supervisory and management responsibilities, including coaching, performance reviews, work evaluation and disciplinary action;
- The normal exercise of teaching responsibilities, including coaching, evaluating classroom and work assignments, and disciplining of students; or
- Voluntary or consensual sexual contact between employees (however, Administrators or Department Managers should note that the Supreme Court has stated that Administrators or Department Managers who involve themselves with employees do so at their own peril, as employees may later indicate that they felt coerced into the relationship even if that was not the Administrator or Department Manager's intent. Voluntary or consensual sexual contact between employees and students is absolutely forbidden).

30.3 Application Of this Policy

This policy applies to all employees and volunteers of the Division. It applies to the workplace and any activities connected with the workplace, such as work sites, washrooms, cafeterias, training sessions, business travel, conferences, and work-related social gatherings, in employees' homes, student homes, school buses, or other sites where employees are carrying out the work of the Division.

30.4 Filing A Complaint

It is best if an employee or a student who believes they have been harassed can deal with it quickly. They may file a complaint by describing the harassment verbally or in writing to a person in authority (the Administrator or Department Manager). It is not necessary to put a complaint in writing.

30.5 The Administrator or Department Manager's Response to Sexual Harassment

1. Administrators or Department Managers must provide a safe work environment for their employees. If the complaint is of a serious nature, involving threats of reprisal or risk of recurrence, or if the complainant is clearly fearful or intimidated, the Administrator or Department Manager immediately contacts the Superintendent & CEO to discuss a course of action for accommodating the complainant.
2. The guiding principle is that the response be fair and reasonably appropriate to the harassment. For example, one offensive joke told by an employee would not result in an investigation, but the Administrator or Department Manager should speak to the employee. However, the Administrator or Department Manager would investigate where an employee is alleged to have made repeated unwelcome propositions. Administrators or Department Managers must consult the Superintendent & CEO on all allegations of sexual harassment before taking action.

3. Sexual harassment covers a broad continuum of behaviours. A range of responses and resolutions are available. The following table provides a guideline to assist Administrators or Department Managers respond appropriately to the severity of the harassment.

Type of Conduct	Action by Administrator or Department Manager(s)
1. Administrator or Department Manager notices sexual jokes, sexual innuendo, cartoons circulating in the school or workplace. Complaints may be made.	<ul style="list-style-type: none"> - Arrange an education session - Remove any offensive materials and make it clear that they are unacceptable. - Establish respectful school/workplace guidelines. - Distribute policy statements or brochures on harassment to staff; post policies on bulletin board.
2. An employee makes a single comment or joke with another employee or a student who finds it offensive.	<ul style="list-style-type: none"> - Caution the employee - Educate the employee - Explain / provide appropriate policy.
3. A request for a date from one employee to another is greeted as unwelcome; or leering/unwelcome gestures.	<ul style="list-style-type: none"> - Caution offending employee to cease and desist and that further incidents will result in disciplinary action.
4. A request for a date from a supervisor to a subordinate is greeted as unwelcome	<ul style="list-style-type: none"> - Caution offending supervisor to cease and desist and that further incidents will result in disciplinary action.
5. Complaint from a student of sexual harassment by a teacher	<ul style="list-style-type: none"> - Advise the teacher to stop the harassment or face discipline up to and including dismissal (may have union rep present).
6. Two employees involved in a relationship bring personal details or behaviours into the workplace, causing others to be uncomfortable; or employees formerly involved bring personal animosity into the workplace causing each other or others to be uncomfortable.	<ul style="list-style-type: none"> - Caution employees that they are contributing to a poisoned work environment. - Advise them to keep the personal relationship to themselves and away from the workplace.
7. Employees retaliate against a colleague because he or she made a sexual harassment complaint.	<ul style="list-style-type: none"> - Caution employees that retaliation for a complaint constitutes harassment and will lead to discipline. - Invite the Human Resources Department to assist.

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| 8. Behaviours as outlined in numbers 1 through 6 above are repeated despite direction to stop. | - Consult with Superintendent & CEO
- Initiate progressive discipline up to and including dismissal. |
| 9. A supervisor coerces or threatens another employee into a sexual relationship. | - Investigate the complaint.
- Consult the Superintendent & CEO
- Significant discipline up to dismissal if proven. |
| 10. Sexual assault involving unwanted physical contact of a sexual nature. | - Investigate allegations.
- Consult Superintendent & CEO
- Significant discipline up to dismissal if proven.
- RCMP/Police are called. |

30.6 Administration or Department Management's Communication With The Complainant

- Assuring the complainant that the information will be kept as confidential as possible;
- Listening to the complainant and taking the issue seriously;
- Asking the complainant how they want the complaint resolved. They must be informed that ultimately department management / administration determines the process and outcomes;
- Quickly assessing the severity of the alleged harassment;
- Determining if the employee needs to be safeguarded and if working arrangements need to be modified;
- Discussing the process to be followed;
- Advising the complainant to keep the matter confidential during the investigation;
- Reassuring the employee that you will make resolving the issue a priority;
- Assuring them there will be no reprisal in any form from the harasser;
- Informing and supporting the complainant as the process unfolds; and
- Informing the complainant of the action being taken and the outcome.

30.7 Administrator or Department Manager's Communication with the alleged harasser

- Informing the alleged harasser of the complaint;
- Directing the alleged harasser to have no contact with the complainant;
- Separating the employees by moving the alleged harasser if necessary;
- Advising the alleged harasser of their right to have a representative present;
- Providing alleged harassers an opportunity to explain their side and listening carefully;
- Placing the alleged harasser on leave with or without pay pending an investigation if necessary;
- Directing the alleged harasser to keep the matter confidential; and
- Informing the alleged harasser of the outcome of the investigation.

30.8 Complaints Must Be Kept Confidential

Administrators, Department Managers, Human Resources and any other persons involved must keep the details of a sexual harassment complaint confidential to the best of their ability. However, confidentiality does not guarantee anonymity. Confidentiality may be subject to the following limitations:

- The alleged harasser is informed of the nature of the complaint and directed to keep the matter confidential;
- It may be necessary to interview witnesses; and/or
- If the situation leads to discipline, and the employee belongs to the union, the disciplined employee has a right to grieve the decision. This may result in an arbitration hearing in which the employer presents its case, through witnesses, including the complainant, to establish there was just cause for the discipline.

These limitations should not discourage employees from making a complaint. Many complaints are resolved without a formal investigation or arbitration. Employees are encouraged to raise issues as early as possible so that management can resolve them. Written complaints are not placed on the complainant's employee file.

30.9 Guide To Conducting An Investigation

In situations where allegations have been made, and discipline seems likely, an investigation may be appropriate to determine the facts. The Administrator or Department Manager should conduct an investigation, or ask Human Resources for assistance in conducting an investigation and present the facts, with a recommendation, to the Superintendent & CEO.

Investigating involves:

- Interviewing the complainant to determine what happened (get the facts);
- Meeting with the alleged harasser (and their representative if requested) to present the complaint and hear the response (record the interview, if possible, or take notes);
- Interviewing witnesses;
- Reviewing the facts to decide what response is appropriate;
- Ensuring fairness: this refers to conduct that is unbiased, just and honest, and treating employees consistently; and
- Providing conclusions to the Superintendent & CEO along with a recommended course of action.

Investigation may result in one of the following conclusions:

- If the evidence and the balance of probability standard of proof show that harassment occurred, an appropriate course of action is determined;
- If the evidence shows that harassment did not occur, actions may be recommended, such as circulating or posting policies, workplace mediation or arranging education;
- If the evidence shows the accusation was vexatious and malicious, discipline of the complainant may be recommended. (Note: these cases are extremely rare); or
- If the evidence was insufficient to draw a conclusion, actions may be recommended including education and debriefing.

30.10 Responsibilities Of Human Resources

- Advise and consult with Administrators or Department Managers;
- Advise and counsel employees;
- Respond to questions regarding harassment;
- Assist with investigations as necessary; and
- Ensure consistency in applying this policy and these procedures.

30.11 Employee's Responsibility

- Respect the rights of others;
- Maintain a work environment free from harassment;
- Call it when they see it. Raise the matter with the harasser. If the harassment continues, report it to a person in authority; and
- If employee believes they are being harassed, tell harasser the behaviour is unwelcome, and must stop.

31.0 REASONABLE ACCOMMODATION

Employers must make reasonable accommodation for an individual's special needs where those needs are associated with any characteristic protected by the Manitoba Human Rights Code.

31.1 Definition

Accommodation in employment means adapting working conditions, work assignments or workstations to adjust to the special needs of an individual where those special needs are due to characteristics protected by the Manitoba Human Rights code.

Sometimes equality means treating everyone the same, but sometimes equality means treating people differently in order to create a level playing field for persons with special needs, most often persons with disabilities.

Accommodation is a legal requirement, but it also benefits the workforce in several ways:

- It allows a person with special needs to perform all duties assigned and to meet the performance standards of the position;
- It reduces or eliminates the effects of discrimination;
- It allows for a flexible management style which benefits everyone; and
- It makes it possible for the person with special needs to reach their full potential.

31.2 Responsibility For Reasonable Accommodation

Administrators or Department Managers have the primary responsibility for making reasonable accommodation because they can make the necessary decisions and allocate the necessary resources. They have the following responsibilities:

- To assess the circumstances of the individual requesting accommodation;
- To identify the options for accommodation in consultation with the employee;
- To develop and implement a reasonable accommodation solution;
- To communicate the intent of the accommodation to other employees;
- To maintain close contact with the employee while implementing the accommodation;
- To assess the competencies and progress of the employee being accommodated; and
- To consult the Superintendent & CEO and / or Human Resources to ensure that reasonable accommodation has been properly considered.

Any assessment of the circumstances of the individual requesting accommodation must be based on bona fide occupational requirements (employment rules, requirements or limitations imposed honestly, in good faith and in the sincere belief that it is critical to the adequate, efficient and safe performance of work).

31.3 Responsibility of Person Requesting Accommodation

- If an existing employee, advise the Administrator or Department Manager of the need for accommodation;
- To give adequate notice if the accommodation requires absence from work;
- To provide relevant information, such as medical assessments;
- To be adaptable for the accommodation to work;
- To perform assigned duties to an acceptable standard once accommodation has been made; and
- To contribute suggestions and options for accommodation

Unions have responsibilities to accommodate (a teacher) as well. They must represent a member requesting accommodation and be flexible in applying the terms and conditions of the collective agreement. Accommodations may be unreasonable where it interferes with the intent of provisions in the collective agreement and has a broader impact on the contract.

All employees are responsible for co-operating in making an accommodation work.

31.4 Kinds Of Accommodation Available

There are many types of accommodation, including:

- Technical aids, and workstation modifications;
- Modified work duties (reassigning duties within the position of the employee requesting accommodation). Accommodation should not require Administrators or Department Managers to create a new position with an entirely new set of duties. Any redistribution of work within a work unit must be done so that it does not adversely impact on other employees;
- Flexible work hours (adjusting the days or hours of work; job sharing);
- Building modifications (structural improvements to improve accessibility, such as ramps, wheel chair accessible washrooms, Braille signage for elevators);
- Change in work locations to make work more accessible (teleconferencing and working from home); or
- Communication services for hearing and visually impaired individuals (sign language interpretation for deaf employees or alternative print media).

The type of accommodation possible and available may be limited by factors such as the nature of work, operating requirements and cost. The obligation to accommodate is discharged when the hardship of accommodation becomes “undue” or unreasonable.

Seven factors are used to determine “undue hardship”. They are as follows:

- Cost (relative to capital, operations and staff time as it affects the delivery of programs or the efficiency of the operation – determined in the context of the Administrator or Department Manager’s budget, not the Division’s budget);
- Impact on others in workplace (when the accommodation impacts on others with respect to continued employment of other employees or morale);
- Health and safety (increased risk to co-workers or the person being accommodated would be exposed to unacceptable risk; or the magnitude of risk which exists after the accommodation is made);
- Disruption of collective agreement;
- Nature, size and scope of employer;
- Interchangeability of workforce and facilities; and
- Business efficiency.

An employer is not obligated to create a position for the purpose of accommodation.

It may be necessary to refuse, or cease the employment relationship if there are no reasonable accommodation options within the Administrator or Department Manager’s area of responsibility or budget, or within the Division.