



**PEMBINA HILLS ARTS COUNCIL INC  
CONSTITUTION & BY-LAWS**

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## **1.0 CONSTITUTION AND BY-LAWS**

### **1.1 NAME**

The Association will be known as the "Pembina Hills Arts Council Inc." hereafter known as the "Association".

### **1.2 MISSION STATEMENT AND OBJECTIVES**

a) The Pembina Hills Arts Council Inc. Facilitates and encourages the growth and diversity of arts and culture for Morden and surrounding communities by providing an environment which stimulates artistic expression and awareness through education, programming and provision of administrative support.

b) The Aims and Objectives of this Association are:

- i. To communicate to citizens at all levels the importance and applicability of the arts.
- ii. To encourage the use of the arts as an integral part of community life.
- iii. To encourage involvement and support of the arts in all levels of society.
- iv. To maintain liaisons with other arts groups in order to have access to their resources and personnel.
- v. To develop programming according to the needs of the communities.
- vi. To approach sources outside the community for resources, such as provincial, federal government departments, private sector organizations and other agencies.
- vii. To accept gifts, donations, legacies and bequests, devise endowments and contributions for the purpose of the aims and objectives.

### **1.3 MEMBERSHIP**

a. Membership will be open to all persons and organizations that support the aims and objectives of the organization and pay annual membership fees.

b. Members of good standing and record of membership will entitle the person or organization to the right of one vote at the Annual General Meeting.

### **1.4 ANNUAL GENERAL MEETING**

a. The fiscal year shall be from January 1 to December 31. An AGM shall be held within 120 days of the year-end. All members shall be sent a notice to their last contact address of said meeting including date, time, location and brief agenda 30 calendar days prior to the AGM.

b. The Pembina Hills Arts Council AGM is to include:

- i. Relevant changes to the by-laws
- ii. Written reports of the executive and/or its committees of the work of the organization during the past fiscal year.

- iii. Year-end reviewed financial statements for the past fiscal year.
- iv. Appointment of auditors
- v. Nomination of directors and officers by the nominating committee.
- vi. Other business

c. A quorum of members present at the AGM shall be 12 members in good standing. A quorum having been declared, it shall remain valid throughout the meeting.

### 1.5 BOARD MEETINGS

a. Meetings of the Councils' board shall be held at least eight times annually. No business can be acted upon if a quorum is not present, a quorum being fifty per cent plus one of the board members.

b. At all meetings, the presiding chair or vice chair shall conduct the meeting and follow a previously distributed agenda.

### 1.6 DIRECTORS/OFFICERS of Council

a. Officers of the council are nominated and appointed by the Board of Directors at its first meeting after the AGM.

b. The Board should represent the membership and the size of the Board shall be a minimum of [three] seven to a maximum of 11 with a:

- i. Chair
- ii. Vice-chair
- iii. Secretary
- iv. Treasurer
- v. Director Member
- vi. Director Member
- vii. Director Member

c. The term of office for elected board members shall be 3 years, however 1st year appointments may be for 1 year.

d. An officer/director may be elected for two consecutive terms to a maximum of six years.

e. The organization shall endeavour to maintain no less than one half the elected positions annually.

f. The nominating committee shall consist of three or more members. This committee will be chaired by the current board chair and shall prepare a slate of candidates for all vacant offices. Nominations for directors and officers at the Annual General Meeting shall be made only by the nominating committee and approved by the board of

directors. Members in good standing may forward, in writing, names to the nominating committee to be received by twenty-one calendar days before the AGM.

g. If a vacancy occurs during the year, the position may be filled at the next regular Board meeting by the board of directors. The appointment will last until the next AGM.

### 1.7 DUTIES OF THE OFFICERS

a. To ensure that the organization adheres to its mandate and mission.

b. To take reasonable steps to ensure the Arts Council is financially viable.

c. To update the strategic plan and approve the resulting business plan and budget.

d. To review policies and job descriptions and clarify roles of advisory or committee members.

e. To ensure that all agreements are honoured (Town, Provincial Government, Arts Stabilization Manitoba, Canadian Heritage, Foundations, etc.).

f. That all contracts or any other documents in writing must be signed by 2 officers of the council, those officers having been appointed by the Board of Directors.

g. Directors of the council are not entitled to any remuneration.

h. Within the overall tasks above, certain tasks are to be carried out by specific Board members as included in the policies and procedures manual.

### 1.8 CONFLICT OF INTEREST

a. A member of the Board shall not be, or be related to, or live at the same address, as an employee or contractor of the Pembina Hills Arts Council.

b. Board members or employees with previous knowledge of or connected to a matter being discussed which would personally benefit them should declare such and remove themselves from the discussion.

### 1.9 DIRECTOR LIABILITY

a. No Director or Officer of the Corporation shall be liable for the acts, receipts, neglects, or defaults of any other Director or Officer or employee for any loss or damage arising to the organization from the bankruptcy, insolvency or act of any person, firm or corporation which may happen in the execution of the duties of his or her respective office or trust. All directors and officers are to exercise the care, diligence, and skill that a reasonably prudent person would exercise in comparable circumstances in the best interests of the organizations, and shall be indemnified and saved harmless by the organization.

1.10 BY-LAWS

a. These are the official By-Laws of the Pembina Hills Arts Council, Inc. They replace and supersede any documents predating it. This document was adopted as the official By- Laws of the Pembina Hills Arts Council Inc. At the AGM by a majority vote of these members on the 24th day of April, 2010.

b. The By-Laws will be reviewed at least every four years. Amendments may be proposed by the board of directors for review at the AGM, but at least thirty calendar days prior to the AGM.

Pembina Hills Arts Center Inc.

Per: \_\_\_\_\_

Per: \_\_\_\_\_

Board Officer Board Member

## **2.0 POLICIES REGARDING MEMBERSHIP AND BOARD OF DIRECTORS**

### **2.1 MEMBERSHIP**

a. Any person of legal voting age (18), family or organization that has paid the applicable membership fees, is a member in good standing shall be entitled to take part in the Council's activities and shall be entitled to 1 vote at the Council's AGM.

b. Members in good standing shall be informed the council's activities through the e-newsletter which shall be published a minimum of four times annually.

### **2.2 MEMBERSHIP FEES**

a. Fees are paid on joining the Association and annually by December 31. Annual membership dues will be reviewed and amended by the Board of Directors from time to time.

b. Reminders will be issued twice, first in writing (e-mail or letter) and then personally.

c. Membership will automatically lapse if unpaid for 60 days after the renewal date.

d. Membership is non-refundable

### **2.3 BOARD MEETINGS**

a. Members in good standing wishing to make a presentation at the beginning of a Board meeting should make their request at least 14 calendar days before the regularly scheduled Board meeting.

b. All discussions and information provided at the board meetings is to remain confidential.

### **2.4 ADVISORY MEMBERS**

a. Advisory members are volunteer consultants to the Association and are invited to Board meetings as appropriate. They may include any of the following positions and others as deemed necessary:

- i. Legal representative
- ii. Town and RM council representatives
- iii. Government funding officials
- iv. Business representatives
- v. Accountant

### **2.5 NOMINATIONS**

a. Former employees of the Association shall be eligible for nomination to the Board following their employment with the organization.



### **3.0 BOARD OFFICERS AND COMMITTEES**

#### **3.1 CHAIR**

- i. Chief executive officer
- ii. Prepare meeting agendas and chair meetings
- iii. Cast deciding votes
- iv. Ensure that work assignments are *completed to meet deadlines*
- v. Approve payment of bills from board meetings and co-sign cheques
- vi. Oversee work of the board committees to ensure smooth running of the Arts Council
- vii. Ex-officio of committees with no voting rights
- viii. Represents the organization as required (having consulted with the board)

#### **3.2 VICE CHAIR**

- i. Assumes the duties of the chair in that person's absence
- ii. Assists the chair as required
- iii. Chairs committees as required

#### **3.3 SECRETARY**

- i. Records and distributes minutes of all meetings to the board and funders as required
- ii. Ensures the updating of the policy manual

#### **3.4 TREASURER**

- i. Ensures that accurate financial reports are kept and financial policies, procedures and controls are implemented and maintained
- ii. Reviews monthly written financial reports, annual reports showing receipts, expenses and balances on hand with variances "to budget" as prepared by financial contractor.
- iii. Co-signs cheques

#### **3.5 STANDING COMMITTEES**

- i. Finance and Audit
- ii. Governance (includes nominating, policy and procedures)
- iii. Personnel
- iv. Fundraising
- v. Facilities

#### **3.6 AD HOC COMMITTEES**

- a. As created by the Board which gives the terms of reference and time lines for the committees specific purpose.

#### **4.0 PEMBINA HILLS ARTS COUNCIL BOARD OF DIRECTORS EXPECTATIONS**

i. Fundamentally PHAC board members are expected to serve the membership of the organization and the whole community by ensuring that there is competent leadership and adequate resources available to accomplish our stated mission.

ii. Directors should be available to participate on committees and at board meetings as fully informed members. The amount of time that each board member offers to the organization varies from director to director.

Specifically, Board Members must:

- a) **Participate at board meetings.** Members should be available to attend at least 75% of board meetings, read the necessary documents ahead of time and be prepared to discuss the issues at hand.
- b) **Participate on at least one board committee or ad hoc committee.** This means attend the meetings, read the necessary documents ahead of time and be prepared to discuss the issues at hand. Committee meetings are the place where many key issues are discussed, analyzed and resolved. Many recommendations for board action are formulated at the committee level.
- c) **Be prepared to contribute their experience, skills and other resources.** Directors should willingly contribute their expertise to further the aims of the organization.
- d) **Keep discussions and reports confidential.**
- e) **Declare conflicts of interest.** Removing themselves from any related discussions and votes.
- f) **Provide input into the strategic plan and annual budget;** monitor the organization's progress towards achieving established goals within the approved budget.
- g) **Attend major fundraising events of PHAC and receptions;** as able and help out where needed at one event or more each year.
- h) **Advocate on behalf of the organization;** promote the views of the organization in order to secure funding and other support from funding agencies and community members.
- i) **Help ensure compliance with regulations** of government and supporting bodies.
- j) **Support the work of staff and other board members** to enhance the profile and work of the organization. Concerns and conflicts should be addressed within the organization with a view to building teamwork and enhancing PHAC. The Administrative Coordinator is the employee of the board and as such is given authority and responsibility to implement policy. It is not the job of the board to engage in the management of day to day operations.
- k) **Recognize that the power and authority of the Board of PHAC resides in the group not the individual director.** Decisions made by the Board are reached following discussion that considers the opinions and knowledge of individual directors. Once a decision is agreed upon, every director must support and uphold that decision. Individual directors do not have authority to make decisions on behalf of the organization beyond the scope of Board committee/officer job description and policy or specific tasks assigned by the Board.

## **5.0 COMMITTEE JOB DESCRIPTIONS**

- i. Ad hoc and Task Committees may be struck by the Board of Directors, a Board Committee, or the Administrative Coordinator to assist in specific tasks. The membership, reporting structure, and duties of these committees should be clearly outlined by the person/group under whose authority the committee works. Some examples of these committees should be clearly outlined by the person/group under whose authority the committee works. Some examples of these committees are:
  - a. Gift Shop Committee - under the direction of the Administrative Coordinator
  - b. Gallery Hanging Committee - under the direction of the Administrative Coordinator
  - c. Art Auction Committee - under the direction of the Fundraising Committee
  - d. Craft Sale Committee - under the direction of the Fundraising Committee
- ii. Standing Board Committees:
  - a. Finance
  - b. Governance
  - c. Facilities
  - d. Personnel
  - e. Fundraising

### 5.1 Finance Committee Job Description

5.1.1 Members of Committee Shall be: Treasurer, Administrative Coordinator, and Fundraising Chair

5.1.2 Reports to the Board of Directors

5.1.3 Primary Role is to ensure that the funds of PHAC are used to carry out the purposes and plans of the PHAC as outlined by the Board of Directors and that accurate financial records are maintained.

5.1.4 Specific Duties:

- Make recommendations for the proper administration of all finances
- Ensure that a proper and complete record of the financial affairs are accurately maintained at all times
- Ensure that expenditures are lawfully made
- Recommend and approve annual budget
- Make recommendations to the board with respect to funding components
- Ensure financial statements meet Generally Accepted Accounting Procedures (GAAP) in consultation with financial contractor.
- Ensure policies and procedures are in place for the proper administration of the finances and make recommendations as required.

## 5.2 Governance Committee Job Description

5.2.1 Members of Committee Shall be: Chair of the Board, at least 1 Director and up to 2 more members.

5.2.2 Reports to the Board of Directors

5.2.3 Primary Role is to develop, establish and implement written policies which provide the board and staff with clear authority and guidance to do their jobs.

5.2.4 Specific Duties:

- Enact and update constitution and bylaws
- Define roles and responsibilities of board members, staff and committees
- Define organizational structure and reporting relationships
- Establishes policies relating to finance, personnel, programs and identity
- Prepares and updates policy manual
- Prepares a slate of nominees for the AGM and brings nominees to board to fill mid-term board vacancies.

## 5.3 Facilities Committee Job Description

5.3.1 Members of Committee shall be: Administrative Coordinator, 1 Director, Town Representative and 1 additional member

5.3.2 Reports to the Board of Directors and Town of Morden

5.3.3 Primary Role is to assess the facilities of the PHAC for the purpose of regular maintenance and for planning renovations and upgrades to meet the current needs of the PHAC programming.

5.3.4 Specific Duties:

- Conduct an annual assessment of the facility to identify safety needs, maintenance and repair issues and changes required by current programming.
- Prioritize the needs found in the assessment, assesses responsibility for meeting each need and presents a proposal to the Board of Directors

## 5.4 Personnel Committee Job Description

5.4.1 Members of Committee shall be: Chair of the Board, and up to 2 Directors

5.4.2 Reports to the Board of Directors

5.4.3 Primary Role is to hire, support and advise the Administrative Coordinator so that the mission and purposes of the PHAC are achieved. In the absence of an Administrative Coordinator the Personnel Committee assumes the responsibilities for human resource tasks normally undertaken by the Administrative Coordinator.

#### 5.4.4 Specific Duties:

##### Hiring

- Advertise for, interview and select the Administrative Coordinator, submitting the name of the successful candidate to the Board of Directors for approval.
- Orient the new Administrative Coordinator to the PHAC - its mission, strategic plan, policies, facility and activities.
- Assist the Administrative Coordinator in the hiring of all other staff.
- Advertise to introduce the new Administrative Coordinator to the community.

##### Liaison between Board and Administrative Coordinator

- Develop reporting format for the Administrative Coordinator that is mutually satisfactory to the Board of Directors and the Administrative Coordinator.
- Provide on-going specific feedback to Administrative Coordinator to celebrate achievements and encourage successful problem-solving.

##### Performance Reviews and Staff Development

- Conduct an annual performance review with the Administrative Coordinator consisting of a written report and discussion.
- Develop plans with the Administrative Coordinator to develop skills to meet job requirements.
- Review the written performance reviews of other staff members (Program & Outreach Coordinator, Admin Assistant and Cleaning personnel.)
- Provide assistance in human resource tasks as outlined in policy or as requested by the Administrative Coordinator.

##### Administration

- Maintain a current job description for Administrative Coordinator.
- Review job descriptions for staff positions.
- Maintain current wage scales and benefits packages for all positions, in collaboration with the Board Treasurer and review annually.
- Review Personnel Policies annually and amend or add new ones as needed.
- Maintain the personnel file for the Administrative Coordinator.
- Ensure the personnel files of other staff members are maintained.

#### 5.5 Fundraising Committee Job Description

5.5.1 Members of Committee shall be: 2 Directors and up to 2 more members.

5.5.2 Reports to the Board of Directors

5.5.3 Primary Role is to raise the budgeted funds from the community to support the work of the PHAC through means such as: events that bring the work of artists and the PHAC to the attention of the community, sponsorships by corporations and individuals, etc.

5.5.4 Specific Duties: To organise and oversee fundraising events in collaboration with staff members.

## **6.0 PERSONNEL POLICY**

### **6.1 CATEGORIES OF STAFF**

*Regular Employee* means full time or part time with permanent status as a staff member. The employee is engaged to perform tasks and handle responsibilities on an on-going basis and is assigned to an established position for an indeterminate period of time and works the days and hours as specified.

*Term Employee* means an employee hired for a specific term, which may be based on a specific period of time or the completion of a specific job.

*Contract Employee* means an employee hired to perform a specific job for a specific period of time for a contracted rate of pay.

### **6.2 HIRING OF STAFF**

#### **6.2.1 Hiring of Administrative Coordinator**

6.2.1.1. Purpose: To obtain the services of the best-qualified Administrative Coordinator for the Centre

6.2.1.2 Policy: The Administrative Coordinator shall be hired by the Personnel Committee.

6.2.1.3 Administration of Policy:

When a vacancy occurs, the Personnel Committee shall review the position description, update as deemed necessary and determine whether the position should be filled.

Vacancies and new positions are advertised internally for one week. Should the position not be filled internally, the vacancy will then be advertised in local media.

The Personnel Committee shall review the applicants, determine the applicants to be interviewed, conduct the interviews, and select one applicant for the position.

The Personnel Committee shall prepare a report to the Board of Directors which shall include:

- a. Title of the position
- b. Classification of position (full or part time)
- c. Summary of general responsibilities and duties of the position
- d. Salary range
- e. Names of Personnel Committee members
- f. Number of applications received
- g. A copy of the criteria used for pre-interview screening
- h. Number and names of applications interviewed
- i. A copy of the criteria and questions used for the interviews

- j. Name of successful applicant
- k. Reasons for selecting and appointing the applicant

The Personnel Committee shall send the successful candidate an employment offer letter. The letter of offer shall include:

- a. A statement that the job is being offered
- b. Starting date
- c. Starting salary
- d. Period of probation
- e. Performance appraisal policy
- f. Vacations, statutory holidays, sick leave, bereavement leave, maternity leave, paternity leave, etc.
- g. Date by which the candidate must advise of the decision regarding acceptance or rejection of offer

Unsuccessful interviewees shall be advised in writing, either by e-mail or letter.

The name of the successful applicant shall be announced by appropriate means, such as an internal bulletin and newsletter announcement and in the local media

If any person on the Personnel Committee is unable to act during the hiring process, the Board of Directors may designate another appropriate person to act on the committee.

All employees must be appointed in compliance with Provincial Human Rights Legislation.

The Personnel Committee shall develop criteria for pre-interview screening of applicants for the position of Administrative Coordinator.

Applicants selected for interview shall be notified by telephone of the date, time, and location of interview.

Each person interviewed shall be given:

- a. A clear understanding of the duties of the position applied for
- b. The conditions of employment
- c. Opportunities for career development
- d. Salary range
- e. The frequency of increment adjustment

The Personnel Committee shall ensure interviewees sign the authorization form for a criminal check and authorization form for checking with named references.

After completion of interviews and the successful applicant has been chosen, the Personnel Committee shall conduct a reference check, cause a criminal check to

be conducted, and verify professional registration and/or license with the appropriate body.

Information from Third Parties shall be guided by:

- a. If still employed, the applicant's present employer shall not be contacted without the consent of the applicant
- b. Verification may be sought verbally or in writing or both
- c. Verbal references should be documented, signed by the individual obtaining the reference and placed in the file of the successful applicant
- d. References shall not be released to any other third party nor form part of future references given by the employer, except with the permission of the employee.

Information to Third Parties shall be guided by:

- a. All requests for references shall be referred to Personnel Committee.
- b. Information released shall be limited to factual information, not opinion, hearsay or innuendo.
- c. Requests for reference information must be made by persons of sufficient authority. The identity of the person requesting references must be verified before such information is released.

### 6.2.2 Hiring of all other staff

6.2.2.1 Purpose: To obtain the services of the best-qualified staff for the Centre.

6.2.2.2 Policy: The Administrative Coordinator shall oversee the hiring of all other paid staff, following the same policies and procedures used for hiring the Administrative Coordinator. At least one member of the Personnel Committee shall be involved in the process and the decision shall be reported to the Personnel Committee. In the event that the Administrative Coordinator is not available to hire other staff, the Personnel Committee shall oversee the hiring process.

### 6.3 PROBATIONARY PERIOD

6.3.1 Purpose: To enable the new or promoted employee to obtain feedback on the quality of the job performance and to identify the strong points of performance and identify areas that may require improvement

6.3.2 Policy: Every new employee or promoted employee shall be on probation for a three-month period, during which time formal, written job performance evaluations shall be conducted every three months until such time the employee is granted permanent employment.



### 6.3.3 Administration of Policy:

The Board of Directors shall develop a performance evaluation form to be used in the evaluation of staff.

The Personnel Committee shall formally assess the performance of the Administrative Coordinator while on probation and the Administrative Coordinator shall formally assess the performance of all other staff while on probation. Regular and on-going discussions must also take place with the employee so that the employee has an opportunity to understand and improve their performance.

The Personnel Committee or Administrative Coordinator must discuss the evaluation with the employee. If deficiencies are evident, the employee shall be encouraged to correct these immediately.

A performance evaluation shall be conducted at three months at the end of the probationary period. At the conclusion of the probationary period, the employee shall be informed of a decision to grant permanent employment status, extend the probationary period by a further three months, or terminate employment.

Permanent employment shall only be offered to an employee who has successfully completed the probationary period.

An employee who is being dismissed during, or at the end of the employee's probation period, shall be provided with two-weeks-notice or payment in lieu thereof.

## 6.4 ORIENTATION

6.4.1 Purpose: To provide a new employee with information on the operation and procedures, programs and services, etc. of the Centre.

6.4.2 Policy: All new employees shall receive an orientation of a one-week period to assist the employee in adjusting to the policies, philosophy, and method of operation of the program.

### 6.4.3 Administration of the Policy:

Design and delivery of orientation of new employees shall be the responsibility of the Administrative Coordinator. The Personnel Committee or designate shall provide orientation for the Administrative Coordinator.

As part of their orientation, employees will be informed of the Code of Confidentiality and will be asked to sign a pledge of confidentiality prior to starting their duties.

Orientation may take the form of classes, personal training by fellow employees, the "buddy system" or job shadowing.

## 6.5 PERSONNEL FILES

6.5.1 Purpose: To have a precise list of all documents to be included in personnel files

6.5.2 Policy: Personnel files shall be maintained on all employees and shall be accessible only to the Administrative Coordinator and Chairperson of the Board.

The personnel file for each new employee must contain:

- a. Application for employment and/or resume.
- b. Letter of application
- c. Offer of employment
- d. Interviewer's comments
- e. Job posting or advertisement
- f. Income Tax information
- g. New employee information forms
- h. All other relevant files

All employee records/documents shall be considered confidential and handled accordingly.

6.5.3 Administration of Policy:

All employee files shall be maintained in the Administrative Coordinator's office.

Only the Administrative Coordinator and/or Chair of the Board shall have access to employee files.

All employees shall have the right to see their own file. An employee may request a copy of specific documents in the employee's file by writing to the Administrative Coordinator or Chair of the Board. This provision shall not be unreasonably requested or denied. Only the Administrative Coordinator and/or the Chair of the Board has the authority to release the contents.

## 6.6 PROFESSIONAL DEVELOPMENT

6.6.1 Purpose: To ensure employees have up-to-date skills and knowledge to fulfil their tasks.

6.6.2 Policy: Professional development opportunities shall be agreed upon by staff and the Personnel Committee. Approved P.D. expenses will be reimbursed by Pembina Hills Arts Council.

6.6.3 Administration of Policy:

Employees shall provide a tentative professional development proposal. In the case of the Administrative Coordinator, the program shall be submitted to the Personnel Committee for consideration and approval, within budget provisions. In the case of other employees, the requests shall be reviewed by the Administrative

Coordinator and a decision made in accordance with policies and procedures in place and within budgetary provisions.

### 6.7 CONFIDENTIALITY OF FILES

6.7.1 Purpose: To maintain confidentiality where appropriate

6.7.2 Policy: Personal and confidential matters pertaining to the employer, participants and employees shall only be discussed during the course of duty as required. Confidentiality regarding these and all other matters must be maintained. Discussions at staff or office meetings are confidential and shall be kept within the confines of the meetings.

6.7.3 Administration of Policy:

All personnel evaluations will be filed in the individual personnel files. The employee at any time can request to see the files and make comments on the files.

Discussion of a confidential nature must take place in a discreet manner. Any breach of confidence is a serious matter and may result in disciplinary action.

Information contained within membership lists, including names and addresses, shall not be shared with other individuals unless prior authorization is given by that member.

Files containing performance appraisals of the Administrative Coordinator will be kept in safe and confidential place (such as a separate filing cabinet or locked box in the present filing system). The Chairperson of the Board will retain access to the files.

### 6.8 JOB PERFORMANCE REVIEWS

6.8.1 Purpose: To ensure that staff has an opportunity to discuss concerns, goals and achievements, and that they meet the requirements of the job.

6.8.2 Policy: Employees shall have their performance reviewed at three months, six months and one year. Following that they will have a performance appraisal on or about the anniversary date of their employment. Term employees shall have their performance reviewed at the end of their term.

6.8.3 Administration of Policy:

A written evaluation and review shall be conducted annually upon successful completion of the probationary period, by the Personnel Committee for the Administrative Coordinator, and by the Administrative Coordinator for all other paid staff.

The Board will be invited to give feedback to the Personnel Committee to be considered for the performance appraisal of the Administrative Coordinator. The

Personnel Committee may choose to interview staff and volunteers for feedback on the performance of the Administrative Coordinator.

Job performance is appraised on the basis of the job description and/or list of duties. Employees are expected to take the initiative to develop areas identified as needing improvement. Follow up shall be done to recognize any improvements.

## 6.9 SALARIES

6.9.1 Purpose: To ensure all staff people are paid a fair wage and paid in accordance with the responsibilities of the job

6.9.2 Policy: The Centre shall establish salaries for every position and update them annually.

6.9.3 Administration of Policy:

The Board will review the wage scale on an annual basis prior to the budget meeting in October of each year.

Wages shall be maintained for all categories of employees and shall be based upon evaluation of the position in terms of job requirements.

A salary and a designated percentage shall be assigned to each position. Salary increments may be provided, conditional upon satisfactory performance and the financial viability of the organization.

Employees shall be paid bi-weekly. Wages shall be calculated based on 26 pay periods.

All employees shall be provided with a written statement of their wages earned, rate of pay, legal deductions, and the net amount paid to the employee.

Medical expense account based on \$500 per year after three month probation period. Services covered are medical expenses not covered by provincial Medicare such as: reading glasses.

## 6.10 VACATION

6.10.1 Purpose: To set guidelines for determining vacation entitlement

6.10.2 Policy: Each employee shall be entitled to vacation leave annually. All vacation days will be documented in writing on an approved form.

6.10.3 Administration of Policy:

*The following information is taken from **A Guide To Employment Standards**, which outlines Manitoba's employment standards code. Centers may increase vacation entitlement for their employees, but must not decrease vacation entitlement to less than the minimum requirements of the code. (A copy of the guide is included as an attachment at the end of this book.)*

All employees covered by the Employment Standards Code are entitled to annual vacations with pay. For each year worked for the same employer, an employee is entitled to a two-week paid vacation. After five consecutive years, this rises to three weeks of paid annual vacation.

Vacation allowance payment:

Employees who are entitled to a two-week paid vacation must be paid a vacation allowance equal to 4% of gross wages earned during the qualifying year (excluding overtime.) For employees who are entitled to a three-week vacation, the vacation allowance rises to 6% of gross wages earned during the qualifying year (excluding overtime.)

This vacation allowance is paid out on each pay cheque.

Setting annual vacation dates:

If an employer and employee are unable to agree on annual vacation dates, the employer is required to provide at least 15 days-notice of the date the employee's vacation is to begin. The employee must take the vacation at that time. If a business has a customary annual shut down period, the employer may require employees to take their annual vacations during that time. Employers cannot require an employee to take less than one week of vacation time.

General holidays:

The seven annual general holidays in Manitoba are:

- a) New Year's Day
- b) Louis Riel Day
- c) Good Friday
- d) Victoria Day
- e) Canada Day
- f) Labor Day
- g) Thanksgiving Day
- h) Christmas Day

Easter Sunday, the August Civic Holiday, and Boxing Day are not general holidays.

Eligibility for general holiday pay:

To be eligible for general holiday pay, employees must:

- a. earn wages for part or all of the 15 out of 309 calendar days prior to the holiday
- b. be available for work on their regular working days before and after the holidays, and report to work on the holiday if the employer requires it.

If a general holiday falls on a non-working day, eligible employees are entitled to a holiday with pay no later than the time of their next annual vacation, or a time mutually agreed on by the employer and employee.

If Canada Day, New Year's Day or Christmas Day fall on a Saturday or Sunday that is a nonworking day, eligible employees are entitled to holiday with pay immediately after the general holiday.

### 6.11 CHRISTMAS BONUS

6.11.1 Purpose: To recognize the employees with a monetary gift in appreciation of their work and commitment to the Arts Centre.

6.11.2 Policy: A Christmas Bonus of \$100.00 will be pro-rated on the length of service within the current year and based on the part-time percentage designation.

Maximum bonus is \$100.00 to a minimum of \$20.00.

### 6.12 LEAVES

6.12.1 Purpose: To provide leave for employees to deal with personal or family matters, in accordance with the requirements of Manitoba's *Employment Standards Code*.

6.12.2 Policy: Employees shall be granted leave upon application to the Administrative Coordinator. The Administrative Coordinator will be granted leave upon application to the Personnel Committee. All leaves will be documented in writing on the approved form.

6.12.3 Types of Leave:

a. Leaves with or without pay

Leave with or without pay shall be granted at the discretion of the Administrative Coordinator.

The Administrative Coordinator, at the discretion of the Board of Directors, shall be granted a leave of absence with or without pay for a reasonable time period, for the purpose of professional development, or for personal reasons.

Except in the case of emergencies, employees wishing to obtain a leave of absence of one week or more shall present such requests in writing to their immediate supervisor or Board of Directors at least four weeks in advance of the requested leave.

The employee shall receive in writing, a response to the application for a leave of absence at least two weeks prior to the intended leave of absence.

b. Sick leave

Employees who shall be absent due to illness or injury must inform their supervisor before the start of their scheduled shift. Failure to do so may result in the loss of sick leave benefits.

Employees who become sick while at work, must report their illness to their supervisor before leaving the Centre.

Any illness causing an absence of more than three consecutive days must be supported by a medical certificate if requested by the Administrative Coordinator or the Board and the certificate be forwarded to the supervisor on the day the employee returns to work.

Employees shall earn one sick day per month with pay.

Sick leave shall accumulate during the period of employment to a maximum of 20 working days.

An employee who has been absent on sick leave with pay, upon returning to work shall continue to accumulate sick leave up to a maximum of 20 days.

An accumulated record of sick leave shall be documented and provided to the employee at the end of each fiscal year.

Sick leave accumulated cannot be used for vacation purposes. Employees shall not be paid in lieu of accumulated sick leave. *Part time employees' sick leave shall be prorated based on the number of hours worked.*

Sick leave benefits shall not be paid during an employee's probationary period.

c. Maternity leave – check current guidelines

A pregnant employee, or adoptive parent, who has been employed by the same Centre for at least 7 consecutive months is entitled to 17 weeks of unpaid maternity leave.

Maternity leave may begin any time during the 17 weeks before the expected delivery day, and end no later than 17 weeks after the date of delivery.

The employee must provide written notice to her employer at least 4 weeks before the start of maternity leave.

A woman who has not worked long enough to qualify for maternity leave under Employment Standards laws may still be entitled to a reasonable maternity leave under Human Rights laws.

*The Human Rights Code* requires reasonable accommodation of pregnancy, circumstances related to pregnancy and family status, to the point of undue hardship.

Another factor to consider is whether the employer allows other employees who have worked comparable lengths of time to have other kinds of leave, such as vacation and educational leave. For further information concerning the Human Rights Code, please call the Human Rights Commission at: 204-945-3007, or 1-888-884-8681.

d. Parental leave

An additional 37 weeks unpaid parental leave is available to mothers and fathers, including adoptive parents, who have been employed by the same Centre for at least 7 consecutive months. A mother's parental leave must follow immediately after her maternity leave unless she and her employer agree to a different arrangement.

Fathers may take parental leave at any time within 52 weeks of the child's birth or adoption.

Written notice is required at least 4 weeks before the date on which parental leave shall start.

An employee may end her maternity leave or his/her parental leave early by giving the employer written notice of at least two weeks, or one (1) pay period (whichever is longer) before the day he/she wishes to end the leave.

e. Reinstatement after leave

Following maternity or parental leave, the employee must be reinstated to his or her former position or a similar position. Wages and benefits must not be lower than prior to their leave.

f. Compassionate leave

The Administrative Coordinator shall grant leave with pay, for a maximum of three days, in case of the death of any immediate family member. Immediate family consists of spouse, child or ward of employee, mother, father, brother, sister, mother-in-law, father-in-law, legal guardian, or relative permanently residing in the



employee's household or with whom the employee permanently resides.

An employee shall be entitled to compassionate leave of one (1) working day without loss of salary in the event of the death of an employee's grandparent, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, or grandchild, or in the event that the employee must act as pallbearer or mourner, or at the discretion of the Board Chair.

An employee shall be entitled to additional compassionate or special leave upon request to the Personnel Committee.

### 6.13 DISCIPLINE, SUSPENSION AND DISMISSAL OF EMPLOYEES

6.13.1 Purpose: To provide a guide for disciplining, suspending or dismissing employees in a fair and respectful manner

6.13.2 Policy: Employees shall be treated in a fair and equitable manner and shall be given an opportunity to improve their performance and/or behaviour before being suspended or dismissed.

The following conditions may lead to disciplinary action, suspension, or dismissal:

- a. Unsatisfactory job performance as evaluated by the supervisor
- b. Theft of property of a client or the employer
- c. Being on the job under the influence of alcohol or drugs
- d. Making false entries on the organization's records
- e. Acting violently, except in cases of self defense
- f. Absence without leave
- g. Negligence and/or misuse of equipment
- h. Charge and/or conviction of a criminal offence
- i. Obtaining employment under false pretenses
- j. Abuse of a client or fellow employee
- k. Insubordination

6.13.3 Administration of Policy:

In the case of the Administrative Coordinator: Prior to suspension or dismissal, and depending on the circumstances and seriousness of the situation, the Chair of the Board, in consultation with the Personnel Committee, may employ oral and/or written reprimands of an Administrative Coordinator who is performing below expectations or who has committed an act unbecoming of an employee of the Centre.

In the case of other staff: Prior to suspension or dismissal, and depending on the circumstances and seriousness of the situation, the Administrative Coordinator may employ oral and/or written reprimands of an employee who is performing

below expectations or who has committed an act unbecoming of an employee of the Centre.

When a verbal or written reprimand has not achieved the expected result, an employee shall be suspended for a specific length of time, with or without pay, and shall be advised in writing.

All disciplinary action taken against an employee shall be noted in the employee's file.

Whenever appropriate, alternatives to dismissal, for example a leave of absence without pay for the purpose of attending treatment for alcohol abuse, shall be approved by the Board of Directors.

Prior to initiating action to dismiss an employee, full written documentation of incidents must be on the employee's personnel file.

The Personnel Committee shall give final approval to the dismissal of any employee except the Administrative Coordinator.

The Board of Directors shall give final approval to the dismissal of the Administrative Coordinator.

The Administrative Coordinator is responsible for serving the employee with a dismissal notice.

The Chair of the Board of Directors is responsible for serving the Administrative Coordinator with a dismissal notice.

Employees may be dismissed outright for "just cause." In the event of a dismissal for "just cause" there is no requirement for one pay period in lieu of notice. In the event of dismissal for other than "just cause," the Centre shall give two weeks-notice in writing or two-weeks pay in lieu of notice, and shall provide a written reason for the dismissal.

An employee who fails to report to work for two consecutive working days without notifying the supervisor, and without satisfactory reason, shall be deemed to have abandoned the position and the employee shall be deemed to be dismissed. An employee who is deemed to have abandoned the position shall be notified by certified mail that employment has been terminated as of the last date on which the employee was at work.

All dismissal notices shall be delivered directly to the employee being dismissed or be delivered by certified mail to the last known address of the employee being dismissed.

In the case of temporary or casual employees, the termination of employment date shall be established upon commencement of employment and no further notice shall be required except where the term is extended. In such cases, the employee shall be advised in writing at least a week prior to the end of the term and the new dismissal dates shall be clearly stated in the extension notice.

An employee who wishes to appeal a suspension or dismissal shall advise the appropriate supervisor in writing at least two weeks prior to the date on which the dismissal is to take effect.

Upon receipt of notice of an employee's appeal of dismissal, the Personnel Committee shall review the appeal within ten working days of the appeal. An employee appealing the dismissal shall be entitled to be present or be represented by another person at the hearing called to consider the appeal, examine any witness called in support of the appeal, and to produce witnesses to provide evidence in support of this appeal and have them examined.

A supervisor called to present evidence at the hearing may also be represented by another person at the hearing called to consider the appeal, examine any witnesses and produce witnesses to provide evidence in support of the decision to terminate employment.

The Personnel Committee shall advise the employee of its decision within five working days of the date of the appeal hearing.

Upon receipt of an appeal from an employee by the Board of Directors, the Board shall follow the same procedures as followed by the Personnel Committee and employees and supervisors shall have the same rights during hearings held by the Board of Directors as those held by the Personnel Committee.

#### 6.14 RESIGNATIONS

6.14.1 Purpose: It is recognized that when an employee decides to terminate employment, that the Board of Directors or Administrative Coordinator requires reasonable notice of termination of employment in order to plan for the orderly filling of the vacancy.

6.14.2 Policy: Employees shall give written notice of resignation to their immediate supervisor as far in advance of the termination of employment as possible. Where possible, the Administrative Coordinator shall give two to three months-notice exclusive of any vacation due. Other employees are required to give two weeks-notice.

6.14.3 Administration of Policy:

When notice of resignation is received, the employee's supervisor shall determine appropriate action. Reasons for resignation are to be investigated and

if there is a possibility of retaining a capable employee, the alternatives to separation are to be explored.

When alternatives to separation are not realized, and upon acceptance and acknowledgement of resignation, the immediate supervisor is required to initiate the separation procedure immediately. The number of regular working days schedule up to and including the last day of work should be correctly determined in order to avoid delays in processing the final pay cheque.

A resignation interview shall be conducted between the employee and his or her immediate supervisor. A written report on the reason for an employee's resignation shall be made by the employee's supervisor and shall be filed in the employee's personnel file.

Final cheques covering salary for actual days at work during the last two weeks of employment and shall be available to the employee on the next schedule pay day.

### 6.15 GRIEVANCES

6.15.1 Purpose: To provide for a clear and fair procedure for employees to resolve grievances

6.15.2 Policy: A grievance is a complaint by an employee concerning the application, interpretation or alleged violation of any section of this personnel policy. All employees who feel aggrieved shall have their grievance heard and resolved in the shortest time possible.

6.15.3 Administration of Policy:

An employee who feels aggrieved shall advise the supervisor of the grievance in writing.

The supervisor shall meet with the employee and the individual against whom the grievance is laid to discuss the grievance and how it may be resolved.

During the meeting, the person grieving and the person against whom the grievance is filed may be represented by another individual.

The Administrative Coordinator or immediate supervisor shall advise the individual involved, of the decision in writing.

If the employee is not satisfied with the decision of the Administrative Coordinator, the employee can appeal to Personnel Committee in written form.

Personnel Committee has 15 days to investigate, take action, and respond in writing.

If resolution fails, grievances of all other nature shall be presented to the Board of Directors in written form. The Board has 15 days to investigate, take action, and respond in writing.

## 6.16 HARASSMENT AND DISCRIMINATION

### 6.16.1. Harassment

The Manitoba Human Rights Commission enforces protection from discrimination in *employment and other activities, as set out in The Human Rights Code. It does this by accepting and investigating human rights complaints, by providing advisory opinions, and through its educational programs.*

*The following are simplified descriptions of provisions under The Human Rights Code, concerning harassment and discrimination. For further information, call the Manitoba Human Rights Commission at 204-945-3007, or 1-888-884-8681.*

*Harassment and discrimination complaints shall be handled in the same manner.*

*Harassment:*

The Human Rights Code prohibits harassment based on any of the protected characteristics, including sex, race, religious, or sexual orientation.

Harassment includes:

- a. a course of abusive and unwelcome conduct or comment made on the basis of a protected characteristic
- b. a series of objectionable and unwelcome sexual solicitations or advances
- c. an unwelcome sexual solicitation or advance made by a person who is in a position to confer or deny a benefit to the recipient
- d. a reprisal or threat of reprisal for rejecting a sexual solicitation or advance.

An employer who fails to take reasonable steps to terminate the harassment of an employee by a supervisor, co-worker or customer/client can also be held responsible for the harassment.

Employees, volunteers, members and clients of Centres are expected to respect the rights of others and to maintain a work environment that is free from any actions, either deliberate or unintentional, that might be interpreted as harassment.

All complaints shall be investigated. Anonymous complaints shall not be considered. Any and all conduct that lies within the definition specified, or any retaliatory action taken against a complainant, shall be subject to disciplinary action.

Harassment may consist of verbal or physical conduct.

"Sexual harassment" refers to any harassment by or between either sex or the same sex which is unwelcome to the individual, is demeaning or may have adverse consequences for the victim.

"Unwelcome verbal conduct" includes but is not limited to, name-calling, racial slurs and racist jokes, writing of racial slurs on walls or displaying racist pictures or cartoons. Unwelcome verbal conduct also includes proposition, comments on the other's sex life, comments on the other's body, requests for sexual favours, insults, threats, and offensive jokes or teasing.

"Unwelcome physical acts" include but is not limited to constant practical jokes, causing suffering, jostling, shoving, pushing, tripping, or physical attacks. In short, any conduct which is insulting, threatening, intimidating or embarrassing for the employee. Unwelcome physical conduct also includes pressing against someone, touching, hugging, kissing, patting, pinching, assault and forced sexual relations.

#### 6.16.1.1 Procedure for dealing with harassment:

1. When possible, an employee who is being harassed is to inform the harasser clearly and directly that the action is offensive and shall not be tolerated.
2. The employee has the right to bring the situation to the attention of the employee's immediate supervisor, Personnel Committee or Board of Directors.
3. If the situation is not resolved to the employee's satisfaction, the employee may lodge a complaint, in writing, specifying:
  - a. Name of the alleged victim
  - b. Nature of the harassment including any injuries sustained
  - c. Details of the incident(s) including date(s), location, etc.,
  - d. Name(s) of the alleged perpetrator(s)
  - e. Name(s) of any witnesses
  - f. Any other supportive data.
4. The complainant/designate shall then forward the completed documentation to the Administrative Coordinator for investigation. If the complaint is made against the Administrative Coordinator, the completed documentation shall be forwarded to the Chair of the Personnel Committee. The Chair, in turn, shall appoint an investigator who reports to the Board of Directors.
5. The Administrative Coordinator or designate shall ensure that the complaint is investigated in an expeditious and confidential manner and shall immediately take steps to ensure a safe work environment is maintained for the complainant during the investigation. This may include but is not limited to ensuring that: the alleged perpetrator(s) not have unnecessary and unsupervised contact with the complainant; supportive counselling is available if required;
6. Reasonable measures are taken to avoid the possibility of the alleged perpetrators(s) committing similar or other offences against other employees
7. Both the complainant and the harasser shall be advised of the investigation process and their rights and responsibilities including the confidential nature of the complaint.

8. The following principles shall be applied to the fact-finding process
9. Full and fair treatment shall be accorded to all concerned in the matter
10. The investigation shall be conducted in consultation with appropriate authorities
11. The alleged victim(s) and the alleged perpetrator(s) each shall be permitted legal representation or anyone of his/her choosing accompanying or representing them during the investigation
12. The investigator may appoint a witness or recorder for any interviews conducted during the investigation. This investigation and remedial action must be given high priority and completed as soon as possible. The process should normally be completed within three months unless exceptional circumstances exist.
13. The investigator shall provide a written report to the Administrative Coordinator or designate containing a statement of the facts (e.g. verbatim statements, supporting evidence); action(s) recommended.
14. The Administrative Coordinator shall meet with the complainant after the investigation to explain the disposition of the complaint.
15. Should the complaint be substantiated, a note shall be made to the harasser's personnel file. Any disciplinary action resulting from the investigation of this complaint shall be documented on the personnel file.
16. If it is clear that the complaint of harassment is erroneous, the Administrative Coordinator shall take reasonable steps to assure that the reputation of the alleged perpetrator(s) is restored.
17. Employees may at any time, or if not satisfied with the process, contact the Human Rights Commission.

#### 6.16.2 Discrimination:

Discrimination includes:

- Treating an employee or applicant for employment differently because of a protected characteristic, such as race or age, and without reasonable cause;
- Failing to reasonably accommodate the special needs of an employee that are based on a protected characteristic, such as religion, pregnancy or disability;
- Treating someone differently based on generalizations about a group he or she belongs to, is presumed to belong to, or associates with, and not on the basis of personal merit.

*The Human Rights Code* expressly prohibits unreasonable discrimination on the basis of:

- ancestry, including colour and perceived race
- nationality or national origin
- ethnic background or origin
- religion or creed

- age
- sex, including pregnancy; gender-determined characteristics
- sexual orientation
- marital or family status
- source of income
- political belief, association or activity
- physical or mental disability

An intention to discriminate is not required for discrimination to be found.

A discrimination complaint shall be handled in the same manner as a harassment complaint.

### 6.17 COMMUNICATION DEVICES & COMPUTER USE

6.17.1 Purpose: Although it is recognized that employees must occasionally conduct personal business during work hours, employees are responsible to focus their attention on the work of the Arts Centre.

6.17.2 Policy: Employees will limit their use of personal communication devices (such as texting, cell phones, social networking, email, etc.) so that all personal use is infrequent and short during work hours.

Employees will use all computers for work-related activities during work hours; personal use of computers during work hours must be infrequent and brief. The Administrative Coordinator or the Personnel Committee of the Board of Directors reserves the right to ban the use of Centre- owned computers for specific purposes, even during lunch or break times.

The final judgement of how much is too much will be made by the Administrative Coordinator or the Personnel Committee of the Board of Directors.

### 6.18 DRESS CODE

6.18.1 Purpose: It is recognized that the clothing employees wear plays a part in projecting a friendly, business casual image for the Arts Centre.

6.18.2 Policy: Employees should use discretion in wearing attire that is appropriate for a business environment and for customer interaction. The final judgement of appropriate attire will be made by the Administrative Coordinator or the Personnel Committee.

### 6.19 OVERTIME HOURS

6.19.1 Purpose: To compensate all employees for overtime hours incurred while performing expected duties for the Centre.



6.19.2 Policy: Employees shall be compensated with time off at the rate of 1 % banked hours for each hour of overtime in concordance with Manitoba Labour Standards.

Overtime hours for staff must be approved by Administrative Coordinator.

An ongoing record of banked hours accrued and banked hours taken must be kept by the Administrative Coordinator for each staff member including the Administrative Coordinator.

Banked hours must be taken on an on-going basis. Banked hours must not be allowed to exceed the equivalent of one work week (pro-rated for part time employees). Banked hours must be taken in consultation with the Administrative Coordinator and scheduled so as not to impact the hours of operation of the Arts Centre.

## 6.20 JOB DESCRIPTIONS

### 6.20.1 Administrative Coordinator

#### 6.20.1.1 Reports to: Board of Directors

6.20.1.2 Summary of Responsibilities: The Administrative Coordinator is responsible for the overall management of the Arts Centre's operations and programs. Responsible to the Chair of the Board, the Administrative Coordinator administers the Centre, in accordance with the purpose, goals, policies and philosophy of the Board of Directors.

6.20.1.3 Overview: The Administrative Coordinator position includes office and program administration, gallery exhibit planning, and grant writing. It is a salaried position that involves 22.5 hours per week. These weekly hours will be scheduled as per the job description outline.

#### 6.20.1.4 Specific Responsibilities

##### 1. Board Relations

- a. Implement the purpose, goals, and objectives of the center as set by the Board
- b. Attend Board meetings with written reports that include research and information for decision making; recommendations for action; statistics; programming
- c. Inform the Board on issues, decisions, and actions affecting the Council

##### 2. Administration

- a. Take event and program registrations and process gift shop purchases
- b. Greet customers and provide basic customer service and orientation to our facility

- c. Provide control and direction orienting volunteers and assigning work responsibilities to a part-time employee
- d. Process monthly E-Bulletin and send out electronically
- e. Ensure adequate promotional materials (brochures, posters, flyers, etc.) have been generated and coordinate circulation with Programs & Outreach Coordinator
- f. Assist with the marketing online and in local news outlets for all events and programs
- g. Maintain yearly updated inventory of the physical assets of the Council
- h. The Administrator will take on the Primary responsibility of managing, training, and developing the volunteer base. Recruiting more volunteers will be a joint responsibility.
- i. Negotiate and execute contracts/leases/agreements for the Centre as directed by the Board of Directors
- j. Maintain a current policy and procedures manual for the Centre

### 3. Finances

- a. Assist with annual budgeting, preparing the draft of the annual budget and presenting it to the Board
- b. Apply for grants related to the functioning of the Arts Council and it's financial stability

### 4. Gallery Exhibitions

The Administrative Coordinator will take on the Primary responsibility to coordinate the Exhibits, and will make contact with artists or art groups to bring in exhibits. There will be some collaboration between the Administrator and the Programs & Outreach Coordinator to discuss options and develop the year's exhibitions. The goal is to have about 75-80% of exhibitions being from local artists, with 20-25% being from outside the region.

- a. Assist with the preparation of an annual exhibition schedule and present to the Board
- b. Assist with the organization and supervision for all of the gallery's exhibitions including contracts
- c. Develop a good working relationship with artists and respect their rights as partners in the arts community and as creative producers

### 5. Human Resource Management

Provide control and direction for the personnel functions of the Centre including:

- a. developing and upgrading job descriptions;
- b. hiring of employees with support of Personnel Committee
- c. orienting employees;
- d. assigning work responsibilities to employees;

- e. scheduling employees;
- f. supervising and evaluating employees;
- g. reviewing work assignments regularly;
- h. handling grievances;
- i. dismissing employees as required with support of Personnel Committee;
- j. Identify and encourage employee and volunteer development through in-services, resource materials and participation in available conferences and training sessions
- k. Provide opportunities for student training
- l. Ensure regular employee meetings are held

6. Other Responsibilities

- a. Carry out other related tasks as mutually agreed upon with the Board of Directors.
- b. Hours worked weekly will follow a base schedule providing for a weekly staff meeting and overlapping with other staff members over open gallery hours. The schedule will be adjusted as needed to accommodate mandatory meetings and events as mutually agreed upon with other staff members.

7. Gift Shop Management

Oversee the management of the gift shop by the Administrative Assistant

6.20.1.5 Position Requirements

- Knowledge and experience in administration
- Excellent interpersonal and communication skills
- Proficiency with computers
- Previous experience with grant writing

6.20.1.6 Assets

- Post-secondary education
- Knowledge of marketing
- Experience working in arts and culture

## 6.20.2 Program and Outreach Coordinator

### 6.20.2.1 Reports To: Administrative Coordinator

6.20.2.2 Summary of Responsibilities: The Program and Outreach Coordinator will develop, structure, and coordinate all community outreach initiatives including workshops, educational classes, and events. The ideal candidate will build relationships with individuals, citizen groups, and organizations to promote the growth and diversity of arts and culture in the Pembina Valley region. It is a salaried position that involves 22.5 hours per week. These weekly hours will be scheduled as per the job description outline.

### 6.20.2.3 Specific Responsibilities

#### 1. Board Relations

- a. Implement the purpose, goals, and objectives of the center as set by the Board.
- b. Attend Board meetings with written reports that include research and information for decision making; recommendations for action; statistics; programming.
- c. Inform the Board on issues, decisions, and actions affecting the Council.

#### 2. Program Planning, Development, and Evaluation

- a. Ensure that all planning, development, implementation, and evaluation of all programs and services are completed and consistent with the goals of the Council, this includes;
  - i. Assess the needs and interests of members and community
  - ii. Establish contracts with all teaching artists and partner organizations
  - iii. Coordinate outreach programs in regional schools
  - iv. Develop a year-round curriculum of classes, camps, and workshops for youth and adults
  - v. Develop annual budgets for programs along with Administrative Coordinator
  - vi. Establish and maintain records of programs
  - vii. Evaluate programs and services with the Board
  - viii. Make necessary program adjustments based on an evaluation process
- b. Develop and maintain partnerships with other agencies and organizations through the Pembina Valley region
- c. Work with Administrative Coordinator to ensure a high quality of communication through a monthly newsletter, advertisements in the media, as well as public engagements
- d. Maintain current knowledge of trends and issues pertaining to arts and culture

- e. Recruit, train, and develop a strong volunteer base alongside Administrative Coordinator.
3. Gallery Exhibitions in Conjunction with Administrative Coordinator  
The Administrative Coordinator will take on the Primary responsibility to coordinate the Exhibits, and will make contact with artists or art groups to bring in exhibits. There will be some collaboration between the Administrator and the Programs & Outreach Coordinator to discuss options and develop the year's exhibitions.
    - a. Develop a good working relationship with artists and respect their rights as partners in the arts community and as creative producers
  4. Other Responsibilities
    - a. Carry out other related tasks as mutually agreed upon with the Board of Directors.
    - b. Hours worked weekly will follow a base schedule providing for a weekly staff meeting and overlapping with other staff members over open gallery hours. The schedule will be adjusted as needed to accommodate mandatory meetings and events as mutually agreed upon with other staff members.

#### 6.20.2.4 Position Requirements

- Excellent written and oral communication skills
- Experience organizing and facilitating programs and events
- Knowledge and experience working with diverse communities
- Proficient with the use of computers and social media networks

#### 6.20.2.5 Assets

- Post-secondary education
- Strong ability to network with individuals, citizen groups, and organizations
- Project management experience
- Interest in fundraising and grant writing

### 6.20.3 Administrative Assistant

#### 6.20.3.1 Reports To: Administrative Coordinator

6.20.3.2 Summary of Responsibilities: The Administrative Assistant will report directly to both the Administrative Coordinator and the Programs & Outreach Coordinator. It is an hourly position that involves 20 scheduled hours per week with some days, evenings, and weekends required. The purpose of this position is to aid the Coordinators in their execution of the PHAC's mandate – to promote arts and culture in the Pembina Valley. This position plays a critical role in the realization, reliability, and continuity of PHAC daily operations.

#### 6.20.3.3 Specific Responsibilities

1. Customer Service & Reception
  - a. Open and close the gallery
  - b. Warmly welcome patrons into the gallery
  - c. Process program registrations, gift shop sales and other products/services/tickets for purchase
  - d. Provide support to gift shop and gallery volunteers
  
2. Office Administration
  - a. Maintain current and accurate records and statistics (members, volunteers, visitors, exhibitors, newsletter recipients, programs, etc.)
  - b. General office duties including but not limited to: answering phone calls, checking voicemail & mailbox, responding to email inquiries, paperwork, etc.
  - c. Performing daily cash count and reconciliation
  - d. Maintaining office supplies, kitchen supplies, etc.
  - e. Manage the quarterly gift shop rentals and oversee the completion of the subsequent contracts
  - f. Under the direction of the Coordinators, enacting the electronic marketing campaigns (Facebook, website, Instagram, MailChimp, online calendars, creating posters, etc.)
  - g. Process event and rental bookings
  - h. Safeguard confidentiality regarding member, instructor, patron and volunteer information
  - i. Offer support to all staff and Board members for various office related tasks
  - j. Attend weekly staff meetings
  
3. Other Responsibilities
  - a. Light cleaning duties as needed
  - b. Supervision of part-time student staff and volunteers as required
  - c. Provide organizational support for events
  - d. Help install and dismantle gallery exhibitions

- e. Manage and organize the year-round Members' exhibition
- f. Other tasks requested by the Coordinators and/or Board of Directors as mutually agreed upon

#### 6.20.3.4 Position Requirements

- Excellent written and oral communication skills
- Proficient with the use of computers (Microsoft Office Suite)
- Interest in Arts & Culture

#### 6.20.3.5 Assets

- Strong ability to network with individuals, volunteers, patrons, etc.
- Strong organizational skills
- Previous experience working with non-profit organizations
- Previous experience working in the Arts & Culture sector
- Experience with computer programs such as Adobe Illustrator, Adobe Photoshop, and Quickbooks
- Access to a vehicle
- Current Serve it Safe Certificate and previous experience serving alcohol

## 7.0 POLICY & PROCEDURES

### 7.1 Conflict of Interest Policy

The standard of behaviour at the Pembina Hills Arts Council is that all staff and board members scrupulously avoid conflicts of interest between the interests of the Pembina Hills Arts Council on one hand, and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest.

I understand that the purposes of this policy are to protect the integrity of the Pembina Hills Arts Council's decision-making process, to enable our constituencies to have confidence in our integrity, and to protect the integrity and reputations of volunteers, staff, and board members. Upon or before election, hiring, or appointment, I will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and I will update it as appropriate.

In the course of meetings or activities, I will disclose any interests in a transaction or decision where I (including my business or other non-profit affiliations), my family, and/or my significant other, employer, or close associates will receive a benefit or gain. After disclosure, I understand that I will be asked to leave the room for the discussion and will not be permitted to vote on the question.

I understand that this policy is meant to supplement good judgment, and I will respect its spirit as well as its wording.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### **Pembina Hills Arts Council Conflict of Interest Disclosure**

The following are interests, relationships, and holdings I have that could potentially result in a conflict of interest with the interests of the Pembina Hills Arts Council: (sign and date the list and each subsequent addition)



# Pembina Hills Arts Council

## Employee Confidentiality Agreement Letter

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This employee confidentiality agreement is made between **EMPLOYEE** (hereon referred to as the "Employee") and the Pembina Hills Arts Council (hereon referred to as the "Employer").

The Employee agrees to the terms of this agreement:

1. The Employee acknowledges that, in the course of employment by the Employer, the Employee has, and may in the future, come into the possession of certain confidential information belonging to the Employer including but not limited to trade secrets, customer, volunteer or member lists, supplier lists and prices, pricing schedule, methods, processes, or marketing plans.
2. The Employee hereby covenants and agrees that he or she will at no time, during or after the term of employment, use for his or her own benefit or the benefit of others, or disclose or divulge to others, any such confidential information.
3. Upon termination of employment, the Employee will return to the Employer, retaining no copies, all documents relating to the Employers business including, but not limited to, reports, manuals, drawings, diagrams, blueprints, correspondence, customer lists, computer programs, and all other materials and all copies of such materials, obtained by the Employee during employment.
4. Violation of this agreement by the Employee will entitle the Employer to an injunction to prevent such competition or disclosure, and will entitle the Employer to other legal remedies, including attorney's fees and costs.
5. This agreement shall be governed by the laws of Personal Information Protection and Electronics Document Act (PIPEDA).
6. If any part of this agreement is adjudged invalid, illegal or unenforceable, the remaining parts shall not be affected and shall remain in full force and effect.
7. This agreement shall be binding upon the parties, and upon their heirs, executors, personal representatives, administrators and assignees. No person shall have a right or cause of action arising out of or resulting from this agreement except those who are parties to it and their successors in interest.
8. This instrument, including any attached exhibits and addenda, constitutes the entire agreement of the parties. No representation or promises have been made except those that are set out in this agreement. This agreement may not be modified except in writing signed by all the parties concerned.

Employee Signature	Date
Employer Signature	Date

### 7.2 Policy - #001 Key Sign Out

Authority of the PHAC Board of Directors Approved March 14, 2007

7.2.1 Purpose: To define accessibility of keys to the Art Centre Building.

7.2.2 Policy Statement:

- The Administrative Coordinator is responsible for approving and assigning keys and/or entrance privileges to all persons who wish access to the PHAC.
- Town Staff will be assigned their own key for entrance of the building by the Administrative Coordinator. This is required for accessibility relating to regular maintenance and clock-winding.
- All key holders or users must ensure that the building is secure upon leaving or key privileges will be revoked.
- Any individual who does not follow the key sign-out policy will have their key sign-out privileges revoked.
- The Administrative Coordinator is responsible for approving key assignments, and updating the key sign- out list.
- A refundable deposit (\$30.00) is required for all persons taking out keys.
- Keys are available to members, tenants, instructors, and anyone else that the Administrative Coordinator deems appropriate.

### 7.3 Policy - #002 Artist Studio Rental REMOVED MAY 15, 2018

### 7.4 Policy - #003 Gallery Space Rental

Authority of the PHAC Board of Directors Approved March 2019 **See Schedule #1**

7.4.1 Purpose: To define the rental cost and conditions of the Art Gallery space.

7.4.2 Policy Rules:

- Gallery Space Rental must be booked through the Administrative Coordinator.
- Rental cost is an hourly of rate of \$25.00
- A discount rate of \$15 per hour will apply to Non-profit organisations.
- Rental cost is payable at time of booking.
- Cancellation of booking must be made 5 days prior to rental booking date, or rental is non- refundable
- An Arts Centre employee or experienced volunteer must be present for the duration of the event, and this person is responsible for securely locking up the facility when the event is over.
- It is the responsibility of the renter to clean up and replace tables & chairs after the event. The employee or the volunteer will assist to ensure clean-up.
- If it is an employee who is present, that employee will be paid for their time.

7.4.3 Terms of Liquor Conditions:

- PHAC has a premise licence which covers all PHAC run events.

- Renters must obtain a liquor permit.
- Renter can only serve, not sell alcohol.
- Renter cannot advertise that they are serving alcohol.

### 7.5 Policy - #004 Other Space Rental Rates

Authority of the PHAC Board of Directors Approved March 14, 2007 Updated 2019

#### **See Schedule #2**

#### 7.5.1 Purpose

The purpose of this policy is to define the Studio Rental Rates in the Arts Centre.

#### 7.5.2 Policy Rules:

- All persons renting studio space or equipment must have a current Art council Membership in good standing.
- Appropriate safety equipment must be used by all renters.
- No equipment shall be taken from the facilities.
- Any Studio Rental must be confirmed with Administrative Coordinator before use.

#### Pottery Studio Rental:

- Pottery Wheel/Studio Rental: \$60 per month.
- Clay & Glaze- participants must provide their own.
- Pottery wheel, tools, and room must be cleaned after use.
- Users must have attended pottery classes at the Pembina Hills Arts Centre before using pottery studio. Potters with less than 6 months experience must be under the supervision of an experienced pottery member.
- Kiln use:
- \$45.00 per load for members, \$55.00 per load for non-members, cones are extra.
- (Kiln will be fired only by member approved by Administrative Coordinator)

#### Main Class Rental:

- Non-member groups: \$10.00 for morning, afternoon, or evening for a class or meeting. (\$30.00 per day)

### ~~7.6 Policy - #005 All Studio Rental Rates REMOVED May 15, 2018~~

### 7.7 Policy - #006 Gallery Exhibitions

Authority of the PHAC Board of Directors Approved March 2019 **See Schedule #3**

7.7.1 Purpose: In order to create a level of professionalism in the set-up of our exhibitions, this policy has been created to outline the terms and method of receiving, jurying, and accepting an exhibition to be displayed at the Pembina Hills Arts Centre.

#### 7.7.2 Policy Rules:

No reproduction or photos will be allowed of any artwork in the Gallery without the express permission of the artist. The artist will be asked prior to placing their work into the gallery if they give permission to the Gallery staff to use portions of their work for advertising purposes.

### 7.8 Policy - #007 Mileage

Authority of the PHAC Board of Directors Approved Amended

7.8.1 Purpose: To establish a rate of re-imbusement to individuals that have to travel on behalf of the PHAC, gallery or gift shop.

#### 7.8.2 Policy Rules:

Mileage expenses will be paid to individuals that are required to travel on behalf of the Pembina Hills Arts Council at a rate of \$0.43 per kilometre return.

Mileage will only be paid on the following conditions;

- Payment does not apply to PHAC board or committee meetings
- A requisition is to be submitted to the bookkeeper prior to re-imbusement
- Requisition for travel expense re-imbusement will only be paid out to individuals attending a PHAC approved event.

### 7.9 Policy - #009 Classes

Authority of the PHAC Board of Directors Approved Amended

7.9.1 Purpose: To establish a guideline for classes being taught at the Pembina Hills Art Gallery.

#### 7.9.2 Policy Rules:

Classes will be permitted to run as long as the income from the classes covers all the costs of the class. Including:-

- Instructor Wage (minimum \$23/hour)
- Mileage (over 30 kms will be reimbursed at \$0.43 per km)
- Cost of Supplies
- Promotion and Advertising
- 20% profit

7.10 Policy - #010 Spending by Administrative Coordinator

Authority of the PHAC Board of Directors Approved Amended

7.10.1 Purpose: To establish a limit of unbudgeted spending by the Administrative Coordinator

7.10.2 Policy Rules: The maximum amount the Administrative Coordinator can spend on unbudgeted items is \$100.00/month without prior budget approval. This amount will not be cumulative.

7.11 Policy - #011 Cancellations Due to Weather

Authority of the PHAC Board of Directors Approved Amended

7.12.1 Purpose: To designate cancellation authority

7.12.2 Policy Rules: The Administrative Coordinator at their discretion, may so choose to cancel/reschedule any activities/events of the PHAC due to travel and/or weather conditions that have been deemed hazardous.

7.12 Policy - #012 Gift Shop Rental

Authority of the PHAC Board of Directors Approved.

See **schedule #4** – Gift Shop Form and Agreement

7.13 Policy - #013 Mat Cutting Service

Authority of the PHAC Board of Directors Approved May 15, 2018

See **schedule #5** – matt cutting form and Agreement

7.14 Policy - #014 Main floor Members Gallery

Authority of the PHAC Board of Directors Approved May 15, 2018 and March 2019.

Each member is allowed to showcase a maximum of 2 pieces of work in the upstairs members gallery for a maximum period of 3 months. After 3 months, the member must collect the work and can showcase a maximum of 2 new pieces of work.