

Policy and Guidelines for Chief and Council

Version: 1.0



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Part 1: Purpose of This Document

1.1 PURPOSE AND TITLE

- 1.1.1. This policy is hereby enacted by the Red Rock Indian Band Chief and Council, on behalf of the members of the Red Rock Indian Band. This document will serve and be known as the *Policy and Guidelines for Chief and Council*.
- 1.1.2 The purpose of this policy is to provide guidelines under which members of the Council perform their appointed duties in a responsible and appropriate manner.
- 1.1.3 This policy will be applied and enforced fairly, consistently, and equally to all persons to whom it applies.

1.2 APPLICABILITY

- 1.2.1 The Chief and Council are subject to all provisions of this policy unless they receive certain exemptions as agreed by a motion passed at a general band meeting.

1.3 RESPONSIBILITY

- 1.3.1 All members of Council are responsible for the maintenance of and adherence to this policy.

1.4 INTERPRETIVE PROVISION

- 1.4.1 For administrative purposes only, the Band Administrator or the Human Resources Manager of the Red Rock Indian Band may provide such interpretations of this policy as may be required from time to time and to apply those administrative interpretations unless otherwise directed by Council.

1.5 DEFINITIONS

- 1.5.1 For purpose of this policy, the following definitions are used:
 - a. “Abstain” means to refrain from voting, either for or against a motion.
 - b. “Band” means the Red Rock Indian Band
 - c. “BCR” means Band Council Resolution.
 - d. “Council” means elected Chief and elected Councillors.
 - e. “Entity” means any Red Rock Indian Band company.

- f. “Band Administrator” means the senior administrative employee.
- g. “Chief” means the person who received the most votes in the general election process.
- h. “Band Member” is a person recognized by the Red Rock Indian Band as being a status Indian (as defined in the Indian Act) and is included on the Red Rock Indian Band List.
- i. “Official” means any person appointed in an official capacity by Council who also reports to Council.
- j. “Special Meeting” is one that is called to address issues that cannot wait until the next regular scheduled meeting.

1.6 Amendments

- 1.6.1 Council, from time to time, can recommend amendments to this policy. Amendments must be approved by a quorum of Council and by the Community (by way of a motion from the floor at a general band meeting).
- 1.6.2 Council shall review and report to the Red Rock Indian Band Membership on the effectiveness and implementation of this Policy on a minimum annual basis.

Part 2: Council

2.1 Composition of Council

The Council of the Red Rock Indian Ban consists of one (1) Chief and four (4) elected Councillors.

2.2 Duties and Obligations of Members of Council

2.2.1 Performance

Council members will:

- 2.2.1.1 Perform their duties conscientiously, competently, loyally, and honestly, remembering that the primary work task is to serve the people of the Red Rock Indian Band to the best of their ability;
- 2.2.1.2 Ensure the integrity and dignity of the Red Rock Indian Band’s local government, traditions, businesses/entities, members and staff are maintained; and,

2.2.1.3 As elected representatives, will protect the best interests of the Red Rock Indian Band in their performance of their duties at all times.

2.2.2. Loyalty

All Chief and Councillors must be loyal to the collective interests of all Band members. This loyalty supersedes:

2.2.2.1 Any advocacy or special interest group and membership on other Boards.

2.2.2.2 The personal interests of any Council member acting as an individual user of the Red Rock Indian Band and other government's programs and services.

2.2.3 Conduct of Meetings

Council will:

2.2.3.1 Convene all meeting of Council in accordance with established procedures, which are:

- a) That all members of Council are provided with at least 5 business days' notice of regular council meetings; and that an agenda and accompanying materials be provided within 3 days of a regularly scheduled meeting; and,
- b) That for Special Meetings that are required due to emergencies and other urgent or time sensitive matters, no notice is required provided that all members of Council are made aware of the meeting prior to its convening and that a quorum is agreeable that an unscheduled meeting is required. (At such a meeting, there would be only the emergency or urgent item(s) on the agenda. The minutes from the previous meeting and other non-emergency items must be deferred to a regular meeting of Chief and Council.)

2.2.4 Meeting Specifics

Council will:

2.2.4.1 Hold scheduled meetings at a minimum of two council meetings per calendar month;

2.2.4.2 Convene meetings with the membership at least one time per month.

- a. January is an exception to this rule, and there will be no General Band Meeting during that month; This is because of

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the lack of new business that occurs in December due to the office being shut down.

- 2.2.4.3** Convene Meetings, with staff which he or she holds a portfolio for, at a minimum of one meeting per calendar month;
- 2.2.4.4** Convene meetings, with all staff at least once per month;
- 2.2.4.5** Ensure that all relevant information important to the prosperity or detriment of the Band be made known to the people in a timely manner;
- 2.2.4.6** Be present, either physically or by teleconference, at all meetings, unless there are compelling reasons why a member cannot attend. It is the responsibility of Councillors to actively participate in meetings of the Red Rock Indian Band Council. Absences may be subject to the application of see **Part 3 - Penalties for Council**.
- 2.2.4.7** Council shall be deemed to have given up their position on Council if:
- a) is convicted of an indictable offense under the Criminal Code of Canada; or
 - b) resigns from office(see Resignation Policy); or
 - c) Misses two consecutive (2) General Band Meetings without authorization from a quorum of council; or
 - d) Misses two (2) consecutive Council meetings and one(1) general Band Meeting without a quorum of council ;or
 - e) dies
- 2.2.4.8** Achieve quorum with three (3) members of Council at a properly constituted meeting which allows for normal operation of business.
- 2.2.4.9** The Chief shall be the Chairperson of all Council meetings. In the case of an absence, the Chief may delegate this role to another Councillor if agreed to by a quorum of Council.
- 2.2.4.10** Ensure that minutes are:
- a) Reviewed for accuracy;
 - b) Approved by a quorum of Council.
- 2.2.4.11** Assure that any Red Rock Indian Band member may, at all reasonable times, inspect the minutes of Council meetings (minutes for meetings held in-

camera will only include the topics discussed and the outcome) that have been approved by Council, and resolutions passed by Council, and the financial statements of the Band and its entities. Access to these records will be maintained by the Executive Assistant.

2.3 Role of Council

The role of council is to:

- 2.3.1 Act as the political representative and spokesperson of the Red Rock Indian Band, and provide guidance as senior level management to the Band.
- 2.3.2 Establish and appoint representatives to internal and external Boards and Committees.
- 2.3.3 To develop and pass by-laws with a majority of council.
- 2.3.4 Ensure by-laws comply with applicable paramount legislation
- 2.3.5 Ensure there is a “broad consensus” by Members supporting a by-law or amendments to it
- 2.3.6 Enforce by-laws in a fair and consistent manner.
- 2.3.7 Provide the Red Rock Indian Band and its entities with direction and advice.
- 2.3.8 Initiate, contribute to the development of, review, adjust, and approve strategic plans, goals, objectives, and budgets of the administration and the Band entities.
- 2.3.9 Act as a signing authority by way of BCR for items such as, but not limited to, permits, contracts, and bank transactions. Memorandums of Understanding Protocols, on behalf of the Band and Band entities as long as the documents are consistent with decisions of Council and permitted by applicable legislation.
- 2.3.10 Become familiar with and abide by all governing documents, agreements, organizations, programs, and operations of the Band and Council.
- 2.3.11 Discuss, amend, and approve policies and regulations designed to improve the governance finances, security, comfort, and development of the Red Rock Indian Band, its businesses, and its members.
- 2.3.12 Ensure that the Red Rock Indian Band and its entities are operating in a legal, ethical, moral, and safe manner.
- 2.3.13 Be responsible for ensuring that all staff perform their duties in the best interests of the Red Rock Indian Band and provide direction, and if not, take corrective action.

2.3.14 Council members shall prepare an annual written report for inclusion into the Red Rock Indian Band Annual Report. The report will be distributed to the total membership by mail.

2.4 Conduct of Council

Council members will not exercise individual authority over the organization except as explicitly set forth by the people. Therefore:

- 2.4.1 The Council will not undermine the authority of the Band Administrator or Senior staff;
- 2.4.2 Issues regarding the staff that may arise will be dealt with in camera at regular or Special Council meetings and not in a public forum;
- 2.4.3 The Council will not instruct the any staff member to perform any activity which is illegal, immoral, unethical, or dangerous; and,
- 2.4.5 The Council will not harass the staff of the Red Rock Indian Band.
- 2.4.6 Except for the authority granted to the Chief, Councillors must recognize that they have no authority to interact with the media, unless the Chief has given prior permission for doing so. The Chief is the official spokesperson of RRIB.
- 2.4.7 Members of Council are required to set an example in public and private of good conduct, citizenship, and brotherhood within the community in a manner that will bring credit to themselves, the Red Rock Indian Band, and the Red Rock Indian Band membership.
- 2.4.8 Council members will attend all Council and Community meetings and be in attendance in the office daily, unless there is a justifiable reason for their absence acceptable to the Chief.
- 2.4.9 Council has a primary responsibility to be reasonably accessible to the members of the Red Rock Indian Band.
- 2.4.10 Council members will not wilfully misrepresent the Red Rock Indian Band.
- 2.4.11 If a Council member has a concern with Council or a member of Council, he/she will bring that concern first to a meeting of Council where the concern will be dealt with in an open meeting or in-camera as decided by the Chief.

2.4.12 After deciding on a course of action, all Council members should act as one in their presentation of issues to the public, and will refrain from publicly criticizing other members of Council. This reduces the potential for individual Council members being confronted about a decision outside of a Council meeting. The respectful answer to membership is “That was a Council decision, you can appeal the decision by writing a letter to Council”.

2.5 Conflicts of Interest

2.5.1. "Conflict of interest" will arise when:

- a) A Councillor exercises an official power or performs an official duty or function in the execution of his or her office, and at the same time knows or ought to know that in the performance of the duty, function or in the exercise of the power there is opportunity to receive a Financial Benefit for themselves or to provide a Financial Benefit to an Immediate Family member. The same applies if said actions would create an advantage for him or her or an Immediate Family member over and above any other member of the public;
- b) A Councillor’s personal interests supersede or compete with their dedication to the best interests of the Band.
- c) For the purposes of this section, immediate family members consist of:
 - i. Spouse (Including Same Sex Spouses)
 - ii. Domestic Partner
 - iii. Parent
 - iv. Child
 - v. Brother
 - vi. Sister
 - vii. Father-In-Law
 - viii. Mother-In-Law
 - ix. Brother-In-Law
 - x. Sister-In-Law
 - xi. Son-In-Law
 - xii. Daughter-In-Law
 - xiii. Grandparent
 - xiv. Grandchild

2.5.2 For the purposes of these rules, a Councillor has a perceived conflict of interest if there is a reasonable perception that in the Councillor’s, exercise of an official power, performance of an official duty, or function must have been affected by his or her private interest.

- 2.5.3 Where a Councillor is uncertain as to whether a conflict of interest may exist, the situation must be disclosed to Council, and Council will decide whether a conflict of interest does exist.
- 2.5.4 In the event that an actual or perceived conflict of interest affects the entire Council, any member of the Red Rock Indian Band may raise the matter with the Red Rock Indian Band Administrator who may refer the matter to an Arbitrator for a decision. Should the Arbitrator be unable to make a decision, the matter will be referred to the Red Rock Indian Band membership.
- 2.5.6 In the event a Councillor believes another Councillor to be in an actual or perceived conflict of interest, such person shall immediately report the matter to the Council. If a quorum of Council feel a conflict of interest does exist they shall report that finding to the people at the next General Band Meeting.
- 2.5.7 A Councillor will not, directly or indirectly, accept a fee, gift or personal benefit that is connected with his or her performance of his or her duties unless the gift or personal benefit is a result of protocol, in which case it will be disclosed, or the fee is authorized compensation.
- 2.5.8 A Councillor must not use his or her position to attempt to influence in any way a decision or other action to be made or taken at a meeting or by the staff, if the Councillor has a financial interest or other private interest in the matter to which the decision or action relates.
- 2.5.9 A Councillor, or a former Councillor, shall not use any information that was obtained in the performance of his or her office and is not available to the general public for the purpose of gaining advantage over other members of the public or for the purpose of gaining or furthering a direct or indirect Financial Benefit.
- 2.5.10 Councillors will arrange their private affairs and conduct themselves in a manner to avoid a conflict of interest under these rules.
- 2.5.11 A Councillor with an actual or perceived conflict of interest will, without delay, declare the actual or perceived conflict of interest as follows:
- 2.5.12 A Councillor who attends a meeting and has reasonable grounds to believe that he or she has an actual or perceived conflict of interest in a matter that is being

considered, will disclose the general nature of the actual or perceived conflict of interest and will:

- a) Not participate in any discussion or decision of or vote on any question in respect of the matter;
- b) Immediately leave the meeting or the part of the meeting during which the matter is under consideration;
- c) Not sign a Band Council Resolution or letter in respect of the matter; and
- d) Not attempt in any way, whether before, during or after the meeting, to influence the opinion or vote of the Council or Board on any question in respect of the matter.

2.5.13 The Chief and each Councillor (and any interim replacements thereof) must disclose the following information upon election or appointment to office and whenever there is a change in the information disclosed under this section:

- a) All employment currently held by him or her;
- b) Any existing conflicts of interest;
- c) The name of any company or organization in which the Councillor holds a financial interest.

2.5.14 In circumstances where it is not possible for a Councillor to avoid the appearance of according preferential treatment to an Immediate Family member, the Councillor, will be guided by the Red Rock Indian Band values of respect for family, fairness, accountability and professionalism in any decision.

2.5.15 Any Councillor who fails to or makes an incomplete disclosure of a conflict of Interest will be subject to the application of see **Part 3 - Penalties for Council**.

Part 3: Terms of Reference for Council

3.1 Quorum of Council

- 3.1.1 A quorum of Council will be three (3) members in good standing, either present at a meeting in person or by teleconference.

3.2 Procedures of Council Meetings

- 3.2.1 The Council Packages will be prepared by the Executive Assistant and will be electronically or physically sent to members of Council prior to the Council Meeting. Copies of the package will be made available prior to the opening of the meeting.

- 3.2.2 The agenda will be prepared by the Executive Assistant approved by the Chief and will proceed only with the consent of Council.

a) Order of Business:

- i. Call to Order
- ii. Agenda Review (additions and/or deletions)
- iii. Delegation
- iv. Review, Amend and Adopt Minutes of previous Council meeting
- v. Business Arising from the previous Council meeting
- vi. New Business from Band Administrator
- vii. Chief's Report
- viii. Council Report's
- ix. Committee & Department Reports
- x. Action Items
- xi. Information Review
- xii. Adjournment of Meeting

- 3.2.3 A quorum of Council must be achieved in order to have a meeting in which decisions are made. In the absence of quorum, the meeting may proceed for discussion and information purposes only, but no decisions can be made.

- 3.2.4 All matters on the agenda will be subject to open discussion. The Chief may set a time limit for discussion on any item before the Council and can call for a vote.

- 3.2.5 Delegates have at least 15 minutes to provide their report and/or request to Council.

- 3.2.6 All reports, requests and recommendations must be provided in writing to the Executive Assistant at least three working days prior to a Council meeting.

- 3.2.7 Decisions of Council are by a majority vote.

- 3.2.8 A member of Council may abstain from voting, but he or she must give reasons for abstaining and these shall be recorded in the official minutes of the meeting.

- 3.2.9 A member of Council may oppose a vote, but he or she must give reasons for the opposition and these shall be recorded in the official minutes of the meeting.

3.3 In-Camera Session

- 3.3.1 The agenda will be prepared by the Executive Assistant approved by the Chief and will proceed only with the consent of Council.

a) Order of Business:

- i. Agenda Review
- ii. Delegation
- iii. Review, Amend and Adopt Minutes of previous Council meeting
- iv. Business Arising from the previous Council meeting
- v. New Business from Band Administrator
- vi. Human Resources Report from the HR Coordinator
- vii. Other Business
- viii. Adjournment of In-Camera Session

3.4 Minutes of Council Meetings

- 3.4.1 The Executive Assistant will ensure that minutes are kept for all Council meetings in a secure location.
- 3.4.2 The minutes of Council with amendments, if any, shall be approved by a quorum during its next regular meeting.
- 3.4.3 Some items discussed at the Council meetings will be of highly sensitive and confidential nature and should be confidential. The public minutes will indicate in-camera, with the in-camera notes kept in a safe place for future reference. The Executive Assistant will minute the in-camera session and will store in a secure place. The regular minutes will indicate discussion topics discussed during the in-camera session.
- 3.4.4 An attendance list and the approved minutes of Council meetings will be made available to Red Rock Indian Band membership upon request, and will be available at the Red Rock Indian Band Administration Building.

3.5 Access to Meeting of Council

- 3.5.1 At the discretion of Council, all meetings of Council will be open to the peaceful observation by Red Rock Indian members, unless a quorum of Council determines that a particular matter must be conducted in-camera.

3.6 Property of Council

- 3.6.1 All members of Council are entitled to use documents, papers, supplies, etc. provided to them by the Red Rock Indian Band Administration and its entities.

3.7 Penalties for Council

- 3.7.1** All Council members must carry out their duties in good faith with a reasonable degree of diligence, care, accountability, transparency, and skill. If a Council member is deemed to be negligent in carrying out his/her duties, the remaining Council members have the right to enforce its applicable policies.
- 3.7.2** Members of Council who commit any violation of the Council Policies and Guidelines may be subject to a penalty imposed by a decision of Council. In such circumstances, the following guidelines will be followed:
- a. The Council will raise the concerns with the Council member;
 - b. Continued offense will result in a request for the offending Councillor's resignation;
 - c. If there is no change in the behaviour of the Council member or if there are circumstances of an extreme nature, the Council will bring the issue to the General Band Meeting.
- 3.7.3** Any decision of Council in regards to the above must be reported to the Red Rock Indian Band membership as soon as reasonably possible.

3.8 Remuneration and Benefits of Council

- 3.8.1** Travel outside the normal geographical proximity and region of Lake Helen Reserve for the Council must be pre-approved by Council by simple majority.
- 3.8.2** All members of Council will be entitled to receive remuneration at a rate used by the administration of the Band according to the Remuneration Policy.
- 3.8.3** Council is entitled to be reimbursed for costs related to travel, meals, accommodations, and incidentals, etc. while on Council business; all costs must be accompanied by a signed expense claim and receipts as per the applicable policies.
- 3.8.4** There are no provisions for overtime compensation. Council is expected to fulfil their obligations and responsibilities for no additional compensation beyond that of honorarium.

3.9 Appeals and Redress

- 3.9.1** Any Band member may appeal a decision of the Council,
- 3.9.2** Upon receipt of an appeal request, the Chief shall call a meeting or the appeal shall be addressed at the next regular meeting.
- 3.9.3** A person who has a complaint may seek the confidential advice of the Chief, or any Councillor in an attempt to clarify his or her concerns and to understand his or her opinions.
- 3.9.4** All information regarding a complaint shall be kept confidential.
- 3.9.5** It is in the best interests of all parties where these types of concerns are raised to seek resolution as early as possible. A person who feels he or she has a

complaint under this Policy should, where possible, discuss the concerns with the person whose action gave rise to the complaint.

- 3.9.6** If the complainant is not able to resolve his or her concern after speaking with any of the persons previously mentioned, the person with the complaint may file in writing a formal complaint to the Red Rock Indian Band Council.
- 3.9.7** Written complaints must be submitted to the Chief within 30 days of the action or decision in question, either in person or by mail, at the Red Rock Indian Band Administration Office.
- 3.9.8** If a resolution acceptable to both parties is achieved, a resolution report will be completed and signed by the complainant and the respondent outlining the circumstances giving rise to the complaint, the investigation process, and the resolution achieved. Copies of the report will be given to the complainant, respondent, and the Band Administrator to keep on file. The matter will proceed no further

Part 4: Oath of Office

4.1 Oath of Office

4.1.1 All members of Council will take an Oath of Office in front of an elder at a public event within one week of winning an election. The Oath of Office is as follows:

- a) *I, _____, do solemnly swear that as newly elected Chief/Councillor of the Red Rock Indian Band, I will do my utmost to carry out the duties of my position according to the tenets of the Seven Grandfather Teachings, wisdom, love, respect, honesty, bravery, honesty, humility, and truth; remembering that my primary duty is to serve the membership of the Red Rock Indian Band as a whole and to treat all members equally regardless of name or ancestry.*

I accept my position as Councillor and agree to uphold the dignity and pride of the Red Rock Indian Band throughout my term in office

This Oath made on the _____ day of _____, 20__ at _____.

Signed Name

Witnessed Name

4.1.2 Oath of Chief and Council as a whole:

a) We, the Duly Elected Members of the Red Rock Indian Band Council Hereby swear to uphold the office of Chief and Council with a Forthright Commitment to Wisdom, Love, Respect, Bravery, Honestly, Humility and Truth. We do this in the name of Allegiance to the People of the Red Rock Indian Band and in the name of our Creator. Miigwetch

Appendix 1: Council Policies

Attendance Policy

1.1 Intent

The purpose of this policy is to establish the requirement set forth by The Red Rock Indian Band that every Member of the Chief and Council is in attendance. The Red Rock Indian Band places a high value on the quality and consistency of the decisions made by the Council and this can only be achieved by the ongoing and regular attendance of all its members. The intent of this policy is to reinforce with Council members that their commitment to the Red Rock Indian Band requires a high level of attendance.

1.2 Guidelines

1.2.3 The Red Rock Indian Band considers a member of the Chief and Council absent if he or she does not attend a scheduled meeting or is not present at the Red Rock Indian Band Office, regardless of cause.

- a. All members of the Chief and Council are required to be in attendance at all scheduled Chief and Council Meetings. This commitment will be confirmed with the member prior to joining the Chief and Council.
- b. In the event that a Member of Chief and Council cannot attend, they are required to notify the Chief as soon as practical in order to have the absence approved.
- c. In the event of illness, a member of Council must contact the Chief, or the Executive Assistant, giving notification of absence due to illness.
- d. If a member of Council misses two [2] General Band Meetings in a row without the approval of a quorum of council, or three [3] General Band Meetings in one [1] calendar year, the fellow Members of Council will review the situation and determine if the said Member will be asked to resign from their seat on the Council.

1.3 All members of the Chief and Council will be allotted fifteen (15) Personal/Sick days per term as a member of Council.

1.3.1 Unused sick/personal days will not roll over into the preceding terms, any unused days will not be paid out as cash.

1.3.2 In the event a member of Council does not serve a full year sick/personal days will be calculated at .625 days per month of service.

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- a. For example Honorary Councillors who assume a role on Council in April in the second year of a term would only be allotted 3 personal/sick days.

1.3.3 In the spirit of fair treatment when a member of Council begins their term before the 15th day of the month they will be considered as serving the full month.

1.3.4

DRAFT Created 2/3/16

Bereavement

1.1 Intent

1.1.1 The Red Rock Indian Band understands that Chief and Council should have time off work to attend funeral services, grieve in private, and deal with family issues in the event of a death of an immediate family member. It is the intention of this policy to ensure that our Chief and Council are provided the time they need to properly take care of their family obligations, while maintaining their roles as leaders within the Red Rock Indian Band

1.2 Definitions

1.2.1 For the purposes of the Bereavement / Funeral Leave Policy, immediate family members consist of:

- a. Spouse (Including Same Sex Spouses)
- b. Domestic Partner
- c. Parent
- d. Child
- e. Brother
- f. Sister
- g. Father-In-Law
- h. Mother-In-Law
- i. Brother-In-Law
- j. Sister-In-Law
- k. Son-In-Law
- l. Daughter-In-Law
- m. Grandparent
- n. Grandchild

1.2.2 Extended Family who the Council Member lived with for an extended period of time will be considered immediate family. (I.E. If the Councillor had an Aunt or Uncle who stood “In Loco Parentis”)

1.2.3 For the purposes of the Bereavement / Funeral Leave Policy, extended family members consist of:

- a. Aunt
- b. Uncle
- c. Niece
- d. Nephew
- e. Cousin
- f. Godson
- g. Goddaughter

1.3 Guidelines

- 1.3.1 Members of Council are expected to notify the Chief, and request Bereavement / Funeral Leave time off as soon as possible when a death occurs in their family.
- 1.3.2 Bereavement / Funeral Leave time is granted such that a Councillor may have time to attend a funeral, grieve, and deal with family issues in the event of a death in the immediate family as defined above.
- 1.3.3 Use of Bereavement / Funeral Leave time for any purposes other than the reasons listed above, are inappropriate and will not be paid Funeral Leave Benefits
- 1.3.4 All active members of Chief and Council are eligible for Bereavement Leave
- 1.3.5 A maximum of 35 hours (five working days) per occurrence will be paid to a Councillor in the event of a death in the immediate family, and a maximum of 21 hours (three working days) in the event of the death of an extended family member. (Additional unpaid time may be requested where extensive travel outside the immediate area is required to attend the funeral.
- 1.3.6 Bereavement / Funeral Leave pay shall be equal to Council's daily honorarium.
- 1.3.7 The Councillor is expected to attend the funeral of the relative for which the Bereavement was requested.
- 1.3.8 The Red Rock Indian Band reserves the right to inquire as to the name, and nature of the relationship with the deceased, and the name of the funeral home responsible for handling the arrangements. Proof of relationship may be required.

1.4 Funeral Leave without Pay:

- 1.4.1 If a Councillor does not qualify for Bereavement / Funeral Leave benefits, time off may still be granted without pay.
- 1.4.2 Time off without pay may be granted to attend a funeral in the event of the death of a close friend.
- 1.4.3 Days required off for Bereavement / Funeral Leave without Pay shall be counted as an absence without pay.

Hours of Work

1.1 Intent

1.1.1 The Red Rock Indian Band believes it is important to establish work hours so that Chief and Council know the expectations of their job. Chief and Council may be required to work outside normal officer hours during busy times in order to ensure that specific projects, and assignments are completed on time. This policy will outline the number hours in a regular workweek.

1.2 Hours of Operation

1.2.1 When not conducting Band business normal office hours for all members of Council will be seven (7) hours per day, Monday to Friday, from (9) AM to (4) PM, however this subject to change according the Councillor's duties. There are times when members of Council will begin or end work outside of the previously specified hours in order to conduct band business. Additionally all members of Chief and Council are On-Call twenty four (24) hours per day seven days per week.

1.3 Breaks/Rest Periods

1.3.1 Although there is no legislation that regulates breaks under the Canada Labour Code, The Red Rock Indian Band provides each Councillor with a one (1) hour paid lunch period each workday and two fifteen (15) minute breaks. Such break times may be varied to suit the work schedule of the Councillor or their workload, at their own discretion.

1.4 Office Closure

1.4.1 The Red Rock Indian Band offices may be closed under special circumstances such as;

- i. Extreme weather conditions (e.g., heavy snowfall, freezing rain); or
- ii. Unforeseen circumstances (e.g. power outage, heater malfunction).

1.4.2 The decision to close the office shall be at the discretion of the Chief and Council. The office may remain open with essential services and reception services. All members of Council are required to leave a contact number and be available.

Vacation Policy

1.1 Intent

1.1.1 The Red Rock Indian Band understands the importance of personal time off for members of the Chief and Council. Councillors are encouraged to use their accrued paid vacation time for rest, relaxation, and personal pursuits. As such, the purpose of this policy is to explain the standards, guidelines, and procedures for paid vacation time for all members of Council.

1.2 Policy

- 1.2.1 All members of Chief and Council are expected to use their allotted vacation time in full every year. The following policy statements are intended to clarify paid vacation procedures for The Red Rock Indian Band Chief and Council.
- 1.2.2 Vacations will normally be authorized in one week periods unless the Councillor requests to take their vacations in shorter periods. This is permissible so long as those periods are at least one day long.
- 1.2.3 All councillors will be granted paid vacation at the rate of 0.83 days for each complete month of service.
- 1.2.4 For vacation purposes, the reference year spans the calendar year, running from 1 September to 31 August. In the event a Councillor does not serve the full year vacation will be prorated at .83 days per month.
- 1.2.5 In the spirit of fair and equitable treatment, new Councillors who begin service prior to the 16th day of a month will be granted credit for a full month of service.
- 1.2.6 Paid vacation time granted to a Councillor must be used in its totality within the term.
- 1.2.7 Unused Vacation will not be paid out as cash.
- 1.2.8 Vacation days may not be rolled over into the following year.
- 1.2.9 Only one Councillor may be on vacation at any given time in order to ensure there is always a quorum available to conduct Red Rock Indian Band business.
- 1.2.10 Councillors are required to submit in writing notification of their intent to take vacation time to the Chief at least two (2) weeks in advance. Time off requests during peak vacation seasons (e.g. summer, spring break, Christmas, etc.) must be submitted at least four (4) weeks in advance. Notification must include departure date, return-to-work date, and the number of vacation days or weeks required.
- 1.2.10 Any conflict in vacation requests between Councillors will be decided based on which Councillor first put in their request.

- 1.2.11 If a statutory holiday or a holiday recognized by the Red Rock Indian Band occurs during a Councillor's vacation period, the Councillor is entitled to take off either the first scheduled working day after their vacation, or another day before the next annual vacation (that would otherwise have been a work day for the Councillor).

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Remuneration Policy

1.1 Intent

- 1.1.2 Members of the Chief and Council of the Red Rock Indian Band should receive financial recognition for the time they spend conducting Red Rock Indian Band Business.

1.2 Policy

- 1.2.1 All active members of Chief and Council (excluding the Honorary Councillor) will receive the following remuneration:
- a. \$100.00 honorarium per day for each day they serve as an active member of the Red Rock Indian Band Chief and Council.
 - b. Each councillor will be placed on the Red Rock Indian Band's Benefit Program covering health, life, long and short-term disability, critical illness, vision, and dental care.
 - i. If a councillor wishes to place their family on the benefit plan they may do so only if they cover the difference themselves.
- 1.2.2 In the event a Councillor is compensated by an outside organization to attend a meeting, or sit on a board as a representative of the Red Rock Indian Band and are paid an excess of \$100.00 that Councillor shall reimburse the Red Rock Indian Band their daily honorarium, and may keep any excess funds.
- 1.2.3 All reimbursements due to the Red Rock Indian Band must be made within the same pay period as the excess occurred.
- 1.2.4 It is the responsibility of the Band Administrator to ensure all members of Chief and Council are following this policy and immediately notify the Red Rock Indian Band Membership of any breach.
- 1.2.5 All members of Chief and Council (Including Honorary) will receive a \$250.00 monthly honorarium to cover incidental costs of conducting business on behalf of the Red Rock Indian Band (I.E. Parking, and Local Travel)
- b. If their travel expenses exceed \$250.00 in one month Councillors will be paid the difference only if they produce receipts documenting the increased cost.

Travel Policy

1.1 Intent

1.1.1 The Chief and Council of the Red Rock Indian Band, may occasionally be required to travel on business. However, Chief and Council should make every effort to have all travel paid for by the organization requesting their attendance at a specific meeting in the event that the Red Rock Indian Band must cover the travel cost for a Councillor the following policy will outline the proper procedures regarding:

- a. Transportation
- b. Meals
- c. Lodging
- d. Documentation and reports of travel expenses

1.2 Policy

1.2.1 Travel must relate to necessary business transacted in excess of 100 km away from the Red Rock Indian Band Administration. The Red Rock Indian Band will reimburse Chief and Council for reasonable travel expenses incurred on authorized business.. All travel expenses must be properly documented for approval and reimbursement.

1.3 Transportation

- 1.3.1 All transportation will be conducted in the most economical manner possible.
- 1.3.2 Whenever possible, tickets should be booked at least seven (7) days in advance to benefit from any discounts offered by the carrier, or through the negotiations made by The Red Rock Indian Band. All tickets shall be purchased from The Red Rock Indian Band's preferred vendors.

1.4 Air Travel

- 1.4.1 Air travel is required for Councillors traveling in excess of 500 km / 300 miles.
- 1.4.2 Coach class shall be used as the standard in the interests of costs-savings.

1.5 Surface Transportation

- 1.5.1 Public Transportation
- a. The cost of public transportation, i.e. taxis, buses or subways, will be reimbursed contingent on production of receipt. Expenses related to personal travel will not be reimbursed.

1.6 Private Vehicles

1.6.1 Chief and Council may use their own vehicle for business travel purposes if a band-owned vehicle is unavailable, it is deemed less expensive than the rental of a car, public transportation, or if it offers a significant savings of time.

- 1.6.2 To use a privately owned vehicle for the purpose of travel on behalf of the Red Rock Indian Band a member of Chief and Council must have business use coverage through their private insurance. Any increase in premium will be reimbursed if proper documentation is provided.
- 1.6.3 Standard mileage reimbursement is .49¢ per kilometer. This takes into account all actual expenses including fuel, oil, maintenance, insurance, depreciation, etc.
- 1.6.4 Parking, tolls, and ferries required will be reimbursed.
- 1.6.5 Commuting expenses are not reimbursable.
- 1.6.6 Any costs associated with the maintenance, fuel, vehicular breakdown, or damage incurred while driving a personal vehicle are covered in the standard mileage rate, and will not be reimbursed.
- 1.6.7 Any traffic violations, including parking tickets, will not be reimbursed by the company.

1.7 Rental Cars

- 1.7.1 Compact or economy models will be used in regards to cost-savings.
- 1.7.2 Exceptions may be made regarding vehicle size in the event of two or more passengers, or load requirements.
- 1.7.3 Rental of vehicles should be discouraged in metropolitan areas that have substantial public transportation services available.
- 1.7.4 Renting of vehicles will be booked through a preferred vendor.
- 1.7.5 Personal liability and physical damage insurance is required on all rented vehicles, either pre-arranged through company negotiations with a preferred vendor or through standard renting from a non-preferred vendor.
- 1.7.6 In the event of damage to a rental car, contact the Band Administrator immediately. All accidents must be reported in writing immediately upon return, or earlier with trips lasting more than 3 days after damage has occurred. A police report is also required.
- 1.7.7 Councillors will fill the gas tank prior to the return of the rental car. The Councillor renting the vehicle will be required to personally reimburse the fuel surcharge fee if he/she fails to fill the vehicle gas tank prior to return.
- 1.7.8 Pre-purchase of gas at the rental counter is discouraged.

1.7.9 Any traffic violations, including parking tickets, will not be reimbursed.

1.8 Rail Travel

- a. All reservations will be made in coach class.

1.9 Bus Travel

- a. Bus travel will only be used when travel by other means is not feasible, or when specifically requested by the Councillor.

1.10 Meals

1.10.1 Meals will be paid out according to the following expense table:

- a. Breakfast - \$10.05
- b. Lunch - \$10.35
- c. Dinner - \$27.80

1.10.2 Breakfast shall be paid in cases where travel is conducted prior to 7am, or ends after 9am.

1.10.3 Lunch shall be paid when travel begins prior to 11am, or ends after 1pm.

1.10.4 Dinner shall be paid when travel begins prior to 5pm or ends after 7pm.

1.11 Lodging

1.11.1 Reservations for accommodations should be made with mid-range hotels.

1.11.2 If the meeting or event that a Council Member is attending is held at a specific every effort shall be made to arrange lodging at that hotel in the interest of cost-savings.

1.11.3 In the event a councillor is staying in private accommodations a rate of \$50.00 per night will paid only if the Councillor provides a receipt from the person with whom they are lodging.

1.11.4 In the interests of economy, minimum requirement reservations (i.e., single traveler - single occupancy) should be made.

1.11.5 Reservations should be made with preferred vendors.

1.11.6 It is the Councillor's responsibility to either personally cancel, or have the executive assistant cancel reservations by 4pm (hotel local time). Room costs incurred due to

failure to cancel will be charged to the Councillor. The Executive Assistant should make note, or be given a copy of the cancellation number.

1.12 Expense Reports

- 1.12.1 Councillors are expected to submit a travel expense request within 48 hours of their expected departure.
- 1.12.2 Councillors are obligated to retain and submit receipts for any business expense not covered by the per-diem.
- 1.12.3 Entertainment costs will not be covered by the Red Rock Indian Band.
- 1.12.4 Per Diem will only be paid out to Councillors if their costs exceed the monthly \$250.00 per diem they are paid to cover incidental costs.
- 1.12.5 Council information reports will be available. These reports will contain detailed information about travel expenses incurred by specific Council Members, including the names, destinations, purposes of, and specific expenses of trips made.

1.13 Approval

- 1.13.1 Councillors cannot approve the reimbursement of their own travel expenses.

*While traveling, Councillors are regarded as representatives of the Red Rock Indian Band, and should conduct themselves as such.

Code of Ethics Policy

1.1 Intent

1.1.1 The Red Rock Indian Band is committed to conducting business in an open and ethical manner. This is accomplished by creating an environment built on the strength of trust, accountability, and integrity. It is the responsibility of every Councillor to build and maintain this code of ethics by supporting, and actively participating in the process.

1.2 Guidelines

1.2.1 Council Members of The Red Rock Indian Band strive to protect all employees, membership,, and the organization itself from any illegal or damaging actions committed by individuals either knowingly or unknowingly.

1.2.2 The Red Rock Indian Band will not tolerate any wrongdoing or impropriety, and will immediately take the appropriate actions to correct the problem.

1.3 Expectations

1.3.1 Chief and Council

- a. Members of the Council are expected to set a prime example. In all their business dealings, honesty and integrity shall be required.
- b. Council shall have an open door policy allowing for the free discussion of suggestions and concerns from members of the Red Rock Indian Band, and employees.
- c. Must report any conflicts of interest regarding their position at The Red Rock Indian Band.
- d. Must report suspected violations by other Councillors at the General Band Meeting.
- e. All Councillors are expected to work together, and with Red Rock Indian Band Staff to promote a workplace built on trust, accountability and openness.
- f. Retaliation against Councillors who use these reporting mechanisms to raise genuine concerns will not be tolerated.

1.5 Unethical Behaviour

1.4.1 The Red Rock Indian Band will not be party to the intent or appearance of unethical or compromising practices in any form.

- 1.4.2 Harassment or discrimination will not be tolerated.
- 1.4.3 Improper use of confidential information (as outlined in the Confidentiality agreement) will not be tolerated.
- 1.4.4 Councillors shall not use Red Rock Indian Band assets or business relationships for personal use or gain.

1.6 Violations

- 1.6.1 In the event that a violation of this policy occurs, the Band Administrator, Chief, or a fellow Councillor shall immediately inform the membership at a general band meeting. The people of the Red Rock Indian Band will then take action that reflect the severity of the offence up to and including removal from office.
- 1.6.2 Some violations may indelibly affect the Red Rock Indian Band in a negative fashion. In this case, punitive measures, including legal action may be pursued.

Jury Duty Policy

1.1 Intent

1.1.1 The Red Rock Indian Band recognizes and respects the necessary civic duty of Jury Duty, and firmly believes that First Nations people should have equal representation on juries. Therefore, we will make accommodations for any member of Chief and Council who have been chosen to be on juries.

1.2 Policy

- 1.2.1 Chief and Council selected for jury duty must provide the Chief, or Band Administrator with as much advance notice as is possible.
- 1.2.2 Advance notice shall be accompanied by a copy of the summons to jury duty for documentation purposes.
- 1.2.3 Members of the Chief and Council shall receive a paid leave of absence to perform jury duty for a maximum period of ten (10) days.
- 1.2.4 The amount of compensation the member of Chief and Council receives for their jury duty shall be deducted from their daily honorarium for the duration of their jury duty leave of absence.
- 1.2.5 In the event that the jury duty requirement lasts for only part of a day, the Councillor shall resume their duties to the Red Rock Indian band for the remainder of the day whenever possible.
- 1.2.6 Any Red Rock Indian Band Councillor that is required to appear in a court of law as a plaintiff, defendant, or witness shall not be eligible for a paid leave of absence. In these instances, the Councillors may use vacation time, or request an unpaid leave of absence.

Resignation Policy

1.1 Intent

- 1.1.1 This policy has been created to outline guidelines in the event that a member of Chief and Council chooses to resign their position as a Council member.

1.2 Policy

- 1.2.1 Members of Chief and Council should not feel pressured into resigning their positions.
- 1.2.2 Members of Council are invited to discuss their decisions to retire or resign with other members of Council, Human Resources, or the Band Administrator prior to making an official decision.
- 1.2.3 In the event that a member of Council is suffering from a mental or physical illness, or has other issues which he or she believes requires either resignation, the Councillor is invited to discuss options such as accommodations which can be made in lieu of quitting.
- 1.2.4 In the event that a Councillor is dealing with a personal issue which falls under a protected ground, The Red Rock Indian Band will attempt to work with the Councillor to find alternatives to resignation or retirement.

1.3 Resignation

- 1.3.1 Councillors who resign orally will be asked to submit a written resignation notice.
- 1.3.2 The written notice will be read aloud at the next General Band Meeting.
- 1.3.3 A consensus will then be taken by the people in attendance on whether or not the resignation will be accepted.
- 1.3.4 If the people do not accept the resignation of a member of Chief and Council, and said member does not return to their duties they will be subject to removal from office.
- 1.3.5 If a Councillor resigns orally and then does not return to work, The Red Rock Indian Band will contact the Councillor to ask for a written resignation notice.
- 1.3.6 Resignation will be considered to commence on the day the resignation notice is received (unless another day is specified).

- 1.3.7 Requests for rescindments will be handled on a case by cases basis; however, in the event The Red Rock Indian Band incurs measurable costs to replace the resigning Councillor, it may not be possibility for the Councillor to rescind his/her resignation.
- 1.3.8 It is ultimately at the People of the Red Rock Indian Band's discretion accept a rescinded resignation.

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Company Property Policy

1.1 Intent

1.1.1 The Red Rock Indian Band understands and supports the necessity of Councillors requiring the use of Red Rock Indian Band property in the course of their duties. In order to meet this need, necessary items will be made available for members of Chief and Council to ensure their ability to complete all assigned duties in a safe and productive manner.

1.2 Guidelines

1.2.1 Red Rock Indian Band provided equipment is intended for their assigned business purposes only, and are intended exclusively for use in the performance of Red Rock Indian Band business.

1.3 Acceptable Use

1.3.1 Red Rock Indian Band materials and property are intended only for their approved and necessary use.

1.3.2 Abuse of Red Rock Indian Band materials and property will not be tolerated.

1.3.3 In the event that any Red Rock Indian Band owned materials or property are lost or stolen, members of Chief and Council are required to report the loss / incident to Band Administrator as soon as possible.

1.4 Maintenance

1.4.1 It is the responsibility of the Councillor in possession of Red Rock Indian Band property to ensure that the Red Rock Indian Band owned property / material(s) are adequately maintained.

1.4.2 In the event that damage to the material(s) occurs, it should be reported to the Band Administrator as soon as possible, the extent of the damage should be described, and whether or not it is still a viable piece of equipment.

1.4.3 In the event that a Councillor is negligent with company issued equipment / materials and this negligence results in damage, loss or theft, the Councillor may be required to purchase the damaged equipment at standard cost minus any depreciation.

1.5 Security

1.5.1 Employees that use Red Rock Indian Band property are required to ensure that it is safe-guarded against theft and/or loss.

- 1.5.2 Red Rock Indian Band property, equipment and materials are intended only for use by authorized individuals.
- 1.5.3 Upon completion of their term as a councillor the all emails, contact numbers, and equipment must be returned to the Red Rock Indian Band.

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Appendix 2: Documents

Confidentiality Agreement (Chief and Council)

Purpose

Red Rock Indian Band is a charitable organization which handles sensitive client information on a regular basis. In accordance with Personal Information Protection and Electronic Documents Act (PIPEDA), the Red Rock Indian Band requires all members of the Chief and Council to handle sensitive information in a confidential and appropriate manner. It is understood that members of the Red Rock Indian Band Chief and Council will become aware of confidential information regarding Red Rock Indian Band staff and clients through the course of their service. Members of the Chief and Council agree that if confidential information is not effectively protected, the operations of Red Rock Indian Band may be threatened, and the well-being and privacy of our staff and clients may suffer irreparably.

Members of Red Rock Indian Band Chief and Council are required to keep all confidential information and relevant knowledge regarding the facility, our staff and our clients confidential both during and after their term. These practices have been adopted as they have been deemed essential to the protection, well-being and privacy of our staff and clients.

Confidentiality Agreement (Chief and Council)

The following list is classified as confidential information and includes, but is not limited to:

- Social Assistance Client lists;
- Educational information (including grades, report cards, reviews, amount of funding received, etc.)
- Medical information;
- Client personal information;
- Information gathered during client interviews;
- Staff personal information;
- Human resource planning, policies or procedures;
- Facility financial information, status and statements;
- Any information, or documentation labelled "Confidential" by the Red Rock Indian Band, or listed as such by separate memorandum, or e-mail that informs of confidential status;
- Any information pertaining to Red Rock Indian Band's clients, parents of clients, staff, and visitors;
- Band membership information.

Any information relating to the Red Rock Indian Band that is freely in the public domain may not be considered "Confidential". In the event that a member of Chief and Council can prove that information was possessed before it was received from Red Rock Indian Band, or that information was gained from an unrelated third party, said information will not be classified as "Confidential".

Nondisclosure:

In serving as the Chief and Council of Red Rock Indian Band members shall not divulge, disclose, provide or disseminate Confidential Information to any third party, including family members, not employed by Red Rock Indian Band at any time. Furthermore, Confidential Information shall not be used for any purpose other than its reasonable use in the normal performance of duties for Red Rock Indian Band.

Company Property:

Upon the end of a Council members term of service, councillors shall promptly return (without duplicating or summarizing), any and all material pertaining to Red Rock Indian Band business, clients, parents of clients or staff in their possession including, but not limited to: all client information, physical property, documents, keys, electronic information storage media, manuals, letters, notes and reports.

Legal:

This agreement will not supersede any legal obligation to disseminate information when required to do so in a court of law.

Acknowledgment and Agreement / Statement of Confidentiality

I, _____, acknowledge that I have read and understand the Confidentiality Agreement (Chief and Council) of the Red Rock Indian Band. I agree to adhere to this agreement in its entirety. Furthermore, I understand that if I violate the rules set forth in the Agreement, I may face legal, punitive, or corrective action.

Name: _____

Signature: _____

Date: _____

Witness: _____