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**DIVING**

# **BC DIVING ASSOCIATION**

*Human Resource Policy*

March 10, 2022

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# BC Diving Association

## *Human Resource Policy*

### 1.0 Introduction

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BC Diving Association is committed to excellence in all of its endeavors and values the contributions of its employees. BC Diving recognizes that respect for the employee as an individual is the foundation for a healthy and prosperous organization.

This Human Resource Manual is designed to be a working guide to:

- Convey an understanding of the conditions of employment with BC Diving
- Assist supervisors in the day-to-day administration of these policies, and;
- Achieve a fair and uniform interpretation of the human resource policies of the Association.

This document will require review as we become experienced in administering the policies and is subject to modification due to legislative changes, or management of BC Diving.

All non-contracted individuals hired to carry out the work of BC Diving are considered to be employees of BC Diving and, as such, under the overall direction of the President or his/her designate.

The information contained in this Manual applies to all employees of BC Diving and following the policies described in this Manual is considered a condition of continued employment. Each employee is responsible for reading, understanding, and complying with the provisions of this Manual.

Any questions concerning the interpretation or application of these policies should be addressed to the Operations Manager.

## 1.1 Changes in Policy

This Manual supersedes all previous employee manuals and memos that may have been issued from time to time on subjects covered in this Manual.

However, since our business and our organization are subject to change, we reserve the right to interpret, change, suspend, cancel, or dispute with or without notice all or any part of our policies, procedures, and benefits at any time. We will notify all employees of these changes. Changes will be effective on the dates determined by BC Diving, and after those dates all superseded policies will be null.

No individual supervisor or manager has the authority to change policies at any time. Any questions concerning the interpretation or application of these policies should be addressed to the Operations Manager.

## 2.0 General Organization

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### 2.1 Our Mission

BC Diving is dedicated to developing and promoting diving throughout British Columbia by encouraging participation, growth, and personal success for everyone.

### 2.2 Our Values

- Excellence
- Respect
- Integrity
- Leadership
- Teamwork
- Accountability
- Inclusion
- Innovation

### 2.3 Organizational Structure

#### **BOARD OF DIRECTORS**

BC Diving is governed by a Board of Directors who, as trustees for the organization, is charged with a number of global, governing responsibilities including the following priority elements:

- Determining the MISSION of BC Diving that is the reason for being of the organization.
- Determining the GOALS toward which BC Diving aspires on behalf of diving in British Columbia.

## **STAFF**

Full-time and part-time paid staff work under the supervision of the Executive Director.

All non-contracted individuals hired to carry out the work of BC Diving are considered to be employees of BC Diving and, as such, under the overall direction of the President or his/her designate.

## **BYLAWS**

All employees of BC Diving should familiarize themselves with the bylaws of the organization to fully understand how the organization is structured and operates.

## **3.0 Employment Policies and Practices**

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### **3.1 Jurisdiction**

Employment with BC Diving Association falls within the jurisdiction of the Government of British Columbia Employment Standards Act (ESA), 1996. A copy of the Act is available from BC Diving, or from:

#### **Employment Standards Branch**

Phone: 1-800-663-3316 or 250-952-4738 (Victoria)

Website: [www.labour.gov.bc.ca/esb/](http://www.labour.gov.bc.ca/esb/)

### **3.2 Non-Discrimination**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at BC Diving will be based on merit, qualifications, abilities, personal suitability and reference checks. BC Diving does not discriminate in employment opportunities or practices on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex (including sexual harassment and pregnancy) sexual orientation, age and criminal or summary conviction that is unrelated to the employment or intended employment.

Employees may want to familiarize themselves with the BC Human Rights Code, if they have concerns about discrimination. The address of the provincial office is:

#### **British Columbia Human Rights Tribunal**

Suite 1170 - 605 Robson Street, Vancouver, BC, V6B 5J3

Employees with questions or concerns about Human Rights violations in the workplace are encouraged to bring these issues to the attention of a manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in unlawful discrimination will be subject to disciplinary action, including termination of employment.

### 3.3 Hiring and Probation

#### 3.3.1 Employment Categories

BC Diving has four employment categories:

- **Full-time** – employees who work a regular 30 to 40-hour week and maintain continuous regular employment following the successful completion of their probationary period. Generally, full-time employees are eligible for the Organization’s benefit package, subject to the terms, conditions, and limitations of each benefit program.
- **Part-time** – employees who work less than 30 hours per week but maintain continuous regular employment following the successful completion of their probationary period. Benefits are granted in accordance with the Employment Standards Act.
- **Casual** – employees hired for short-term projects, interim replacements or, who work on an on-call basis. These employees are paid by the hour and benefits are in accordance with the Employment Standards Act.
- **Contractors/Consultants** – companies or individuals hired by a contractual arrangement to perform specific duties or a specific function for BC Diving. Consultants or contractors are not employees of BC Diving and as such are not entitled to benefits.

#### 3.3.2 Selection Criteria

Employees are hired based on their education, experience, knowledge, and skills relative to position expectations and requirements.

#### 3.3.3 Working Relationships

Employees who are direct relatives or, who permanently reside together may not be employed in situations where:

- a reporting relationship exists where one employee has influence, input or decision-making power over the other employee’s performance evaluation, salary, premiums, special permissions, conditions of work and similar matters; or
- The working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the Employer’s interest.

The above restriction on working relationships may be waived provided that the President is satisfied that sufficient safeguards are in place to ensure that the Employer’s interests are not compromised.



### 3.3.4 Personnel Decisions

Employees are to disqualify themselves as participants in personnel decisions when their objectivity would be compromised for any reason or a benefit or, perceived benefit could accrue to them.

### 3.3.5 Bonding

All employees of BC Diving are required to be bondable subject to the conditions of our insurance policy

### 3.3.6 Criminal Record Check

Where required by law, new employees, existing employees and contractors must complete and pass a criminal record check. New employees should complete the process before an offer of employment is made.

Criminal record checks are required where the position is considered one of trust (characterized by activities involving minors or the care, custody, counseling or legal responsibility for clients or residents in the government's care; or duties associated with the work of law enforcement). See the Criminal Record Review Act for details.

## 3.4 Environment

BC Diving recognizes that its own health and future are dependent upon the physical and psychological health of its employees. Accordingly, it is the right, obligation and intent of the Association to maintain a safe, healthful and efficient working environment for all of its employees and to protect Association property, equipment and operations.

## 3.5 Employee Records

Employee records are maintained to:

- Ensure that legal, regulatory, and procedural requirements are met
- Assist with human resources management and provide a basis for making decisions (e.g. salary and benefits)
- Collect information for "statistical" human resources reports for the Board of Directors and/or Federal and Provincial Government (for income tax purposes, WCB, etc.).

Employee files and electronic records typically include the following information:

- Employee name, home address and telephone number, emergency contact name and number, hiring and termination dates, birth date, salary and benefit status.
- Job Description

- Application form and/or resume
- Employment letter of agreement (job offer and acceptance)
- Leave request forms and any applicable medical certificates
- Compensation history including gross and net wages, payroll deductions, statutory holidays, vacation leave etc.
- Performance review forms
- Disciplinary letters
- Professional development and training completed
- Termination information and/or letter of resignation

Employee records are confidential and may be accessed by the President, the Treasurer, and the Operations Manager.

### 3.6 Personnel Data Changes

BC Diving must have an up-to-date employee record. It is the responsibility of each employee to promptly inform the Manager in writing of any changes in personal information such as; name, marital status, mailing address, telephone numbers, email address, emergency contact and medical information and where direct deposit payroll takes place, banking information. An employee's personnel data should be current at all times. Any situation arising due to incorrect employee information is the sole liability and responsibility of the employee.

Occasionally, BC Diving receives inquiries to confirm or provide information regarding an employee's address, telephone number, earnings, date of employment, etc. Such information is confidential and will not be released (except as required by law) without the employee authorizing the same to the Manager.

### 3.7 New Employee Orientation

Orientation is a formal welcoming process that is designed to make the new employee feel comfortable, informed about the organization, and prepared for their position. New employee orientation is conducted by the employee's supervisor and includes an overview of the organization, an explanation of the organization's core values and vision as well as overall goals and objectives. In addition, the new employee will be given an overview of benefits, tax, and legal issues, and complete any necessary paperwork.

Employees are presented with all codes, keys, and procedures needed to navigate within the workplace, as required. The new employee's supervisor will introduce the new hire to the Board and other key members of the organization, review the job description and scope of position,

explain the organization's evaluation procedures, and help the new employee get started on specific functions.

### 3.8 Probationary Period

The first six months of full time employment shall be considered a probationary period for all employees. This allows an opportunity for both the employee and BC Diving to assess whether the employment arrangement is mutually acceptable to both parties.

During this probationary period the employee and direct supervisor will review performance at the end of three months, and again, at the end of six months. Upon successful completion of the three-month evaluation, the employee is eligible to participate in Association benefits.

A probationary or qualifying period may be served with a change of job classification within BC Diving, if the position so merits. However, this probationary period will not interfere with the employee's continued participation in the Association benefits program.

### 3.9 Business Hours and Hours of Work

BC Diving's hours of operation are 9:00 AM to 5:00 PM Monday through Friday. The Association recognizes the individuality of employees and their lifestyle and will design appropriate schedules for all employees. The following are guidelines for work hours for all full-time, permanent staff:

- The standard workweek for full time employees consists of 8 hours per day, 40 hours per week – excluding a ½ hour meal break each day. These hours form the basis of each employee's monthly salary.
- It is the responsibility of the employee and the supervisor to discuss the work hour options for the individual's position and manage these hours to ensure that all services are available throughout BC Diving's hours of operation.
- In the computation of various employee benefits, the employee workweek is considered to begin on Sunday (starting at 12:01 a.m.) through Saturday (ending at 12:00 a.m.), unless management makes other prior arrangements with the employee.
- BC Diving administration offices will close between Boxing Day and New Year's Day each year.

### 3.9 Statutory Holidays

The following statutory holidays are observed:

- New Year's Day
- Good Friday
- Christmas Day
- Victoria Day
- Canada Day
- Boxing Day

- Labour Day
- Thanksgiving Day
- 

As well, the following days are observed as holidays for all full-time staff:

- Easter Monday
- Civic Holiday (August- in BC only)
- Remembrance Day

If a holiday falls on a Saturday or Sunday, either the preceding Friday or subsequent Monday will be designated.

### 3.10 Non-Disclosure/Confidentiality

The protection of confidential business information is vital to the interests and success of BC Diving. Such confidential information includes, but is not limited to, the following examples:

- Compensation data,
- Financial information,
- Marketing strategies,
- Pending projects and proposals,
- Personnel/Payroll records, and
- Conversations between any persons associated with the company.

Employees who improperly use or disclose confidential business information will be subject to disciplinary action, including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

### 3.11 Outside Remunerative and Volunteer Work

Employees may engage in remunerative employment with another employer, carry on a business, or engage in volunteer activities provided it does not:

- interfere with the performance of their duties;
- bring BC Diving into disrepute;
- represent a conflict of interest or, create the reasonable perception of a conflict of interest;
- involve the unauthorized use of work time or premises, services, equipment or supplies to which the employee has access by virtue of employment with BC Diving.; and
- gain an advantage that is derived from being an employee of BC Diving

### 3.12 Conflict of Interest

All employees of BC Diving are expected to arrange their private affairs in a manner that will prevent conflict of interest from arising or appearing to arise.

Employees should not place themselves in a position where they are under obligation to any person who might benefit from consideration or favour on their part, or seek in any way to gain special treatment from BC Diving.

Equally, employees should not have pecuniary or other interests that could conflict or appear to conflict in any manner with the discharge of their duties and responsibilities as an employee of BC Diving.

The following are examples of acts that constitute conflicts of interest. The following examples are not intended as a complete list of all of the possible conflict of interest situations that may arise.

#### Potential Conflicts of Interest

The following are considered to have the potential of being a conflict of interest or appearing to be in conflict and must be disclosed by the employee. The nature of the employee's responsibilities and degree of potential or apparent conflict is taken into consideration when reviewing the following:

- a) Personal investments, contracts, agreements or undertakings between employees and a supplier, customer or any other association, partnership, or commercial entity that has a present or prospective business relationship with BC Diving.
- b) Seeking or accepting from the aforementioned, directly or indirectly, loans, (except those provided by banks or other financial institutions at terms generally available to the public), services, payments, commissions, or entertainment.
- c) An employee shall never accept any gift or service that could be viewed as payment for services rendered through his/her position with BC Diving. An employee may accept any gift that is:
  - the normal exchange between friends
  - the normal exchange of hospitality between persons doing business together
  - tokens exchanged as part of protocol

#### Apparent Conflicts of Interest

The following are considered to be actual or apparent conflicts of interest and are to be avoided:

- a) Using or revealing without proper authorization, any information acquired during an employee's duties which is not generally available to the public, to persons outside the Association for personal gain.

- b) Using or permitting others to use BC Diving employees, property, equipment, materials, or time for personal gain.
- c) According preferential treatment beyond the common courtesies usually associated with accepted business practice and prerogatives of office to friends, relatives or to organizations in which the employee, relatives or friends have an interest, financial or otherwise.
- d) Using BC Diving name or one's position with the association without proper authorization in such a way as to lend prestige to sponsorship of a political party or cause, or endorsement without proper authorization, of product or service of another association.

### Exempted Activities

Provided employees do not make unseemly use of their position with BC Diving which could be detrimental to the Association's business, nature and role or reputation, engagement in educational, professional, philanthropic, social and recreational activities is encouraged by the Association and is not subject to review by the President.

### Declaration Procedure

- a) Declaration of a conflict of interest shall be referred to the President who shall review with the employee concerned, the nature of the interests which could create conflict or the appearance of conflict and advise the employee of what actions, if any, need to be taken to bring about full compliance policies of the Association. Recommended actions may include one or more of the following:
  - Divestment of the interest whether an investment, property, loan, payment, gift, undertaking, agreement, directorship, office, employment, membership, etc.
  - Frozen or blind trust instrument.
  - Periodic written declaration (listing) of the interest(s).
  - Verbal or written disclosure at relevant time and place.
  - Avoidance of involvement in particular matters.
- b) Refusal to resolve the conflict may result in a request for resignation, disciplinary action or discharge from employment.
- c) In cases involving a possible violation of statutory law, the Association shall refrain from making any recommendations that might reflect upon the guilt or innocence of the employee until the matter has been fully determined by a court of law.

- d) An employee shall request to have entered into the minutes of any relevant meetings the nature and extent of his/her interest in any material contract or proposed material contract with BC Diving and shall not participate in deliberations with respect to said contract.
- e) Every reasonable effort shall be made by all concerned to protect the confidential nature of the information revealed.

### 3.13 Annual Vacation Leave

Vacations are very important -- it is the responsibility of the employee and his/her immediate supervisor to ensure vacations are taken. Permanent full-time staff is entitled to paid vacation based on the following schedule of continuous employment from date of hire:

1st year through 3rd year	two weeks vacation (10 working days)
4th year through 10th year	three weeks vacation (15 working days)
11th year through 15th year	four weeks vacation (20 working days)
After fifteen years of service	five weeks vacation (30 working days)

The employee's vacation year is calculated from the original date of employment and prorated based on the calendar year and average weekly hours of work.

Vacation leave may not be requested during the first six months of employment; thereafter, it may be requested anytime during the year but must be fully utilized within each calendar year. Unused vacation time may not be carried forward into the next fiscal year.

Part-time employees receive 4% of earnings in lieu of annual vacation time, consistent with the Provincial Labour Code.

All employees must complete the appropriate vacation leave request form and have it signed by their supervisor.

### 3.14 Employee Benefits

### 3.15 Life Threatening Illness

One of the values held by BC Diving is its fundamental respect for people. This is reflected in the association's policies and practices regarding staff that has serious medical conditions.

Staff members who develop serious medical conditions are assured continued employment if their physicians determine they are able to work, if their condition can be reasonably

accommodated, and if performance requirements can be met. Such employees are eligible for all Association benefits.

### 3.16 Promotion and Performance Reviews

Regular performance reviews are carried out after three months and six months from the original date of employment and annually thereafter between the employee and their immediate supervisor. These reviews provide a written record of an employee's performance and provide a basis for career development of each employee. Performance reviews also help to determine where further training is required employees and which employees are best qualified for promotions or salary increases within BC Diving.

When the performance review is completed, the employee is advised and required to sign the evaluation to indicate receipt, not approval of, the results.

When applicable, the salary is adjusted based on the review and within the salary guidelines as approved by the Board of Directors of BC Diving. Salary adjustments become effective on the date stipulated in the announcement of same.

Should an employee not be satisfied or have a disagreement with his/her immediate supervisor regarding the review or the resulting salary, the matter should be presented to the Manager. If a subject review still remains unresolved, the employee may submit a written appeal addressed to the President of BC Diving.

### 3.17 Termination of Employment

If circumstances require an employee to leave the employment of BC Diving, the employee should discuss the situation with his/her immediate supervisor first. If resignation is the only option, the employee must give their supervisor that decision in writing as far in advance of the anticipated departure date as possible. Two weeks notice in writing is required of the employee however, more time would be appreciated to help ease the transition and inconvenience to co-workers.



BC Diving's termination policy is in accordance with Provincial Labour Standards which require that written notice of lay-off or dismissal be given to the employee consistent with the following rules: (excluding termination for just cause)

Length of Employment	Notice Required
Less than 3 months	None
3 months but less than 1 year	1 week
1 year but less than 3 years	2 weeks
3 years but less than 4 years	3 weeks



4 years but less than 5 years	4 weeks
5 years but less than 6 years	5 weeks
6 years but less than 7 years	6 weeks
7 years but less than 8 years	7 weeks
8 years or more	8 weeks

Otherwise, the employee is entitled to the usual wages he/she would have earned for that period of employment.

Employees whose employment ceases for any reason must be paid in full within 14 days from the date of their termination. The President's approval is required for any dismissal.

## 4.0 Leave from Employment

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### 4.1 Leave with Pay

#### 4.1.2 Bereavement Leave

Employees are allowed up to three days leave with pay when a death occurs in the immediate family. Normally, this time is taken between date of death and date of interment.

The term immediate family will normally mean the employee's spouse, natural, adopted or stepchild, natural or step parent, sibling, grandparent or step-grandparent. The immediate family is further defined to be the natural or step parent, sibling, grandparent or step grandparent of an employee's spouse.

Further interpretation of immediate family and any additional time off will be at the discretion of the President.

#### 4.1.3 Jury Duty

An employee who is required to serve on jury duty or as a subpoenaed crown witness must advise his/her immediate supervisor in writing and submit a copy of the Notice to Serve.

Any such absences are considered as leave-with-pay and any payments received by the court upon completion of the employee's civic duty either as a juror or a crown witness are duly assigned to Tennis Canada

### 4.2 Leave Without Pay

Leave of absence without pay allows BC Diving to meet situations where an employee must take time off for reasons that in the discretion of BC Diving and the employee's immediate supervisor are considered reasonable and sufficient.

The absence from work must be for a stated number of workdays.

#### Notice

Any recommendations, along with the employee's leave request, must be submitted through their supervisor or to the President outlining the following factors:

- The urgency of the need
- The ability of remaining staff to maintain an efficient and smooth running department during such absence.

### Benefits

An employee will be given the option of prepaying some or all of her/his benefits to maintain coverage for the intended leave. The President will notify the employee of the required premium cost to maintain benefits.

The accumulation of sick leave will be suspended during the absence of the employee.

### Compensation

The salary review date will be extended by the length of time equal to the leave without pay.

#### 4.2.1 Pregnancy Leave

An employee who is pregnant and has completed at least 13 weeks of continuous service prior to commencement of pregnancy leave, will be granted a period of leave as governed by the laws of the province in which the person resides.

### Notice

The employee shall give their supervisor one month notice in writing of the day upon which she intends to commence her leave of absence and at the same time provide BC Diving with a certificate from a legally qualified medical practitioner stating the estimated dates of leave.

### Benefits

- Vacation time earned will be adjusted by the length of time equal to the leave without pay.
- The accumulation of sick leave will be suspended during the absence of the employee
- Prior to the commencement of pregnancy leave the employee will be given the option of continuing her group insurance benefits. The President will notify the employee of the required premium cost to maintain benefits.

### Compensation

The full period of the pregnancy leave is without pay. A record of employment will be issued and forwarded to the employee's residence by the President on commencement of leave. This will allow an employee to make claim for maternity benefits under the Employment Insurance Commission Act, through the nearest Canada Employment office. The employee is responsible for contacting the Employment Insurance Office to determine eligibility for benefits.

#### 4.2.2 Adoption or Parental Leave

For an employee to be eligible for leave, they must have been hired at least 13 weeks before the date the leave is expected to start. Either parent, mother or father, is entitled to take parental leave.

#### Notice

Due to the nature of adoption, it is understood that the notice period is relatively short. If an employee is considering adoption leave, it should be discussed with the employee's supervisor to ensure that alternate arrangements can be prepared in the event a short notice.

The employee shall give their supervisor one month notice in writing of the day upon which he/she intends to commence his /her parental leave and at the same time provide BC Diving with a certificate from a legally qualified medical practitioner stating the estimated dates of leave.

#### Benefits

Vacation time earned will also be adjusted by the length of time equal to the leave without pay.

#### Compensation

An adjusted salary review date will result from all adoption and parental leaves irrespective of their length, the revised review date will be delayed by the number of days equal to the leave time granted without pay.

For further information, contact the President

#### 4.2.3 Sabbatical Leave

Subject to further review

## 5.0 Compensation Administration

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Employees are compensated based on the principle of equal pay for work of equal value commensurate with the nature and scope of the individual's job as outlined in each employee's job description. Payroll and personal information adjustments must be submitted to the President six working days prior to the end of the pay period.

### 5.1 Pay Period

Employees are paid on a semi-monthly basis. The payment covers the pay period up to and including the payday.

- If a payday falls on a Monday, payroll is written on the preceding Friday.
- No pay will be advanced prior to the established semi-monthly pay-days.

### 5.2 Non-Contractual Employees - Payroll Deductions

Certain deductions required by law are deducted from the employee's paycheque. All deductions are indicated on the payroll earnings statement.

### 5.2.1 Canada Pension Plan (CPP)

Contributions to the CPP are compulsory for all employees who have reached their eighteenth birthday. Employees are required to contribute in accordance with a formula subject to a maximum contribution. When the annual maximum contribution is reached, CPP deductions are not taken from an employee's pay for the remainder of the calendar year. However, deductions start again at the beginning of the next calendar year. The Association's contribution to the Canada Pension Plan is an amount equal to the employee's contribution.

### 5.2.2 Employment Insurance

This is a compulsory deduction of all earnings over a certain established minimum per week and under a certain maximum weekly. Effective each January, employee contributions are calculated at a predetermined rate for each \$100 of insurable earnings up to annual maximum established by the Employment Insurance Commission. BC Diving also makes a contribution on the employee's behalf. Benefits paid in the event of unemployment are based on the earnings covered by these deductions.

### 5.2.3 Income Tax

This deduction is based on taxable income earned by the employee and reflects the information supplied on the appropriate Revenue Canada or Minister du Revenue forms.

## 5.3 Garnishment of Wages

In the event that BC Diving receives an Order of Garnishment against an employee by a creditor, the following general policy will apply. An Order of Garnishment may vary according to an employee's individual circumstances, and BC Diving may therefore be required to seek legal advice from either a lawyer or the court in place of applying the following policy and before garnishing the employee's wages.

BC Diving is obligated under law to garnishee the employee's wages in accordance with the information provided in the Order of Garnishment. As BC Diving is obliged to act in accordance with the Order, the employee's permission is not required to garnishee his/her wages.

Should an Order of Garnishment be received, BC Diving will inform the employee confidentially, and will not dismiss an employee solely on the basis of having received an Order of Garnishment.

In the event that the Order of Garnishment does not provide clear instructions for the calculation of the garnishment, BC Diving will contact the court or the Association counsel to determine the appropriate amount of garnishee, as well as any other pertinent procedures.

## 5.4 Injuries at Work

Any injuries incurred on the job while in the employment of BC Diving must be reported to the immediate supervisor. Based on the severity, the employee will be advised of the options available.

BC Diving subscribes to Workers' Compensation.

## 6.0 Standards of Conduct

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The work rules and standards of conduct for BC Diving are important, and the organization regards these seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting the business of the organization. Please note that any employee who deviates from these rules and standards will be subject to corrective action, up to and including termination of employment.

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action, including termination of employment.

- Theft or inappropriate removal or possession of property;
- Falsification of timekeeping records;
- Working under the influence of alcohol or illegal drugs;
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace (See Section 4.6, Substance Abuse);
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace;
- Negligence or improper conduct leading to damage of company-owned or customer-owned property;
- Insubordination or other disrespectful conduct;
- Violation of safety or health rules;
- Smoking in the workplace;
- Sexual or other unlawful or unwelcome harassment, including Sexual Harassment);
- Excessive absenteeism or any absence without notice

- Unauthorized use of telephones, or other company-owned equipment (See Section 4.4, Telephone Use);
- Using company equipment for purposes other than business (i.e. playing games on computers or personal Internet usage);
- Serious breach of company rules or practices;
- Unsatisfactory performance or conduct;
- Conflict of interest;
- Fraud and dishonesty.

### 6.1 Public Comments

All requests for public comment regarding the policies or operations of BC Diving are to be referred to the President.

### 6.2 Political Activity

Employees are free to participate in political activities including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment. If engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities to BC Diving. Employees must not engage in political activities during working hours and partisan politics at the local, provincial or national levels are not to be introduced into the workplace. This does not apply to informal private discussions among co-workers.

### 6.3 Harassment and Sexual Harassment in the Work Place

BC Diving is committed to providing a sport and work environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment that promotes equal opportunities and prohibits discriminatory practices.

- Harassment is a form of discrimination. Harassment is prohibited by the Canadian *Human Rights Act* and by human rights legislation in every province and territory of Canada.
- Harassment is offensive, degrading, and threatening. In its most extreme forms, harassment can be an offense under Canada's *Criminal Code*.
- Whether the harasser is a director, supervisor, employee, coach, official, volunteer, parent or athlete, harassment is an attempt by one person to assert abusive, unwarranted power over another.

- BC Diving will provide a sport environment free of harassment on the basis of race, national or ethnic origin, color, religion, age, sex, sexual orientation, marital status, family status or disability.

This policy applies to all employees of BC Diving as well as to all directors, officers, consultants, volunteers, coaches, athletes, and officials associated with specific BC Diving activities (henceforth identified as members of BC Diving). BC Diving encourages the reporting of all incidents of harassment, regardless of who the offender may be.

This policy applies to harassment that may occur during the course of all BC Diving business, activities and events. It also applies to harassment between individuals associated with BC Diving but outside BC Diving business, activities and events when such harassment adversely affects relationships within the BC Diving sport environment.

Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from their provincial or territorial human rights commission, even when steps are being taken under this policy.

### 6.3.1 Definitions

Work place harassment involves unwelcome and offensive comments, conducts, gestures or contact based on or related to race, colour, sex, disability, ethnic or national origin, age, religion or creed, sexual orientation, marital or family status, civil status, or other prohibitive grounds of discrimination covered by Human Rights legislation. Harassment occurs when the behaviors concerned:

- Is likely to be offensive, embarrassing or humiliating;
- Might, on reasonable grounds, be perceived as placing a condition on employment , its terms or continued employment;
- Has the purpose or effect of interfering with an individual's work performance or creating an intimidating, threatening, hostile or offensive work environment.

Harassment occurs when the individual knows or reasonably should know that the behaviour is offensive. A standard of a "reasonable person" or, in the case of sexual harassment, a "reasonable woman (or man)" is used to assess behaviour.

For the purpose of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature when:

- submitting to or rejecting this conduct is used as the basis for making decisions which affect the individual; or
- such conduct has the purpose or effect of interfering with an individual's performance; or
- such conduct creates an intimidating, hostile, or offensive environment.

Types of behavior which constitute harassment include but are not limited to:

- written or verbal abuse or threats;
- the display of visual material which is offensive or which one ought to know is offensive;
- unwelcome remarks, jokes, comments, innuendo, or taunting about a person's looks, body attire, age, race, religion, sex, or sexual orientation;
- leering or other suggestive or obscene gestures;
- condescending, paternalistic or patronizing behaviors which undermines self-esteem, diminishes performance, or adversely affects working conditions;
- practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
- unwanted physical contact including touching, petting, pinching or kissing;
- unwelcome sexual flirtations, advance, requests or invitations; or
- physical or sexual assault.

Sexual harassment most commonly occurs in the form of behaviour by males towards females; however, sexual harassment can also occur between males, between females, or by females toward males.

For the purposes of this policy, retaliation against an individual

- for having filed a complaint under this policy; or
- for having participated in any procedure under this policy; or
- for having been associated with a person who filed a complaint or participated in any procedure under this policy will be treated as harassment, and will not be tolerated.

### 6.3.2 Responsibility

The President of BC Diving and the Vice Chairs of the Board are responsible for the implementation of this policy. In addition, the President of BC Diving is responsible for discouraging and dealing with harassment within BC Diving;

- investigating formal complaints of harassment in a sensitive, responsible, and timely manner;
- imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position or authority of the offender;
- providing advice to persons who experience harassment;



- doing all in his/her power to support and assist any employee or member of BC Diving who experiences harassment by someone who is not an employee or member of BC Diving;
- making all employees and members of BC Diving aware of the problem of harassment, and in particular, sexual harassment, and of the procedures contained in this policy;
- informing both complainants and respondents of the procedures contained in this policy and of their rights under the law;
- regularly reviewing the terms of this policy to ensure that they adequately meet the organization's legal obligations and public policy objectives;
- appointing harassment officers and providing the training and resources they need to fulfill their responsibilities under this policy, and
- appointing unbiased case review panels and appeal bodies and providing the resources and support they need to fulfill their responsibilities under this policy

Every employee of BC Diving has a responsibility to play a part in ensuring that the BC Diving sport environment is free from harassment. This means not engaging in, allowing, condoning or ignoring behavior contrary to this policy. In addition, any employee or member of BC Diving who believes that a fellow employee or member has experienced or is experiencing harassment is encouraged to notify the harassment officer appointed under this policy.

In the event that one of the Vice Chairs of the Board is involved in a complaint that is made under this policy, the President of BC Diving shall appoint a suitable alternate for the purpose of dealing with the complaint.

### 6.3.3 Disciplinary Action

Employees or members of BC Diving against whom a complaint of harassment is substantiated may be severely disciplined, up to and including employment dismissal in cases where the harassment takes the form of assault, sexual assault, or a related sexual offense.

### 6.3.4 Confidentiality

BC Diving understands that it can be extremely difficult to come forward with a complaint of harassment and that it can be devastating to be wrongly convicted of harassment. BC Diving recognizes the interests of both the complainant and the respondent in keeping the matter confidential.

BC Diving shall not disclose to outside parties the name of the complainant; the circumstances giving rise to a complaint, or the name of the respondent a disciplinary or other remedial process requires such disclosure.

Information related to harassment matters is provided to others on a "need to know" basis only. While BC Diving wishes to create an environment where members are willing to come forward

to have complaints resolved, such members should understand that harassment allegations must be dealt with in a forthright and fair manner. This includes an obligation to be fair to the alleged harasser by providing sufficient information about the allegation that concerns them to enable them to respond properly. In many cases, this will mean that anonymity is not feasible or fair. However, members can be assured that BC Diving will take all possible steps to preserve confidentiality.

### 6.3.5 Harassment Officers

BC Diving shall appoint at least two persons, one male and one female,

The role of harassment officer is to serve in a neutral, unbiased capacity and to receive complaints, assist in informal resolution of complaints and investigate formal written complaints. In carrying out their duties under this policy, officers shall be directly responsible to the President of BC Diving and the Vice Chairs of the Board.

BC Diving shall ensure that officers receive appropriate training and support for carrying out their responsibilities under this policy.

### 6.3.6 Complaint Procedure

A person who experiences harassment is encouraged to make it known to the harasser that the behavior is unwelcome, offensive, and contrary to this policy.

If confronting the harasser is not possible, or if the person experiencing the harassment does not wish for any reason to confront the alleged harasser, or if after confronting the harasser the harassment continues, the complainant should seek advice of a harassment officer.

The harassment officer shall inform the complainant of:

- the options for pursuing an informal resolution of his or her complaint;
- the right to lay a formal written complaint under this policy when an informal resolution is inappropriate or not feasible;
- the availability of counseling and other support provided by BC Diving;
- the confidentiality provisions of this policy;
- the right to be represented by a person of choice (including legal counsel) at any stage in the complaint process;
- the external mediation/arbitration mechanisms that may be available;
- the right to withdraw from any further action in connection with the complaint at any stage (even though BC Diving might continue to investigate the complaint)

- other avenues of recourse, including the right to file a complaint with a human rights commission or, where appropriate, to contact the police to have them lay a formal charge under the *Criminal Code*.

For more information, refer to BC Diving's Policy on Harassment (available from the harassment officers).

## 6.4 Other Harassment Procedures

In addition to the procedure available under this policy, every employee who experiences discrimination or Harassment has the right to:

- file a complaint with the BC Human Rights Commission if the alleged behavior falls within the definition of discrimination under the BC Human Rights Code; (see s. 2.13 for definition),
- file a complaint with the police and/or other appropriate authorities if the alleged behavior constitutes criminal activity (i.e., abuse, stalking, etc.), and
- to pursue private proceedings in civil court.

## 6.5 Substance Abuse

BC Diving employees enjoy a position of respect in the communities and may hold a position that is highly visible to the public. Every employee must be aware of the prevailing standards of morality within their community and continually ensure that their personal and professional conduct falls within the standards of right and wrong which are ascribed to an employee, in the public's view, as well as within the law. Therefore, staff members should refrain from activities or conduct on or off duty that reflects discredit on the Association or is harmful to them.

With these basic objectives in mind BC Diving has established the following policy with regard to use, possession or sale of alcohol or drugs.

### 6.5.1 Definitions

- Under the influence - for the purposes of this policy, means that the employee is affected by a drug or alcohol or the combination of a drug and alcohol in a detectable manner.
- Illegal Drug - any drug (a) that is not legally obtainable or (b) which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used as prescribed.

While it is understood that BC DIVING business may include a certain amount of entertaining, being under the influence of alcohol or any illegal drugs while performing the business of the organization and/or while on BC Diving premises is prohibited. Consumption of alcohol on BC DIVING premises is prohibited except as permitted by the President/CEO for special occasions and the appropriate licensing and standards are adhered to.

## 7.0 Additional Policy

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### 7.1 Education and Training

BC Diving understands the importance of workplace education and will endeavour to provide educational opportunities for employees. The term “education leave” shall apply to any instance where an employee is absent from regularly scheduled duties for the purpose of attending a conference, seminar, course or other learning session.

- For work-related courses that occur outside of regular office hours -- BC Diving will provide 50% of tuition, registration fees, books and examination fees, upon enrolment - the remaining 50% upon successful completion of the course (documents required).
- For work-related courses that occur during regular office hours--Upon recommendation of the individual’s supervisor and approval of the Executive Director, BC Diving will provide 50% of tuition, registration fees, books and examination fees, upon enrolment the remaining 50% upon successful completion of the course (documents required) as well as time off, with pay to attend the courses. A written request must be completed by the employee, authorized by the appropriate Director and forwarded to the Senior Vice President for review of available courses and action on the same.

Educational leaves for periods up to and including 5 consecutive calendar days may be approved by the Executive Director prior to the commencement of such leaves. Approval by the Executive Director shall authorize the Association to pay all necessary expenses of such leave.

Educational leave for a period of more than 5 consecutive days must be approved by the President of BC Diving upon recommendation by the individual’s supervisor and the Executive Director. Where educational leave exceeds one year the Board, upon recommendation must approve it by the President every 12 months.

Applications for educational leave in excess of 5 days should state:

- the period of leave desired
- the agency or institution presenting the educational session, and the dates and location of the session
- the benefit to BC Diving derived from having the applicant attend the session
- the costs involved
- the recommendation of the applicant’s supervisor

All costs of authorized educational leave for more than 5 days shall be shared by the employee and BC Diving on a pro-rata ratio based on the degree of advantage which each receives from the employee's attendance at the learning session.

Return in service commitment - employees receiving educational leave benefits shall be obligated to remain in the employ of BC Diving following completion of leave two full calendar months for every consecutive month or part of a month of full benefits received.

Upon approval of application for education leave in excess of 7 days, the employee shall sign an agreement for the amount of benefit to be paid by BC Diving. Upon return from education leave, the employee shall owe the Association two full days of employment for every one full day of educational leave.

When an employee does not complete his/her employment obligation after an education leave, the value of the remainder of the commitment (salary plus benefits) shall be processed for immediate collection.

## 7.2 Employee Travel Expenses

### 7.1.1 General Policy

The following expenses are reimbursed to all employees on BC Diving business:

- Accommodation (actual, reasonable costs)
- Travel and Meals (at the current authorized levels)
- Personal (dry-cleaning, laundry, long distance if away from home for five consecutive days)
- Entertainment (reasonable costs when on BC Diving business)

Receipts are required for all expense claims except for per diem claims and the Association's set mileage rates for personal vehicle travel. All out-of-town travel must be approved in advance by the respective supervisor. Any personal expenses are charged back to the employee.

### 7.1.2 Travel

#### Air Travel

Fares are to be based on securing economy or excursion rates unless permission to upgrade is granted by the Treasurer for flights of more than five hours duration.

All employees are encouraged to enlist in a frequent flyer program. The frequent flyer points are to accumulate to the credit of the employee.

#### Ground Travel

A mileage allowance of \$.45 cents per kilometre will be reimbursed to individuals using their personal vehicle for BC Diving business travel. Employees electing to use their personal vehicle for out-of-province travel are reimbursed for the expenses not exceeding the cost of the most economical airfare.

Employees should accept insurance options for collision damage and personal accident coverage for all vehicles rented / leased for business purposes.

Parking claims are paid at the discretion of the respective manager and must be accompanied by a receipt.

Travel between an employee's home and office is not considered business purposes.

### 7.1.3 Accommodation

Type of hotel or other accommodation should be chosen with regard to securing the most reasonable rate available given the circumstances or using an official hotel, as designated.

Accommodation expenses in lieu of normal expenses (i.e. staying with friends or relatives) may be claimed at the rate of \$25.00 per day.

### 7.1.4 Meals

Expenditures must be reasonable using the following rate guide:

- \$50.00 (Canadian) per day for meals within Canada
- \$50.00 (US) per day for meals outside Canada including the United States, Central and South America
- \$60.00 (US) per day for Europe, the Middle East and Asia

Employees may not apply for reimbursement where meals are included at designated functions and should reduce the daily claim by \$12(breakfast), \$16(lunch), \$22(dinner) for meals in Canada, and proportionally for meals outside Canada.

Receipts are not required for meal claims except where the per diem rate is exceeded. In that case gratuities paid may be claimed up to 15% of the meal's cost.

### 7.1.5 Other

If an employee is bumped from an airline reservation and receives, for example, double the ticket price as compensation from the airline, the employee keeps the compensation awarded by the airline as it was intended as compensation for the inconvenience.

If an employee wins a prize as a result of staying in a room at a major hotel chain, the prize belongs to the employee.

## 7.2 "Above & Beyond"

This program is designed as a mechanism to recognize staff for outstanding contributions to the Association. The management will define the specific criteria as needed, but generally this program will:

- reward extraordinary initiatives
- recognize significant accomplishments
- identify outstanding achievements

In other words, this program will recognize those employees who not only successfully manage their own work load, but also take the initiative to develop programs, systems or projects to benefit the Association as a whole.

This recognition may be (but not necessarily must be) awarded annually to one or more employees of BC Diving.

### 7.3 Policy Violation

Any violation of these policies may result in termination of employment with BC Diving.

## EMPLOYEE MANUAL AGREEMENT

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This employee manual has been prepared for your information and understanding of the policies, philosophies and practices and benefits of BC Diving.

PLEASE READ IT CAREFULLY. Upon completion of your review of this manual, please sign the statement below, and return to your manager by the due date. A reproduction of this acknowledgment appears at the back of this booklet for your records.

I, \_\_\_\_\_, have received and read a copy of BC Diving (The Organization) Employee Manual which outlines the goals, policies, benefits and expectations of The Organization, as well as my responsibilities as an employee.

I have familiarized myself, at least generally, with the contents of this manual. By my signature below, I acknowledge, understand, accept and agree to comply with the information contained in the Employee Manual provided to me by The Organization.

I understand this manual is not intended to cover every situation, which may arise during my employment, but is simply a general guide to the goals, policies, practices, benefits and expectations of The Organization.

I understand that BC Diving Employee Manual is not a contract of employment and should not be deemed as such, and that I am an employee at will.

\_\_\_\_\_  
(Employee signature)

\_\_\_\_\_  
(Date signed)

Please return by: \_\_\_\_\_

(put date here)