

PURPOSE

FOPL is subject to the Employment Standards Act, S.O. 2000 and all subsequent versions of the Acts.

APPLICATION

This Human Resources Policy refer to all classes of employee including permanent and non-permanent, full-time, part-time, casual, and student/intern employees. Not included in this policy's scope are volunteers, cooperative education student, placements or unpaid interns. Similarly, Independent Contractors, including the Executive Director, are excluded from these policies except where the contract specifies otherwise.

DEFINITIONS

CRA: Canada Revenue Agency.
E.D.: Executive Director
FOPL: Federation of Ontario Public Libraries
HST: Harmonized Sales Tax.
WSIB: Workplace Safety Insurance Board.

PROCESS

Amending HR Policy

1. This policy may be amended by the E.D., providing no less than thirty days notice is given to staff.
2. The ED will provide a report to the Board on any substantive changes to Human Resources and Health and Safety policies.

Employees

An employee is defined as a:

1. Person who performs work for FOPL for wages;
2. Person who supplies services to FOPL for wages and who is not an Independent Contractor;
3. Person remunerated for services who also received training from FOPL;
3. In the case of Ministry of Labour claims, a person who was an employee of FOPL.

Independent Contractors and Consultants

1. Independent Contractors and Consultants are exempt from the Human Resources policy.
2. Contracts with contractors and consultants may identify specific policies which apply while working with FOPL, such as Code of Conduct and Respectful Workplaces. The requirement to follow policies while onsite, at events, or while interacting with the board, volunteers, staff or other consultants does not impact the status of these companies and individuals as independent contactors or consultants.

3. An Independent Contractor:
 - 3.1 is in control of the decision of its enterprise;
 - 3.2 has ownership of its own tools;
 - 3.3 has its own workers; and
 - 3.4 has a Canada Revenue Agency business number.
4. A Consultant may be an individual without an HST number and will be required to claim any revenue on their personal taxes or may charge HST to FOPL, if they will surpass the maximum income annually set by CRA.
5. It is the responsibility of the Independent Contractor and Consultants to:
 - 5.1 abide by all Employment Standards Act and WSIB rules and regulations;
 - 5.2 report its income to Canada Revenue Agency;
 - 5.3 carry insurance for its business including liability for its workplace(s); and
 - 5.4 report any changes in its status to the ED or, in the case of the ED, to the Board immediately.

Lines of Authority

The ED, as a consultant to the Board, and not an employee, reports directly to the Board. The ED, however, will be the direct supervisor to any employee.

1. The Board is responsible for ensuring that the ED maintains compliance for all employees with applicable legislation through By-laws and Policies.
2. The Board may contract some Human Resources services, such as administration of payroll and employee benefits to other service provider. However, all employees of FOPL are employees of FOPL, regardless of who provides such services.

Additional Benefits and Privileges

FOPL, following the Employment Standards Act shall meet all minimum standards. Additional benefits or privileges can be added to the employment contract and shall be deemed an employment benefit for the duration of said contract. This may include, but is not limited to:

1. Board Designated Holidays;
2. Additional vacation or sick time.

Approved by FOPL Board September 24, 2021