

Title: Human Resources Committee Terms of Reference

Motion 18/02 #6

Motion 20/12 #14

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Human Resources Committee Terms of Reference

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Preamble

1. A Committee is part of Sagamok Anishnawbek governance structure to assist Chief and Council in their responsibilities as they relate to the planning, development, and monitoring of the programs and services towards achieving the vision of Sagamok Anishnawbek:

The vision of Sagamok Anishnawbek is:

“Sagamok Anishnawbek Vision: “Built on the foundation of Mino Biimaadziwin and Anishnaabe Aadiziwin, and empowered by the voices of past, present, and future generations, Sagamok Anishnawbek is a strong, healthy, self-reliant community.”

”.

Mandate

2. The purpose of the Human Resources Committee is to review, report and make recommendations to Sagamok Anishnawbek Chief and Council on Human Resource matters, policies and strategies.

Primary Responsibilities

3. The Committee will engage in a process of open discussions, critical thinking and problem solving to make informed decisions/recommendations in the following key area of Human Resources including:
 - 3.1. Identifying and developing strategies to promote and foster a positive work environment for all Sagamok Anishnawbek employees.
 - 3.2. To provide advice for the development of strategies to ensure the effective and efficient use and management of human resources.
 - 3.3. To review HR policy and procedures and recommend amendments that will incorporate best practices, be effective and ensure compliance with applicable regulations and laws to Chief and Council for approval.
 - 3.4. To review, approve and notify Council of all proposed revisions to existing staff job descriptions.
 - 3.5. To review staff grievances in accordance with the Conflict Resolution Procedure.

- 3.6. To serve hiring and termination support of Sagamok employees to Human Resources.
- 3.7. Engage in activities as directed by Chief and Council from time to time.

Accountability

4. The Committee shall report to Chief and Council as appropriate. The Committee shall review Committee reports/minutes before they are presented to Council.
5. The Committee shall report annually to the Sagamok members on its progress including key achievements, challenges and activities.

Authority

6. The Committee is an Advisory Body. It may not direct staff or make binding decisions on behalf of Chief and Council. Any advice or recommendation that requires formal action or implementation by Sagamok Anishnawbek staff must be considered and approved by Chief and Council and/or the Director of Operations.

Council is ultimately responsible, and potentially liable, for all the decisions it makes, including decisions regarding human resources management..

Membership

7. The Committee shall be comprised of a maximum of 3 members appointed from members of Council.

8. Filling Vacancies - Chief and Council shall have the sole discretion to fill any vacancies on the Committee. The council member appointed to fill a vacancy shall serve the remainder of the term of the vacating member.
9. Role of Department Staff - The Director of Operations and Director of Human Resources and Shared Services will provide support to the Committee. The Committee will receive administrative support in preparation of minutes, agendas, related communications and other documentation as required.

Chairperson

10. The responsibilities of the Chairperson shall:
 - 10.1. To convene meetings of the Committee. This includes providing an opportunity for members to smudge and/or an opening prayer before the meeting, recognizing everyone's opinion during the discussions, encouraging productive discussion and active participation, and maintaining order;
 - 10.2. To coordinate the agenda for meetings in consultation with the Director of Human Resources and Shared Services and assigned staff;
 - 10.3. To act on behalf of the Committee as delegated by the Committee;
 - 10.4. To keep the discussion focused and act as a facilitator when members have different opinions;
 - 10.5. To help improve decision making by asking probing questions;
 - 10.6. To summarize discussions and future action;
 - 10.7. To report to Chief and Council on behalf of the Committee and to present recommendations to the Council for approval;
 - 10.8. To evaluate Committee members and their contributions;
 - 10.9. To recommend member appointments and removals to Council.
11. The responsibilities of the Vice-Chair shall be to assume full duties in the absence of the Chair.

Role of Individual Committee Members

12. The Committee members are responsible:
 - 12.1. To prepare for Committee meetings of which he or she is a member by reading reports and background materials prepared for each meeting and acquiring adequate information necessary for decision making;
 - 12.2. To be knowledgeable of the Committee functions;
 - 12.3. To participate fully and frankly in the discussions of the Committee;
 - 12.4. To attend all Committee meetings;
 - 12.5. To avoid conflicts of interests, complying with code of conduct and oath of confidentiality.

Meetings

13. Meetings of the Committee shall be called for the purpose of discussing administrative matters impacting Sagamok Anishnawbek, as outlined in the “Primary Responsibilities” section.
 - 13.1. Meetings of the Committee shall be convened once a month and more frequently if required.
 - 13.2. The Director of Human Resources and Shared Services or designated staff support person shall be responsible for coordinating regular meetings and shall act as a resource and technical support to the Committee.
 - 13.3. A quorum of the Committee shall consist of at least 2 Council members. A meeting shall not be considered official unless a quorum of members is present.
 - 13.4. The designated staff person shall send each Committee member written notification and an agenda normally one week prior to each meeting.
 - 13.5. Decisions of the Committee shall be by consensus of the members present. If attempts to reach consensus fail, the Committee shall revert to a simple majority vote.
 - 13.6. A member who is absent from three meetings in a row will be deemed to have resigned from the Committee.
 - 13.7. Committee members who are unable to attend a meeting shall notify the Chair/Vice Chair prior to the meeting.

Meeting Minutes

14. The minutes of the Committee’s meetings shall be the official record of business conducted after they have been accepted by the Committee.
 - 14.1. Minutes and recommendations of the Committee meeting shall be prepared and distributed to the Committee members, by the Recording Secretary or support staff, within two week after the meeting has occurred.

- 14.2. The Committee's recommendations shall be recorded as an addendum to the minutes.
- 14.3. Minutes of the meeting shall not be recorded verbatim but in a format that captures the essence of the discussion, decisions and recommendations.
- 14.4. Minutes and recommendations of the meetings shall be reviewed by the Committee for approval and signature by the Committee Chairperson.
- 14.5. Minutes of an in-camera discussion shall not be recorded by any committee member or Recording Secretary. A final recommendation of the discussion held during in-camera shall be prepared by the Committee Chairperson and written into the meeting minutes.

Committee Expenses

15. Members shall be paid an honorarium for performing their duties as a member of the Committee to the limit of the resources available in the annual budget. A budget will be set aside to cover regular costs associated with honoraria and meeting expenses.
 - 15.1. Members shall be paid **\$200.00** per meeting up to three (3) hours and compensated **\$75.00** if meeting runs more than three (3) hours and if a meeting is called outside of the regularly scheduled meetings, however shall not exceed the budget without approval from Director of Operations.
 - 15.2. Any person serving on Committee business during what is considered work hours and being paid a regular wage from Sagamok Anishnawbek shall not be eligible to receive both wages and honoraria for the same period.
 - 15.3. Reasonable expenses incurred by members of the Committee while performing their duties as members shall be paid to the individual members subject to the following exceptions in 19.4 and 19.5.

- 15.4. Approved travel expenses shall be paid at those rates as established by Chief and Council only if travel is required outside of the boundaries of Sagamok Anishnawbek.
- 15.5. Training expenses for members of the Committee shall be paid as per the budget of the Committee.
16. After consultation with the Director (for budgeting purposes), the Committee may retain a consultant, subject matter expert or legal advice to assist in the performance of any of its responsibilities.

Review Terms of Reference

17. Committee's Terms of Reference shall be reviewed bi-annually following elections by the new members of the committee in a special meeting called for this purpose. The Chairperson shall be responsible for ensuring that this review occurs. If amendments or additions are seen as necessary, the Committee shall recommend these changes to the Council, in writing, for approval before they come into effect.

Terms of Reference Approval Date

18. Terms of Reference approved on the 18th day of February, **2018** by the Sagamok Anishnawbek Chief & Council.

MOTION NUMBER: 18/02 #6

Appendix A: Conflict of Interest

CONFLICT OF INTEREST

For the Committee Terms of Reference, conflict of interest is defined as follows:

If a Committee member has a monetary or immediate family interest in a matter connected with his/her responsibility and duties, the member shall disclose his/her interest and not take part in the consideration, discussion or disposition with respect to the matter in question.

Immediate family members are defined as father, mother, brother, sister, son, daughter, spouse, persons in common law marriage or any in-laws.

In the event that a Committee member or member of immediate family has a personal interest in a matter being discussed by the Committee, a Committee member shall declare a conflict and refrain from taking part in the discussion or participating in the decision.

The Committee member will leave the room for the duration of the discussion.

Removal of Committee Members

Committee member may be removed on the recommendation of the Committee chairperson if the Committee member has committed a breach of the code of conduct, breach of confidentiality, or otherwise had breached a First Nation policy, fails to perform expected duties of a Committee member, or is no longer qualified or eligible to be a Committee member.

Declaration of Understanding

Print Name

Signature

Date

Appendix B: Code of Conduct

CODE OF CONDUCT

Members of the Committee are seen to be in special positions of trust with high expectations with regard to the proper use of resources, information, and authority. As such, it imposes obligations on them to conduct themselves in ways that serve the best interest of community members. Members of the Committee are expected to strive to live up to the following statements and to reaffirm them on an annual basis:

- 1) I will respect the opinions, skills, and knowledge, and the personal strengths and weaknesses of my fellow members.
- 2) I will demonstrate solidarity outside of the meeting even at times when I personally disagree with a decision made by the Committee.
- 3) I will reflect on and assess my own well-being and its impact on the Committee on a regular basis.
- 4) I will work to establish positive relationships with my fellow members and set aside differences for the benefit of those I was nominated to serve.
- 5) I will always maintain and respect the public interest.
- 6) I will defend my beliefs and convictions in a respectful manner when requested or when confronted.
- 7) I will strive to be objective and open to changing my opinion when presented with a more constructive way of conducting business.
- 8) I will never see myself as superior to my fellow members.
- 9) I will not withhold information pertinent to the work of the Committee and I will not offer or document information or advice that I know to be false or misleading.
- 10) I will respect the rules of confidentiality as it applies to the Committee.

Removal of Committee Members

Committee member may be removed on the recommendation of the Committee chairperson if the Committee member has committed a breach of the code of conduct, breach of confidentiality, or otherwise had breached a First Nation policy, fails to perform expected duties of a Committee member, or is no longer qualified or eligible to be a Committee member.

Declaration of Understanding

Print Name

Signature

Date

Appendix C: Confidentiality Agreement

Confidentiality Agreement

As a Committee member you may have access to confidential information. The purpose of this agreement is to help you understand your duty regarding confidential information. Confidential information includes information pertaining to program delivery, personnel, financial, and other information internal to Sagamok Anishnawbek. You may learn of or have access to some or all of this confidential information through your Committee activities.

Confidential information is valuable and sensitive and is protected by law and by strict policies governed by Sagamok Anishnawbek.

As Committee member you are required to conduct yourself in strict compliance to all laws and policies governing confidential information. The principal obligations in this area are explained below. You are required to read and to abide by these duties. The violation of any of these duties will subject you to removal of the Committee.

As a Committee member I understand that I may have access to confidential information which may include, but is not limited to, information relating to:

- Clients/Patients (such as files, records, medical reports, conversations)
- Employees (such as salaries, performance evaluations, employment records, disciplinary actions)
- Financial (such as finance statements, budgets, garnishees)
- Sagamok information (such statistical records, internal reports, memos, contracts)

As a condition to remain on a Sagamok Anishnawbek Committee I promise that:

- a) I will use confidential information only as needed to perform my legitimate duties as a Committee member. This means that: I will only access confidential information for which I need to know; I will not in any divulge, copy, release, sell, loan, review, alter, or destroy any confidential information except as properly authorized; and I will not misuse confidential information or carelessly care for confidential information.
- b) I will safeguard and will not disclose any access codes that allow me to access confidential information.

- c) I will report activities by any individual that I suspect has compromised the confidentiality of Sagamok Anishnawbek. Reports made in good faith about suspect activities will be held in confidence to the extent permitted by law, including the name of the individual reporting the activities.
- d) I understand that my privileges are subject to periodic review, revision and appropriate, renewal.
- e) I understand that my obligations under this oath continue after the end of my term.
- a) I will be responsible for any misuse or wrongful disclosure of confidential information and for my failure to safeguard access to confidential information. I understand that my failure to comply with this agreement may also result in my removal of the Committee.
- b) Finally, I understand that if I am terminated as a Committee due to breach of confidentiality, this information may be relayed to Chief and Council.

Removal of Committee Members

Committee member may be removed on the recommendation of the Committee chairperson if the Committee member has committed a breach of the code of conduct, breach of confidentiality, or otherwise had breached a First Nation policy, fails to perform expected duties of a Committee member, or is no longer qualified or eligible to be a Committee member.

Declaration of Understanding

Print Name

Signature

Date