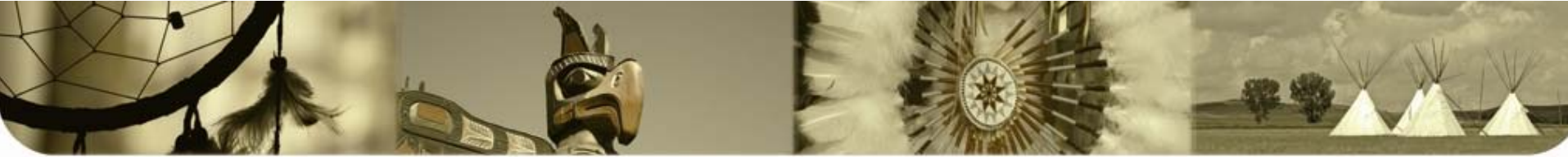




The Human Resources Management Challenge: Developing and Implementing Human Resources Policy

Jennifer Young

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Objectives for Today

- Human Resources Challenges for FN and Aboriginal Organizations
- Understanding what is Unique: community and vision
- Starting from scratch vs. working from mix of past practices
- Key elements of most HR Policies
- Lessons Learned (FNFMB, FN companies, various Nations)



Meyers Norris Penny

- Accounting & Advisory Services
 - *audit & tax*
 - *consulting: governance, organizational and operational, business strategy, process improvement, economic development & health evaluations*
 - *corporate finance, valuations, human resources*
- #1 Western Canadian firm
 - *60 years old, started Brandon Manitoba*
 - *Kenora to Vancouver Island*
 - *2400 employees in over 60 offices*





Some Clients we have had the honour to work with

- Siksika First Nation
- Blood Tribe
- Mikisew Cree First Nation
- Saddle Lake First Nation
- Comox First Nation
- Millbrook First Nation
- Norway House Cree Nation
- Kasabonika Lake First Nation
- Enoch Cree First Nation
- Dene Tha First Nation
- Stoney First Nation
- Tsuu T'ina First Nation
- Heiltsuk First Nation
- Council of Yukon First Nations
- First Nations Financial Management Board



Some services we have provided

- Governance model development
- Social development program
- Economic and community development
- Human resources
- Health evaluations
- Business plans
- Business valuations
- Policy development: administration, HR, finance, conflict of interest, housing, education, membership services, economic development, ...
- Trust management
- Debt restructuring Corporate finance
- Casino and hotel financing
- Land claim negotiations
- Forestry, Agriculture Natural Resource management
- Project management
- Proposal development, and
- Strategic planning and operational reviews
- Intergovernmental advisory services



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The Challenge



Human Resources Management

- For many FN issues:
 - size and location of community
 - education level of staff and youth / returning members
 - access to additional / own source revenue
 - budget / salary grid
 - past practices in managing staff – not based on single policy but reaction to specific individuals, issues,...
 - election cycle
 - family relationships
 - Hereditary leadership vs Indian Act elected Council



Connect HR to Governance

Before starting to look at development of any policy especially human resources you need to ask two key questions:

1. How is the community governed?
2. What is the connection between
 - Community vision and strategic plan, and
 - Administration both the organization and operation?



Defining Governance

Governance is the process whereby societies or organizations make important decisions, determine whom they involve, and how they measure accountability.

The rules, processes and behaviour that affect the way in which powers are exercised.... particularly as they relate to openness, participation, accountability, effectiveness and coherence.

The planning, influencing and conducting of the policy and affairs of a Nation.



THE CONCEPT OF GOVERNANCE AND ITS IMPLICATIONS FOR FIRST NATIONS

Stephen Cornell, Catherine Curtis, and Miriam Jorgensen (2003)

This is *governance*: establishing rules we can depend on to coordinate our actions and achieve our goals. ... It also involves making decisions and establishing policies and getting things done. ...

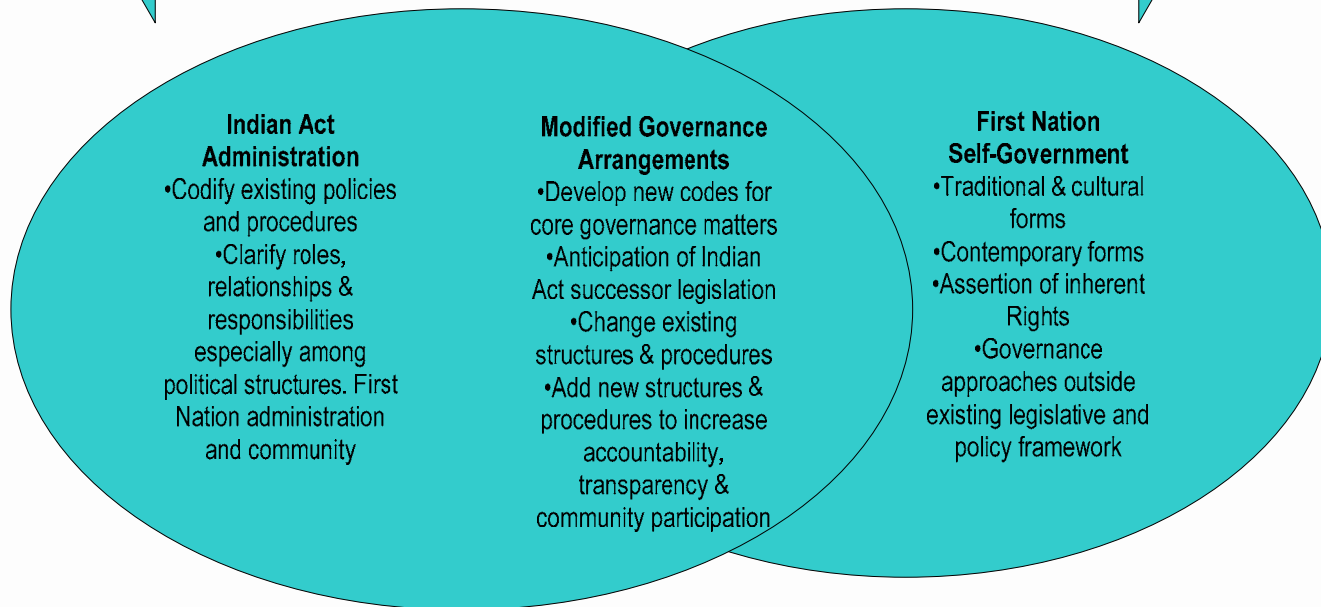
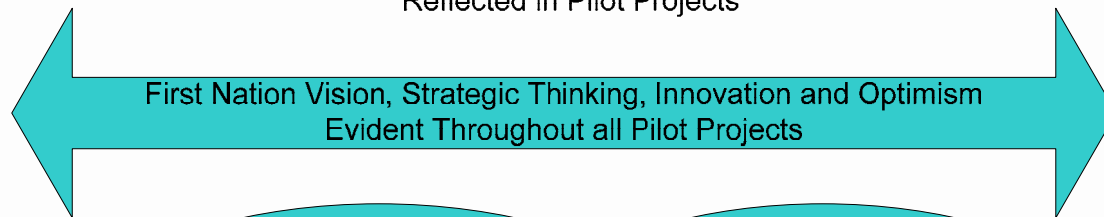
In addition to adopting a set of rules that we all follow when we interact with each other, we could identify a set of offices or positions that are charged with determining for us what those rules should be, enforcing them, making and implementing decisions, and resolving the disputes among us, and then we could choose individuals to fill those positions or offices and carry out these essential tasks.

In short, we could create an organization to do these things: a *government*.



Defining Governance

Approaches to First Nation Government and Reform
Reflected in Pilot Projects





Community Vision and Strategic Plan

- Economic Development
- Education
- Employment: Nation provided or member owned
- Healing and wellness
- Culture and language
- Treaty: negotiating, settled, historic, modern,...
- Taxation
- Relationship to external: partners, other governments, funders, other FN



Human Resources Policy Development

- Link to other policies: finance, education, economic development, housing,...
- Living policy (dust free)
- Understood by everyone (Council, community, staff)
- Linked to governance through Accountability Framework



Human Resources Policy

A Human Resources Policy describes the employer – employee relationship and sets out the expectations each has of and for the other



Human Resources Policy

- Organizational Chart
- Employee recruitment
- Employee appointment and orientation
- Accountability framework, job description,
- Probation
- Hours of work
- Performance appraisal
- Salary, performance compensation

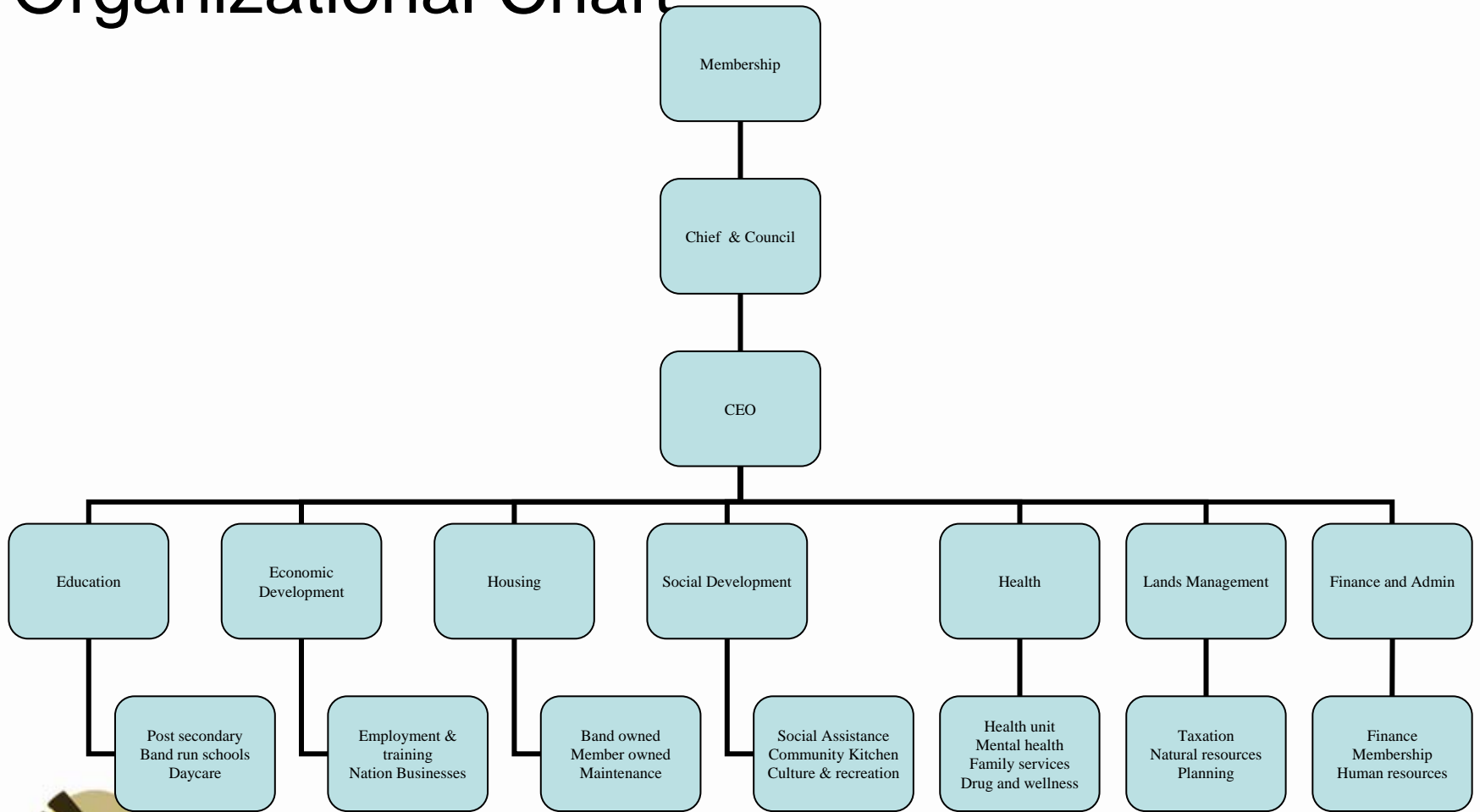


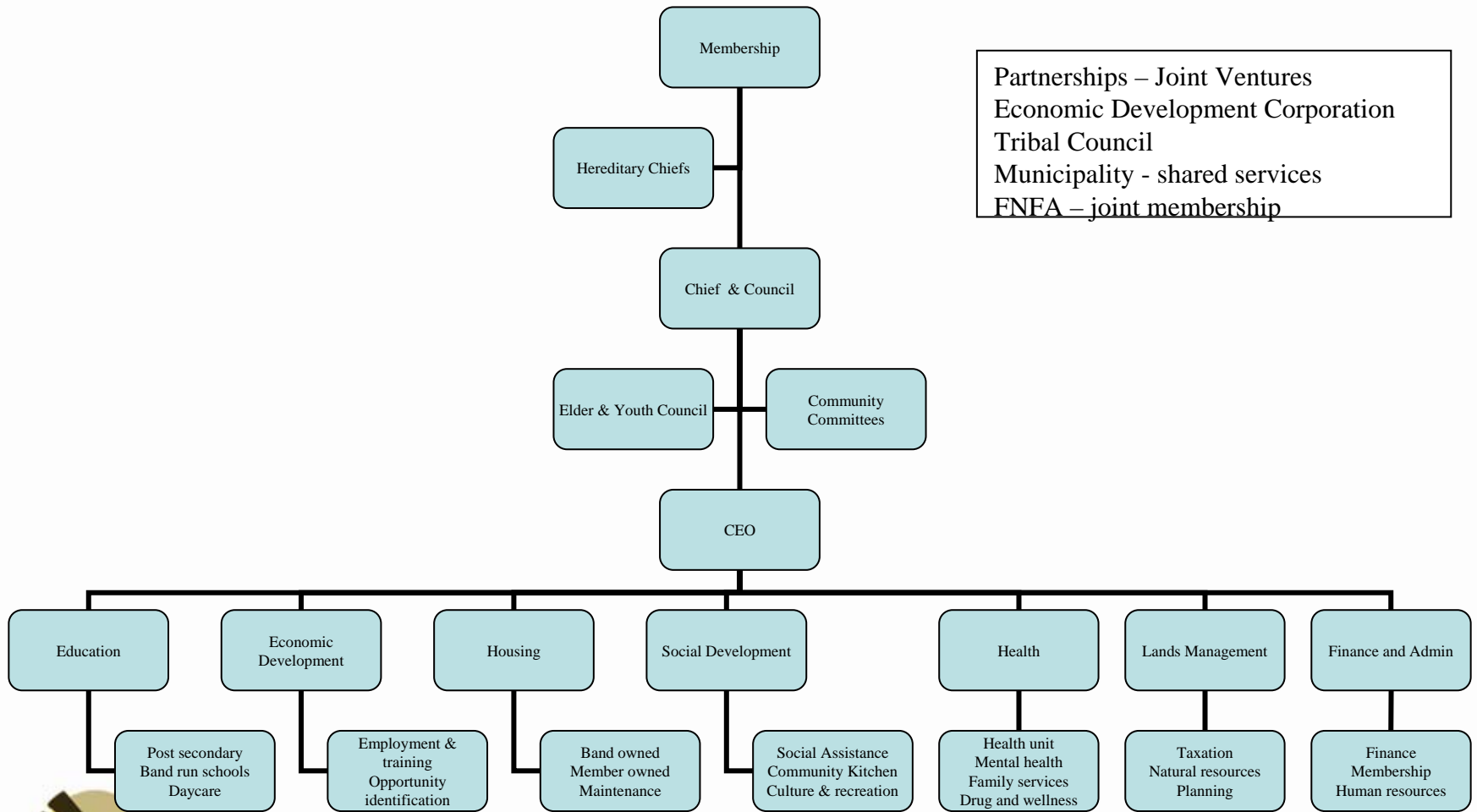
HR Policy (cont'd)

- Employee Discipline
- Work-life balance, vacations, other leave
- Training, professional development
- General policies (dress code, smoking,..)
- Resignation, layoff, termination
- Harassment policy
- Conflict of interest, confidentiality, privacy



Organizational Chart





Partnerships – Joint Ventures
 Economic Development Corporation
 Tribal Council
 Municipality - shared services
 FNFA – joint membership



Accountability Framework

- ...accountable to...
- accountable for...
- responsible for...
- performance measures...



Council (accountability)

- Council is accountable to the membership
- Council is accountable for ensuring they fulfill their fiduciary responsibilities
- Council is accountable for ensuring adherence to the Indian Act,...
- Council is accountable for ensuring the traditions and culture of the community are reflected in all Nation business



Council (responsibilities)

- Council primary responsibility is to provide vision, leadership and direction for the Nation and oversees the overall governance of the Nation and all Nation organizations
- Council is responsible for establishing the long term goals and objectives for the Nation as directed by the community
- Council approves policies and directives that ensure the financial management of Nation are conducted without impropriety and fulfill the requirements of the Indian Act and any other legislative or regulatory requirements



Council Member (performance measures)

- Abiding by decisions of Council
- Maintaining confidentiality at all times
- Ensuring that he / she is never in violation of conflict of interest regulations
- Attending all duly called meetings as required in the Act and by-laws
- Ensuring all legislative, legal and regulatory requirements applicable to the Nation are strictly followed
- Ensuring that he / she prepares appropriately for role, responsibilities and assigned duties



CEO or Band Manager (accountabilities)

- Accountable to the Chief and Council for the effective and efficient operation of the Nation in a manner consistent with Council direction and policy.
- Accountable for reporting to the Chief and Council on a timely basis regarding the operational status of the Nation and the implementation of all policies and directives.
- Accountable for ensuring the Chief and Council have sufficient information to make informed decisions.



CEO or Band Manager (responsibilities)

- Operational and Leadership responsibilities:
 - Primary Responsibility: Manages the day-to-day operation of Nation
 - Provides overall leadership and direction for the organization including all staff and contractors in support of the Council's vision, goals and direction
 - Provides overall direction in the development and management of operational processes and systems to support the Council's goals and objectives and Nations's organizational and operational requirements.
 - Reports to the Chief and the Council on a frequent basis regarding the implementation and achievement of Nation vision, goals and directives.
 - Attends all Council meetings and prepares documents and reports as requested by the Council.



CEO or Band Manager (responsibilities)

Strategic and Business Planning responsibilities:

- Drafts recommended strategic plan as well as the annual operating budget to the Council.
- Monitors performance of all departments to ensure each area is able to meet and is meeting its goals and objectives.
- Reports to the Council on a regular basis the overall progress and results against the annual plan as well as the annual budget.

Financial Management responsibilities:

- Manages and implements the development of financial policies and procedures and maintaining proper systems and controls to monitor and manage each department as well as the Nation as a whole.
- Develops the ongoing operating forecasts of revenue, expenditures, operational results, and financial performance.



CEO (performance measures)

- Abiding by decisions of Council
- Maintaining confidentiality at all times
- Ensuring that he/she is never in violation of conflict of interest regulations
- Ensuring all legislative, legal and regulatory requirements are strictly followed
- Attending all duly called Council meetings
- Maintaining a professional profile



Elements of HR Policy

- Organizational chart:
 - Portfolio system
 - Funding / program driven (silo)
 - Community committees
 - Elders and youth councils
 - Reporting through department heads and CEO to Council



Elements of HR Policy

- Employee recruitment:
 - Preferential hiring (community first, qualifications and skills)
 - Using search firm
 - Where and how to post
 - Moving costs, signing bonus,



Elements of HR Policy

- Hours of work:
 - 35, 37.5, 40 per week
 - Overtime, salaried vs hourly
 - Shift work
 - Scheduling meetings
 - Working from home
 - Lateness, absenteeism, docking pay
 - Bonus for regular attendance



Elements of HR Policy

- Performance Appraisals:
 - Once a year, quarterly, on-going
 - Employee self-appraisal
 - 360 evaluation (subordinate, co-worker, supervisor, clients)
 - No surprises, looking forward – developmental
 - All managers taught how to conduct appraisals
 - Council not interfering



Elements of HR Policy

- Salary and performance compensation
 - Developing salary range – comparative, competitive
 - Calculating salary and full benefit package over long term (multi-year) budget
 - Culture of entitlement (automatic increase each year)
 - Bonus to some or for all
 - Performance driven organization:
Organizational goals, individual goals



Elements of HR Policy

- Employee discipline
 - Clear progressive policy
 - Consistently applied to every staff member across the whole Nation
 - Training managers how to follow policy and conduct discipline process
 - Appeal process
 - Family, conflict of interest
 - Q: If you let someone go, who is available to fill job?
 - Q: Better to have no one in a job rather than have a destructive individual?



Elements of HR Policy

- Work-life balance, vacations, other leave
 - Arrive on time, put in full day vs workaholic
 - Entitlement to sick leave
 - Using vacation time to cover family illness
 - Language and cultural training
 - Cultural leave
 - Mix of aboriginal and non-aboriginal staff
 - Other legally required leave
 - Closing between Christmas and New Year



Elements of HR Policy

- Training and Professional Development
 - Paid, unpaid, reimbursed
 - In areas where mandatory (finance, education, health,...)
 - Pay professional fees, insurance
 - Allocation annually in budget for training
 - Based on strategic plan, individual goals, departmental need



Elements of HR Policy

- General Policies
 - Smoking
 - Health and safety
 - Internet and email
 - Traffic tickets
 - Travel
 - Voting, jury duty, court appearance



Elements of HR Policy

- Resignation, layoff, termination
 - # weeks notice – effectiveness once notice given
 - Resignation required to run for council, after elected
 - Severance employment standards vs case law (age, years employed, likelihood of getting similar job, level of position, education,...)
 - Wrongful dismissal



Elements of HR Policy

- Conflict of Interest
- Confidentiality
- Privacy and Access to Information
- Harassment Policy
- Drug and alcohol use
- Criminal record
- Violence



HR Policy – other considerations

- Involving managers and supervisors in development of policy
- Approval by Council
- Informing community – posting policy
- Training all staff – Declaration of Understanding
- Human Resources Manager
- Ombudsperson



HR Policy – other considerations

- Performance agreements
- Setting organizational goals and performance measures
- Measuring and reporting on performance
- Connection to other policies – finance (spending authority, budget, travel authorization)



HR Policy – other considerations

- Community Vision for economic development (separation of business from politics) impact:
 - organizational chart
 - accountability framework, job descriptions
 - performance measures: organizational and individual
 - priorities for education and training, planning, finance,
 - relationship to Hereditary Chiefs, Elders Council, community committees



Lessons Learned

- Every community different
- Every HR Policy different
- Using HR policy to prevent or punish poor behaviour vs encouraging excellence
- Takes time to develop, train and implement
- Changing HR policy and practices most difficult change for staff and Council



Questions?

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Thank you