

Human Resources

The HR Team

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HR Topics

- Canons and Roles
- Clergy Remuneration
- Legislative Compliance
- Diocesan Policies
- Managing Staff
- Toolkit



Canons and Roles

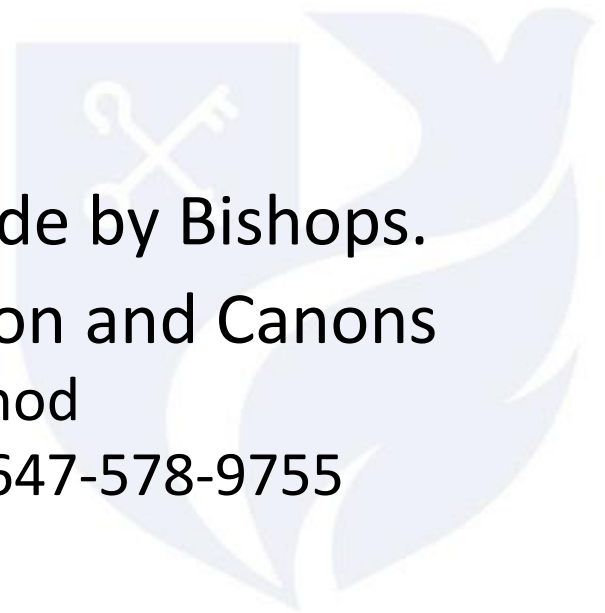


Canons

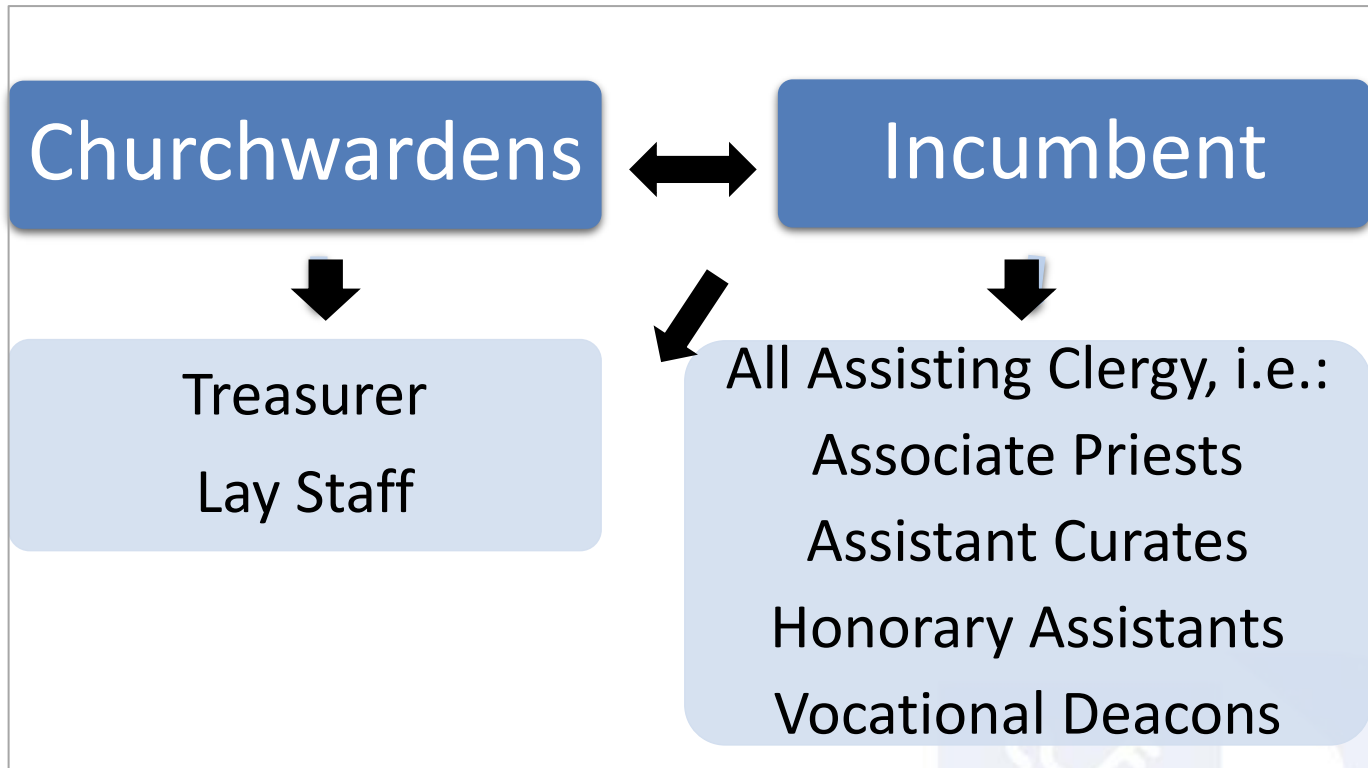
- Ensure that you have read, reviewed the Canons
- Understand your role, rights, responsibilities

- Canon 9: Incumbents
- Canon 10: Clerical Appointments, Exchanges, Retirements and Terminations
- Canon 15: Churchwardens

- All clergy appointments are made by Bishops.
- For questions on the Constitution and Canons
 - Pamela Boisvert, Secretary of Synod
 - pboisvert@toronto.anglican.ca; 647-578-9755



Roles



- Churchwardens and Incumbents work together to ensure parish in line with canons, policies, legislation
- They do not have authority over each other
- CWs are the legal employer and signing authority
- Incumbent is day-to-day Supervisor

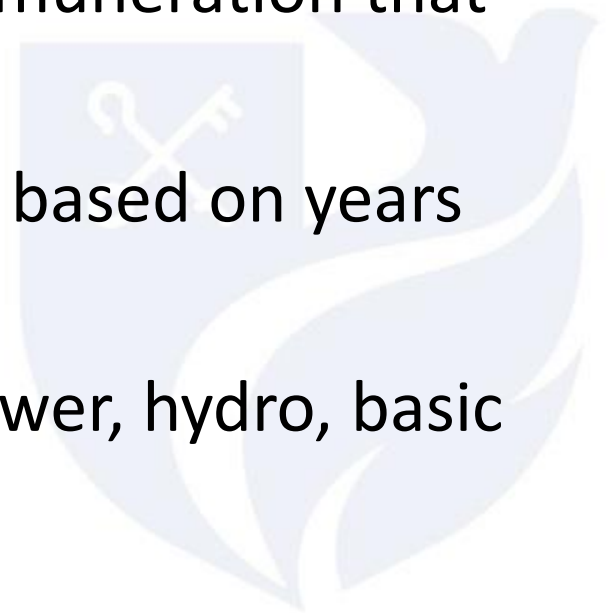


Clergy Remuneration



Clergy Remuneration

- Remuneration = stipend + housing + utilities
- At appointment, the remuneration is set by the Bishop in consultation with the Churchwardens
- Churchwardens review annually; use Appendix E for changes
- Units is an all-encompassing remuneration that is only used for retired clergy.
- Stipend: minimum stipend grid based on years of ordination. Can pay higher.
- Utilities: includes gas, water, sewer, hydro, basic phone.



Clergy Housing

- All clergy must receive a housing allowance or live in a rectory.
- Housing and utilities is reported as income on T4
- Clergy can claim the Clergy Residence Deduction
- Housing Allowance:
 - equal to fair rental value of rectory type housing
 - there is no difference for Incumbents and Assisting clergy
- The allowance/rectory value must be reviewed annually, and the amount set for a 2 year term. Amount set is based on a 3 year average for smoothing.
- Review the [Clergy Housing Policy Statement](#)



Benefits for Clergy

- Pension, Extended Health Care, Dental, Life Insurance
- Vacation
 - 1 winter week plus 1 month (summer)
 - Accrued from July 1st to June 30th
 - Must be taken; no carry over
- Professional Development
 - Participate in the Continuing Education Plan (CEP)
 - 2 week leave annually (1 weekend)
- Leaves of Absence
 - Sabbath leave after 6 full-time years
 - Short and Long Term Disability
 - Pregnancy and Parental Leave
 - Compassionate Leave (unpaid)
 - Educational Leave (unpaid)



Legislative Compliance



Legislative Compliance

- Parishes, regardless of size, must be responsible employers
- Ensure policies & practices in compliance with all appropriate legislation
- For example: *(click links for more info)*
 - [Employment Standards Act](#)
 - [Human Rights Code](#)
 - [Income Tax Act](#)
 - [Employment Insurance legislation](#)
 - [Canada Pension Plan legislation](#)
 - [Occupational Health and Safety Act](#)
 - [Workplace Violence & Harassment](#)
 - [Accessibility for Ontarians with Disabilities Act](#)



Health and Safety (OHSA)

- Create Health & Safety policy
- Have a Health and Safety Bulletin Board
 - “The Green Book” (the Act)
 - Inspection Reports
 - Health and Safety Policy
 - Workplace Violence & Harassment Policy
 - First Aid & Safety Representative
 - WSIB (if enrolled) & ESA Posters
- Document all training taken by your staff
 - Ministry of Labour has [free, online training](#) for employees and supervisors
- If you have a Ministry of Labour inspection, they will look for all of these items.
- Ensure that you have Naloxone kits and training [where applicable](#).



Health and Safety (OHSA)

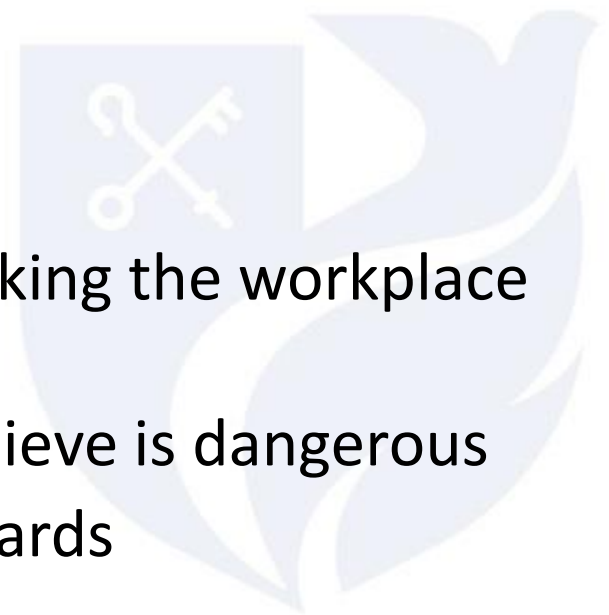
- Employer = Churchwardens
- Supervisor = usually the Incumbent, can be others
- Worker = anyone receiving money from the employer

Internal Responsibility System

- Employer, Supervisor, and Worker has interlocking roles, responsibilities, and rights

Rights of Workers

- Right to participate – be part of making the workplace safe
- Right to refuse work – that they believe is dangerous
- Right to know – of any possible hazards



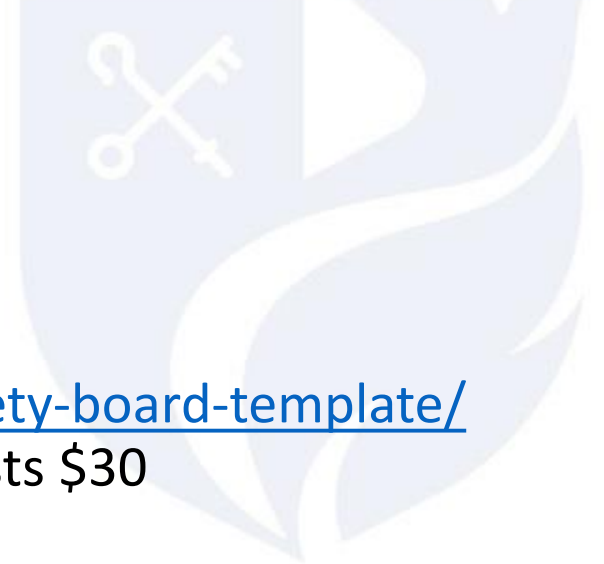
WSIB

- Normally mandatory for all workplaces, but not mandatory for churches
- If you have enrolled, it must cover everyone on your payroll
- If there is a health & safety accident, you need to file a report with WSIB
- If you don't have WSIB, ensure that your insurance provider is aware
- If there is an accident, the injured party will file a claim through the insurance



Health and Safety Resources

- Ministry of Labour
 - www.labour.gov.on.ca/english/hs/index.php
 - Frequently Asked Questions
 - Forms and Posters
 - Training
- Diocesan Website
 - www.toronto.anglican.ca/parish-administration/health-safety/
 - General Information
 - Policy and Procedure Templates
 - Links to other resources
- Health & Safety Board template
 - osg.ca/products/joint-health-and-safety-board-template/
 - Has a spot for each required item; costs \$30



Workplace Violence & Harassment

Required

- Policy is a requirement under OHSA since 2010
- Parishes with 6 or more employees:
 - Must have a written policy
 - Must train employees on the policy
- Document all training taken by parish staff.
 - Ministry of Labour may request training records during an inspection
- Every parish must do a risk assessment at least once; after an incident; after renovations
- Must investigate all incidents and complaints



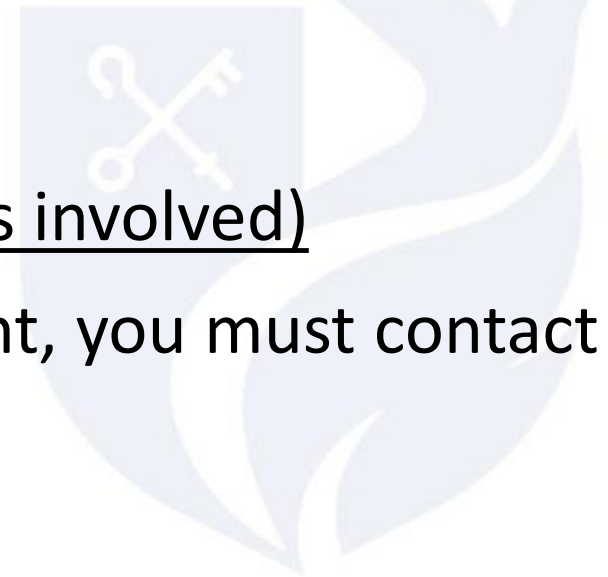
Workplace Violence & Harassment

Best Practices

- Best for every parish to have a written policy
- All employees need to be aware of risks, how to respond, who to contact.
- Post policy in a public place.
- Advise staff, volunteers, parishioners, and licensees of where to find it.

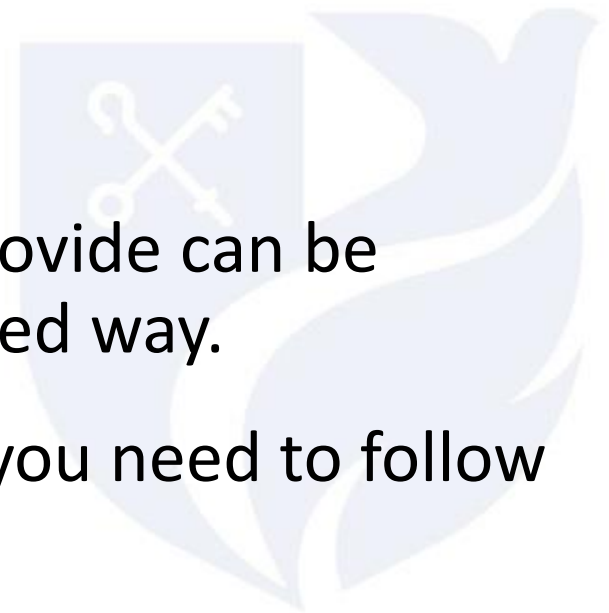
Harassment Policy (when a cleric is involved)

- If a cleric is involved in an incident, you must contact the Canon Pastor.



Accessibility for Ontarians with Disabilities Act (AODA)

- Required multi-year initiative since 2012
- Laws to improve accessibility for people with disabilities in 5 key areas:
 - Customer Service
 - Information and Communications
 - Employment
 - Transportation
 - Design of Public Spaces
- Ensuring that the services you provide can be accessed by everyone in a dignified way.
- If you have at least 1 employee, you need to follow AODA and have a policy.



AODA

- Rethink how you do things so that people have more access:
 - Use larger print on documents
 - Ask the person what accommodation they need
- Must train employees/volunteers on serving people with all abilities.
 - Free training online at: www.aoda.ca/free-online-training/
- Excellent government resources:
 - www.ontario.ca/page/accessibility-in-ontario
- Diocesan Website:
 - www.toronto.anglican.ca/parish-administration/human-resources-for-parishes/aoda-for-parishes/

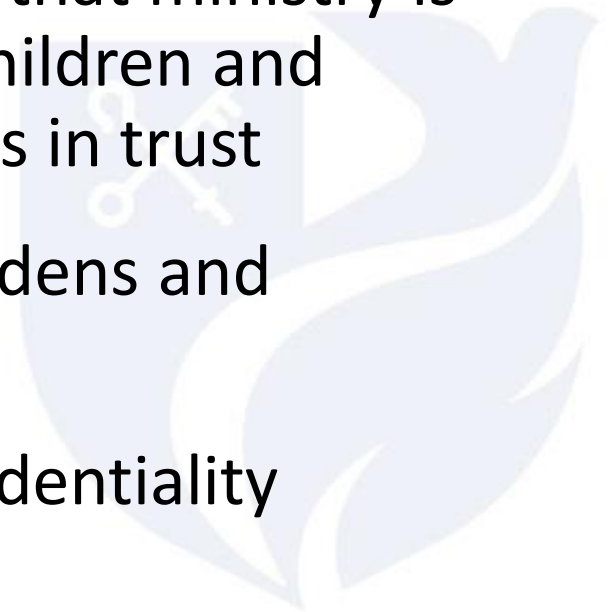


Diocesan Policies



Responsible Ministry: Screening in Faith

- Policy since 2003
- Based in good volunteer management principles and national screening standards
- It is one of the steps to prevent sexual misconduct in our places of ministry
- Program to help parishes ensure that ministry is safe and healthy, especially for children and vulnerable adults who come to us in trust
- Joint responsibility of Churchwardens and Incumbent.
- Privacy is to be respected and confidentiality maintained.



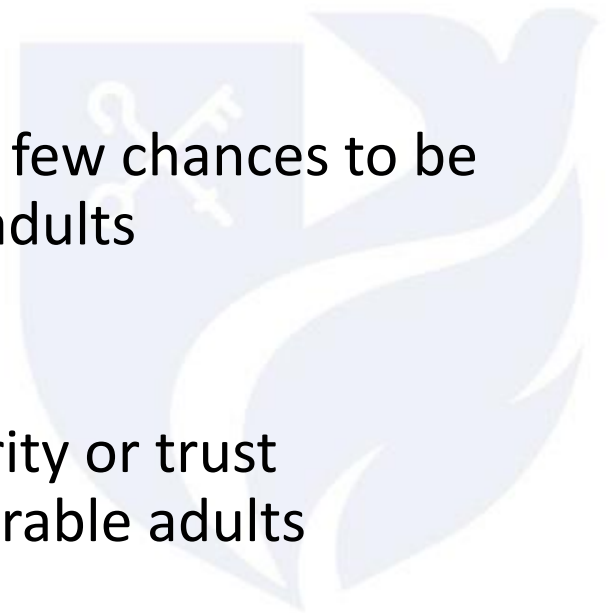
Responsible Ministry: Screening in Faith

- There are 11 standards & practices to be implemented
- Ministry is a privilege; must be good stewards
- Everyone in medium and high risk must be willing to fully participate in the standards
- Screening must be completed before the employee or volunteer starts. Ideal to do it before an election.
- Applicable to all employees and volunteers
- Must be 18 years old to be in a high-risk position, as a police record check is required
- Screening records must be kept indefinitely. Do not destroy. Ensure they are secure.



Responsible Ministry: Screening in Faith

- First step: assess positions for risk - high, medium, low
- High risk:
 - All clergy
 - Lay employees
 - Churchwardens
 - Organists and music directors
 - those involved in residential or off-site ministry, or where a person is alone with children or vulnerable adults
- Medium risk:
 - Positions of authority or trust with few chances to be alone with children or vulnerable adults
- Low risk:
 - Ministry without significant authority or trust
 - Never alone with children or vulnerable adults



Responsible Ministry: Screening in Faith

- Reference Checks

- Required for high-risk ministries
- Ask if they have worked/volunteered in another parish
- Talk to that parish, organization and employer; ask if there were concerns

- Police Record Checks

- Required for high-risk ministries
- Before they start and every 3 years after
- If not done first can cause unsafe environment or liabilities if the person has a criminal record
- Those convicted of sexual assault are not permitted to serve in any ministry position
- Must use Diocesan process – ensures fairness, confidentiality, and consistency



Responsible Ministry: Screening in Faith

- Sexual Misconduct Policy Training
 - Required for medium and high-risk ministries
 - Within 6 months of starting and every 3 years after
 - Use the Diocesan [training resources](#)
 - Online training for your parish is available. Contact the [HR Coordinator](#) to enrol your parish.
 - Ensure that everyone knows to contact the Canon Pastor if they have a concern or experience an incident
 - Canon Pastor is the contact person for everyone; can be reached at 416-807-2494
- Resources
 - There are a lot of steps but also a lot of [resources](#)
 - The full policy, templates, and FAQs can be found on the Diocesan website



Sexual Misconduct Policy

- 3 Types of Sexual Misconduct
 - Sexual Harassment, Exploitation, and Assault

Canon Pastor

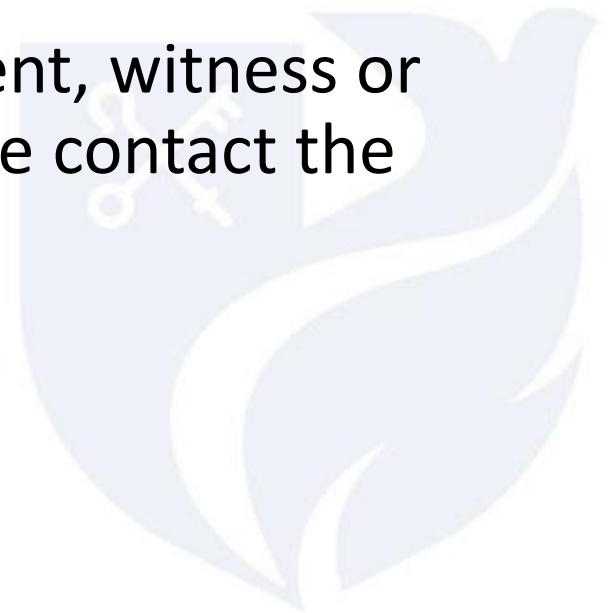
- Responsible for policy, questions, and investigations
- Oversees the investigation team
- Equipped to respond to incidents and complaints

- Canon Pastor: The Rev. Canon Susan Haig
- Assistant Canon Pastor: The Rev. Dan Graves
- Contact: 416-807-2494 or canonpastor@toronto.anglican.ca



Sexual Misconduct Policy

- Churchwardens and Incumbents responsible to ensure training happens
- Post policy and how to reach the Canon Pastor in a public place in the parish
- Policy outlines procedures for responding
- If you become aware of an incident, witness or experience misconduct, or unsure contact the Canon Pastor
- Don't try to handle it yourself
- Keep it confidential

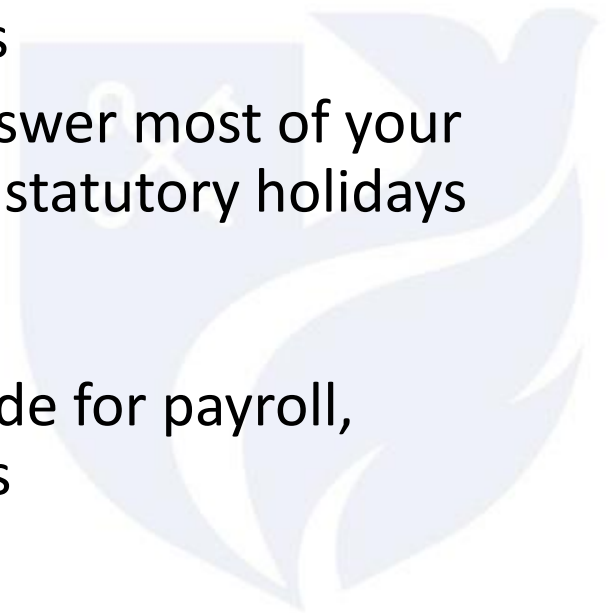


Managing Staff



Staff & Volunteers

- Treat them the same for most policies
- Ensure you have the right person, not the first person who offers to help
- Ensure parish complies with legislation
- Employment Standards Act (ESA)
 - Outlines rights and responsibilities
 - Ministry of Labour [website](#) can answer most of your questions, i.e. overtime, vacation, statutory holidays
- Canada Revenue Agency (CRA)
 - [Website](#) has payroll calculator, guide for payroll, explains deductions, has tax tables



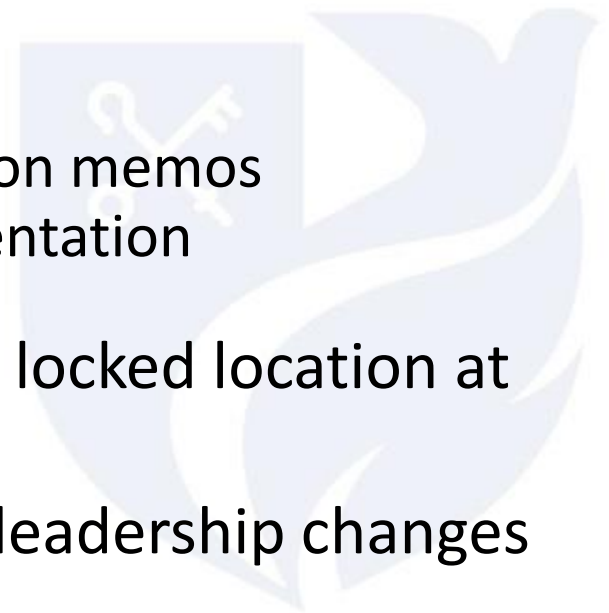
Policies and Procedures

- Ensure fairness and consistency in your parishes policies and practices.
- Create a Parish Office (or Staff) Manual to address a variety of matters, document practices, ensure clarity.
- Churchwardens and Incumbents are responsible for setting each parish's own policies and should check all relevant legislation before making any policy decisions.
- Examples of items to include:
 - Vacation
 - Sick time, Disability benefits
 - Code of Conduct
 - Computer and Internet Use



Records Management

- The personnel file should include:
 - resume, employment agreement / contract
 - job description
 - salary and benefit information
 - Responsible Ministry: Screening in Faith documentation (keep permanently)
 - ongoing performance evaluations
 - performance management documentation
 - continuing education material
 - health & safety records
 - training records
 - sick leave, leave of absence, vacation memos
 - resignation or termination documentation
- Records need to be kept in a secure locked location at the parish.
- Ensures information transfer when leadership changes



Hiring Staff

- Churchwardens and Incumbents are the hiring and dismissing authority of lay staff; only Churchwardens can sign documents.
- Bishops are the appointing and dismissing authority of all clergy.
- Have a fair and transparent process:
 - job description, job ads, resume screening, same interview questions to all candidates, have a scoring scale, references & job offer.
 - Ensure that everyone has an equal opportunity to apply for a position.
- Ensure compliance: Human Rights Code & Ontario ESA.



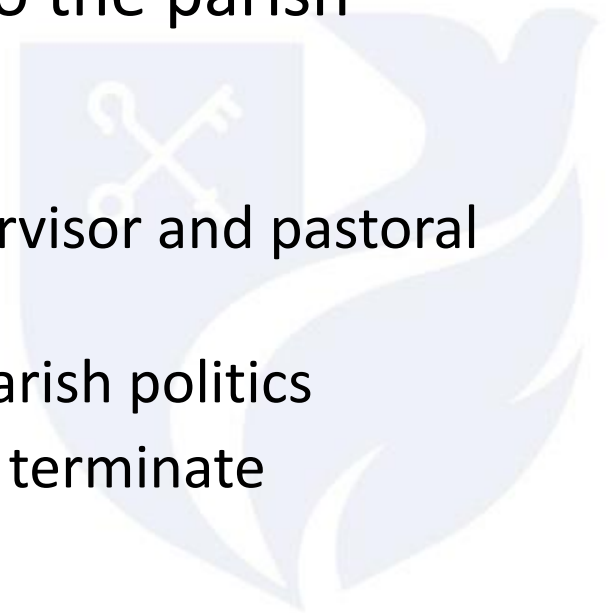
Hiring Staff

- Be clear if you are hiring an employee or a service provider. *(see Employee vs. Contract Worker for more info)*
- Have written employment agreements
- All employees are high-risk: must have a police record check, references, and Sexual Misconduct Policy training.
- What can you afford?
 - Ensure it is a living wage *(you can find it online for your area)*
 - Ensure that you can afford the employer costs and benefits *(if they are eligible at your parish)*
 - Can you afford them permanently or for a short period; after 2 years you need to make them permanent



Conflict of Interest

- Under Canon 15, Churchwardens and parish employees cannot be related.
- Avoid actual and perceived conflicts of interest.
- Use a proper recruitment process – ensures you hire the best person; makes it easier to say no to candidates that are connected to the parish
- Do you hire a parishioner?
 - Avoid dual relationships, i.e. supervisor and pastoral care provider
 - Hiring parishioners complicates parish politics
 - Think about impact if you have to terminate



Job Descriptions

- Have one for each role/position
- A summary of the duties and responsibilities required, not what the person is capable of doing.
- Each written description includes a job title, supervisor's title, job duties and responsibilities, experience, education, work conditions, and skills required.
- Is basis for job advertisement, recruitment, determining fair compensation, employment agreement, and performance assessment.



Compensation

- Develop a job description first
- Complete a market survey to ensure a fair wage - use online salary tools, other job postings, ask other religious organizations
- Review annually for potential need of adjustments to wage; consider cost of living adjustments
- Be aware of provincial minimum wage
- Pension and Benefits
 - If over 20 hours a week (or half-time)
 - Administered through National Pension Office
 - Apply eligibility consistently amongst staff



Employee vs. Contractor

- Before you hire be very clear if you are hiring an employee or a service provider.
- Need to classify appropriately to avoid penalties.
- Employees are all paid through payroll with proper deductions.
 - They take ongoing direction from a Supervisor
 - Their work is an integral part of the organization
 - Employer controls how and when work is carried out
 - Employer provides needed tools and equipment
 - Employer controls absences, sick or vacation leaves
 - Employer controls the amount of pay.
- Employees can be permanent or on a fixed term contract (this is different from an Independent Contractor).



Employee vs. Contractor

- Independent Contractors have their own business and issue invoices. They:
 - provide a service
 - work independently with limited oversight
 - can provide a service to more than 1 employer
 - can subcontract
 - can accept or refuse work; paid for work done; no vacation pay
 - use their own tools and equipment
 - is responsible for making government remittances
- CRA has a [guide](#) to help you determine the type of person you are hiring: Employee or Self-Employed
- CRA can fine your parish if not done correctly. Some parishes have experienced this.



Employment Agreements

- Every work arrangement should be in writing.
- Parish's responsibility to clearly state expectations and benefits.
- Agreements must include a list of duties and responsibilities, a list of work conditions, the pay, and a termination clause.
- Employment Agreements are used for employees and fixed-term contract employees of the parish.
*Contract employees: defined period, no more than 2 years across all renewals
- Sample [agreements](#) on the Diocesan website
*Please read the guidelines carefully when using the templates
- Poorly written agreements (or lack of them) leads to management issues and termination issues.



Independent Contractor Agreements

- Every work arrangement should be in writing.
- Independent contractor agreements include term, services to be provided, fees, warranties, insurance, etc.
- Contractors are responsible for their own insurance, WSIB, and ensuring quality of work
- Sample [agreement](#) on Diocesan website
*Please read the guidelines carefully when using the templates



Supervising Staff

- Ensure employee is provided with job description that outlines clear responsibilities
- Regular feedback provides encouragement and assists with continued good performance
- Ensure that supervisors (usually Incumbent) are meeting regularly with staff
 - Set a weekly or monthly meeting date
 - Provide and document regular, constructive feedback
 - Address concerns immediately, no annual 'surprises'
 - Allow opportunity for course correction
 - Give feedback on what is going well, challenges, and be clear on expectations
 - Share progress updates on ongoing work
 - Give employee opportunity to share concerns



Supervising Staff

- Document all concerns and discussions for written record.
- Good and regular feedback improves the working relationship.
- Lack of feedback leads to a strained relationship and frustration for both parties – don't let things fester
- Documentation assists during leadership transitions
- Also, important if the hire ultimately fails and you need to terminate.
- Protects parish from liability caused by an employee feeling the termination is unjust



Performance Reviews

The annual performance review is formal process to:

- discuss the job performance, career objectives and ministry development of the employee
- review goals and accomplishments
- review concerns raised throughout the year and progress on addressing them
- set goals and objectives for the coming year
- identify training needs



Performance Reviews

- Supervisor (usually Incumbent) to conduct review and ensure Churchwardens agree with feedback
- Employee also to have opportunity to provide comments
- There is a template for performance reviews in the [Parish HR Manual](#).
- You can change the form to suit your parish needs.



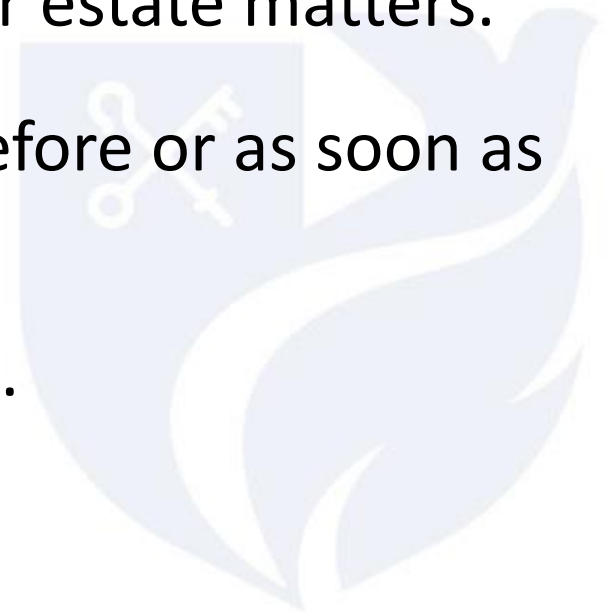
Leaves of Absence

- The Employment Standards Act (ESA) provides a number of unpaid, job protected leaves.
- If any employee requests a leave, refer to [ESA](#) first to understand their rights and your obligations.
- Types:
 - Bereavement leave
 - Sick leave
 - Declared emergency and infectious disease leaves
 - Pregnancy and Parental leave
 - Family Responsibility, Caregiver, Medical leaves
 - Critical illness leave
 - Child death and disappearance leaves
 - Domestic or sexual violence leave
 - Organ donor leave
 - Reservist leave



Bereavement Leaves

- Right for 2 days unpaid, job protected leave per calendar year. No carry over of days into next year.
- Applies to all employees. Not prorated for partial year of employment or part-time work.
- Can be taken at time of family member's death or later for funeral, memorial, or for estate matters.
- Employee to inform employer before or as soon as possible after starting it.
- Notice can be orally or in writing.



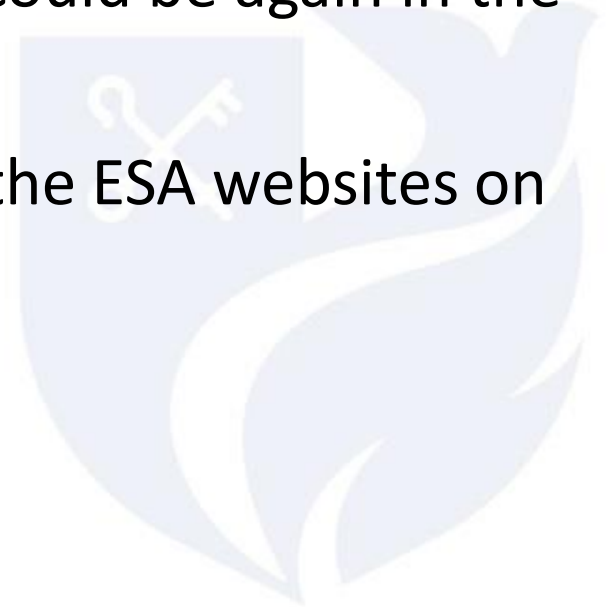
Sick Leaves

- Right for 3 days unpaid, job protected leave per calendar year. No carry over of days into next year.
- Applies to all employees. Not prorated for partial year of employment or part-time work.
- Is for personal illness, injury or medical emergency.
- Employee to inform employer before or as soon as possible after starting it. Notice can be orally or in writing.
- Employer can ask for reasonable evidence. Can only ask for date seen and duration of leave. Cannot ask for diagnosis, treatment, condition.
- Employee may also qualify for up to 26 weeks of EI Sickness Benefits.



Emergency Leaves

- Two kinds:
 1. [Declared Emergency leave](#)
 2. [Infectious Disease Emergency Leave](#)
- Unpaid, job-protected leave. No set number of days. Employee may qualify for one of the government financial supports during the leave.
- Neither are currently in effect but could be again in the future.
- For more information, please visit the ESA websites on the specific emergency leave.



Pregnancy and Parental Leaves

- Unpaid, job protected leave.
- Pregnancy: 17 weeks.
 - Can apply to miscarriage and stillbirth in some circumstances
- Parental: up to 63 weeks
- Benefits, pension, seniority, length of service, and vacation entitlements continue during leave
- Applies to all employees. Must give 2 weeks' notice before start of leave or as soon as possible if there is a complication.
- Employee can apply for EI benefits. The length of EI benefits is different that ESA rights of leave.



Other Leaves

- For other ESA protected leaves, refer to the legislation for more information
- Employment Insurance (EI) provides benefits for some types of leaves. This may differ from the ESA protected leaves.
- Contact Diocesan HR team for assistance with leaves not covered by legislation



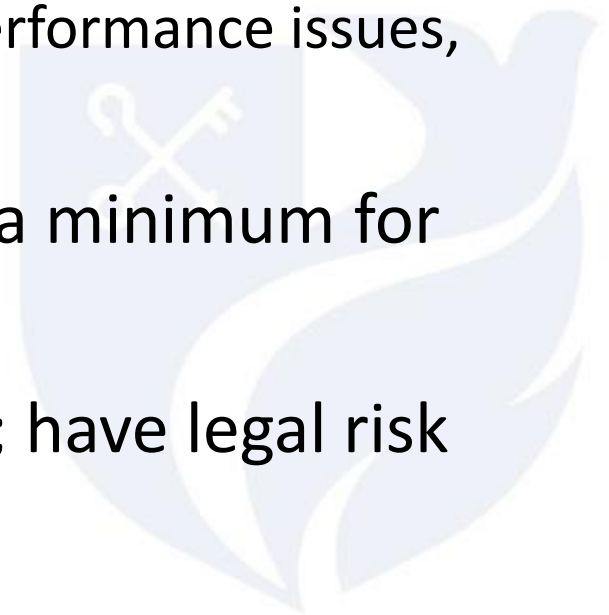
Endings: Resignations

- Get it in writing.
- Recognize with an acceptance letter.
- Document accrued and unused vacation days and pay them out on final pay.
- Confirm when benefits will end.
 - Notify National Pension Office of ending date if parish participates in the Pension & Benefits program.
- Develop parish announcement together if possible.
- Plan for exchange of parish and personal property.
- Ensure parish has passwords.
- Ensure access to computers, programs, and building ends on last day.



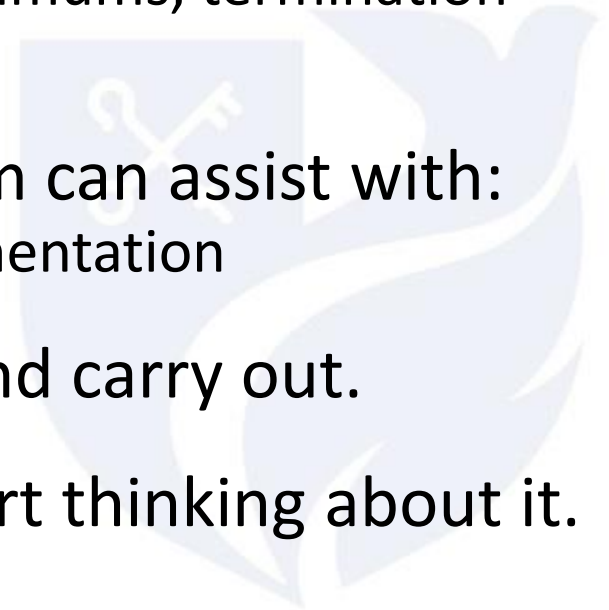
Endings: Dismissal

- Obtain guidance. Do not do it alone.
 - HR professional
 - Employment Lawyer
 - Ecclesiastical professional services – HR Assist (1-888-325-4633), Legal Connex (1-866-263-0256). Will need parish insurance policy number.
- Review personnel file.
 - Start date, termination clauses, performance issues, leaves, other factors
- Employment Standards Act sets a minimum for notice requirements
- Can be complex and challenging; have legal risk implications



Endings: Dismissal

- Put everything in writing. Wording is very important.
- Remember the impact on the community.
- File any parish announcements.
- LegalConnex can assist with:
 - Advice, what exposure is, ESA minimums, termination clauses, scripts
- Diocesan Human Resources team can assist with:
 - Planning, communications, documentation
- It takes times to properly plan and carry out.
- Reach out for help when you start thinking about it.



Toolkit



Government Resources

- Employment Standards Act
 - [Topic Sheets](#) for most employment topics.
 - ESA Self-Service [tools](#)
 - Public Holiday calculator
 - Termination tool
 - Severance tool
- Health and Safety
 - www.labour.gov.on.ca/english/hs/index.php
- Canada Revenue Agency
 - Payroll Deduction [calculator](#)
 - Payroll [Guide](#)



Where Do I Get Information?

- Former Churchwardens
- Diocesan Website
 - HR for [Parishes](#)
 - HR for [Clergy](#)
 - [Screening](#)
 - [Sexual Misconduct Policy](#)
- Networking (other parishes, those in your parish...)
- Internet – Interview questions, compensation, sample policies, etc.
- Pension [Office](#) – for lay pension and benefits program questions
- Diocesan Human Resources [Team](#) – we are here to help



Next Steps

1. Review the Canons

2. Conduct an audit to ensure that your parish:

- Is in compliance with all legislation:
 - Health & Safety Policy, Training, and Bulletin Board
 - Workplace Violence & Harassment Policy and Training
 - AODA and Training
- Is in compliance with all Diocesan policies:
 - Screening (references and police record checks)
 - Sexual Misconduct Policy training
- Has in place:
 - HR Manual/Policies
 - Regular touch base meetings/ Performance Reviews
 - Proper Employment and Independent contractor agreements



Thank you