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Set up your HR Department

A complete HR Toolkit for small business to create and maintain your HR fundamentals.

Create your HR materials

- 260+ premium templates to create contracts, employee manuals, forms, spreadsheets and manager guides
- Download your HR folders
- Identify your HR priorities
- 22 HR topics
- Create HR intranet

Support your HR Function

- COVID-19 Portal
- Legislation Portal
- Remote Workforce Portal
- Mental Health Portal
- Diversity & Inclusion Portal
- Weekly updates, email notifications
- Help & support. With real humans!



Create HR for Clients

HR Toolkit for Small Business, but made for HR consultants with the following differences:

- Special licensing for use with clients
- Additional module + additional download of pre-assembled folders and templates to create your own master HR toolkit to re-use for new clients
- Pricing.

OVERVIEW

This addendum document is introduced in the <Insert which documents this Terms & Definitions document applies to>. It may be your Staff Policies Manual and/or Employee Handbook or Employee Manual. See Instructions on Template Help Page.

Whenever the words listed in the **Terms & Definitions** section below appear in the <Insert which documents this Terms & Definitions document applies to>. It may be your Staff Policies Manual and/or Employee Handbook or Employee Manual. See Instructions on Template Help Page, they have the meaning specified below - unless a contrary intention is noted or such meaning is inconsistent with the context.

Keep this addendum document open as you read the <Insert which documents this Terms & Definitions document applies to>. It may be your Staff Policies Manual and/or Employee Handbook or Employee Manual. See Instructions on Template Help Page so you can easily reference definitions for terminology used throughout.

TERMS & DEFINITIONS

An *italicized word* means that its definition can also be found in this document.

AODA - Accessibility for Ontarians with Disabilities Act, 2000

The purpose of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) is to ensure that all Ontarians have fair and equitable access to programs and services and to improve opportunities for persons with disabilities. The Act will eventually cover all of the following areas:

- ◆ Customer Service Standards
- ◆ Information and Communication
- ◆ Employment
- ◆ Transportation
- ◆ Built Environment

The Customer Service Standard was the first standard to become law as regulation. This standard provides guidelines and examples of how persons with disabilities can be served and accommodated when accessing services or participating in programs.

The next three standards - Information and Communication, Employment, and Transportation have been combined under one regulation, *the Integrated Accessibility Standards Regulation (IASR)*. This is now law and the requirements are being phased in between 2011 and 2021. In addition to the standards listed above, there are also the General Requirements that apply across the IASR.

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Company Stakeholders

Individuals who have a formal relationship with the Company, whether existing, former, currently associated with, or in communication with to form a relationship that includes, without limitation, the following:

- ◆ *Staff*
- ◆ *Job Applicants*
- ◆ Customers
- ◆ Partners
- ◆ Vendors
- ◆ Officers
- ◆ Board members
- ◆ Individuals who have an online relationship with the company, including:
 - Newsletter or blog subscribers
 - Survey participants
 - Connections through the Company's *Social Media* accounts, for example as friends, followers, connections or fans
- ◆ Visitors
- ◆ Other stakeholders directly associated with the Company

Confidential Information

Information about the Company that is or may be disclosed to you, known by you, or developed by you (alone or with others) as a consequence of or through your *Engagement* with the Company, which information:

- ◆ Is not generally available to the public other than as a result of a disclosure by you.
- ◆ Is not generally known in the industry in which the Company has conducted or currently conducts business, or may in the future conduct business.
- ◆ Could put the Company at a competitive disadvantage if improperly communicated.
- ◆ Cannot be communicated due to contractual or legal obligations — such as employee personal information.
- ◆ Should not be shared externally or with Staff unless there's a legitimate business or legal reason to do so.

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Consultant

An experienced professional who is not an employee who provides expertise for a fee and provides services in an advisory capacity. Services are paid via an invoice through Accounts Payable. At times, a Consultant may occupy a seat in the Workplace and may be required to adhere to Staff Policies if contractually obliged to do so by the Company.

Core Hours

This term is not used in the Staff Policies Manual. Only used in QuickStart Employee Handbook or HR Manual Plus

Collaboration and face-to-face time are key ingredients for running our business successfully. We need to know that *Staff* will be at work during certain periods so that we can make contact for the purposes of brainstorming, decision-making, information dissemination, and making the most of creativity.

We encourage you to set up meetings during these times, and we ask that you schedule personal appointments and incidental absences outside of Core Hours where possible.

You're expected to be in the office during our Core Hours, as follows:

- ♦ 9:30 am to 11:30 am
- ♦ 1:30 pm to 3:30 pm

Direct Reports

This term is not used in the Staff Policies Manual. Only used in QuickStart Employee Handbook or HR Manual Plus

An individual who reports directly to someone else. For example, a director has 5 managers who report directly to the director. The managers are considered the director's direct reports. However, the individuals who work for each of the 5 managers are not the direct reports of the director.

Discrimination

Discrimination is defined as any form of unequal treatment based on *Protected Grounds*, that results in disadvantage, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. Discrimination can be obvious, or it may occur in very subtle ways. Discrimination needs only to be one factor among many factors in a decision or action for a finding of discrimination to be made.

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- ♦ **employee eligible for standard benefits:** An employee who has successfully completed their probationary period and where their employment agreement identifies them as being eligible for benefits, and where their benefits waiting period has passed.
- ♦ **regular employee:** An employee who is hired in a longer-term capacity and is anticipated to successfully complete the probationary period.
- ♦ **full-time employee:** An employee who is scheduled to work a *Standard Work Week*.
- ♦ **part-time employee:** An employee who is consistently scheduled to work less than a *Standard Work Week*.
- ♦ **temporary employee:** An employee who is hired for a pre-established period, perhaps during peak workloads, for special projects, as summer employment, or to provide vacation relief.
- ♦ **casual employee:** An employee who works occasional and irregular hours on an as-needed basis.

Note that the term "employee" is not capitalized in the *Insert name of your manual*. Example, *Staff Policies Manual*, *Employee Handbook* or *HR Manual* to facilitate readability.

Engagement

The period of active employment or other formal relationships with the Company, including as an *Independent Contractor, Consultant, Volunteer, Agency Staff*. The term "Engagement" is often used in place of "employment" to clarify that the subject matter, topic or policy is applicable to all Staff, not just employees.

Engagement Agreement

The contract signed between a Staff Member and the Company that sets out the formal terms and conditions of your *Engagement* - for example, an employment agreement or an independent contractor agreement. The term "Engagement Agreement" is often used in place of "employment agreement" to clarify that the subject matter, topic or policy is applicable to all Staff, not just employees.

Everyone

- ♦ **Everyone**, also referred to as "**All Staff**" or "**Staff**" or "**Staff Members**": Refers to the aggregate of all office workers providing services to the Company including, but not limited to, the following:
 - *employee*
 - *Agency staff*

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<p>humiliating, demeaning or unwelcome.</p> <p>Sexual Harassment</p> <p>Sexual harassment is a subset of Harassment. It refers to a course of comment or conduct based on a Company Stakeholder's sex or gender that is known or ought reasonably to be known to be unwelcome.</p> <p>Gender-based harassment is a subset of Sexual Harassment. It refers to behaviour that polices and reinforces traditional heterosexual gender norms.</p> <p>Sexual Solicitation and reprisal</p> <p>Sexually related solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient, where this is known or ought reasonably to be known to be unwelcome. This includes Managers as well as co-workers where one person is in a position to grant or deny a benefit to the other.</p> <p>Reprisals for rejecting such advances or solicitations are also prohibited.</p>	<p>Workplace Sexual Harassment</p> <ul style="list-style-type: none"> ♦ Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or ♦ Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
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Examples of Harassment could include:

- ♦ Epithets, remarks, jokes or innuendos related to *Protected Grounds*
- ♦ Showing or circulating offensive pictures, graffiti or materials related *Protected Grounds*, whether in print form or using e-mail or other electronic means
- ♦ Singling someone out for humiliating or demeaning "teasing" or jokes because of *Protected Grounds*
- ♦ Comments or ridiculing because of characteristics, dress, etc. that are related to *Protected Grounds*

Forms of sexual and gender-based harassment could include:

- ♦ Making an individual dress in a sexualized or gender-specific way
- ♦ Gender-related comments about a person's physical characteristics or mannerisms
- ♦ Suggestive or offensive remarks or innuendoes about members of a specific gender
- ♦ Gender-related verbal abuse, threats or taunting
- ♦ Making suggestive or offensive comments or hints about members of a specific gender

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- ♦ Would reasonably tend to cause offense, discomfort, humiliation or embarrassment to another person or group
- ♦ Has the purpose or effect of interfering with a person's work performance
- ♦ Creates an intimidating, threatening, hostile or offensive work environment

Examples could include:

Although there can be no exhaustive list, examples of behaviour and impact that may signify bullying or psychological harassment include, but are not limited to:

- ♦ Insulting or derogatory remarks, gestures or actions
- ♦ Rude, vulgar language or gestures
- ♦ Malicious rumours, gossip or negative innuendo
- ♦ Verbal aggression and/or verbal abuse
- ♦ Shouting or yelling
- ♦ Swearing or name-calling
- ♦ Glaring or staring
- ♦ Outbursts or displays of anger directed at others
- ♦ Targeting an individual through persistent, unwarranted criticism
- ♦ Public ridicule
- ♦ Verbal, written or physical threats and intimidation
- ♦ Mobbing and/or swarming
- ♦ Misuse of power or authority
- ♦ Isolation and/or exclusion from work-related activities

What Workplace Harassment Isn't

A reasonable action taken by the Company or a *Manager* relating to the management and direction of *Staff* or the *Workplace* is not considered Workplace Harassment. Counseling, performance reviews, work assignments, and the implementation of disciplinary actions are not forms of Workplace Harassment, and don't restrict a Manager's responsibilities in these areas.

Human Rights Code (the "Code")

Refers to the [Ontario Human Rights Code](#) that prohibits actions that discriminate against people based on a Protected Ground.

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Examples include but are not limited to:

- Non-prescription or over-the-counter drugs
- Prescribed medications
- Alcohol
- Cannabis (where legalized)

Manager

Often referred to as 'supervisor' or 'boss'.

As it relates to employees: The individual to whom you report to directly and from whom you take direction for your work. A manager is normally the individual who conducts your performance review.

As it relates to non-employees: Your Company liaison, or the primary individual from whom you take direction for your services.

Misconduct

Any improper conduct that involves illegal, fraudulent, dishonest, unethical, or hurtful behaviour, or serious negligence in the performance of your duties.

The following are examples that supplement the policy violation examples outlined in Staff Policies, and is by no means an exhaustive list:

- ♦ Breaking the law
- ♦ Theft or fraud
- ♦ Improper or prohibited use of *Company Technology Tools* or *Electronic Communication* tools
- ♦ *Discrimination*
- ♦ *Harassment* and *Workplace Harassment* including bullying
- ♦ Punishing or retaliating against an individual for bringing forward, providing information related to, or otherwise taking part in a legitimate complaint
- ♦ *Workplace Violence* including intimidation
- ♦ *Off-Duty Misconduct*
- ♦ Disclosing *Confidential Information*
- ♦ Disclosing or using a *Company Stakeholder's* private information for personal gain or to be hurtful

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- ♦ Making libelous, slanderous or maliciously false statements towards or concerning the Company, its services and products, or *Company Stakeholders*

Personal Activities

“Personal activities” are defined as engaging in any activity during a Standard Work Week that is not directly related to one or more of the following:

- ♦ Your job productivity
- ♦ Your job tasks
- ♦ Your job responsibilities
- ♦ Company business
- ♦ Furthering the interests of the Company

Examples of personal activities include, without limitation, the following:

- ♦ Personal Internet use
- ♦ Personal *Electronic Communication* including sending, receiving, or reading personal email
- ♦ Using a *Mobile Device* for personal conversations or other personal messaging activities
- ♦ Personal landline phone conversations
- ♦ Personal errands
- ♦ Extended personal conversations with co-workers
- ♦ Reading for personal interest, including newspapers, magazines, novels or Internet sites

Protected Grounds

The Ontario Human Rights Code prohibits actions that discriminate against people based on any of the following protected grounds:

- ♦ Age
- ♦ Ancestry, colour, race
- ♦ Citizenship
- ♦ Ethnic origin
- ♦ Place of origin
- ♦ Creed, including religion
- ♦ Disability

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Social Media

Social media is defined as a subset of *Electronic Communication*, but has a specific and more complex definition that requires additional detail. The Company's use of the term 'Social Media' includes, without limitation, the following:

- ◆ Social networking sites including but not limited to:
 - Facebook
 - Twitter
 - YouTube
 - Google+
 - SnapChat
 - Instagram
 - Pinterest
- ◆ The Company's corporate LinkedIn pages
- ◆ Video and photo sharing sites
- ◆ Blogging, including but not limited to:
 - The Company's blog(s)
 - Your personal blog(s)
 - Any external blog posts or comments
- ◆ Forum, chat, and discussion groups, such as Skype chat
- ◆ Online wiki sites such as Wikipedia
- ◆ Online classified sites including but not limited to Craigslist
- ◆ Other websites that allow for comments to be posted
- ◆ Other social, interactive, collaborating or networking sites that are accessible by other individuals with a browser regardless of the requirement of a login or password

Staff

Refer to: *Everyone*

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Undue Hardship

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The Company will work to provide accommodations up to the point of undue hardship which occur in situations where:

- ♦ All options and recommendations have been considered and it's determined that no feasible accommodation exists; or
- ♦ Accommodation would result in excessive costs that would create a hardship for the Company; or
- ♦ Accommodation would result in a safety hazard

If accommodation is determined to cause undue hardship and to the extent possible, the Company will work to find a fair and equitable compromise that strives to meet the needs of both parties.

Volunteer

An individual who provides unpaid services to the Company

Workplace

A workplace is not necessarily a building or structure. It's defined as any location where you're engaged in providing services for or on behalf of the Company, which includes, without limitation, the following:

- ♦ While on Company premises, working remotely, or working from a home office
- ♦ While on Company business
- ♦ While being remunerated by the Company
- ♦ While using *Company Materials*, Company resources, equipment, *Technology Tools* or *Electronic Communication* tools
- ♦ While identifying yourself as a representative of the Company, for example, when communicating or posting online, while at a conference or an external meeting, when driving on behalf of the Company, or during business travel on behalf of the Company

Workplace Violence

As defined in the Occupational Health and Safety Act ('OHSA'):

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