

October 29, 2014
Programs & Human Resources Committee

1. OPENING

The Programs & Human Resources Committee meeting of the Newfoundland & Labrador English School Board was held on Wednesday, October 29, 2014. The meeting was called to order at 12:10 p.m. by the Chair, Fred Douglas.

Members present: Fred Douglas, Chair
Milton Peach, Board Chair
George Sheppard
Wayne Lee
Kim Cheeks
Newman Harris

Regrets: Goronwy Price

Also in attendance: Darrin Pike, Director of Education
Jeff Thompson, Associate Director of Education
Lloyd Collins, Assistant Director of Education (Acting), Human Resources
Heather Hillier, Senior Administrative Officer
Elaine Cross, Administrative Assistant, Human Resources

The Chair, Fred Douglas, welcomed the trustees and staff and thanked everyone for making the time to attend the meeting.

2. ADOPTION OF AGENDA

MOTION: Moved by Wayne Lee, seconded by Newman Harris, and carried unanimously that the agenda be adopted as presented.

3. CONSIDERATION OF MINUTES

MOTION: Moved by George Sheppard, seconded by Wayne Lee, and carried unanimously that the minutes of the October 3, 2014 Programs and Human Resources Committee meeting be adopted as presented.

4. BUSINESS ARISING

4.1. Consideration of Draft Policy “Criminal Record Check”

Lloyd reminded the committee that this policy was discussed at the April 12, 2014 meeting of the Programs and Human Resources Committee. At that time, there was discussion regarding whether or not it should be done periodically for permanent employees. It was decided at that time to defer approval of the policy until research was conducted into similar policies at other government agencies.

Lloyd indicated that he had conducted research on this area of the policy and that our policy as it stands now does mirror that of other agencies in that the criminal record check is done only at the time of hire.

Lloyd also stated that our policy probably goes even further in that we require a Criminal Offence Declaration when an employee moves to another position within the District. Therefore, our policy is often more strenuous than that of other agencies.

Heather suggested an adjustment to the wording of the scope of the policy with regard to the use of private contractors. She read aloud the suggested scope as follows:

“This policy applies to all successful candidates recommended for employment with the Newfoundland and Labrador English School District. It applies to private contractors and their designated employees who are successful bidders for NLESD contractual student transportation services. It applies to all other private contractors as deemed necessary by the District, where their employees must enter schools to fulfill their contractual obligation. It applies to all volunteers providing services deemed medium or high risk, as outlined in the NLESD Volunteer Policy; all post-secondary students completing work terms; and, individuals completing government-sponsored employment or training.”

Heather stated that it may not be feasible in all cases to have a criminal record check done before a private contractor has to enter a school. She used the example of a plumber having to enter the building to fix an urgent water problem. The new wording gives the District discretion as to when a criminal record check is required depending on the situation and the level of risk.

Trustee Cheeks indicated that we need to ensure that due diligence is done and questioned the District’s liability should something happen to a student when we didn’t have a criminal record check in place.

Discussion followed amongst the committee members that a certain level of risk is always present. This policy provides a balance to ensure that the District does everything it can to protect students by assessing the level of risk in such situations as the example used earlier.

Trustee Douglas asked the committee to recommend to the Board approval of the policy with the suggested changes.



MOTION: Moved by Kim Cheeks, seconded by Newman Harris and carried unanimously that the Programs and Human Resources Committee recommend to the Board, approval of the Criminal Record Check Policy with the change as discussed on the Policy Scope, as tabled at the October 29, 2014 meeting of the Programs and Human Resources Committee of the Board.

5. NEW BUSINESS

5.1. Update on NLTA Labrador West Collective Agreement

Lloyd Collins indicated that they have reached an agreement in the Labrador West Collective Agreement and they expect it to be ratified shortly. A lot of the language is similar to the NLTA Provincial Agreement. Now that the agreements have been finalized, they will be working on a MOU which will look at bringing the two agreements together.

A copy of the agreement will be brought to the Board at the next scheduled meeting.

5.2. Consideration of Draft Policy “Respectful Workplace/Harassment Prevention and Resolution”

Lloyd Collins presented the draft policy “Respectful Workplace/Harassment Prevention and Resolution Policy which was included in the package that was sent out to committee members prior to the meeting. He indicated that this policy was originally approved by the committee last fall however changes were needed.

Heather stated that this improved and updated replacement policy is a result of both legal advice received by the District and a report from the Privacy Commissioner earlier this year. There was also a thorough review done of provincial policy related to respectful workplace and harassment prevention.

Trustee Cheeks questioned if the policy covers harassment that can take place on social media. Heather and Lloyd confirmed that it does. Social media is specifically mentioned in Appendix A of the Administrative Regulations.

Darrin also added that the latest NLTA Bulletin contains an article on the proper use of social media and the fact that any comments made on social media should be considered to be public.

Trustee Douglas asked the committee to recommend to the Board the approval of the policy.

MOTION: Moved by George Sheppard, seconded by Kim Cheeks and carried unanimously that the Programs and Human Resources Committee recommend to the Board, approval of the Respectful Workplace/Harassment Prevention and Resolution Policy as tabled at the October 29, 2014 meeting of the Programs and Human Resources Committee of the Board.



6. The next meeting will be held at the call of the chair (possibly the week of November 10th to be prior to the next regularly scheduled Board meeting), subject to final confirmation.

7. ADJOURNMENT

There being no further business the meeting adjourned at 12:40.

