



Human Resources 101 for Managers

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What is Human Resource Management (HRM)?

- Most activities that are part of the employer/employee relationship guided by HR Management
- Affects most business, financial & strategic decisions
- Manages people through activities, practices, policies and procedures

Functions of HR

HR Management includes (but is not limited to):

- Employee recruitment and selection
- Training and development
- Managing compliance of legislation and regulations
- Employee performance management
- Benefits & employee wellness
- Health and safety
- Management of employee records

Who does HRM?

- EVERY supervisor, manager or leader has elements of HR Management in their portfolio (whether it's in the job description or not...)
- Can be very challenging when a manager is expected to 'know all the answers'!

Employment Legislation

The Big Three

1. Employment Standards
2. Workplace Safety and Health
3. Human Rights Legislation

Employment Standards:

Regulations for full & part time workers

- Minimum wage, hours of work and overtime
- Probationary periods
- Deductions from wages
- Rest periods (including breaks)
- Leaves
- Vacations & vacation pay
- General holidays
- Termination of employment

ESA Minimums

(As of Sept 2019)	MB	CAN
Hours of Work	40 (8 hrs/day*)	40 (8 hrs/day*)
Overtime	1.5 times hourly rate after 40/8	1.5 times hourly rate after 40/8
Eating Period	30 mins unpaid after 5 hours of work	30 mins unpaid after 5 hours of work
Coffee/ Smoke Breaks	Not legislated	Not legislated
Sick Days	Zero paid; 3 unpaid	5 days of which 3 will be paid following 3 months continuous employment

Workplace Safety and Health

- Provides guidance on establishing occupational safety and health policy
- Requires either designated health and safety rep, or a safety and health committee in workplaces.
- Outlines employers and workers' rights and responsibilities.

General Duties of Employer

- Keeping equipment in safe working order
- Identifying, assessing, eliminating or controlling hazards
- Labeling and storing hazardous substances
- Informing workers of any hazards
- Ensuring workers receive competent supervision
- Ensuring workers have the training and experience needed to safely perform their jobs before they begin
- Ensuring use of personal protective and safety equipment
- Ensuring workers follow SAFE work procedures

Workplace Health & Safety

The Act also provides the framework for three very important workplace policies.

- 1) Guidance on impairment and safety-sensitivity in order to provide the foundation for drug and alcohol policy.
- 2) The legal requirement to have anti-harassment/anti-bullying policy and complaint and response procedures falls under the Act (physical and psychological safety).
- 3) Requirement to assess the risk of violence and have policy/procedures in place to mitigate.

Human Rights Legislation

- Canadian Human Rights Commission defines discrimination as “an action or a decision that treats a person or a group badly for reasons such as their race, age or disability”
- Employers need to be mindful throughout the employment relationship of ways in which they may be discriminatory – even accidentally.
- Could be a rule, a process, a hiring requirement, a job requirement etc.
- As employers, we need to consider the way our policies and actions impact employees, and clients equally.

MB Human Rights Code: Protected Characteristics

Age	Sexual Orientation
Ancestry, including colour & perceived race	Ethnic background or origin
Gender identity, gender-determined characteristics or circumstances	Sex, including sex-determined characteristics, such as pregnancy
Nationality or national origin	Physical or mental disability
Political belief, political association or political activity	Social disadvantage
Religion, religious belief, religious association or religious activity	Marital or family status
<i>Physical size or weight</i>	Source of income

Examples of discriminatory practices

1. Refusing to hire someone, or treating them unfairly in the workplace based on a protected ground
2. Following policies or practices that deprive / prevent people from accessing employment opportunities
3. Paying men and women differently when they are doing work of the same value.



RESPECTFUL WORKPLACE & DUTY TO ACCOMMODATE

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What is a respectful workplace?

- People feel safe, physically and psychologically
- People are treated fairly
- Conflict is addressed in a positive manner
- People feel supported and included
- People have the freedom to focus on getting their work done
- Diversity and difference are accepted
- Opportunities to make the best use of skills, abilities and talents are provided to all

Who is responsible?

- **Employer**
 - Manager, supervisor, and business or organization as an entity
- **Employees**
- **Clients/Customers**
- **General Public**

Harassment

Includes:

Discriminatory Harassment based on

- Any of the prohibited grounds
- Sexual Harassment

Personal Harassment and Psychological Harassment (Bullying)

Harassment is not:

- Reasonable, actions by managers or supervisors to help manage, guide or direct workers or the workplace; appropriate employee performance reviews, counselling or discipline by a supervisor or manager
- Occasional misunderstandings, thoughtlessness or poor communications
- Conflict or disagreements in the workplace that are not based on one of the prohibited grounds and would reasonably be considered as acceptable within a workplace setting
- Consensual banter or conduct, or romantic relationships, where the people involved and others do not find it offensive or unwelcome and consent to what is happening

Where Can Harassment Occur?

In the workplace AND any location or any event related to work, including while:

- On travel status,
- At a conference where the attendance is sponsored by the employer,
- At employer sponsored training activities/sessions, and
- At employer sponsored events, including social events.

Personal and Psychological Harassment (Bullying)

- Any repeated or severe actions or displays that adversely affects an individual's psychological or physical well-being if it could *reasonably* cause a worker to be **humiliated** or **intimidated**
- In the case of an isolated incident, harassment is severe conduct which has a lasting harmful effect on the individual

Sexual Harassment

Any conduct, comment, gesture or contact of a sexual nature that:

- Is likely to cause offence or humiliation to any employee or;
- Might, on reasonable grounds, be perceived by that employee as condition of a sexual nature on employment, or on an opportunity or training or a promotion.
- Sexual harassment is harassment based on sex, or creating or permitting sexualized or sexually charged, negative work atmosphere.
- Sexual harassment usually occurs where there is a power imbalance between the people involved

Defining Workplace Violence

“Violence” is the attempted or actual exercise of physical force against anyone, or any threatening statement or behaviour that gives a person reason to believe that physical force will be used against them.

Examples of threats of violence or acts of violence include:

- Physical and sexual assault
- Property damage and vandalism
- Swearing and verbal abuse
- Threats or intimidation

Domestic Violence

- Employers who are aware of, or who ought reasonably to be aware of, domestic violence that would likely expose a worker to physical injury in the workplace must take every precaution reasonable in the circumstances to protect the worker

Violence Prevention Policy

Manitoba requirement:

healthcare; pharmaceutical dispensing;
education; financial services; police corrections
or other law enforcement; security; crisis
counselling and intervention; taxi cab and transit
services; retail sales (between 11pm & 6am);
licensed premises

Violence Prevention

Employers are required to:

- Assess risk
- Implement measures and controls to reduce risk
- Train staff on how to handle high risk situations

Accommodation

What it means:

- Adjusting rules, policies, or practices to incorporate alternative arrangements that eliminate discriminatory barriers to participation
- Requires employers identify and eliminate rules that have a discriminatory impact.



POLICIES AND PROCEDURES

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POLICY

“A formal statement of a principle or rule that members of an organization must follow. Each policy addresses an issue important to the organization’s mission or operations... a written record of a workplace rule”.

PROCEDURE

“Instructs members of the organization how to carry out or implement a policy. Policy is the ‘what’ and procedure is the ‘how to’”.

Policy Best Practices

- Code of Conduct
 - Respectful Workplace, Social Media, Drug & Alcohol Policy
- Daily Operations
- Recruitment & Selection
- Performance Management
- Benefits
- Leave of Absence



QUESTIONS?

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