



# **GUIDE TO DEVELOPING A B.C. AGRICULTURE EMPLOYEE HANDBOOK**

**Fall 2012**



## Preface

The following material is intended as a guide to assist employers in preparing a handbook that they can provide to their employees.

An employee handbook is a valuable tool for communicating with your employees and management. The basic purposes of the handbook are to help you communicate:

- How you run your operation,
- What you expect of your employees, and
- What staff can expect from you.

By helping you to effectively communicate the benefits and responsibilities of working at your farm, an employee handbook ensures that there is no ambiguity regarding your policies. This helps you to ensure that all employees are being treated fairly and consistently, which is an important foundation for employee satisfaction and for avoiding accusations of discrimination. As such it can be a valuable resource that increases employee satisfaction and reduces employee turnover.

An employee handbook is useful for helping your employees to understand your operation's culture, history and values. It helps your employees to identify with your farm and its values, making them more likely to comply with policies and work more effectively for the good of the operation.

While an employee handbook is a useful tool for communicating with employees, it is not a substitute for good, clear management practices. It is important to think about your operation's ideals when crafting your handbook, but it is equally important to create realistic guidelines for everyone to follow. In an employee's eyes, it may be worse to have an employee handbook that is not being followed, than not having one at all. Beyond that, additional legal obligations may arise if you do not deliver on the promises that you have made in your handbook.

Companion information for this Guide is available in *Employer Reference Information Handbook*. [http://www.agf.gov.bc.ca/busmgmt/labour\\_mgmt.htm](http://www.agf.gov.bc.ca/busmgmt/labour_mgmt.htm)

## DISCLAIMER

The information contained in the *Guide to Developing a B.C. Agriculture Handbook* has been provided as a non-commercial resource for educational use with agriculture businesses. It was created as a result of recent information that has identified human resource (HR) challenges in agriculture. These challenges are due to many factors and have resulted in a shortage of general and skilled farm workers.

This *Guide* along with the companion *Employer Reference Information Handbook* is meant to provide an easy to use tool and information to assist farmers to be more competitive through effective HR management practices, by allowing them to recruit, manage, and maintain employees using a formal process. It has been designed to be applicable to a wide range of organizational structures, including small farms employing mostly family members, medium sized farms with a blend of family and non-family employees and very large, complex farms with hundreds of employees. This resource is also applicable to different kinds of operations, such as livestock, dairy or horticulture.

These materials are intended to introduce basic-level human resource (HR) management concepts and practices, and to encourage agriculture businesses to take steps towards implementing quality HR management practices. These materials are not intended to serve as solutions to complex or serious HR problems that may exist within a business. It is not legal advice. If your business has a complex or serious HR issue, you should consult with a professional who has appropriate qualifications and expertise in HR or consult with a lawyer or legal service agency, especially if you have any legal problems.

Reasonable efforts were made to ensure that information furnished herein is accurate, but this does not guarantee that it is accurate or current. Links and references to any other resources and websites are provided for information only and don't imply any endorsement or guarantee of any of the organizations or information found on their respective Web sites. Under no circumstances is the Government of Canada, BC Ministry of Agriculture, or Community Futures Development Corporation of South Fraser Incorporated (consulting author of this material) or any other contributors or non-profit organization that introduces these materials liable to any person or business for anything that may result from the use of any of the materials contained in these two resource materials.

## **CAUTION**

Employment standards and HR legislation differ between provinces/territories. Each organization or business using any of these materials must follow all applicable laws (Federal, Provincial, Municipal, etc.) within their geographic region. The materials contained in this Guide to Developing a B.C. Agriculture Handbook is not intended as a substitute for any governmental or otherwise official information regarding applicable legislation, labour standards, etc. Since legislation can change from time to time, it is essential that whoever works with these materials regularly consult with a lawyer or legal service to confirm that all the HR policies and guidelines adopted by the business are fully compatible with such laws.

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## How to Use this Guide

This guide provides a general description of an extensive variety of topics that you may wish to include in your employee handbook. By no means do you need to include all of them, nor will all of the topics be relevant to your operation. Rather, you should:

- Read through them and reflect upon how each topic relates to your operation,
- Adapt the information provided to suit your needs, and
- Seek legal advice before finalizing your handbook.

It is important that the policies you create incorporate the minimum legal requirements for your operation and that they are updated regularly. A number of laws, including the BC *Employment Standards Act* and the BC *Workers Compensation Act* regulate certain aspects of employee and employer relationships. It is essential that the policies that are developed for your farm are consistent with these acts and regulations.

For your reference, there are 2 sample handbooks included that have been prepared using this guide: One for a vegetable farm with a farm market and another for a nursery.

## How to Create Your Handbook

**Step 1** – Create a list of topics that you will cover in your handbook. Read through this guide and decide what does and does not work for your farm. You might find it helpful to use the checklist provided to decide which topics need to be covered for different types of employees (e.g. full-time, seasonal, etc.). Consider the topics in this guide as suggestions, rather than requirements. It is important to be mindful of what is relevant for your operation and what is not. For example, if you don't provide employee housing, then you certainly don't need a policy on employee housing.

**Step 2** – Decide who your audience is. Will the handbook be distributed to all employees (casual, temporary/seasonal, part-time, etc.) or select employee types? Keep your audience in mind when writing your policies because you may need to outline policy variations for different employee types. For instance, a full-time permanent employee may be entitled to different benefits or vacation time than a casual worker.

**Step 3** – Evaluate your current formal and informal policies and management practices. Decide what you like and dislike about the way things are currently handled. You may want to consult your management and employees to see what does and doesn't work for them. You could even create a questionnaire for your employees to fill out.

**Step 4** – Write a draft of your handbook. You can start with the language in this guide and adapt it to reflect your operation; or, you can start from scratch. Whatever works best for you. Either way, here are some important tips to keep in mind:

- Be clear and to the point. Try to keep your handbook short and simple for easy reading and clear understanding, yet detailed enough to be valuable and informative.
- Use the simplest language possible — write it as clearly and concisely as you can, as unnecessarily complex language can be confusing.

- Keep your sentences and paragraphs short to promote clarity.
- Numbered or bulleted lists may be easier to read than long paragraphs.
- Keep the education level of your employees in mind when writing your policies. Imagine that you are talking to one of your employees while you are writing.
- Try to use positive statements (do) rather than negative statements (don't).
- Wherever possible, leave yourself some flexibility in the wording of your policies. If you feel very strongly about a particular issue then you can use firm language, but in general, avoid words like “never”, “must”, “cannot”, etc. Instead use words like “may”, “usually”, “likely”, etc. However, keep in mind that phrases such as ‘may’ or ‘usually’ can create ambiguity and you may be at a disadvantage when it comes to enforcing policies if challenged. In certain cases, it is better to say ‘will’ to create certainty. For example, *“There are certain actions which ‘will’ constitute immediate cause for dismissal such as theft, fraud and insubordination”*.
- Stay mindful of legal issues and human rights legislation, as these are the basic standards of treatment to which all people are entitled, regardless of factors such as nationality, gender, race and economic status. They affect every aspect of employment as a matter of law. Accordingly, all employers in the BC agricultural sector must confirm, support and enforce the applicable human rights legislation in their workplace.

**Step 5** – Ask management or supervisory employees to read through the draft. They are the ones who will be enforcing these policies, so you should ensure that they are in agreement with them. If you are a small operation without management beyond yourself, have a trusted friend or employee read through it to check for inconsistencies or unclear sections.

**Step 6** – It is recommended that you have a lawyer review your draft handbook to ensure that you are in compliance with all applicable laws.

**Step 7** – Distribute your final copy to each employee and ensure they understand it. You may need to provide translation to some workers. If employees do not get to keep their own copy, make sure that there is a copy accessible to them at all times and that they know where to find it. It is recommended that employees formally acknowledge that they have read it and agree to abide by the policies by signing their letter of offer or their employment contract.

It is important to review your policies on a regular, if not yearly basis, asking yourself the following questions:

“Is the policy still consistent with legislation?” if yes, then ask “What does this rule contribute to my farm’s objectives?”

If the policy is consistent with current legislation and helps to maintain workplace safety, prevent plant or animal diseases, avoid equipment breakdowns, control expenses, prevent disruption of work, or serves a similar function, the policy should stay.

## Topic Checklist

This checklist can help you organize which topics need to be included for different types of employees. If you find that there are widely different topics for different employee types, you may want to create separate handbooks for each type.

<b>POSSIBLE TOPICS</b>	<b>Full-Time</b>	<b>Part-Time</b>	<b>Seasonal</b>	<b>Contract</b>
<b>1. Introduction</b>				
1.1. Welcome Message				
1.2. Purpose of Handbook/Disclaimer				
1.3. History				
1.4. Mission Statement				
1.5. Values				
1.6. Reporting and Organizational Structure				
<b>2. Terms of Employment</b>				
2.1. Employee Classification				
2.2. Orientation				
2.3. Probationary Period				
2.4. Performance/Achievement Planning and Reviews				
2.5. Training and Educational Assistance				
2.6. Promotion				
2.7. End of Service				
2.8. Employee Records and Protection of Personal Information				
<b>3. Compensation and Benefits</b>				
3.1. Pay Rates and Adjustments				
3.2. Recording Your Hours				
3.3. Overtime				
3.4. Pay Day				
3.5. Deductions				
3.6. Extended Benefits				
3.6.1. Employee Housing				
3.6.2. Farm Produce				
<b>4. Leave</b>				
4.1. Statutory Holidays				
4.2. Vacation Pay				
4.3. Sick/Personal Days				
4.4. Other Leave from Work				
<b>5. Human Rights</b>				
5.1. Non-Discrimination				
5.2. Accommodation of Individual Needs				
5.3. Harassment				
5.4. Open-Door Policy/Communication				
5.5. Conflict Resolution				
<b>6. Workplace Safety</b>				

6.1. Employee Health and Safety Standards				
6.2. Reporting Unsafe Conditions				
6.3. Incidents and Injuries				
6.4. First Aid				
6.5. Health and Safety Training				
6.6. Health and Safety Committees				
6.7. Children on the Farm				
<b>7. Internal Policies</b>				
7.1. Food Safety				
7.2. Bio-Security				
7.3. Reporting Environmental Incidents				
7.4. Animal Welfare				
7.5. Dress Code				
7.6. Substance Abuse				
7.7. Smoking				
7.8. Farm Telephone and Cell Phone Use				
7.9. Computers				
7.10. Parking				
7.11. Mileage				
7.12. Transportation				
7.13. Hours of Work				
7.14. Attendance, Lateness & Leaving Work without Notice				
7.15. Poor Weather				
7.16. Use of Tools, Equipment and Vehicles				
7.17. Off-Duty Employees				
7.18. Non-Work Activities During Work Hours				
7.19. Confidentiality and Conflict of Interest				
7.20. Handling Customers and Visitors				
7.21. Handling Complaints				
7.22. Request for Information From Press and Other Media				
7.23. Employee Referrals				
<b>8. Discipline</b>				
8.1. Progressive Discipline				
8.2. Discipline for Performance Issues				
8.3. Discipline for Misconduct				

# INTRODUCTION

The introduction is your opportunity to give a quick overview of your farm. The introduction typically includes:

- A welcome message,
- A statement on the purpose of the handbook,
- Farm history,
- Mission,
- Values, and
- Organizational structure.

The introduction is where you set the tone for the rest of your handbook-and your employee relations in general. It should reflect the culture of your operation in the level of formality that you typically use, but you should try to remain warm and friendly, rather than cold and impersonal. Bear in mind that the more engaging and friendly you make this section, the more likely your employees are to actually read and identify with the information. Think of this as your chance to ensure that your employees really understand, and buy into, the mission and values of your operation. Don't just tell them what you believe, tell them why.

## 1.1 Welcome Message

This should be a letter, signed by the highest authority at your operation, welcoming your new employees. This letter should establish the friendly tone for the rest of the handbook, while telling your employees a little bit about your operation and the reasons they should read the handbook. This is your chance to show enthusiasm about your operation and to demonstrate to your employees that it is a great place to work.

You can add some detail about your company specifics if you would like, but try to keep it brief.

Try not to make promises to your employees because these can be interpreted as implied contracts. Avoid statements promising employees a long future at the company, or describing the company as a family.

### Example

Welcome to \_\_\_\_\_ Farms Inc.! We are proud of the way we run our business and we hope that your time here will be a positive experience for all of us.

*This handbook will explain to you who we are, what we do and what we can expect from each other. Please take the time to read it carefully to ensure that you understand what is expected of you, as well as what you can expect from us. If you are ever unclear about anything, please speak to your supervisor, who will always be happy to address your concerns.*

*We are looking forward to working with you and wish you every success in your new position on our farm.*

*Sincerely,*

## 1.2 Purpose of Handbook/Disclaimer

Make sure it is clear that employees are expected to read this handbook and to use the information in it to guide their behaviour in the workplace. It is important to state that the handbook is meant to promote open communication to reduce potential misunderstandings between employees and supervisory staff. A policy may be contractual if consistently applied, clearly communicated and in place when the employee is hired. It is important to let your employees know that as circumstances change, your policies will change; and employees will be informed when this happens. These changes must be clearly communicated to all employees and this communication must be documented.

### Example

*This handbook is meant to promote clear communication and to reduce potential misunderstandings. It is meant to be a general guideline and it should not be taken as a binding contract or promise. Circumstances can change unexpectedly and we may need to change, overturn or add to these policies. Please note that when this happens you will be informed of the changes.*

*Our goal is to ensure you and the rest of our employees are satisfied. If you have any suggestions as to how we can improve this handbook or any of the policies in it, please feel free to bring them to your supervisor. While we may not be able to accommodate all suggestions, we are always open to trying.*

## 1.3 History

Learning about the history of your operation can help employees feel a sense of belonging. Detailing your history shows them the enthusiasm and pride that you have for your business. It also helps you to guide your employees' first impression of your operation. You can use the examples below for inspiration while writing about your operation's history; however, while doing so, also try to think about what you would tell someone about your farm if they were sitting



across from you right now. What is special or interesting about your operation? What will inspire your employees to work towards your common goals?

#### **Example 1**

*Jorel Farms, Inc. was founded by William Smith in 1900. William, and his wife Gladys, had two boys, Gordon and James. They worked together on their family farm until 1955 when each son went his separate way. Gordon and his wife, Joyce, started with 20 milk cows and about 300 acres. Gordon, Joyce, and their three children built the foundation for what became Smith Farms Incorporated in 1962. Jorel Farms continues to be a family owned business that takes pride in being an efficient dairy operation that endeavours to be both community focused and socially responsible.*

#### **Example 2**

*Donald and Mabel Brown bought eight acres of land in the Fraser Valley in the 1905 from George Beck, a retiring farmer who had no children to take over for him. Donald worked as an employee for Mr. Beck for a few years. At this time the farm had a few cows, a flock of chickens, some pigs and two acres of vegetables – mostly potatoes, beans and cabbage. Donald's son, Jim, took over the farm in the spring of 1927 and inherited it in 1930. Jim bought an adjoining farm and continued to raise livestock and grow vegetables. Jim's successor was his son-in-law, Frank. Frank reduced the livestock enterprise and increased vegetable production. Frank named the farm Green Diamond Farm, after the shape of the pond behind the old farmhouse. Frank retired in 1979 and his two sons, Jamie and Bob, are the current managers.*

*Today, Green Diamond Farm produces some of the best vegetables in this part of the province. We pride ourselves on growing the greatest variety and highest quality vegetables and that's what we intend to do for the foreseeable future. This business has grown from a family-run operation to employing up to 20 workers during the summer. Our 70 acres of production is made up of a variety of crops including summer and winter squash, cabbage, peas, beans, carrots, cucumbers and potatoes. In late summer, we operate a roadside market and people drive for miles specifically to buy our produce. In addition to having our own retail market, we also wholesale tomatoes and cucumbers. We are proud to be part of a fourth generation family business with a history of growth and success.*

### **1.4 Mission Statement**

A mission statement helps you and your employees to stay focused on your big picture goals. It should be a simple expression of what you're trying to accomplish with your business.

#### **Example 1**

*Smith Farms Inc. utilizes scientific knowledge and innovative technology to efficiently produce raw milk for further processing.*

### Example 2

*Our mission is to produce and market high quality milk in sufficient quantity to provide a good standard of living and long-term financial security for our family and employees.*

## 1.5 Values

Giving your employees a clear picture of your values can help them to work independently and make decisions based on what they understand is important to you. You should give this section a lot of thought and really try to gain a clear understanding of the values that are the foundation of your operation. Some values that you may want to emphasize in this section could include:

- Work Environment,
  - Employee relations,
  - Safety (physical, emotional and mental),
  - Employee rights, and
  - Employee development (training, education, etc.)
- Quality of production,
- Healthy lifestyle,
- Environmental responsibility (recycling, water conservation, etc.),
- Social responsibility (good neighbour policies, community involvement, etc.),
- Religious and cultural considerations (observance of holidays, accommodation for holidays of other religions, work practices on holy days, etc.), and
- Equal opportunity employer.

### Example

*At Smith Nursery Ltd. we pride ourselves on operating our business in a socially and environmentally responsible manner, while providing our employees with an inclusive, respectful workplace that fosters professional development.*

## 1.6 Reporting and Organizational Structure

Different operations will have different levels of complexity amongst the chain of command. Whether you have a small operation with only one manager, or a large operation with many different levels, it is important to explain to your employees who holds each position and who their direct supervisor is. This can also be useful for family operations, to help clarify the roles of family members. Receiving conflicting instructions from multiple supervisors can be very frustrating for both employees and supervisors, especially on family farms.

A simple way to do this is to use an organizational chart. Try to ensure that each employee has only one supervisor to report to and clearly identify who that person is, to avoid the confusion of conflicting directions.

### Example Statement

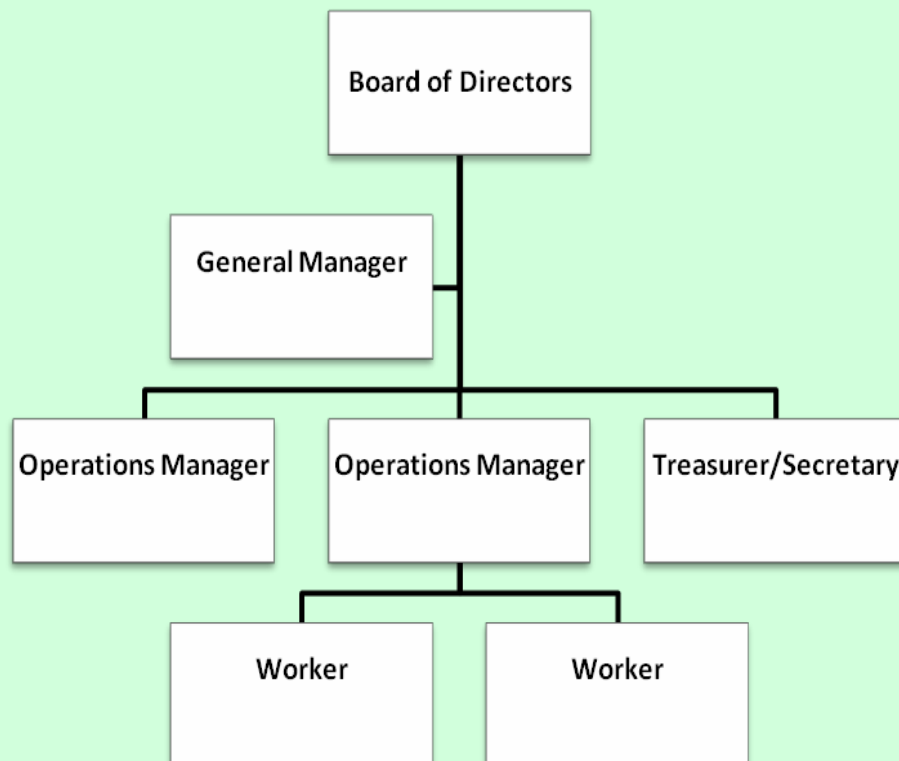
*We encourage open discussion between our employees and supervisors. If a problem arises, we will do our best to resolve any job-related conflicts in a timely and satisfactory manner.*

*If you have any concerns please bring them to your direct supervisor. If he/she cannot resolve your issue, or if you are uncomfortable speaking to your supervisor about the issue, you may bring it to the General Manager.*

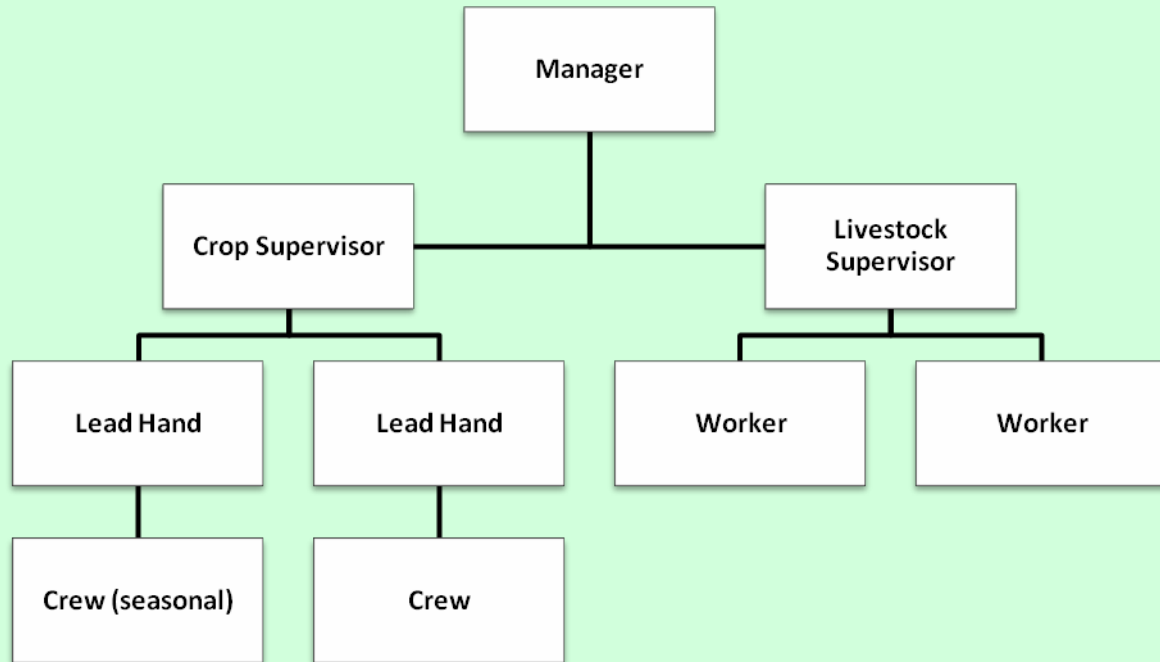
*Please do not fear that your concerns will affect your employment with us.*

### Example Chart 1 – Family Farm

*When creating your own organizational chart, make sure to include the names of each person, as well as their position.*



**Example Chart 2 – Large Scale Operation**



# TERMS OF EMPLOYMENT

For the purposes of administration and compensation, it is important that you and your employees are clear about their classification. Under the BC *Employment Standards Act* different employment types are defined as well as the statutory benefits that they are entitled to.

## Example

*Regular Full-Time: Employees who work regularly throughout the year for an average of at least 35 hours per week and are not operating under a contract*

*Temporary Full-Time: Employees who work at least 35 hours per week but are hired for 60 days or less and are not under contract.*

*Seasonal: Employees who may work from year-to-year (but do not work all year), who were hired to do seasonal work and are not under a contract.*

*Regular Part-Time: Employees who work less than 35 hours per week and/or on a periodic basis.*

*Part-Time: Employees not fitting the above classifications (i.e. students, interns, temporary employees with special work arrangements).*

## 2.1 Orientation

Orientation sessions provide an excellent opportunity to introduce a new employee to your operation and make them feel more prepared for their first day of work. During the orientation, consider:

- Giving new employees your handbook to read,
- Leading them through a tour of your farm, and
- Explaining their new job description to them.

The BC *Workers Compensation Act* and its *Occupational Health and Safety Regulations* stipulate that for agriculture when workers, including seasonal and temporary workers, start employment, the employer and the employer's supervisor must ensure that they are instructed about the safe performance of their duties. If you have additional training requirements (e.g. food safety or bio-security) this is an appropriate time to introduce these as well.

An orientation session is also recommended for seasonal employees. Remember that informing employees regarding any potential hazards, as well as providing potable water, is a legal requirement. This can be provided in a small- group format. This is an opportunity to provide each worker with an abbreviated handbook reviewing:

- Wages,
- Hours of work,
- Rest periods,
- Tools,
- Special and protective clothing,
- Personal safety equipment,
- Their right to refuse unsafe work,
- Availability and location of safe drinking water,
- Safety information including sun exposure and hydration,
- Availability and location of first aid supplies,
- Availability of portable toilets for employee comfort,
- Availability of potable water, and
- Hand washing station and other food safety considerations.

Employers must keep accurate records of safety training and orientation for employees. For more information please see Companion Materials – Seasonal Workers

### **Example**

*All new employees, as well as current employees starting a new job, are provided with an orientation session. The purpose of the orientation session is to familiarize you with the work environment and job expectations. At the orientation session we will review:*

- *Our history and values,*
- *Your pay and benefits,*
- *Our policies,*
- *Job functions and expectations,*
- *Our food-safety, bio-security, farm safety programs, and*
- *How to perform your job safely.*

*We will also provide a tour of our farm, introducing you to other employees. We encourage you to ask any questions you may have.*

## **2.2 Probationary Period**

A properly implemented probationary period allows you a period of time to assess a worker's suitability for the job before the employment becomes permanent. This is because it is usually easier and less costly to dismiss a probationary employee than a permanent employee. Under the BC *Employment Standards Act*, an employer need not provide notice of termination, or pay in lieu of notice of termination, within the first three months of employment, with or without cause. At common law, a probationary employee may be dismissed without notice of

termination, or pay in lieu of notice, during a probationary period if the employee is not suitable for the job. This is easier to meet than just cause. If an employee is dismissed during a probationary period for reasons other than unsuitability, there may still be an obligation at common law to provide notice of termination, or pay in lieu of notice, during a probationary period. But it may be possible to avoid this liability even at common law if it is an expressed term of the employee's contract and the employer's policy that probationary employees are not entitled to termination pay.

In order to properly implement a probationary period, there are at least two basic requirements that the employer must satisfy:

- The employee must be told, at the beginning of the employment relationship, that there is a probationary period of a specified number of months, during which the employee will be evaluated, and during which the employee will have a reasonable opportunity to demonstrate his or her ability to meet the employer's standards. The employee should be told in writing that if, during the probationary period, the employer concludes that the employee is not suitable, the employment relationship will be terminated, without notice, and
- The employer must engage in an objective written evaluation of the employee's performance during the probationary period, against standards that the employer could reasonably expect of an individual performing the particular function assigned to the employee. In most cases, this obligation will require notification to the employee, during the early stages of the probationary period, of the areas in which improvement is expected. This obligation includes the provision of a reasonable opportunity for improvement following that notification, but within the bounds of the probationary period.

Although meeting these requirements will assist greatly with ensuring your probationary period is properly implemented, legal advice is recommended to verify compliance in your particular circumstances.

### **Example**

*New employees start with a three-month probationary period. This period of time allows you and your supervisor to determine if the position is suitable for you. During this period, we will help you to familiarize yourself with the job and develop additional skills you may require to be successful.*

*After the successful completion of your probationary period, you will become a permanent employee and will be entitled to any benefits that come with your position.*

## **2.3 Performance/Achievement Planning and Review**

A performance planning and review system can be an effective means for improving and maintaining productivity. Ideally, this will be a constructive two-way discussion, providing:

- Employees with insight into their strengths and weaknesses on the job, and

- Managers with feedback on how they can improve farm activities.

In addition, performance and achievement reviews can justify promotions, pay raises or disciplinary actions.

In order to increase employee motivation and performance, the evaluation discussions must be well planned and implemented; otherwise, discussions can be uncomfortable for both the supervisor and the employee and regarded as a waste of time and a nuisance.

#### **Example**

*At Mosquito Creek Ranch we consider an annual performance review and discussion as a constructive two-way exchange of information that is beneficial to both our employees and ourselves. Informal feedback and communication is encouraged on a regular basis. You may request an informal or formal review at any time you feel it would be beneficial.*

## **2.4 Training and Educational Assistance**

In addition to internal training, employers may offer training and further education to employees through local community colleges, online courses or private workshops and seminars. Offering training can help your farm remain competitive and help motivate and retain employees. You may choose to pay a percentage of the course or pay the entire fee. Payment can be contingent on:

- Successful completion of the course, and/or
- Remaining at the company for a specified period of time.

If you offer an educational or training program ensure the qualifications are clear.

#### **Example**

*Full-time employees are encouraged to take relevant training. Training goals will be discussed during the annual employee performance and achievement planning session. Anytime you come across a relevant training session or program, please discuss it with your supervisor. If approved, we may cover up to 75% of your time and expenses. Depending on the cost and type of training, we may ask that you agree to stay with our company for a minimum of one year following the training.*

## **2.5 Promotion**

Give your employees a clear indication of your policy for advancement. Advancement may be based on a combination of merit, experience, training or seniority. Ensure the policy you describe is followed in order to avoid perceptions and complaints of discrimination or favouritism.



### **Example**

*We endeavour to staff all positions with well-qualified individuals. When possible, we practice a policy of promotion from within our operation, seeking the best qualified individual for the position. A qualified employee must demonstrate:*

- *Good performance within their present job,*
- *Good attendance records, and*
- *Their ability to fulfill specific job requirements of the new position.*

*Employees who transfer to a new position are provided with an appropriate transitional period that includes training and a timeline to meet additional responsibilities.*

## **2.6 End of Service**

There are a number of situations which may bring an end to an employee's service with you. These circumstances may include resignation, business slowdown, end of season, or retirement. Performance or conduct-related termination will be addressed in the section on discipline. Once again, tell your employees what is expected of them and what they can expect from you.

### **Example**

*If you choose to end your employment with us, we ask that you let your supervisor or manager know at least two weeks prior to your last day. Please note that this does not apply to employees who are still in their probationary period.*

*When your employment with us comes to an end, whether it is by your choice, or due to outside factors, we ask that you complete an exit interview with us where you can provide us with feedback on your employment, including:*

- *What we do well,*
- *What needs to be improved, and*
- *Your reasons for leaving.*

*During this interview, we will provide information regarding:*

- *Benefits,*
- *Vacation pay,*
- *Employment and personal records, and*
- *Other administrative items.*

*We also ask that you return any company property (tools, uniform, keys, etc.) at this time.*

*We will comply with our legal obligations to provide your final pay cheque and record of employment (ROE) within the specified time.*

## 2.7 Employee Records and Protection of Personal Information

It is important to ensure that personal information collected about employees is kept confidential unless the employee consents to disclosure. In B.C., the law that applies to private, provincially regulated employers in this regard is the *Personal Information Protection Act*. This law allows employers to collect, use, hold and disclose employee's personal information in the course of operations for purposes that a reasonable person would consider appropriate in the circumstances. The *Personal Information Protection Act* also gives employees a right to request access to their personal information held by employers and to request that a correction be made if they feel the information is incorrect or incomplete.

It is important to note that the *Personal Information Protection Act* only applies to personal information. Personal information is information about a person who can be identified by the information itself or in combination with other information available in the circumstances. Personal information is not only information that you would expect might be private, like workplace reviews, health information or PIN's. It is any information that allows you to be identified (except business contact information, including an individual's name, position, business telephone numbers, business fax numbers, business mailing address and business email address).

Additional information can be found at the following websites:

**Personal Information Protection Act:**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_03063\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_03063_01)

**Keeping Records Factsheet** <http://www.labour.gov.bc.ca/esb/facshts/records.htm>

A properly implemented privacy policy can help protect the employer from privacy-related complaints from employees regarding the handling of their personal information. Such a policy should tell employees what the employer does with employee personal information and why.

### Example

*Your personnel record began with your application form and it contains a variety of information about you and your employment status with us, such as records of all performance reviews, disciplinary notices, etc. This information is confidential and will be treated as such, except where disclosure is required by law, or where you provide us with written permission to disclose it. Only your supervisors and necessary administrative staff will have access to your information file. You, as an employee, may have access to your own file in the presence of an administrative representative or your supervisor. As required by law, this record will be kept for two years after you leave.*

# COMPENSATION AND BENEFITS

The BC *Employment Standards Act* regulates wages and working conditions in most workplaces. It is important to ensure that your policies comply with the minimum requirements of this legislation. A guide to the regulations for the province of BC can be found at:

**A Guide to the Employment Standards Act** <http://www.labour.gov.bc.ca/esb/esaguide/#top>

In BC there are certain exemptions for farm workers. More information can be found at:

**Farm Workers Factsheet** [http://www.labour.gov.bc.ca/esb/facshts/farm\\_worker.htm](http://www.labour.gov.bc.ca/esb/facshts/farm_worker.htm).

## 3.1 Pay Rates and Adjustments

Whichever pay system your operation uses (salary, hourly, piece rate, etc.), clearly explain it to your employees. It is important that they understand how their pay is determined to avoid future misunderstandings. You can also use this section to explain how pay raises work and when an employee can expect one.

It is recommended that employee earning statements include both monetary and non-monetary compensation and benefits. On many farms, the wage may appear low, but once adjusted to include other benefits such as housing, utilities, use of vehicles, gas, and farm products it is much higher.

### Example

*On ABC Farm our employees are paid either on an hourly or monthly basis, depending on their classification. Each employee will be provided with a pay grid outlining the various pay levels for their position. Your specific rate, and any increases, will be based on your experience, training, responsibility and performance.*

*ABC Farm also has a bonus system. This is based on a combination of business profitability, as well as employee performance. The bonus can range up to a maximum of 7% of wages.*

## 3.2 Recording Your Hours

Clearly explain your farm's system for recording hours, whether it be a time clock or written time sheets. If you use written time sheets, explain where employees get the sheets from, and where and when they hand them in.

Remember it is an obligation under the BC *Employment Standards Act* to keep a record of all hours worked by all employees including salaried and other workers. Due to the nature of farm management, it is necessary for all employees, including managerial staff to track and record hours.

### **Example 1**

*To record your hours, use the time clock behind the office door to punch in and out each day. Keep your time card in your assigned slot by the time clock. Time cards will be collected from the rack on the Thursday before pay day.*

*You must punch in and out for lunch, but not for coffee breaks. If you forget to punch in or out, inform your supervisor as soon as possible! You are responsible for keeping track of your own hours.*

### **Example 2**

*Each employee is responsible for filling in his/her own time sheet. Record your time each day, and indicate any sick, holiday or vacation days. You must hand your time sheet in to the office by the Monday before pay day, then begin a new sheet.*

## **3.3 Overtime**

The BC *Employment Standards Act* requires that employees are paid overtime after working 40 hours in a week and/or 8 hours in a day. Those employees classified as farm workers are exempt from overtime pay; however, they must not work excessive hours that would be detrimental to their health and safety. Other employees may not be covered by the BC *Employment Standards Act* based on their profession or occupation. Please refer to the BC *Employment Standards Act* for specific information.

A guide to the regulations for the province of BC can be found at:

<http://www.labour.gov.bc.ca/esb/esaguide/#top>

In BC there are certain exemptions for farm workers. More information can be found at:

[http://www.labour.gov.bc.ca/esb/facshts/farm\\_worker.htm](http://www.labour.gov.bc.ca/esb/facshts/farm_worker.htm).

There are a few things to consider when making your overtime policy:

- Whether employees are allowed to work overtime and if it needs to be approved,
- Whether employees will be expected to work overtime, and if this is mandatory or voluntary,
- When overtime hours begin. For example, this can be based either on the number of hours worked in a day or in a week,
- Who is eligible for overtime pay and how it will be calculated, and
- Whether there are overtime banking or averaging agreements in place.

### **Example 1**

*During busy periods you can expect to work more than 40 hours per week. Farm workers and certain other employees exempted under the BC Employments Standards Act will be compensated at their regular pay rate for this time. For those employees eligible for overtime pay, all overtime must be pre-approved.*

### **Example 2**

*Some times are busier here than others. During some weeks you will have to work extra hours, and in other weeks you will work less. We will do our best to inform you ahead of time when you will be required stay later than your normal hours.*

*One work week is defined as 40 hours. Any authorized time that you work over 40 hours in one week is considered overtime. Instead of regular and overtime pay, you will be allowed to bank the extra time at 1.5 times your regular rate. Banked hours can be used during slower periods.*

### **Example 3**

*Some times are busier here than others. During some weeks you will have to work extra hours, and in other weeks you may work less. We will do our best to inform you ahead of time when you will be required stay later than your normal or scheduled hours.*

*One work week is defined as 40 hours. Any authorized time that you work over 40 hours in one week is considered overtime. Instead of regular and overtime pay, you will be allowed to bank the extra time at your regular rate. Banked hours can be used during slower periods.*

## **3.4 Pay Day**

Tell your employees when each pay period begins and ends and where and when they can pick up their cheques, if their pay is not directly deposited. Some employers may include information on advances

### **Example**

*Pay day is every second Friday. Pay cheques will be available for pick-up at lunch time in the office, if you are not on direct deposit. If you are unable to collect your cheque, please phone the office and we will hold it or mail it to you, whichever you prefer.*

*Requests for an early paycheque must be received by the office at least seven working days prior to the date requested.*

## **3.5 Deductions**

Explain which deductions employees can expect to be taken off of their cheques, including Income Tax, Canada Pension Plan and Employment Insurance.

Remember that these are the only deductions that employers are allowed to make from payroll and any other deductions are prohibited by the BC *Employment Standards Act*.

Information on calculating, remitting and reporting Income Tax, CPP and EI deductions is available at:

**Payroll:** <http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/menu-eng.html>

Information on payroll deductions for workers on the Seasonal Agricultural Worker Program, including medical and housing, is available at the following sites:

**Seasonal Agricultural Worker Program (SAWP) Requirements in British Columbia:**

[http://www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/SAWPSheets/BC.shtml](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/SAWPSheets/BC.shtml)

**Residency information:** <http://www.cra-arc.gc.ca/tx/nrrsdnts/ndvdl/ssnl-eng.html>

**Seasonal Agricultural Workers Program Guide:**

<http://www.cra-arc.gc.ca/E/pub/tg/rc4004/rc4004-e.html>

### **Example**

*We are required by law to make certain deductions, including Income Tax, Canada Pension Plan and Employment Insurance, once your wages reach a certain level. If you have any questions about your pay cheque or deductions, please speak to the office staff and they will be happy to explain it to you.*

## **3.6 Extended Benefits**

You may choose to provide extended benefits to your employees, such as extended medical, dental, disability, life insurance or on-farm housing. You may also choose to have a matching contribution policy for an employee's RRSP. These types of benefits are usually provided to permanent, full-time employees.

Be very clear and specific when answering the following questions for your employees:

- Who may apply for these extra benefits and when?
- What kind of coverage is offered?
- Which insurance company do you use and what is the contact information?
- What is paid for by the employer and what is the employee responsible for?

Including the value of benefits such as housing, utilities, farm produce etc. on the employee's pay stub is a more accurate reflection of the actual compensation being received than just the hourly wage or monthly salary.

### Example

*Extended benefits are available to full time employees, once they have completed their probationary period. These benefits include medical, dental, life and disability insurance, as well as a matching RRSP program. Once eligible, you will be provided with detailed information on these programs.*

### 3.6.1 Employee Housing

On-farm housing is a benefit that many farms provide. In order to prevent potential misunderstandings, many employers prepare either a formal tenancy-rental agreement or a less formal agreement outlining expectations and house rules. These agreements can include terms of occupancy, value of housing benefit, cost and timing of repairs, compensation for improvements, etc. Remember that if you do provide employee housing that you are a landlord, as well as an employer, and need to comply with the BC *Residential Tenancy Act* and/or the BC *Manufactured Home Park Tenancy Act*. More information is available from the:

**Residential Tenancy Branch:** <http://www.rto.gov.bc.ca/>.

**Sample formal tenancy-rental agreement:** <http://www.rto.gov.bc.ca/documents/RTB-1.pdf>

Employers using the Seasonal Agricultural Worker Program should refer to the following website for information on employee housing:

**Hiring Foreign Agricultural Workers in Canada:**

[http://www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/sawp.shtml](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/sawp.shtml)

### Example

*A separate tenancy-rental agreement will be prepared for employees that are provided with on-farm housing as part of their employment benefits.*

### 3.6.2 Farm Produce

Many farms provide employees with farm products, meat, vegetables or plants as a perk. Different arrangements are often in place, such as providing employees with a limited amount of products for free, selling products to employees at wholesale prices (e.g., vegetables, plants, flowers etc.), or allowing employees access to surplus.

It is important to communicate what your expectations are regarding volume and end use of these products.

### **Example**

*Employees are normally permitted to purchase plants for their own use at wholesale prices. All purchases must be accompanied by an invoice and all appropriate taxes must be paid.*

*At certain times of the year, the company will dispose of left over or surplus plants. From time to time the production manager may make these available for employees free of charge. No plants may be taken off the nursery grounds or placed into employee vehicles without accompanying paperwork unless under the direct supervision of a senior manager.*

*Any plant material taken free of charge is to be used for personal use only. Such plants are not to be resold or used for personal business reasons without the permission of the General Manager.*



## 4.1 Statutory Holidays

In this section, list the holidays that your operation observes and indicate who is eligible to take those holidays. Not all employees are eligible for paid statutory holidays. As a general rule, you are not required to pay the following employees statutory holiday pay:

- Employees who have worked for you for less than 30 days prior to the holiday,
- Employees who have not worked on 15 of the 30 days prior to the holiday, or
- Employees who are classified as agricultural workers, managers, commission salespersons or high-technology professionals.

For more information, please refer to:

### **Statutory Holidays in British Columbia Factsheet:**

[http://www.labour.gov.bc.ca/esb/facshts/statutory\\_holidays.htm](http://www.labour.gov.bc.ca/esb/facshts/statutory_holidays.htm).

#### **Example 1**

*Due to the nature of our work, we are unable to close for statutory holidays. It is our policy to pay stat holidays to all employees. Full time employees will be paid for hours worked, plus 8 hours of holiday pay at their regular rate. Part-time employees will receive time and a half for hours worked. Employees will be offered the chance to work on the holiday in order of seniority.*

#### **Example 2**

*Due to the nature of our work, we are often unable to close for statutory holidays. Employees classified as agricultural workers or managers who are required to work on stat holidays will only be paid for hours worked, at their regular rate.*

## 4.2 Vacation Pay

The BC *Employment Standards Act* provides that employees are entitled to take time off for annual vacation and to be paid vacation pay, with the exception of employees employed for five calendar days or less who are not entitled to be paid annual vacation pay. Vacation pay for farm workers who are paid in accordance with legislated piece-rates are generally not entitled to additional vacation pay, as it is already included in the piece-rate (with the exception of daffodils). All other employees earn vacation pay on all wages earned from the first day of employment.

Farm workers who are paid a salary or hourly rate are entitled to:

- Two weeks of vacation after 12 consecutive months of employment and three weeks of vacation after five consecutive years of employment, and
- Vacation pay of four percent of total earnings after five days of employment and six percent of total yearly earnings after five years of employment.

Vacation pay is to be paid:

- At least seven days before the start of the annual vacation,
- On each regular paycheck, if agreed to in writing by the employer and the employee, or
- On the final pay cheque if employment ends before one year.

A guide to the regulations for the province of BC can be found at:

**A Guide to the Employment Standards Act:**

<http://www.labour.gov.bc.ca/esb/esaguide/#top>

**Farm Workers Factsheet :** [http://www.labour.gov.bc.ca/esb/facshts/farm\\_worker.htm](http://www.labour.gov.bc.ca/esb/facshts/farm_worker.htm)

**Annual Vacation Factsheet:** <http://www.labour.gov.bc.ca/esb/facshts/annualfact.htm>

Should the employer or employee choose financial compensation rather than paid leave, it is important that a clear record of this information be maintained. The employee must be aware of this arrangement. Full time, year-round employees who receive payment instead of paid leave are still entitled to unpaid leave, should they request it.

**Example**

*All hourly and salary employees are eligible to take time off for annual vacation and to be paid vacation pay. By default we will bank your holiday pay for you. If you would prefer to have it added to each pay cheque, please submit a request in writing and we will do so. Vacation pay is paid in accordance with the table below.*

1-5 years	2 weeks (4% of total earnings)
5+ years	3 weeks (6% of total earnings)

*We ask that only one employee goes on vacation leave at a time. Each year in January, we will give everyone a chance to book their time off for the year, in order of seniority. If you wish to book time off at any other time of the year, it will be on a first-come first-served basis.*

### 4.3 Sick/Personal Days

There is no legal requirement for you to pay an employee for sick or personal days in BC. If you choose to provide these benefits, clearly explain your policies on this matter.

### **Example**

*Full time employees are eligible for sick pay, which accrues at a rate of ½ day each month, for a total of 6 days per year. If you are ill and cannot come in to work, make sure that you call the office staff and let them know so that they can adjust your payroll accordingly. If you do not call in to the office on the day of your absence, you will not receive sick pay for that day. If you call in sick often, or for a prolonged period of time, we may require a doctor's note.*

*Accumulated sick leave will not be paid out when your employment ends, nor will it be carried over at the end of the year.*

## **4.4 Other Leave from Work**

There are many types of leave that employees can take. You should clearly explain to your employees each kind of leave that is available, the period of time that can be taken and any pay that they may be entitled to during that time. While the BC *Employment Standards Act* requires that you allow certain types of leave, there is no legal requirement to provide pay during these leaves, though you may choose to. You are, however, required to reinstate the employee into his/her former position, or a comparable one, when the leave is over. Please see the link below for the legal requirements including calculation of annual vacation and other benefits, as well as termination entitlements.

For more information, please refer to:

**Leaves and Jury Duty Factsheet:** <http://www.labour.gov.bc.ca/esb/facshts/leave.htm>

### **Example**

*We provide the following unpaid leaves in accordance with the BC Employment Standards Act:*

*Pregnancy Leave - A pregnant employee can take up to 17 consecutive weeks of unpaid leave. This leave may be extended by up to six weeks if she is unable to return to work for reasons related to the birth or termination of the pregnancy.*

*Parental Leave: A birth mother who has taken pregnancy leave is entitled to take up to 35 consecutive weeks of unpaid leave. A birth mother who has not taken pregnancy leave is entitled to take up to 37 weeks of unpaid leave. A birth father or an adopting parent is entitled to take up to 37 consecutive weeks of unpaid leave. This leave may be extended by up to five weeks if the child requires an additional period of parental care. Birth parents should try to give their employers at least four weeks written notice of their intention to take parental leave.*

*Family Responsibility Leave: An employee can take up to five days of unpaid leave in each employment year to attend to the care, health or education of a child in the employee's care, or to the care or health of any other member of the employee's immediate family.*

*Compassionate Care Leave: An employee can take up to eight weeks of unpaid leave within a 26 week period to care for a gravely ill family member. The employee must obtain a medical*

*certificate which states that the family member is gravely ill with a significant risk of death within 26 weeks.*

*Bereavement Leave: An employee is entitled to take up to three days of unpaid leave after the death of a member of their immediate family. This leave may be for purposes other than to attend a funeral.*

*Jury Duty: An employee who is required to attend Court as a juror is considered to be on unpaid leave for the period of the jury duty.*

*Reservists' Leave: An employee who is a reservist is entitled to take unpaid leave while deployed to a Canadian Forces operation, including pre-deployment and post-deployment activities, or while deployed to assist with an emergency.*

*Employees are requested to provide as much notice as possible and provide sufficient information regarding the reason for the leave. Employees are not required to give notice in writing or disclose personal or private information.*

Human rights are the basic standards of treatment to which all people are entitled, regardless of factors such as nationality, gender, race and economic status. They affect every aspect of employment as a matter of law. Accordingly, all employers in the BC agricultural sector must confirm, support and enforce the applicable human rights legislation in their workplace.

This section summarizes some human rights principles relevant to agricultural employers in BC. It gives information only, not legal advice. Compliance with this section is not necessarily compliance with the law. Employers should review the applicable legislation directly and consult with a lawyer to determine legal obligations.

## 5.1 Non-Discrimination

Discrimination can be defined as the treatment of a person or group that is adverse, as compared to the treatment of others. The BC *Human Rights Code* prohibits discrimination in employment in certain cases. In particular, the BC *Human Rights Code* makes it illegal for employers to discriminate against employees based on any of the following things:

- |                                 |  |   |
|---------------------------------|--|---|
| • Race                          | • Colour                                     | • Citizenship                             |
| • Ancestry                      | • Place of Origin                            | • Ethnic Origin                           |
| • Religion                      | • Sex  | • Family Status                           |
| • Age (19 or older)             | • Sexual Orientation                         | • Marital Status                          |
| • Physical or Mental Disability | • Record of Offences Unrelated to Employment | • Retaliation for Human Rights Complaints |

These things do not have to be the sole basis for the adverse treatment. If at least one of them is a factor in the treatment, it will be illegal discrimination. This means that employers cannot use any of these things, directly or indirectly, wholly or in part, to:

- Not hire an employee,
- Not promote an employee,
- Fire an employee, and/or
- Discriminate in some other way against an employee in his/her job.

These restrictions cannot be avoided, even by agreement. Accordingly, employers should assure employees that discrimination will not be tolerated. Developing a written workplace human rights policy is the recommended way of doing so. The BC Human Rights Coalition has released a checklist to assist with this. It can be accessed online at:

**Checklist for a Human Rights Policy:** <http://www.bchrcoalition.org/files/HRPolicyChecklist.pdf>

Once this policy is put into place, it is important to ensure it is enforced. This requires recognition of circumstances involving discrimination. Typical examples of employment

discrimination include:

- Changing a term or condition of employment that results in the interference of an employee's parental duties or religious beliefs,
- Turning down a woman for a labouring job, believing that only men are qualified for that work,
- Imposing special training requirements for graduates from schools based in certain countries,
- Failing to take reasonable steps to accommodate an employee who uses a wheelchair,
- Firing an employee because of a disability,
- Harassment of an employee over their race, religion, sex or other prohibited ground by employers or other employees, and
- Forcing an employee to take a blood test. If an employer tests an employee for HIV or AIDS without that person's consent, they can sue for assault. If an employee refuses a test, it shouldn't affect their employment record.

This is by no means an exhaustive list. Discrimination is complex and evolving. Employers should seek legal advice in all circumstances that may involve discrimination.

### Example

*We are committed to ensuring that our employees are able to effectively and efficiently use their skills and experience to contribute to the organization's performance, production and service delivery. This includes the opportunity to participate without discrimination, in work-related and other activities conducted in a work context.*

*We will not tolerate adverse treatment on the basis of:*

- |                                 |  |   |
|---------------------------------|--|---|
| • Race                          | • Colour                                     | • Citizenship                             |
| • Ancestry                      | • Place of Origin                            | • Ethnic Origin                           |
| • Religion                      | • Sex  | • Family Status                           |
| • Age (19 or older)             | • Sexual Orientation                         | • Marital Status                          |
| • Physical or Mental Disability | • Record of Offenses Unrelated to Employment | • Retaliation for Human Rights Complaints |

*If you feel that you, or one of your co-workers, have suffered discrimination, please bring your concerns to management. We will respond to these concerns in a timely, confidential and sensitive manner. Discrimination will result in appropriate corrective action.*

## 5.2 Accommodation of Individual Needs

Employers have a legal responsibility to accommodate employees who experience hardship in the performance of their employment duties due to one of the things listed in the BC *Human Rights Code*.

- |                                 |  |   |
|---------------------------------|--|---|
| • Race                          | • Colour                                     | • Citizenship                             |
| • Ancestry                      | • Place of Origin                            | • Ethnic Origin                           |
| • Religion                      | • Sex  | • Family Status                           |
| • Age (19 or older)             | • Sexual Orientation                         | • Marital Status                          |
| • Physical or Mental Disability | • Record of Offences Unrelated to Employment | • Retaliation for Human Rights Complaints |

The duty to accommodate can arise at any stage throughout the employment relationship. It applies to hiring and dismissal decisions, terms and conditions of employment, and implementation of workplace policies. The duty to accommodate means the employer must implement whatever measures necessary to allow its employees to work to the best of their ability. An employer must accommodate an employee up to the point of undue hardship. Failure to accommodate to this extent may lead to legal liability for the employer.

The steps and actions required for the employer to satisfy their legal duty to accommodate will vary from situation to situation. Satisfying this duty requires employers to be attentive, flexible and where appropriate, to seek legal advice. Some examples where the employer may have a duty to accommodate include:

- An employee who is a single parent with childcare responsibilities requires a flexible work schedule to accommodate his/her family needs,
- An employee requests to wear certain clothing items required by his/her religion, to be able to pray at particular times, or attend religious services on particular day, and/or
- An employee with a medical condition requires special equipment and/or a technical aide at his/her workstation to accommodate his/her medical need.

The duty to accommodate is a process in which the employer and the employee share responsibilities. The employer's responsibilities include:

- Initiating the process as soon as they are aware there may be a need to accommodate the employee,
- Seeking information from the employee regarding his/her limitations and needs,
- Sharing the necessary information with other participants and involving them in the process,
- Moving the process in a timely way,
- Exploring possible accommodations, and
- Offering the employee one or more accommodations that are reasonable in light of the employee's needs, short of undue hardship

The employee's responsibilities include:

- Providing relevant information to the employer about the needs related to the condition,
- Participating in the process in good faith, and
- Taking actions that are reasonably necessary to achieve the accommodation, such as attending and participating in a treatment program.

The employer must do everything he/she can to accommodate the needs of the employee, up to the point of undue hardship. What constitutes undue hardship depends on the circumstances. Hardship is "undue" where the employer would encounter significant difficulty in the workplace in doing anything more to accommodate the employee. Factors which are relevant in determining whether an accommodation constitutes an undue hardship are the size of the operation, health and safety risks to the employer and/or co-workers, cost, impact on the rights and interests of other employees, and negative effect on workplace productivity.

Where a policy, practice, or other aspect of the workplace creates an undue hardship for an individual or protected group, you, as the employer, must seek a reasonable solution that will allow them to resolve the problem without jeopardising the financial sustainability of the business.

Issues of accommodation can be controversial. Therefore, it is crucial for employers to fully document their actions in relation to accommodation.

The extent of an employer's duty to accommodate in specific circumstances is a complex legal question, the answer to which is constantly evolving. Therefore, employers are strongly encouraged to seek current legal advice.

### **Example**

*We will accommodate special needs based on the things below:*

- |                                 |  |   |
|---------------------------------|--|---|
| • Race                          | • Colour                                     | • Citizenship                             |
| • Ancestry                      | • Place of Origin                            | • Ethnic Origin                           |
| • Religion                      | • Sex  | • Family Status                           |
| • Age (19 or older)             | • Sexual Orientation                         | • Marital Status                          |
| • Physical or Mental Disability | • Record of Offences Unrelated to Employment | • Retaliation for Human Rights Complaints |

*If your circumstances require specific accommodation, it is very important that you inform your supervisor. Please be patient and understanding with us while we work with you to find a reasonable solution in a timely and confidential way that respects your dignity and privacy and allows us to see the job done.*



### 5.3 Harassment

Employers have a legal responsibility to provide a harassment-free work environment. Generally speaking, harassment is any improper conduct directed at someone, that the person finds offensive and harmful and that a reasonable person would view as unwelcome or offensive. It may or may not be based on one of the things that the *BC Human Rights Code* prohibits discrimination on the basis of.

Harassment may take many forms, including physical, verbal or other communication. Some examples of what generally constitutes harassment are:

- Use of derogatory or insulting language,
- Unwelcome physical contact including touching or patting,
- Unwelcome attention of a sexual nature including questions or remarks about sex life and/or physical appearance,
- Offensive remarks, jokes, innuendo or threats,
- Display of pornographic, racist, sexist, or otherwise offensive material through electronic media,
- Social invitations that are unwelcome or would reasonably be perceived to be unwelcome, and
- Retaliation for bringing a complaint under a workplace policy.

Employers should promote a harassment-free workplace by developing a policy that promotes the prevention of harassment and focuses on the prompt resolution of harassment. Harassment must be addressed with sensitivity, promptness, discretion and the benefit of legal advice.

For more information, please refer to:

**BC Human Rights Code:**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96210\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96210_01)

Additional information is available from the

**BC Human Rights Coalition:** <http://www.bchrcoalition.org/>

#### **Example**

*We are committed to providing a work environment free of harassment, where all persons in the workplace are treated with respect and dignity.*

*Any conduct that is directed at, and offensive to, another person, and where that individual knew or ought reasonably to have known her/his conduct would cause offence or harm, will result in appropriate corrective action.*

*Harassment includes behaviour directed at another person which demeans, belittles, causes personal humiliation or embarrassment, intimidates or threatens. Employees are protected from harassment based upon:*

- *Protected grounds (e.g. gender, race, ethnicity, national origin, age, religion or any other characteristics protected under the BC Human Rights Code),*
- *Personal harassment (e.g. any unwelcomed behaviour that demeans or embarrasses an employee and is not based on one of the prohibited grounds named in the BC Human Rights Code), and/or*
- *Sexual harassment (e.g. any behaviour of a sexual nature that is unwelcomed and offensive to the person or persons it is targeted toward. Examples may include unwanted physical contact, foul language of an offensive sexual nature, sexual propositions, sexual jokes or remarks, obscene gestures, and displays of pornographic or sexually explicit pictures, drawings, or caricatures. Use of our operation's computer system for the purpose of viewing, displaying, or disseminating material that is sexual in nature may also constitute harassing behaviour).*

*If you feel that you, or one of your co-workers, have suffered harassment, please bring your concerns to management. We will endeavour to respond to these concerns in a timely, confidential and sensitive manner. Harassment will result in appropriate corrective action.*

## 5.4 Open-door Policy/Communication

Use this section to make your employees feel comfortable about going to their supervisors or managers with any concerns or suggestions, without fear of retaliation.

### Example

*We want all of our employees to feel comfortable talking to their supervisors about any concerns or comments that they have. Please feel free to approach your supervisor or manager with any problems or suggestions; you do not need to be fearful of retaliation. They will address your concerns in a timely and confidential manner. If your problem involves a supervisor or manager and you do not feel comfortable approaching him/her, you can talk to \_\_\_\_\_.*

## 5.5 Conflict Resolution

When people work together, some amount of conflict is inevitable. This may be conflict among employees or between employees and management. Give your employees some guidance as to how you expect them to resolve these conflicts.

### Example

*We expect all of our employees to try to solve any conflicts on their own before bringing them to their supervisors. If you have attempted to do so and are unable to resolve the conflict, please seek the help of a supervisor or manager.*

# WORKPLACE HEALTH AND SAFETY

## 6

WorkSafeBC oversees the Occupational Health and Safety Regulations (OHSR) under the *Workers Compensation Act* and employers are expected to take all reasonable care, exercising due diligence to ensure employee safety. Due diligence simply means taking all reasonable measures to protect the well-being of employees or co-workers.

The OHSR stipulate that every workplace in British Columbia that employs workers must have a health and safety program; however, the type of program will depend on the expected hazards present and the number of workers. Some general guidelines are:

- Larger workplaces with 20 or more workers must have a formal written program, as well as a health and safety committee,
- Smaller workplaces with 19 or less are required to have a safety program; however they do not require a formal written program,
- Farms with between 10 and 19 workers must also have a designated worker health and safety representative, and
- Workplaces with fewer than 10 workers can involve everyone in health and safety through regular meetings and presentations.

BC OHSR state that when all farm/ranch workers (including seasonal and temporary workers) start employment, they must receive orientation training on how to perform their jobs safely. It is important that you present health and safety information in a manner that your employees can understand. If English is not their first language, it should be translated. If they are not literate, it should be presented verbally.

Under provincial legislation workers may refuse any unsafe activities that might pose a threat to their physical health and safety.

General information on:

**Occupational Health and Safety (OHS) Regulation is available at:**

<http://www2.worksafebc.com/Publications/OHSRegulation/Home.asp>

Additional information:

**Work Safe BC - Part 28 Agriculture is available at the following sites:**

<http://www2.worksafebc.com/publications/OHSRegulation/Part28.asp>.

The Farm and Ranch Safety and Health Association (FARSHA) can provide health and safety programs, and training that meet OHS regulations and can be used on any agricultural workplace in BC. Please visit **Farm and Ranch Safety and Health Association (FARSHA)**: <http://www.farsha.bc.ca/>

## 6.1 Employee Health and Safety Standards

Explain the importance of health and safety and clarify any specific information that your employees might need to know, such as requirements for training, protective equipment or clothing that they should be using.

### Example

*We are committed to providing a safe workplace for all of our employees. While we do everything in our power to ensure that you are safe at work, we require you to do your part as well. We ask that you keep safety in the front of your thoughts while you are working-the safest way to complete a task is always the best way. Certain hazards naturally exist in our operation and we ask that you use good judgement and common sense when confronted with them. One way to minimize incidents and to ensure the health and safety of our employees, animals and equipment is to keep a clean and orderly workplace at all times. Rough, unruly or other inappropriate behaviour will not be tolerated, nor will the careless or reckless operating of equipment, machinery, tractors, and other self-propelled machines and vehicles.*

*Listening to personal entertainment devices, including music players can restrict hearing and potentially constitute a safety hazard. Please ask permission from you supervisor before using personal entertainment or communication devices.*

## 6.2 Reporting Unsafe Conditions

Ask your employees to inform you of any unsafe conditions or behaviours that they notice.

### Example

*We do our best to maintain safe conditions for everyone on our farm, but we cannot be everywhere at once. We need you to help us by immediately reporting any conditions that you feel could pose a threat to the health and safety of our employees, customers, animals or environment. Should you notice a co-worker acting in an unsafe manner or working in an unsafe environment, please bring it to his/her attention. If there is an issue that you have reported that has not been satisfactorily dealt with, please speak to a supervisor or manager about this.*

## 6.3 Incidents and Injuries

When incidents resulting in lost time due to injuries occur, they need to be reported to WorkSafeBC by the employee, employer and the employee's doctor. You, as an employer, will also want to know about any dangerous situations and incidents that could have resulted in injury.

Explain the procedures for reporting incidents to your employees. The following website provides incident and injury reporting basics:

## Incident and injury reporting

**FAQs:** [http://www.worksafebc.com/claims/report\\_injury/incident\\_and\\_injury\\_faqs/default.asp](http://www.worksafebc.com/claims/report_injury/incident_and_injury_faqs/default.asp).

### Example

*If you are injured, or witness an injury or incident that could have resulted in an injury, you must immediately report this to your supervisor. If the injured employee requires medical attention, see the First Aid attendant on duty, or dial 911 for an ambulance, if needed.*

*Your supervisor will help you to fill out an Incident Report and will report to WorkSafeBC. If you see a medical practitioner as a result of your injury, make sure that you tell them right from the start that it is for a work-related injury.*

## 6.4 First Aid

You will need to familiarize yourself with the first aid equipment and training required for your farm. The requirements are determined by the size, level of risk and distance to hospital. The WorkSafeBC link below provides detailed information about the requirements for different farms:

### Occupational Health and Safety (OHS Regulation & Related Materials

<http://www2.worksafebc.com/Publications/OHSRegulation/Home.asp>

If you need more information or have questions about your requirements, please contact FARSHA.

**Farm and Ranch Safety and Health Association (FARSHA) Regional Safety Consultant or Specialist:** [http://www.farsha.bc.ca/contact\\_us.php](http://www.farsha.bc.ca/contact_us.php).

Once you have established your needs and have a First Aid strategy to implement, you should explain it to your employees. Describe the location of First Aid equipment and how to contact the First Aid attendant, if your operation has one.

### Example

*We require that there is a First Aid attendant on duty at all times. Make sure you are familiar with who that person is on your shift. During your orientation, you should have been familiarized with the location of First Aid equipment and telephones to use in case of emergency. If you are ever unclear as to the location of equipment, or how to use it, please speak to the First Aid attendant or your supervisor.*

## 6.5 Health and Safety Training

BC OHSR state that when all farm workers (including seasonal and temporary workers) start employment, they must receive orientation training on how to perform their jobs safely. You may be required to provide a translator, or provide training in employee's primary language.

Farm vehicles and equipment, livestock, pesticides, firearms, etc. can pose significant hazards. Let your employees know what special safety training and/or licensing they are required to take.

The following links may be helpful in determining your training requirements:

**Workplace Hazardous Materials Information System WHMIS:** <http://www.hc-sc.gc.ca/ewh-semt/occup-travail/whmis-simdut/index-eng.php>

**Pesticides Safety Precautions:** [http://www.al.gov.bc.ca/pesticides/d\\_5.htm](http://www.al.gov.bc.ca/pesticides/d_5.htm)

**Farm and Ranch Safety and Health Association (FARSHA):** <http://www.farsha.bc.ca/>

### **Example**

*Operating farm vehicles and equipment, handling livestock, and using pesticides and other hazardous materials can pose significant safety risks to employees. We provide safety training for the duties that you will be expected to perform on this farm. We ask that you only engage in those duties that you have been trained and authorized to perform. If you are uncomfortable with any work activities, please speak to your supervisor. When performing your duties, please make sure that you always follow all safety procedures and safe work practices.*

*Safety training workshops and updates are provided every three months. You will be required to attend each session. Once trained, it is your responsibility to ensure that they know emergency response procedures or telephone numbers. We also conduct tailgate training on a regular basis; these are brief informal discussions with workers about hazards on the workplace, and how to deal with them. As WorkSafeBC requires that we document all training, you will be required to sign a form indicating the training you have received.*

## **6.6 Health and Safety Committees**

There are varying regulations on the types of safety committees required for farms depending on the type and size of the operation. The best resource for determining whether your operation is in compliance or not is the Farm and Ranch Safety and Health Association (FARSHA). Once you have determined the type of health and safety committee that your operation requires, describe to your employees what that committee does and how they can get involved.

The links below describe the requirements for different operations:

**Farm and Ranch Safety and Health Association (FARSHA) health and safety program:** [http://www.farsha.bc.ca/resources\\_safety\\_programs.php](http://www.farsha.bc.ca/resources_safety_programs.php)

**WorkSafeBC Agriculture Safety Checklist:** [http://www.worksafebc.com/publications/health\\_and\\_safety/by\\_topic/assets/pdf/agric\\_safety\\_checklist.pdf](http://www.worksafebc.com/publications/health_and_safety/by_topic/assets/pdf/agric_safety_checklist.pdf)

### **Example 1**

*We provide a formal, written health and safety program, as well as a health and safety committee. You will be provided a copy of our written program as well as information on both our regular training sessions and any special training sessions, and who to contact with any training request you may have as well as with any health and safety concerns or suggestions you may have.*

### **Example 2**

*We have an informal health and safety program and your supervisor is our designated health and safety representative. You will be provided with information on our health and safety program and practices as well as information on both our regular training sessions and any special training sessions. We encourage you to contact them with any training request you may have as well as with any health and safety concerns or suggestions you may have.*

### **Example 3**

*We provide all our employees with regular health and safety meetings and presentations. Please contact your supervisor with any training request you may have, as well as with any health and safety concerns or suggestions you may have. We involve everyone in health and safety through regular meetings and presentations.*

## **6.7 Children on the Farm**

Although farming activities have inherent risks, farms are homes as well as workplaces and children of family members, employees, and visitors are often present.

While parents are responsible for preventing their children from staying away from areas where they may be at risk, most children under 5 who are injured in farm incidents are with an adult at the time, often a parent or a close family member.

All adults on a farm – employers, employees, contractors who work on the farm, as well as family members of employers and employees who live on the farm – must take responsibility for child safety.

You may wish to provide training for all adults living on your farm, so that they are better able to protect the health and safety of children who live on, or who may occasionally visit our farm.

If there are children living on, or visiting, your farm it is important to identify what might put a child at risk. What may be a danger to a child is often not a hazard for an adult, such as an old gate propped up against a wall, and as such adults may not view it as dangerous.



When you are deciding what may be a risk to a child it can be helpful to have a safety representative evaluate your farm. It is your responsibility to control and manage any hazards and risks that are present.

Some points to take into account include:

- Are children living on or near the farm?
- Do children visit by invitation (e.g. to see friends or as a school party) or uninvited (e.g. trespassers)?
- Do parents take children with them while doing farm work?
- Do you use contractors who may have employees who bring their children to the farm or fields?
- What areas of your farm may be especially attractive to children (e.g. such as barns, equipment, bale stacks, animal pens, water ponds, water courses, etc.)?
- What activities or tasks on your farm may put children at risk?
- Are procedures in place that would prevent children from being able to access and operate farm vehicles, machinery and equipment (e.g. all-terrain vehicles, etc.)?
- What risks are there from the layout of your farm, (e.g. silos, steep hillsides, slurry lagoons, etc.)?
- What work equipment do you use where the operator may have limited visibility and blind spots?
- What are the risks from hazardous substances (e.g. chemicals, bacteria, dust spores, etc.)?

The *Occupiers Liability Act* creates a duty of care that an owner or tenant is required to show to persons entering the premises or land so that they will be reasonably safe in doing so.

For more information refer to the following web sites:

### **Occupiers Liability Act**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96337\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01)

### **Example**

*As children live on, and occasionally visit, our farm their safety is of utmost concern. In order to protect their well-being, all employees are required to take a child safety training program and comply with the recommended procedures.*

*It is essential you stop what you are doing if you see:*

- *An unsupervised child in the work area, and/or*
- *A supervised child in a potentially hazardous situation.*

*If the child is unattended, return the child to the care of a responsible adult. In either situation, advise the child and their supervisor of the dangers and explain where they can safely stay. If they do not comply you must immediately contact your supervisor.*



*For employees with children living on our farm we provide age and language appropriate safety training materials that will allow you and your children to recognize and react safely to a wide variety of potential hazards. We strongly recommend you to provide this training to your children and if you need any assistance please see your safety representative or supervisor.*

*We also hold an annual Farm Safety Walk for parents and family members to identify and discuss both new and existing hazards and provide children with the opportunity to place warning stickers.*

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# INTERNAL POLICIES

## 7

### 7.1 Food Safety

Food safety is an important issue for most farms to ensure the safest and highest quality foods. Outbreaks of various diseases and infections can be traced back to the farm of origin, with serious consequences. Many of these diseases and infections are easily prevented with adherence to routine on-farm food safety programs. Please consult with your industry association for information on the specific guidelines and available training and assessment.

#### Example

*We provide products for the food industry. To ensure public safety, we have implemented a food safety program to prevent the spread of disease and infection. You will receive specific training to prepare you to safely handle our products. It is essential that you follow appropriate food safety procedures at all times.*

### 7.2 Bio-Security

Biosecurity is a set of preventive measures designed to prevent the introduction and transmission of infectious diseases.

Precautions may include:

- Providing disinfected protective clothing,
- Providing hand and footwear disinfection stations at each entrance and exit,
- Routinely disinfecting equipment with recommended disinfectants (note - ensure that the disinfectant can be applied safely and that it poses no toxic risk to humans, animals or the environment),
- Restricting vehicle and equipment contact with secure areas,
- Maintaining a log of all visitors coming in contact with your livestock,
- Planning the flow of personnel movement through the facility and requiring that personnel undertake disinfection procedures between holding units and/or buildings,
- Containing and/or treating effluent and organic waste at origin and prohibiting it from re-entering production areas.
- Disposing of organic waste at a site that has measures to prohibit the escape of breakdown products into the surrounding environment,
- Using pest management protocols, and
- Using signage at the facility to inform visitors and personnel that there are biosecurity requirements in place, such as controlled access, footbaths, video surveillance, etc.

More information can be obtained from the Canadian Food Inspection Agency, your industry association, the BC Ministry of Agriculture, and the Agriculture Research and Development Corporation.

#### **Example**

*In order to prevent the introduction and spread of disease, which could have serious consequences for our farm, we incorporate strict sanitary measures for all employees, suppliers, and visitors. We provide training on our bio-security program. Please ensure that you follow bio-security procedures at all times.*

### **7.3 Reporting Environmental Incidents**

By law, a person in possession, charge, or control of a substance is required to report a spill or pending spill. Reportable types of substances and amounts are listed in a schedule to the spill reporting regulation of the BC Environmental Management Act. For more information please see:

#### **Reportable Levels for Certain Substances**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/46\\_263\\_90#Schedule](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/46_263_90#Schedule)

#### **Example**

*If a spill occurs, or is in danger of occurring, when working with hazardous materials such as fuel or pesticides, please immediately report it to your supervisor.*

### **7.4 Animal Welfare**

On farm animal care is an important aspect of any livestock operation. A policy on animal health and wellbeing can:

- Increase productivity and yield better results by maintaining animal well-being,
- Help attract and retain employees who care deeply about working with animals, and
- Project favorably on your farm in cases of scrutiny from media and animal rights advocates.

Brembell's Five Freedoms provide a useful tool for creating a simple animal health policy:

- Freedom from hunger or thirst by ready access to fresh water and a diet to maintain full health and vigour,
- Freedom from discomfort by providing an appropriate environment including shelter and a comfortable resting area,
- Freedom from pain, injury or disease by prevention or rapid diagnosis and treatment,
- Freedom to express normal behaviour by providing sufficient space, proper facilities, and company of the animal's own kind, and
- Freedom from fear and distress by ensuring conditions and treatment which avoid mental suffering.

The following Acts and Regulations provide protection for farm animals in BC.

**Prevention of Cruelty to Animals Act:**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96372\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96372_01)

- Protects all farm animals, excluding wild animals, from distress during any activity, excluding generally accepted practices of animal management, and
- Enforced by police officers and the British Columbia Society for the Prevention of Cruelty to Animals.

**Milk Industry Act:**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96289\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96289_01)

**Milk Industry Standards Regulation:**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/10\\_464\\_81](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/10_464_81)

- Apply to dairy cattle during handling and milking, and
- Enforced by inspectors designated by the Ministry of Agriculture.

**Agricultural Produce Grading Act:**

[http://www.firb.gov.bc.ca/reports/legislation/ag\\_prod\\_act\\_&\\_regs.pdf](http://www.firb.gov.bc.ca/reports/legislation/ag_prod_act_&_regs.pdf)

- Require adequate housing for poultry, and
- Enforced by inspectors designated by the Ministry of Agriculture

**Food Safety Act:**

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_02028\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_02028_01)

**Meat Inspection Regulation:**

[http://www.health.gov.bc.ca/protect/meat-regulation/regulation\\_description.html](http://www.health.gov.bc.ca/protect/meat-regulation/regulation_description.html)

- Apply to most farm animals during slaughter, and
- Enforced by the Ministry of Health.

**Example**

*We strive to care for our cattle in a way that ensures that they have adequate feed and water; bedding and shelter; necessary medical treatment; sufficient space; and a stress and cruelty free environment. You will be provided training on the handling and treatment of animals, as well as a copy of our standard operating procedures. If you are unsure of some aspect of handling or treating our cattle please contact your supervisor. If you see animals that are not receiving this level of care, please inform your supervisor.*

## 7.5 Dress Code

In different positions there will be different clothing requirements. If an employee will be working with customers he/she will need to look presentable. If the employee is working with farm

equipment or hazardous materials, he/she may need to wear safety garments. You need to tell your employees:

- How to dress for work,
- If you provide a uniform for them:
  - How they get the clothing,
  - How they should care for the uniform,
  - How they should return the uniform when they no longer work for you or if they can keep it,
- Any special garments that are provided for safety or for working in poor weather, and
- Any safety concerns regarding clothing (e.g. loose clothing and machinery, etc.).

#### **Example 1**

*For field work, please arrive at work dressed appropriately for the weather. As it is outdoors, it can be dirty and sometimes wet and cold, or very hot and sunny. You may want to have a jacket handy in case of unexpected bad weather. We require that everyone wear modest, work appropriate clothing. Many employees prefer wearing gloves and boots, but you must bring your own. We provide rain gear and safety equipment for working with pesticides.*

#### **Example 2**

*When working, we require that you wear modest, work appropriate clothing and that you adhere to the following dress code:*

*Shirts, slacks or tailored shorts or skirts, and appropriate footwear are to be worn in the office at all times. Shirts or blouses should have collars and sleeves. Shorts or skirts are to be longer than mid-thigh. Spandex, tank tops or other types of aerobic clothing are not permitted at any time.*

## **7.6 Substance Abuse**

This section addresses the development of an effective substance abuse policy. Such a policy allows employers to achieve the following objectives:

- Complying with the duty to ensure employee health and safety,
- Complying with the duty to accommodate employees with addictions,
- Reducing the financial costs of absenteeism, accidents, investigations, and disciplinary actions related to substance abuse,
- Monitoring drug and alcohol use in the workplace to avoid liability for the actions of an impaired employee,

- Establishing clear rules and procedures regarding alcohol use in the course of employment, and
- Promoting greater workplace productivity.

Developing and implementing an effective substance abuse policy requires identifying clear goals and objectives. These should include:

- Prevention and deterrence,
- Early identification and intervention,
- Access to assistance,
- Confidentiality, and
- Enforcement.

The prevention and deterrence of substance abuse in the workplace can be encouraged by health and welfare promotion and by education about the negative consequences of abusing drugs and alcohol.

Early identification and intervention is facilitated by training managers and supervisors to identify changes in behaviour, intoxication, and other indicators that suggest the presence of drugs or alcohol, or an abuse problem.

Access to assistance can be promoted through a confidential employee assistance program complemented by treatment and rehabilitation programs.

Enforcement should focus on preventing the availability and abuse of drugs and alcohol in the workplace. A zero tolerance policy should be maintained. This does not mean that an employee is automatically terminated for a breach of the policy; it means that the employer will not tolerate breach of the policy and will take corrective action where necessary.

The policy should begin with a clear statement of its goals and objectives with an emphasis on maintaining a safe work environment.

### **Example**

*ABC Farms has an obligation to the public, its visitors, and the workers present in its workplace to provide safe, reliable and efficient production. Further, ABC endeavours to provide a safe and healthy workplace and to promote the general health and welfare of its employees. To achieve these goals, and to have a safe workplace free from illegal drugs and alcohol, ABC will not tolerate consumption or possession of illegal drugs or alcohol by employees while on duty or on company property, or impairment by any means while on duty. ABC recognizes alcohol or drug abuse or addiction is a serious societal and health problem, and is prepared to assist employees with the recognition and treatment of abuse and/or addiction problems. ABC's goal is to return employees to work in good health, with good attendance and performance.*

The next step is to establish the application of the policy. This should be done in clear and effective language. The policy must address who is covered, when it is operative, and under what conditions. Where there are safety sensitive positions, it should identify them and communicate to employees why these positions are subject to stricter standards in relation to substance use.

### Example

- *It is the responsibility of employees to arrive at work fit for duty and to conduct themselves in a safe and lawful manner while on duty,*
- *It is the responsibility of every manager, supervisor and employee to promote and maintain an alcohol and illegal drug-free workplace in the interests of health and safety,*
- *It is the responsibility of employees not to use illegal drugs or alcohol or be impaired by illegal drugs or alcohol while at work, and*
- *Employees who become aware of conduct by another employee which is contrary to this policy, and that poses a threat to the safety or health of any employee, the public, or damage to equipment, must inform their supervisor.*

An effective policy must contain the procedures to be followed in the event of a possible breach of policy. These may include searching company property for banned substances, investigating and intervening in situations of declining behaviour, escorting an employee off the site, and alcohol and drug testing.

In implementing procedures under the policy, employers must use effective and reliable investigative techniques, and must act with due diligence in dealing with potential safety risks. Employers must gather evidence, consider the surrounding circumstances, and be satisfied there is no reasonable explanation for the conduct. In addition, the employer must not violate employees' privacy. It is recommended that these steps be taken in consultation with a lawyer.

Substance abuse policies should also set out the consequences for breach. Sanctions available to employers include documentation of the incident, suspension with or without pay, demotion, or other disciplinary action up to and including dismissal, depending on the severity of the breach and the relevant safety considerations. Legal advice is recommended before implementing consequences.

Employers must be aware of the human rights considerations discussed in Section 5. The BC *Human Rights Code* prohibits discrimination on the basis of disability. Disability may include those with a previous or existing dependence on alcohol or drugs. A policy that does not incorporate this principle may be vulnerable to a human rights complaint from employees who may have drug or alcohol addictions.

Accordingly, an effective substance abuse policy must incorporate possible accommodation in connection with positive tests. By building accommodation and flexibility into the policy, an employer effectively creates a defence against claims that it treated an addict in a stereotypical fashion or based on group characteristics.



Employers should consult with a lawyer in relation to the issues of procedures and investigation, drug testing, privacy, sanctions, and human rights, as early as possible.

## 7.7 Smoking

To ensure that you are respecting the rights of both your non-smoking and smoking employees, make sure you designate and clearly explain where smoking is and is not allowed. Please note that in order to be in compliance with WorkSafeBC, there cannot be any smoking indoors where employees are working or near entrances.

### Example

*For health and safety reasons, smoking is not permitted in any of the farm buildings. You may smoke outdoors, away from fuel tanks and other flammable material. Please note that you must be at least 10 feet (three meters) from entrances to the workplace. Please ensure that your cigarette/cigar/pipe is fully extinguished and dispose of the butts in an appropriate manner, not by throwing them on the ground. If you choose to smoke, please restrict smoking to scheduled break times and be considerate of non-smoking co-workers.*

## 7.8 Farm Telephone and Cell Phone Use

Employees who do not have cell phones may need to use the on-site phone at times. Tell employees your policies around making and receiving calls, including on their personal cell phones, while working. With the advent of text messaging and internet on cell phones, phones can be a significant distraction! Inform your employees of what you find acceptable in terms of phone usage.

### Example

*Our phone should be kept free for farm business as much as possible. That being said, there may be times when you need to use it for personal calls. Except in emergencies, personal calls are only permitted during authorized breaks. The farm phone is only available for local calls.*

*If you choose to bring your personal cell phone to work, please avoid talking, texting or surfing the Internet on your phone during work hours. You are more than welcome to do these activities on your lunch hour or break time. If you are expecting an urgent call during working hours, you must obtain the permission of your supervisor in advance.*

## 7.9 Computers

If your employees have access to a computer at work, make sure that you set out clear guidelines as to appropriate use.

### Example

*We understand that when you work during the week it is occasionally necessary to conduct personal business during office hours. However, personal use of company computers is prohibited. Please note that e-mail systems are provided for employment-related use only. We reserve the right to access and to disclose the messages that you send or receive on the voice mail or e-mail systems. You should also be aware that deleted messages from the computer screen may not actually be deleted from the e-mail system. You may not use company computers to access, distribute, or create inappropriate or illegal materials.*

## 7.10 Parking

Explain where your employees should park their vehicles.

### Example

*From November 1<sup>st</sup> – April 30<sup>th</sup> please park along the side of the driveway.*

*From May 1<sup>st</sup> – October 31<sup>st</sup> please park behind the main barn in order to give our customers more parking space.*

*Vehicles parked elsewhere may be towed at the employee's expense.*

## 7.11 Mileage

If your employees are asked to use their personal vehicles for farm business, you should have a policy in place for reimbursing them for mileage. Make sure that they know the circumstances under which mileage is paid, how much they will be paid per km and the specifics of how they should track and report their mileage.

### Example

*If you use your personal vehicle for farm business, please record your mileage before and after the trip. We will reimburse you at a rate of \$0.XX per kilometre. Prior to leaving, be sure to confirm with your supervisor that your mileage will be paid. Please submit your mileage to the office upon your return.*

## 7.12 Transportation

If you provide transportation for employees, be very clear as to where and when they will be picked up.

### Example

*If you choose, you can get a free ride to and from work on our company bus. You must be at the pick-up location when the bus arrives. The bus driver will not wait for late arrivals. If you miss the bus, you will have to find your own transportation to work and arrive on time. At the end of the day, the bus will drop employees off at the same locations.*

Location 1      \_\_\_\_ AM  
Location 2      \_\_\_\_ AM  
Location 3      \_\_\_\_ AM  
Location 4      \_\_\_\_ AM  
Arrives at Farm \_\_\_\_ AM  
Leaves Farm    \_\_\_\_ PM

## 7.13 Hours of Work

Give a clear overview of work times and schedules for your employees. Tell them:

- The hours of operation for the farm,
- The hours they will be expected to work,
- When and how meal and coffee breaks are to be taken, and
- Whether breaks are paid or not.

### Example

Regular working hours are: \_\_\_\_ AM – \_\_\_\_ PM Monday-Friday  
\_\_\_\_ AM – \_\_\_\_ PM Saturday  
\_\_\_\_ AM – \_\_\_\_ PM Sunday

*Hours of work will vary. Your supervisor will provide you with a weekly schedule. You will find a detailed schedule for the following week posted near the time sheets. Please check this for your work times. You are responsible for writing down your scheduled days/times.*

*Lunch breaks are 45 minutes long and are unpaid. Lunch breaks normally start at 12:00 PM, but may change depending on the day and circumstances. All food should be confined to the designated eating area.*

*There are two 15 minute paid breaks during the day: one in the morning and one in the afternoon.*

## 7.14 Attendance, Lateness & Leaving Work without Notice

Explain the importance of good attendance and punctuality. Also explain what you expect employees to do if they are unable to come in to work, or if they will be late. When describing

the consequences of frequent lateness or absenteeism, remember to use language such as 'may' or 'can', in order to leave some flexibility

#### **Example**

*All employees are expected to arrive on time, ready to work. Daily instructions are provided first thing in the morning and lateness will delay work and inconvenience others.*

*If you are going to be late, or if you are unable to come to work, advise the farm office as soon as possible.*

*Frequent lateness, extended meal breaks and/or poor attendance may lead to disciplinary action or dismissal.*

*Should you need to leave work for scheduled appointments please advise your supervisor at least 1 week in advance.*

*Should you need to leave work for unanticipated personal reasons including sickness, please advise your supervisor and sign out.*

### **7.15 Poor Weather**

Many farm tasks are weather dependent. Clearly explain the circumstances under which work will be cancelled due to poor weather.

#### **Example**

*Most of our work is done outdoors, attending the trees or harvesting fruit. Unfortunately it often rains during the season, but we try to work through all but the worst storms.*

*You will be provided with rain gear and we will try to keep you working indoors on bad days. Work is rarely cancelled, but when it is, you will be contacted before 6:30 AM. If you have not heard from someone by then, assume that you are working that day. Please make sure that your contact information is up to date.*

### **7.16 Use of Tools, Equipment and Vehicles**

Outline your policy on use and care of tools, equipment and vehicles.

#### **Example**

*Before using tools or equipment, inspect them for problems or defects. Once you have finished using a tool or a piece of equipment, please ensure that it is cleaned and returned to where it belongs. If you used equipment which requires fuel or maintenance, please ensure that it is ready for the next use. If you notice a defect during use, please advise your supervisor.*

## 7.17 Off-Duty Employees

Off-duty employees may wish to come in to work to use equipment and facilities or socialize with coworkers. You may want this to be approved by a supervisor for safety and productivity reasons.

### Example

*We ask that off-duty employees not come in and distract those who are working. If you wish to come in on your time off and use farm equipment you may do so only with prior permission from your supervisor. While you are here using the equipment you must follow all safety procedures and work policies.*

## 7.18 Non-Work Activities during Work Hours

You may find it useful to have a policy in place that addresses non-work activities during work hours, such as reading, personal business, or selling goods. While you may not mind employees bringing in chocolate bars that their kids are selling for their soccer team, you may not always agree with the products being sold or the cause being supported.

### Example

*Employees are welcome to use their breaks for personal activities, such as reading, scheduling appointments, etc. Please check with your supervisor before bringing anything to work that you want to sell or distribute, whether it be for profit, fundraising or purely informational. It is important to us that everyone feels comfortable at work; therefore we want to ensure that all materials are appropriate and will not cause undue distraction.*

## 7.19 Confidentiality and Conflict of Interest

A conflict of interest occurs when one of your employees works for, or has an interest in, a business or operation that you are in competition with. A conflict may also occur when an employee takes other employment or business opportunities that interfere with their work at your farm. It is an implied term of employment that an employee will not work for a competing business while employed for another. While you may not ask your employees to refrain from being involved in outside employment or business opportunities that are non-competing, you can ensure that these activities do not have a negative impact on your farm. If you feel that it is necessary to have employees sign confidentiality and/or non-competition agreements, you should consult a lawyer for assistance.

### Example 1

*We understand that some employees have second jobs, or run businesses, in their spare time. To avoid any conflicts of interest, we ask that our employees not work for, or hold an interest in, any operations that are or may be seen as a competitor to us. Please make sure that while you are at work, you are working for us. If you need to spend time on these other endeavours, it must be limited to your personal time. The use of company phones, computers or other*

*equipment for outside employment or business activities is prohibited. Please note that it is not acceptable for you to promote your other interests to our customers or suppliers.*

*If you are uncertain as to whether a conflict exists with any of your activities outside of work, please speak to your supervisor.*

### **Example 2**

*We require that all employees sign a Confidentiality and Non-Competition Agreement. Any hiring contract with ABC Farms implies an obligation to preserve full confidentiality, which continues after an employee leaves the farm. Any violation of confidentiality can be very damaging to the reputation and efficiency of our business. Consequently, we require that employees not discuss any of our farm affairs outside of the workplace. If in doubt, please refer the person requesting information to your supervisor.*

*No one is authorized to remove any file, report, or document from ABC Farms, or to copy any such items without their supervisor's authorization.*

*Because of the seriousness of the action, disclosure of confidential information may result in discipline, termination, and/or legal action.*

## **7.20 Handling Customers and Visitors**

If your employees will be interacting with the public, either through a retail store, farm tours or visits, then tell them how you want your customers and visitors to be treated. You may want to provide additional training on this topic. You can also use this section to provide a policy on employees' family and friends visiting.

### **Example**

*All customers and visitors should be treated with the utmost respect, as they are the reason we are in business and they, ultimately, pay your salary. If you wish to have your family or friends visit the workplace, please arrange a time with your supervisor for them to do so. For safety reasons, this will have to be outside of working hours.*

## **7.21 Handling Complaints**

As employees may come into contact with visitors, customers and neighbours, it is important that they be informed on how to deal with any possible complaints that may arise.

### **Example**

*If you receive a complaint from anyone-a customer, neighbour, visitor, or supplier-politely refer them to a supervisor, manager or owner. It is important that you do not get into a situation where the problem may be escalated by trying to explain or justify actions. You can say*

*something along the lines of, “I think my supervisor/the owner would like to hear what you have to say.”*

## **7.22 Requests for Information from Press and Other Media**

Occasionally press and other media may want to collect information regarding your farm for various reasons. You may wish to have a policy in place regarding who is authorized to speak on behalf of your farm.

### **Example**

*Occasionally press and other media may want to collect information regarding our farm. If you are contacted by the press and asked for comments on any matter pertaining to our farm, you are required to inform them that only the General Manager is authorized to speak on behalf of the company to the press or other media and refer them to the General Manager.*

## **7.23 Employee Referrals**

Tell your employees whether or not you would like them to refer their friends and family to you for vacant positions. If you have a policy against hiring your employee's relatives, state that here. If you want to encourage your employees to help you find dependable workers, you could offer them an incentive.

### **Example**

*We are always looking for talented, hard-working employees. If you know someone who you think would be a good fit at our farm, make sure that you have them list you as a reference when applying to us. If he/she is hired and succeeds past his/her three month probationary period, we will give you a bonus.*





In the non-unionized workplace, an employer has the right to discipline employees for behaviour incompatible with their duties or the employment relationship. This discipline usually takes the form of an oral or written warning or, in the case of a severe infraction or repeated unacceptable conduct, suspension or termination of employment for cause.

The appropriate approach will vary based on the workplace and the severity of the infraction. In determining the appropriate disciplinary response to employee misconduct, an employer must always look at the employee's misconduct in the context of both the employment relationship and the employment environment. Minor acts of dishonesty or insubordination are generally not sufficient to justify suspension or termination, but will likely justify either an oral or written warning. In the case of an employee with significant performance problems, the employer should not simply terminate for just cause immediately but must first warn the employee about the poor performance and give that employee a chance to improve. Serious transgressions such as theft or assault usually amount to cause for immediate dismissal, but must still be viewed in the context of the employment relationship and the environment. It is recommended that legal advice be sought to design an appropriate disciplinary response.

## 8.1 Progressive Discipline

A progressive discipline approach is recommended. Progressive discipline for minor offenses begins with an informal verbal discussion and progresses to more formal disciplinary actions, should the problem persist. It is important that employees understand that if they are unwilling to change the behaviour, this may result in further disciplinary actions, such as suspension or dismissal. Also, initial violations of a more serious nature may result in a written warning or suspension and only the most serious violations may result in immediate dismissal. Progressive discipline is a necessary element in establishing 'just cause' for termination, to avoid wrongful dismissal actions. It is the responsibility of the employer to prove:

- The employer established reasonable rules and policies,
- These rules and policies were communicated to the employee,
- The employee was made aware that he/she was not following the required rules and policies,
- The initial and subsequent interventions were appropriate for the nature and circumstances of the violation (i.e. the punishment fit the crime),
- The employee was warned that failure to comply would result in dismissal, and
- The employee was unwilling to comply and subsequently dismissed.

### **Example**

*Our farm policies have been established to provide a safe and successful business for both our employees and owners. Should an employee fail to follow our policies appropriate disciplinary action will be taken.*

*Disciplinary action for minor incidents (e.g. being late for work without advising your supervisor) will include a verbal warning for the first incident and a written warning for the second incident. Further incidents may result in suspension without pay or dismissal.*

*More serious incidents (e.g. failure to follow safety, bio-security, discrimination, or harassment policies) may result in a written warning, or even suspension without pay, even for a first time offense. Theft, fraud, gross insubordination, or serious physical or verbal abuse will result in immediate suspension or dismissal.*

## **8.2 Discipline for Performance Issues**

After an employee has completed his/her probationary period, you may find that he/she is not meeting expectations. It is important not to assume that the problem will go away, but rather to evaluate and address the problem as soon as possible.

First, consider whether there have been changes in your expectations or operations that may be the cause of the problem. If so, you may need to consider additional communication or training. If you determine that nothing in the job description has changed since the end of the probationary period, an informal discussion with the employee where you review responsibilities, training, and understanding of the job may be enough to address the situation. Be certain that employees are aware of your policies and that all managers and supervisors apply them in an even-handed manner.

It is also important to determine if other causes are affecting job performance (e.g. work related difficulties such as a conflict with a co-worker, or personal causes external to work such as stress). By understanding and addressing underlying causes, disciplinary action may be averted.

After careful consideration, if the performance issues are determined to be the result of an unwillingness to change, and informal approaches are unsuccessful, more formal approaches need to be implemented. The approach used will vary based on the severity of the situation. It is important to be fair and consistent from employee to employee and situation to situation.

If dismissal is decided upon, it should always be handled in a fair and professional manner, and with the benefit of legal advice. Clear, written records are your best defence against legal action, so be sure that you have followed your stated policies on discipline and that you have documented any previous warnings or disciplinary actions.

### Example

#### *Meeting Job Expectations*

*We strive to maintain a strong relationship between supervisors and employees. For this reason, if there are any instances when minimum performance standards are not being met, we will informally ask our employees how we can help them meet expectations. If you are unclear about expectations or how to conduct your job, or if there are reasons in your personal life or at work which are interfering with your ability to perform your duties, we ask that you inform your supervisor as soon as possible. We will do our best to respect your privacy and the confidentiality of your situation.*

*If we have exhausted all avenues of informal resolution and yet an employee is unwilling to perform their duties or tasks to the best of their ability, we will be left with no choice but to use more formal means of discipline, which may include written warnings or suspension.*

## 8.3 Discipline for Misconduct

You may find that an employee is not following your work policies. It is important to address the problem as soon as possible. The approach used will vary based on the farm and the severity of the situation. For example, an employee who fails to follow safety or bio-security procedures would be dealt with differently from an employee who was consistently late. It is important to be fair and consistent, using a progressive disciplinary approach as described in Section 8.1. Be certain that your employees are aware of your policies and that all supervisors and managers apply them in an even-handed manner, consistent with applicable legislation (e.g. The BC *Human Rights Act*). When in doubt, consult with a lawyer.

### Example

#### *Complying with Policies*

*Our farm policies have been established to facilitate a safe and successful environment for our employees and the owners. When an employee wilfully fails to follow our policies, appropriate disciplinary action will be taken.*

*Disciplinary action for minor incidents (e.g. being late for work without advising your supervisor) will include a verbal warning for the first incident and a written warning for the second incident. Further incidents may result in suspension without pay or dismissal. More serious incidents (e.g. failure to follow safety, bio-security, discrimination, or harassment policies) may result in a written warning or even suspension without pay, even for a first time offense. For theft, fraud, gross insubordination, or serious physical or verbal abuse will result in immediate suspension or dismissal.*



RIVERHILL VEGGIES FARM  
JOHN AND MAY VANDERFRIES  
EMPLOYEE HANDBOOK

SAMPLE

### Welcome Message

*Welcome to Riverhill Veggies. We are proud of the way we run our business and we hope that your time here will be a positive experience for all of us.*

*This handbook will explain who we are, what we do and what we can expect from each other. Please take the time to read it carefully to ensure that you understand what is expected of you, as well as what you can expect from us. If you are ever unclear about anything, please speak to your supervisor, who will always be happy to address your concerns.*

*We are looking forward to working with you and wish you every success in your new position on our farm.*

*Sincerely,*

*John and Mary Vanderfries*

### Purpose

The purpose of this handbook is to explain to all employees their benefits, opportunities and responsibilities while employed at Riverhill Veggies. If you have any questions, please contact your supervisor.

### History

Riverhill Veggies was started in 1976 and expanded to approximately 120 acres of field vegetables. A store was started in 1980 where we sell our own homegrown vegetables from A to Z.

### Values

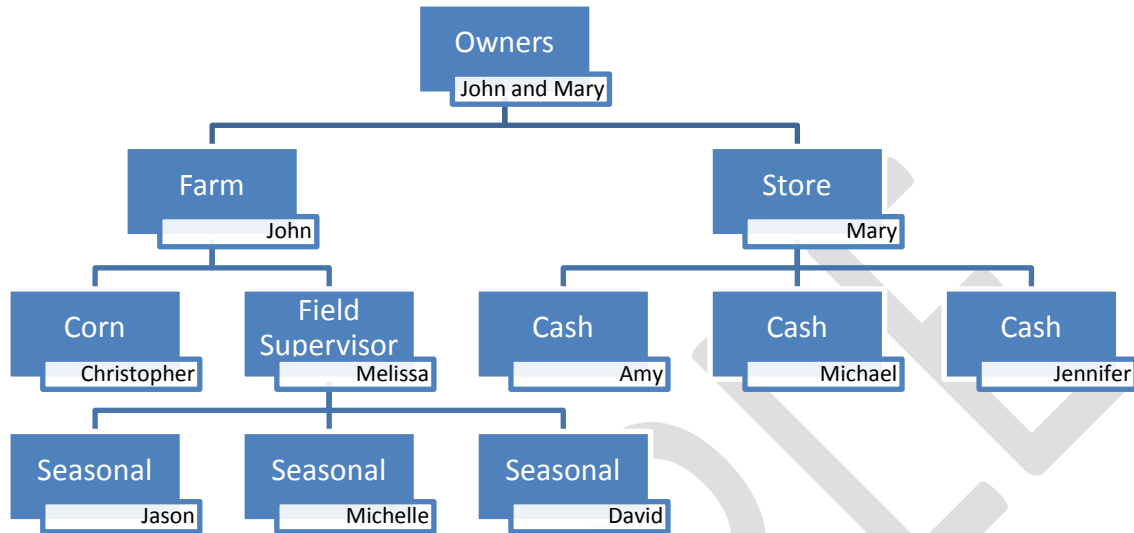
Integrated Pest Management.

Soil Conservation and Sustainability.

We regularly provide farm vegetables to local charities such as the local food bank and soup kitchen as well as providing Christmas hampers.

Scientific knowledge and improving agricultural technology; developing the industry and progressing: Director of local horticulture improvement society association.

### Reporting and Organizational Structure



We encourage open discussion between our employees and supervisors. If a problem arises, we will do our best to resolve any job-related conflicts in a timely and satisfactory manner.

If you have any concerns please bring them to your direct supervisor. If he/she cannot resolve your issue, or if you are uncomfortable speaking to your supervisor about the issue, you may bring it to the General Manager.

Please do not fear that your concerns will affect your employment with us.

### Orientation

All new employees, as well as current employees starting a new job, are provided with an orientation session. The purpose of the orientation session is to familiarize you with the work environment and job expectations. At the orientation session we will review:

- our history and values;
- your pay and benefits;
- our policies;
- job functions and expectations;
- our food-safety, bio-security, farm safety programs; and
- how to perform your job safely.



We will also provide a tour of our farm, introducing you to other employees. We encourage you to ask any questions you may have.

### Probationary Period

Full time and part time employees start with a three-month probationary period. This period of time allows you and your supervisor to determine if the position is suitable for you. During this period, we will help you to familiarize yourself with the job and develop additional skills you may require to be successful. If either you or your supervisor decides for any reason during this period to discontinue employment, no notice or pay in lieu of notice is required.

### Performance Achievement and Planning

At Riverhill Veggies we consider ongoing informal feedback as a constructive two way exchange of information that is beneficial to both our employees and ourselves. You will be provided with a summary of performance expectations that we will review with you after three weeks, and again after three months.

### End of Service

If you choose to leave, we ask that you let your supervisor or manager know at least two weeks prior to your last day. We will extend the same courtesy to you in the event we have to terminate your employment. Please note that this does not apply to employees who are still in their probationary period.

When your employment with us comes to an end, whether it is by your choice, or due to outside factors, we ask that you complete an exit interview with us where you can provide us with feedback on your employment:

- what we do well
- what needs to be improved, and
- your reasons for leaving.

During this interview, we will provide information regarding:

- benefits,
- vacation pay,
- employment and personal records, and
- other administrative items.

We will also ask that you return any company property (tools, uniform, keys, etc.) and we will release your final pay cheque to you.

### Pay Rates and Adjustments

At Riverhill Veggies, our employees are paid either on an hourly or monthly basis, depending on their classification. Each employee will be provided with a pay grid outlining the various pay levels for their position. Your specific rate, and any increases, will be based on your experience, training, responsibility and performance.

Our store workers are paid an hourly rate, depending on how long they have been there. When new employees learn to manage the cash register, they will receive an increase.

The store also incorporates a bonus system. This is based on a combination of business profitability, as well as employee performance, and is provided at the end of the season.

### Time Sheets

Each employee is responsible for filling in his/her own time sheet. Record your time each day, and indicate any sick, holiday or vacation days. Your time sheets shall be kept in the store or farm office. It must be handed in to the office on Thursday before pay day and a new sheet started.

### Overtime

Some times are busier here than others. During some weeks you will have to work extra hours, and in other weeks you will work less. We will do our best to inform you ahead of time when you will be required stay later than your normal hours. Farm workers and certain other employees exempted under the B.C. Employments Standards will be compensated at their regular *pay rate for this time*.

### Pay Day

Pay day is every second Friday. Pay cheques will be available for pick-up first thing in the *morning*.

### Deductions

We are required by law to make certain deductions, including Income Tax, Canada Pension Plan and Employment Insurance, once your wages reach a certain level. If you have any questions about your pay cheque or deductions, please speak to your manager and they will be happy to explain it to you.

### Stat. Holidays

Due to the nature of our work, we are unable to close for statutory holidays. Employees classified as agricultural workers or managers who are required to work on stat holidays will only be paid for hours worked, at their regular rate.

We will bank your holiday pay and you will be paid at the end of the season. If you prefer to have it added to each pay cheque, please advise your supervisor and we will do so. We ask that you request time off two weeks in advance. Only one person can have vacation at a time, subject to our ability to cover.

### Sick and Other leave

If you require sick leave or other leave, please advise your supervisor. Please note that you will not be paid for these types of leave. Employees are requested to provide as much notice as possible and provide sufficient information regarding the reason for the leave. Employees are not required to give notice in writing or disclose personal or private information.

### Open Door Policy

We want all of our employees to feel comfortable talking to their supervisors about any concerns or comments that they have. Please feel free to approach your supervisor or manager with any problems or suggestions; you do not need to be fearful of retaliation. They will address your concerns in a timely and confidential manner. If your problem involves a supervisor or manager and you do not feel comfortable approaching him/her, you can talk to the General Manager.

### Conflict Resolution

We expect all of our employees to try to solve any conflicts before bringing them to their supervisors. If you have attempted to do so and are unable to resolve the conflict, please seek the help of a supervisor or manager.

### Employee Health and Safety Standards

We are committed to providing a safe workplace for all of our employees. While we do everything in our power to ensure that you are safe at work, we require you to do your part as well. We ask that you keep safety in the front of your thoughts while you are working—the safest way to complete a task is always the best way. Certain hazards naturally exist in our operation and we ask that you use good judgement and common sense when confronted with them. One way to minimize incidents and to ensure the health and safety of our employees, animals and equipment is to keep a clean and orderly workplace at all times. Rough, unruly or other inappropriate behavior will not be tolerated, nor will the careless or reckless operating of equipment, machinery, tractors, and other self-propelled machines and vehicles.

Listening to personal entertainment devices, including music players can restrict hearing and potentially constitute a safety hazard. Please ask permission from you supervisor before using personal entertainment or communication devices.

### Health and Safety Training

Operating farm vehicles and equipment, handling livestock, and using pesticides and other hazardous materials can pose significant safety risks to employees. We provide safety training for the duties that you will be expected to perform on this farm. We ask that you only engage in those duties that you have been trained and authorized to perform. If you are uncomfortable with any work activities, please speak to your supervisor. When performing your duties, please make sure that you always follow all safety procedures and safe work practices.

Safety training workshops and updates are provided every three months. You will be required to attend each session. Once trained, it is your responsibility to ensure that they know emergency response procedures or telephone numbers. We also conduct tailgate training on a regular basis; these are brief informal discussions with workers about hazards on the workplace, and how to deal with them. As WorkSafe BC requires that we document all training, you will be required to sign a form indicating the training you have received.

### Reporting Unsafe Conditions

We do our best to maintain safe conditions for everyone on our farm, but we cannot be everywhere at once. We need you to help us by immediately reporting any conditions that you feel could pose a threat to the health and safety of our employees, customers, animals or environment. Should you notice a co-worker acting in an unsafe manner or working in an unsafe environment, please bring it to his/her attention. If there is an issue that you have reported that has not been satisfactorily dealt with, please speak to a supervisor or manager about this.

### Incidents and Injuries

If you are injured, or witness an injury or incident that could have resulted in an injury, you must immediately report this to your supervisor. If the injured employee requires medical attention, see the First Aid attendant on duty, or dial 911 for an ambulance, if needed.

Your supervisor will help you to fill out an Incident Report and will report to WorkSafe BC. If you see a medical practitioner as a result of your injury, make sure that you tell them right from the start that it is for a work-related injury.

### First Aid

We require that there is a First Aid attendant (your supervisor) on duty at all times. Make sure you are familiar with who that person is on your shift. During your orientation, you should have been familiarized with the location of First Aid equipment and telephones to use in case of emergency. If you

are ever unclear as to the location of equipment, or how to use it, please speak to the First Aid attendant (your supervisor).

### Children on the Farm / Ranch

As children live on and occasionally visit our farm their safety is of utmost concern. In order to protect their well-being all employees are required to take a child safety training program and comply with the recommended procedures.

It is essential you stop what you are doing if you see:

- An unsupervised child in the work area
- A supervised child in a potentially hazardous situation

If the child is unattended, return the child to the care of a responsible adult. In either situation, advise the child and their supervisor of the dangers and explain where they can safely stay. If they do not comply you must immediately contact your supervisor.

For employees with children living on our farm we provide age and language appropriate safety training materials that will allow you and your children to recognize and react safely to a wide variety of potential hazards. We strongly recommend you to provide this training to your children and if you need any assistance please advise your safety representative (supervisor).

We also hold an annual 'Farm Safety Walk' for parents and family members to identify and discuss *both new and existing hazards and provide children with the opportunity to place warning stickers.*

### Food Safety

We provide products for the food industry. To ensure public safety, we have implemented a food safety program to prevent the spread of disease and infection. You will receive specific training to prepare you to safely handle our products. It is essential that you follow appropriate food safety procedures at all times.

### Bio-Security

In order to prevent the introduction and spread of disease, which could have serious consequences for our farm, we incorporate strict sanitary measures for all employees, suppliers, and visitors. We provide training on our bio-security program. Please ensure that you follow bio-security procedures at all times.

### Reporting Environmental Incidents

When working with hazardous materials, such as fuel or pesticides, if a spill occurs or is in danger of occurring, please immediately report it to the supervisor.

### Dress Code

For field work, please arrive at work dressed appropriately for the weather, as it is outdoor works, it can be dirty and sometimes wet and cold, or very hot and sunny. You may want to dress in layers and keep a rain jacket handy in case of unexpected bad weather. We require that everyone wear modest, work appropriate clothing. Many employees prefer wearing gloves and boots, but you must bring your own. We provide protective gear and the safety equipment for working with pesticides. We recommend you wear a long sleeved shirt and hat at all times.

When working in the store, we require that you wear modest, work appropriate clothing and that you adhere to the following dress code:

Shirts, slacks or tailored shorts or skirts, and appropriate footwear are to be worn in the office at all times. Shorts or skirts are to be longer than mid-thigh. Spandex, tank tops or other types of aerobic clothing are not permitted at any time. You will be provided an apron and nametag, which must be worn at all times.

### Substance Abuse

Riverhill Veggies Farm has an obligation to the public, its visitors, and the workers present in its workplace to provide safe, reliable and efficient production. Further, Riverhill endeavours to provide a safe and healthy workplace and to promote the general health and welfare of its employees. To achieve these goals, and to have a safe workplace free from illegal drugs and alcohol, Riverhill will not tolerate consumption or possession of illegal drugs or alcohol by employees while on duty or on company property, or impairment by any means while on duty. Riverhill recognizes alcohol or illegal drug abuse or addiction is a serious societal and health problem, and is prepared to assist employees with the recognition and treatment of abuse and/or addiction problems. Riverhill's goal is to return employees to work in good health, with good attendance and performance.

- It is the responsibility of employees to arrive at work fit for duty and to conduct themselves in a safe and lawful manner while on duty,
- It is the responsibility of every manager, supervisor and employee to promote and maintain an alcohol and illegal drug-free workplace in the interests of health and safety,
- It is the responsibility of employees not to use illegal drugs or alcohol or be impaired by illegal drugs or alcohol while at work, and
- Employees, who become aware of conduct by another employee which is contrary to this policy, and that poses a threat to the safety or health of any employee, the public, or damage to equipment, must inform their supervisor.

## Smoking

For health and safety reasons, smoking is not permitted in any of the farm buildings. You may smoke outdoors, away from fuel tanks and other flammable material. Please note that you must be at least 10 feet (three meters) from entrances to the workplace. Please ensure that your cigarette/cigar/pipe is fully extinguished and dispose of the butts in an appropriate manner, not by throwing them on the ground. If you choose to smoke, please restrict smoking to scheduled break times. Please do not smoke near non-smoking co-workers.

## Farm Telephone and Cell Phone Use

Our phone should be kept free for farm business as much as possible. That being said, there may be times when you need to use it for personal calls. Please try to do this on your lunch hour, or break time, and keep your calls as brief as possible. The farm phone is only available for local calls. For long distance calls, please use a calling card.

If you choose to bring your personal cell phone to work, please avoid talking, texting or surfing the Internet on your phone during work hours. You are more than welcome to do these activities on your lunch hour or break time. If you are expecting an urgent call during working hours, please let your supervisor know ahead of time.

## Hours of Work

Hours of work will vary. Your supervisor will provide you with a weekly schedule. You will find a detailed schedule for the following week will be posted near the time sheets. Please check this for your work times. You are responsible for writing down your scheduled days/times.

Lunch breaks are 30 minutes long and are unpaid. Lunch breaks normally start at 12:30 PM, but may vary depending on the day and circumstances. For store workers, lunch times will be staggered. All food should be confined to the designated eating area.

There are two 15 minute paid breaks during the day: one in the morning and one in the afternoon, depending on hours worked.

## Attendance/Lateness

All employees are expected to arrive on time, ready to work. Daily instructions are provided first thing in the morning and lateness will delay work and inconvenience others.

If you are going to be late, or if you're unable to come to work, advise the farm office as soon as possible.

Frequent lateness, extended meal breaks and/or poor attendance may lead to disciplinary action or dismissal.

### Poor Weather

Most of our work is done outdoors. Unfortunately it often rains during the season, but we try to work through all but the worst storms.

Work is rarely cancelled, but hours of work may be rescheduled with little or no notice.

### Use of Tools, Equipment and Vehicles

Before using tools or equipment, inspect them for problems or defects. Once you have finished using a tool or a piece of equipment, please ensure that it is cleaned and returned to where it belongs. Please ensure that hoes or knives are not left in the field but are returned. If you used equipment which requires fuel or maintenance, please ensure that it is ready for the next use. If you notice a defect during use, please advise your supervisor. You will be asked to provide proof of a valid drivers licence to use motor vehicles.

### Customers and Visitors

All customers and visitors should be treated with the utmost respect, as they are the reason we are in business and they, ultimately, pay your salary. You are encouraged to have your family or friends visit the workplace. Visitors to the farm must sign in at the office for safety reasons.

### Handling Complaints

If you receive a complaint from anyone—a customer, neighbour, visitor, or supplier—politely refer them to a supervisor, manager or owner. It is important that you do not get into a situation where the problem may be escalated by trying to explain or justify actions. You can say something along the lines of, “I think my supervisor/the owner would like to hear what you have to say.”

### Employee Referrals

We are always looking for talented, hard-working employees. If you know someone who you think would be a good fit at our farm, make sure that you have them list you as a reference when applying to us.

### Discipline

Our farm policies have been established to provide a safe and successful business for both our employees and owners. Should an employee fail to follow our policies appropriate disciplinary action will be implemented.



Disciplinary action for minor incidents (e.g. being late for work without advising your supervisor) will include a verbal warning for the first incident and a written warning for the second incident. Further incidents may result in suspension without pay or dismissal. More serious incidents (e.g. failure to follow safety, bio-security, discrimination, or harassment policies) may result in a written warning or even suspension without pay, even for a first time offense. For theft, fraud, gross insubordination, or serious physical or verbal abuse will result in immediate dismissal.

### Meeting Job Expectations

We strive to maintain a strong relationship between supervisors and employees. For this reason, if there are any instances when minimum performance standards are not being met, we will informally ask our employees how we can help them meet expectations. If you are unclear about expectations or how to conduct your job, or if there are reasons in your personal life or at work which are interfering with your ability to perform your duties, we ask that you inform your supervisor as soon as possible. We will do our best to respect your privacy and the confidentiality of your situation.

If we have exhausted all avenues of informal resolution and yet an employee is unwilling to perform their duties or tasks to the best of their ability, we will be left with no choice but to use more formal means of discipline, which may include written warnings or suspension.

### Complying with Policies

Our farm policies have been established to facilitate a safe and successful environment for our employees and the owners. When an employee willfully fails to follow our policies, appropriate disciplinary action will be implemented.

Disciplinary action for minor incidents (e.g. being late for work without advising your supervisor) will include a verbal warning for the first incident and a written warning for the second incident. Further incidents may result in suspension without pay or dismissal. More serious incidents (e.g. failure to follow safety, bio-security, discrimination, or harassment policies) may result in a written warning or even suspension without pay, even for a first time offense. For theft, fraud, gross insubordination, or serious physical or verbal abuse will result in immediate suspension or dismissal.

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# Heritage Gardens Ltd.



## Employee Handbook

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# HERITAGE GARDEN LTD. - EMPLOYEE HANDBOOK

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## 1.0 INTRODUCTION

### 1.1 Welcome

We are pleased to welcome you as a new or returning employee to Heritage Gardens Limited. We are confident that you will find Heritage Gardens a pleasant and rewarding place to work. You have become a part of an organization which prides itself on its customer focus, innovation and efficiency. You were hired because we believe you will contribute to this reputation, and to the growth of our company.

Whenever a person begins a new job there are many questions which need to be answered. We have prepared this brief introduction to acquaint you with our operations. Naturally, it can't cover everything, but it will give you a good idea of how Heritage Gardens is run and what we expect of you. Your supervisor will be happy to explain anything that is not clear to you.

### 1.2 Purpose of Handbook

This Policy and Procedures Manual is a written guide for non-union staff, including drivers, office, sales and administration staff, as well as managers and supervisors.

In the following sections, we will describe the privileges, benefits and responsibilities that come with working on our farm. We have done our best to provide all the information you need to know. If anything is unclear to you, don't hesitate to speak to your supervisor.

This handbook is meant to be a general guideline and it should not be taken as a binding contract or a promise. Circumstances change and so we may need to change, overturn or add to these policies. Please note that when this happens you will be informed of the changes.

### 1.3 Company History

Heritage Gardens Limited was started in 1973 by Serge and Annette Wiens. It began at its current address of 13824 Cherry Lane, which was a horse pasture at that time.

The crops produced consisted of heathers and assorted evergreen liners. The business grew quickly, adding ground covers and dropping evergreens after the first few years. In 1977 perennials were added, and the nursery began to grow very rapidly. Heritage Gardens Limited is one of the largest producers of potted herbaceous perennials in Canada. Other product lines include ornamental grasses, herbs, ferns and Clematis.

Most of our customers are retail garden centres. Some sales are also made to landscapers, wholesalers, growers, and brokers. Just under half of sales are currently made in British Columbia, with the rest exported to the, Alberta, Saskatchewan, Manitoba and the U.S.A.



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It is our intent to be market leaders within our industry, and all of us at Heritage Gardens are proud of our achievements. Our commitment to exceptional customer service has paid off with a predominant market share in British Columbia and Alberta. Our product range is very wide, our quality standards are high, and our marketing is innovative. You should feel proud working for a company that is recognized as a leader within our industry.

### 1.4 Our Vision

To be the pre-eminent marketer and producer of perennials in North America.

### 1.5 Our Mission

To serve our primary market, the independent garden center industry, with quality branded products supported by innovative marketing. To serve selected mass market customers who value quality products and long term mutually beneficial relationships.

### 1.6 Our Values

**Integrity:** We are committed to providing the highest levels of customer service by selling only products that meet the highest possible standards of quality, are truthfully presented, and are delivered on time. Our customers will rate us as being their best supplier for our types of products.

**Respect:** We will provide our employees with a place of employment where they will find satisfaction in doing their work well, find opportunity to advance in their careers, be treated with honesty and respect and share in the success of the business.

**Innovation:** We will work with efficiency and innovation which will ensure continued growth and success.

**Leadership:** We will be recognized as leaders in our industry, setting standards that others will follow.

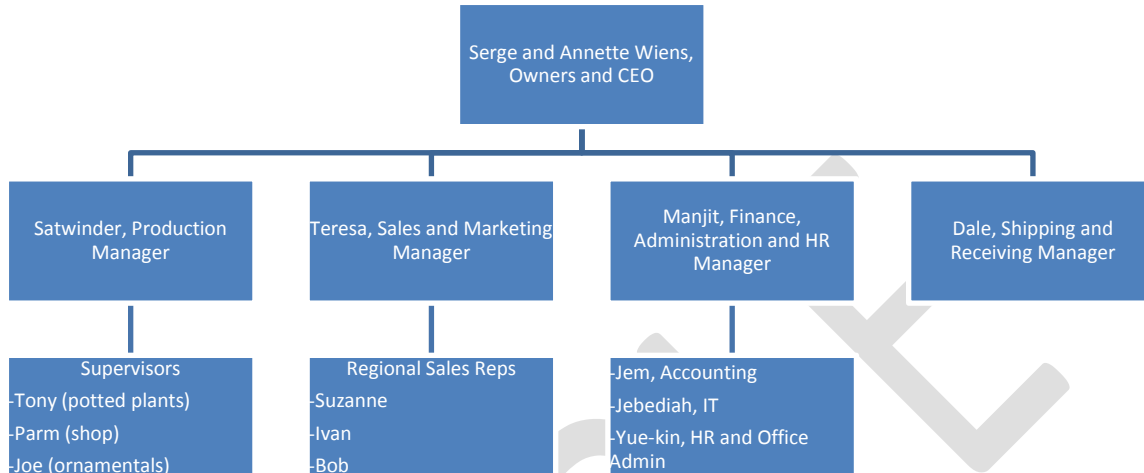
**Responsibility:** We will be good corporate citizens of our community.

**Teamwork and Cooperation:** We believe that a friendly, co-operative and supportive attitude and approach is essential to an agreeable and productive work environment.

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## 1.7 Reporting and Organizational Structure



Overall operational and strategic leadership for Heritage Gardens Ltd. is provided by the CEO's, in collaboration with the division managers.

## 2.0 TERMS OF EMPLOYMENT

### 2.1 Employee classification

#### A. Regular Full-time Employees

These are employees who work regularly throughout the year (minimum 45 weeks) for an average of at least 35 hours per week. One of the conditions of employment for all full-time employees is that they may be required to rotate their working days to fill our needs for Saturday/Sunday/Statutory holiday staffing.

#### B. Part-time and Seasonal Employees

Part-time and seasonal employees will work the hours and times requested by the company.

#### C. Regular Part-Time

Employees who work year round for less than 35 hours per week and/or on a periodic basis.

### 2.2 Orientation

All new and returning employees will be required to attend an orientation session. The purpose of this orientation session is to familiarize you with our safety policies, the work environment and job expectations. The orientation session will be provided by your manager or supervisor. At the orientation session we will review:

- Our history, mission and values,
- Supervisory and management staff introduction,
- Your rights and responsibilities,
- Workplace health and safety rules,
- First aid,
- WHIMIS,
- Fire extinguishers,
- Occupational health and safety committees, and
- Progressive discipline policy

You will also be given a tour of your specific work area and a general tour of the nursery. You are encouraged to ask any questions you may have.

## 2.3 Probationary Period

New employees start with a three-month probationary period. This period of time allows you and your supervisor to determine if the position is suitable for you. During this period, we will help you to familiarize yourself with the job and develop additional skills you may require to be successful.

After the successful completion of your probationary period, you will become a permanent employee and will be entitled to any benefits that come with your position.

## 2.4 Performance Planning and Review

Performance reviews will be done at the end of the probationary period and at the beginning of every calendar year thereafter. We consider an annual performance review and discussion as a constructive two-way exchange of information that is beneficial to both our employees and ourselves. Informal feedback and communication is encouraged on a regular basis.

## 2.5 Educational Assistance and Leave

You are encouraged to participate in seminars and courses which relate to your work at Heritage Gardens Limited. The company also encourages employees to set career goals and objectives. If you are aware of some opportunity which you feel would benefit you and the company, please discuss with your supervisor.

Employees must normally be employed with Heritage Gardens for a minimum of one year before becoming eligible for funding of courses, seminars, workshops, trade shows, or meetings.

## 2.6 Compulsory Courses

Any course, workshop or seminar where attendance is required by the company is eligible for 100% pre-payment of registration fees or reimbursement upon proof of successful completion (student fees and books not eligible). Travel and living expenses required for attendance at these courses will fall under the normal policies of the company.

## 2.7 Job Enrichment and Career Advancement

Any course, workshop or seminar that provides added knowledge or skills to enhance current job performance, but is not required by the company will be eligible for 75% reimbursement of registration fees (student fees and books not eligible) upon receipt of proof of successful completion. Courses must be pre-approved by your supervisor.

### 2.8 Conferences, Meetings, and Industry Shows

Eligibility for funding and attendance at all courses, workshops, seminars, trade shows or meetings, is reviewed on an on-going basis, and is dependent on the availability of budgeted funds.

These events are normally sponsored by a Professional Organization either locally, nationally or internationally. Managers and supervisors may qualify for travel to such events based on personal interest or company requirements and circumstances. Prior approval must be obtained from the employee's immediate supervisor or the General Manager.

Employees who are required to attend a course, meeting, workshop, tour or trade show that occurs on a day that is the employee's usual day to work will be paid for the time spent at the event, as well as reasonable travel time at their usual rate.

Employees who participate voluntarily on a pre-approved tour, conference, seminar or trade show will only be entitled to pay equal to their usual daily work hours.

Registration for courses should not be done until the event is approved, but should be done in a timely fashion to assure early registration discounts.

An evaluation form is given to an employee when educational funding is provided for a course, meeting, workshop or trade show. It is the responsibility of the employee to complete and return the evaluation form to the General Manager. Reimbursement of fees and other associated expenses as well as approval for future opportunities may be withheld until the completion and the return of the evaluation form.

### 2.9 Promotions and Job Vacancies

Postings for permanent and temporary vacancies will be posted internally or internally/externally as required to fill job requirements. It is company practice to choose, in our opinion, the best person available for the position. This may be from inside or from outside the organization.

In order for an internal candidate to be selected, they must demonstrate:

- Good performance within their present job,
- Good attendance records, and
- Their ability to fulfill specific job requirements of the new position.

### 2.10 End of Service

Due to the seasonal nature of our industry and the unique challenges of operating a nursery, an employee who wishes to terminate employment with Heritage Gardens Limited is kindly

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requested to give sufficient notice to his or her supervisor to allow the company to plan for their replacement. We will contribute to an employee's termination gifts as follows:

- \$50 towards the purchase of a gift for all employees who terminate their position after 5 years of service, and
- \$100 towards the purchase of a gift for all employees who terminate their position after 10 years of service.

### 2.11 Employee Records

Your personnel record began with your application form and it contains a variety of information about you and your employment status with us, such as records of all performance reviews, disciplinary notices, etc. This information is confidential and will be treated as such, except where disclosure is required by law, or where you provide us with written permission to disclose it. As required by law, this record will be kept for 2 years after you leave.

## 3.0 COMPENSATION AND BENEFITS

If you have any questions in regard to your pay cheque or Employee Benefits, please contact the Payroll department. At Heritage we pay our employees either on an hourly or a monthly salary basis. Delivery drivers may also be paid on a mileage basis depending on their routes.

### 3.1 Recording your Hours

To record your hours, use the time clock behind the office door to punch in and out each day. Keep your time card in your assigned slot by the time clock. Time cards will be collected from the rack on the Thursday before pay day.

You must punch in and out for lunch, but not for coffee breaks. If you forget to punch in or out, inform your supervisor as soon as possible! You are responsible for keeping track of your own hours.

### 3.2 Overtime

As a nursery, our work is very seasonal, and there are some very busy times when overtime may be required to get the job done. Although we do try to be responsive to employee's desires regarding number of hours worked, it is within an employer's rights to require overtime.

Eligible employees are paid overtime according to provincial labour standards. At the written request of an employee, overtime wages may be credited to a time bank, allowing the employee to take time off with pay. Overtime will be credited at the appropriate rate (either time and a half or double time).

The employee must be paid overtime from the time bank or take time off before the end of the year in which overtime wages were earned. The company may require employees to work short days or take time off during the less busy seasons in order to use up the overtime bank.

All overtime and related expenses must be approved by your supervisor.

Extra days worked in excess of 5 days per week are accumulated in a time bank and may be used to take days off in the future. Time bank days must be utilized before sick days.

### 3.3 Payday

Employees are paid bi-weekly by direct deposit. Pay day is every second Friday. You will be paid for all time worked up to, and including, the Saturday before payday.

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Employees will be given a statement listing their gross pay and itemized deductions. If payday falls on a holiday, you will receive your pay deposit on the last working day prior to the holiday.

Request for an early paycheck must be received by Payroll at least seven working days prior to the date requested.

### 3.4 Pay Rates and Adjustments

It is our intent to compensate employees by recognizing performance and length of service, along with experience, training, responsibility and performance.

Your compensation will be outlined in your offer letter. Compensation levels are reviewed at the beginning of each calendar year during the annual performance review process.

### 3.5 Deductions

We are required by law to make certain deductions, including Income Tax, Canada Pension Plan and Employment Insurance, once your wages reach a certain level. If you have any questions about your pay cheque or deductions, please speak to the office staff and they will be happy to explain it to you.

### 3.6 Employee Benefits

All employees who are hired on a full-time (more than 35 hours/week) permanent (more than 45 weeks/year) basis must participate in our company benefit plan, which includes extended health, dental, disability, and life insurance coverage. Other benefits include Heritage Gardens Limited matching contributions to the Company Registered Retirement Savings Plan (RRSP) to a preset maximum.

Persons hired in a permanent part time position will be considered on an individual basis for inclusion in the Company benefit plan.

#### Benefit Plans

##### A. Extended Health Benefits

The Extended Health Plan (EHP), which provides additional medical expenses such as prescription drugs, ambulance service, upgraded hospital rooms, and out-of-province coverage, is available through \_\_\_\_\_. All employees who meet the eligibility requirements will be eligible on the first day of the month, following three months of employment.

Premiums for the EHP are shared by the employee and the Company.



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### B. Dental Coverage

The Dental Plan, which provides 100% payment of routine work and 50% of crowns or bridge work, is available through \_\_\_\_\_. All employees who meet the eligibility requirements will be eligible on the first day of the month following three months of employment.

Premiums for the Dental Plan are paid by the Company.

### C. Life Insurance

A life insurance Policy of \$25,000 is provided by \_\_\_\_\_. All employees who meet the eligibility requirements will be covered on the first day of the month following three months of employment. Participation in this benefit is mandatory for eligible employees. Job share employees are eligible for \$12,500 Life Insurance.

Premiums for the life insurance are shared by the employee and the Company.

### D. Long-Term Disability (L.T.D.)

Long-Term Disability, which provides income replacement during a lengthy absence due to illness or injury, is provided by \_\_\_\_\_. After 119 days of disability, the policy will pay 2/3 of your regular monthly salary up to a maximum non-taxable benefit of \$2,500 per month, in coordination with other incomes (e.g., W.C.B.). All employees who meet the eligibility requirements will be covered on the first day of the month following three months of employment. Participation in this benefit is mandatory for eligible employees. Job share employees are not eligible for this benefit.

Premiums for Long-Term Disability are paid 100% by the Company.

### E. R.R.S.P

The Registered Retirement Savings Plan provides employees with an opportunity to increase their retirement savings by payroll deduction. The plan is administered by \_\_\_\_\_. Employees who meet the eligibility requirements may apply after one year of employment. Minimum contribution is \$25.00 per pay period. The maximum monthly amount which will be matched by the company depends on the position and will be outlined in your offer letter.

### 3.6.1 Plant Purchases and 'Freebies'

Employees are normally permitted to purchase plants for their own use at wholesale prices. All purchases must be accompanied by an invoice and all appropriate taxes must be paid.

At certain times of the year, the company will dispose of left over or surplus plants. From time to time the production manager may make these available for employees free of charge. No plants may be taken off the nursery or placed into employee vehicles without accompanying

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paperwork unless under the direct supervision of a senior manager (Production, Shipping, Sales or General Manager).

Any plant material taken free of charge is to be used for personal use only. Such plants are not to be resold or used for personal business reasons without the permission of the General Manager.

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## 4.0 LEAVE

### 4.1 Statutory Holidays

Heritage Gardens provides pay for eleven (11) statutory holidays per year:

- New Year's Day,
- BC Family Day,
- Good Friday,
- Victoria Day,
- Canada Day,
- British Columbia Day,
- Labour Day,
- Thanksgiving Day,
- Remembrance Day,
- Christmas Day, and
- Boxing Day.

Please note: Easter Monday is not a statutory holiday.

Both full-time and part-time employees who have been employed by the company for at least 30 calendar days qualify for statutory holiday pay as follows:

- An eligible employee who works at least 15 of the 30 days prior to the statutory holiday is entitled to an average day's pay for the statutory holiday, or
- An eligible employee who works fewer than 15 of the 30 days prior to the holiday is entitled to prorated statutory holiday pay.

Due to the seasonal nature of our work, we are sometimes unable to close for statutory holidays. An eligible employee who works on a statutory holiday must be paid time and a half for the first 11 hours and double time after 11 hours. The employee must also be given another regular working day off with pay. An eligible employee may have statutory holiday pay credited to a time bank.

An eligible employee must be given another day off with pay if a statutory holiday falls on a day off. If agreeable to the majority of the eligible staff, a statutory holiday may become a regular work day and the statutory holiday taken on another day.

### 4.2 Vacation Pay

All employees are entitled to vacation pay calculated on a percentage basis of total gross earnings.

#### Hourly Employees

1-3 years	2 weeks (4% of total earnings)
4+ years	3 weeks (6% of total earnings)

#### Salary Employees

1-3 years	3 weeks (6% of total earnings)
4+ years	4 weeks (8% of total earnings)

Accrual of vacation time is based on the date the employee commenced employment with the company. An employee's individual vacation pay accrual is itemized on their bi-weekly pay statement.

Employees normally take their first vacation after they have worked a full year, but exceptions are made upon request. Employees will not normally be allowed to take paid time off in excess of their accumulated vacation earnings.

Employees may calculate total vacation hours owed by utilizing the following formula:

Total amount of accrued vacation pay = number of vacation hours X employee's hourly rate of pay

### 4.3 Booking your Annual Vacation

Each year in January we will give everyone an opportunity to book their time off for the year, with seniority being given priority. Vacation may be requested at other times as well; however, you may not be able to obtain approval for your desired time.

No vacation plans should be made before your supervisor approves your vacation request. Vacation time will be granted based on operational needs of the company. As a general rule, you should not expect to be able to obtain approval for vacation during the peak season of March through June. We appreciate employees choosing to book their time during slow times in their normal workload.

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No more than two consecutive weeks of vacation are normally allowed at one time. Special requests must be discussed with the General Manager.

Employees must book sufficient vacation time to use up all their vacation earned in the previous year. If an employee fails to take the required amount of time off, their supervisor/manager will schedule mandatory time off.

Vacation pay is to be paid:

- At least seven days before the start of the annual vacation,
- On each paycheck if agreed to in writing by the employer and employee, or
- On the final paycheck of a terminating employee.

### 4.4 Time Off to Vote

Employees are encouraged to exercise their right to vote in Municipal, Provincial or Federal Elections and in accordance with the appropriate legislation. If an employee's work hours do not allow four consecutive hours off to vote, they are entitled to time off work without loss of pay for this purpose, provided they are qualified, registered voters. Please ensure that this is scheduled either at the beginning or end of the work day.

### 4.5 Sick Leave Entitlement

Sick leave entitlement for regular full-time employees is accumulated at the rate of a ½ day per month, to a maximum of six days. If you are ill and cannot come in to work, make sure that you call your supervisor or the office and let them know. If you do not call in to the office on the day of your absence, you will not receive sick pay for that day. If you call in sick often, or for a prolonged period of time, we may require a doctor's note.

The purpose of a sick time bank is to provide wage protection for illness. The only exception is that unused sick time may be used to cover time taken off when the nursery is closed between Christmas and New Year's. If you wish to use any sick time during the Christmas period, you must first use up any remaining banked time or excess vacation time.

Employees who take sick time before it is accumulated will not be paid for that time. Any employee on extended sick leave (i.e., has exhausted his/her sick bank) will not accumulate paid sick days or vacation days during that period.

If a major illness occurs during a scheduled vacation, the time will be coded as sick time upon receipt of a letter from the employee's physician.

### 4.6 Personal Matters

As much as possible, personal appointments, i.e., doctor, dentist, etc., should not interfere with your normal work schedule. This is not always possible of course, so please discuss arrangements with your supervisor when interruptions are unavoidable, visits from friends and relatives during working hours are considered unacceptable under most circumstances. Please inform your contacts of your break times so that you can receive phone calls during these times.

### 4.7 Unpaid Leaves

Employees are requested to provide as much notice as possible and provide sufficient information regarding the reason for the leave. Employees are not required to give notice in writing or disclose personal or private information.

We provide the following unpaid leaves in accordance with the BC Employment Standards Act.

#### 4.7.1 Pregnancy/Maternity/Parental Leave

**Pregnancy Leave** - A pregnant employee can take up to 17 consecutive weeks of unpaid leave. This leave may be extended by up to six weeks if she is unable to return to work for reasons related to the birth or termination of the pregnancy.

**Parental Leave:** A birth mother who has taken pregnancy leave is entitled to take up to 35 consecutive weeks of unpaid leave. A birth mother who has not taken pregnancy leave is entitled to take up to 37 weeks of unpaid leave.

A birth father or an adopting parent is entitled to take up to 37 consecutive weeks of unpaid leave. This leave may be extended by up to five weeks if the child requires an additional period of parental care. Birth parents are requested to give us at least three months written notice of their intention to take parental leave.

Please note: If during your leave you decide not to return to work, as much notice as possible is appreciated.

**Medical Complications of Pregnancy** - If an employee is unable to work for medical reasons prior to her eligibility for U.I.C. benefits, they shall be entitled to any sick leave credits that have been accumulated. In some situations, long-term disability benefits may also apply to complications of pregnancy. These will be dealt with on an individual basis.

Maternity leave replacements come from temporary position contracts. If an employee on maternity leave decides not to return to work, this position will be posted.

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### 4.7.2 Short-Term Leave of Absence - less than two weeks

Unpaid leave requested by an employee may be granted at the discretion of the General Manager. The approval and scheduling of these leaves is at the discretion of the employer who needs to ensure that the operations of the organization can continue in an effective and efficient manner.

If this leave extends over a bi-weekly pay period, the employee will be responsible for both the employee/employer portion of the benefit premiums.

Such leaves may be attached to scheduled vacation or to maternity leaves.

Benefit premiums must be paid in advance by lump-sum or postdated cheques for the applicable employee/employer portion of the benefit premiums.

Sick time and vacation time will not accrue during such leave.

These conditions do not apply to leaves of absence required for other reasons (for example: compassionate leaves, jury duty, extended sick leave, etc.)

If a new employee has pre-arranged holidays prior to employment, these days may be taken as a condition of employment without pay.

### 4.7.3 Jury Duty

An employee who is required to attend court as a juror is considered to be on unpaid leave for the period of the jury duty.

### 4.7.4 Bereavement Leave

When death occurs to a member of an employee's immediate family, (parent, grandparent, sibling, child) the employee will be granted leave of absence of up to 3 days for which he/she shall be compensated at his/her regular rate of pay. Immediate family means the spouse, child, parent, guardian, sibling, grandchild or grandparent of an employee, and any person who lives with the employee as a member of the employee's family.

Bereavement leave shall be granted to employees who are on annual vacations.

### 4.7.5 Family Responsibility Leave

An employee is entitled to up to 5 days of unpaid leave per year to attend to the care, health or education of a child in the employee's care, or to the care or health of any other member of the employee's immediate family. Immediate family means the spouse, child, parent, guardian,

sibling, grandchild or grandparent of an employee, and any person who lives with the employee as a member of the employee's family.

### **4.7.6 Compassionate Care Leave:**

An employee can take up to eight weeks of unpaid leave within a 26 week period to care for a gravely ill family member. The employee may be required to obtain a medical certificate which states that the family member is gravely ill with a significant risk of death within 26 weeks.

### **4.7.8 Reservists' Leave:**

An employee who is a reservist is entitled to take unpaid leave while deployed to a Canadian Forces operation, including pre-deployment and post-deployment activities, or while deployed to assist with an emergency.

### **4.7.9 Ceremonial Leave**

Upon successful completion of a certificate/diploma program from an accredited educational institution, an employee may be entitled to a half day paid leave to attend their convocation ceremony.

Heritage Gardens is obligated to carry the employee benefits (i.e. Extended Health, Dental, L.T.D., and Life Insurance during maternity/parental leave). However, employees on any unpaid leave of absence are responsible for both the employee and employer portion of the benefit premiums.

The Payroll Office will advise the employee of monies owing. The employee's portion of the premiums may be deducted in a lump sum from the employee's final cheque or monthly post-dated cheques may be forwarded to the Payroll Office.



## 5.0 EMPLOYEE RIGHTS

### 5.1 Non-Discrimination

We are committed to ensuring that our employees are able to effectively and efficiently use their skills and experience to contribute to the organization's performance, production and service delivery. This includes the opportunity to participate without discrimination, in work-related and other activities conducted in a work context. We will not tolerate discrimination on the basis of:

- Race
- Ancestry
- Religion
- Age (19 or older)
- Physical or Mental Disability
- Colour
- Place of Origin
- Sex
- Sexual Orientation
- Record of Offences Unrelated to Employ
- Citizenship
- Ethnic Origin
- Family Status
- Marital Status
- Retaliation for human rights complaints

If you feel that you, or one of your co-workers, have suffered discrimination, please bring your concerns to management. We will respond to these concerns in a timely, confidential and sensitive manner. Discrimination will result in appropriate corrective action.

### 5.2 Accommodation of Individual Needs

We will accommodate special needs based on the things below:

- Race
- Ancestry
- Religion
- Age (19 or older)
- Physical or Mental Disability
- Colour
- Place of Origin
- Sex
- Sexual Orientation
- Record of Offences Unrelated to Employ
- Citizenship
- Ethnic Origin
- Family Status
- Marital Status
- Retaliation for human rights complaints

If your circumstances require specific accommodation, it is very important that you inform your supervisor. Please be patient and understanding with us while we work with you to find a reasonable solution in a timely and confidential way that respects your dignity and privacy and allows us to see the job done.

### 5.3 Harassment

We are committed to providing employees with an environment that is free from harassment in all activities conducted in a work-related context, in accordance with our legal responsibilities. Company policy expressly prohibits harassment, intimidation or misconduct by management, supervisors, employees, and suppliers.

Any improper conduct by an individual that is directed at, and offensive to, another person, and if that the individual knew or ought reasonably to have known that her/his conduct would cause offence or harm, will result in appropriate corrective action subject to a disciplinary review.

Harassment includes behaviour directed at another person which demeans, belittles, causes personal humiliation or embarrassment, intimidates or threatens. Employees are protected from harassment based upon:

- Protected grounds (e.g. gender, race, ethnicity, national origin, age, religion or any other legally protected characteristics under the Canadian Human Rights Act),
- Personal harassment (e.g. any unwelcomed behaviour that demeans or embarrasses an employee and is not based on one of the prohibited grounds named in the Canadian Human Rights Act), and/or
- Sexual harassment (e.g. any behavior of a sexual nature that is unwelcomed and offensive to the person or persons it is targeted toward. Examples may include unwanted physical contact, foul language of an offensive sexual nature, sexual propositions, sexual jokes or remarks, obscene gestures, and displays of pornographic or sexually explicit pictures, drawings, or caricatures. Use of our operation's computer system for the purpose of viewing, displaying, or disseminating material that is sexual in nature may also constitute harassing behavior).

If you feel that you, or one of your co-workers, have suffered harassment, please bring your concerns to management. In order to meet our legal obligations to protect our employee's from harassment, our policy is to respond to these concerns in a timely, confidential and sensitive manner. Harassment will result in appropriate corrective action, subject to disciplinary review. For more information, please refer to the BC Human Rights Code.

### 5.4 Open Door Policy

It is our company's goal to keep lines of communication open and free. Please, if something is wrong or bothering you, tell your supervisor. If your supervisor is unable to handle your

complaint then talk to the General Manager. Nothing will change if you only complain to your fellow workers.

Likewise, we want your suggestions on improving things. Your input does make a difference. Please feel free to talk to your supervisor or anyone in management about your ideas. If you feel uncomfortable doing this in person, please write a note.

### **5.5 Conflict Resolution**

We expect all of our employees to try to solve any conflicts before bringing them to their supervisors. If you have attempted to do so and are unable to resolve the conflict, please seek the help of a supervisor or manager.

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### 6.0 Workplace Safety

We are committed to providing a safe workplace for all of our employees. While we do everything in our power to ensure that you are safe at work, we require you to do your part as well. We ask that you keep safety in the front of your thoughts while you are working—the safest way to complete a task is always the best way. Certain hazards naturally exist in our operation and we ask that you use good judgment and common sense when confronted with them. One way to minimize accidents and to ensure the health and safety of our employees is to keep a clean and orderly workplace at all times.

#### 6.1 Reporting Unsafe Conditions

We do our best to maintain safe conditions for everyone on our farm, but we cannot be everywhere at once. We need you to help us by immediately reporting any conditions that you feel could pose a threat to the health and safety of our employees, customers, products or equipment. Should you notice a co-worker acting in an unsafe manner or working in an unsafe environment, please bring it to his/her attention. If there is an issue that you have reported that has not been satisfactorily dealt with, please speak to a supervisor or manager about this.

#### 6.2 Reporting Accidents

If you are injured, or witness an injury, on the job, you must immediately report this to your supervisor. If the injured employee requires medical attention, see the First Aid attendant on duty, or dial 911 for an ambulance, if needed.

Your supervisor will help you to fill out an Accident Report and will explain the procedures for reporting an injury to WorkSafe BC. If you see a medical practitioner as a result of your injury, make sure that you tell them right from the start that it is for a work-related injury.

#### 6.3 First Aid

We require that there is a First Aid attendant on duty at all times. Make sure you are familiar with who that person is on your shift. During your orientation, you should have been familiarized with the location of First Aid equipment and telephones to use in case of emergency. If you are ever unclear as to the location of equipment, or how to use it, please speak to the First Aid attendant or your supervisor.

##### 6.3.1 First Aid Education Policy

The company currently requires 1 level two first aid attendant. Consequently, the company will establish who this primary first aid attendant is. Since it is possible that there will be times

where the level two attendant is not on site, a second staff member certified at this level is beneficial.

The primary first aid attendant will have his/her registration fee for this course paid 100% per year. In addition, some of the course time may be paid company time. The secondary first aid attendant will have 100% of their registration fee paid as well, but will be responsible for obtaining this certification on their own time. Primary and secondary attendants will be selected by the company on the basis of seniority, interest, ability, employment status (i.e. permanent vs. seasonal) and general company needs.

Once per year, the company will also pay 100% of the registration for a group of employees to obtain their level 1 certificate, in a group training session, on their own time. If more employees wish to participate than there is room in the course, attendees will again be selected as described.

### **6.4 Safety Training**

Operating farm vehicles and equipment, using pesticides and other hazardous materials can pose significant safety hazards to employees. We provide safety training for the duties that you will be expected to perform on this farm. We ask that you only engage in those duties, and operate that equipment that you have been trained and authorized to perform. If you are uncomfortable with any work activities, please speak to your supervisor. When performing your duties, please make sure that you always follow all safety procedures. You will be required to attend any safety training workshops or updates that are provided.

### **6.5 Safety Committees**

Heritage Gardens has a formal, written health and safety program, as well as a health and safety committee. You will be provided a copy of our written program as well as information on both our regular training sessions and any special training sessions, and who to contact with any training request you may have as well as with any health and safety concerns or suggestions you may have.

## 7.0 GENERAL COMPANY POLICIES

### 7.1 Bio-Security

In order to prevent the introduction and spread of disease, which could have serious consequences for our farm, we incorporate strict sanitary measures for all employees, suppliers, and visitors. We provide training on our bio-security program. Please ensure that you follow bio-security procedures at all times.

### 7.2 Reporting Environmental Incidents

When working with hazardous materials, such as fuel or pesticides, if a spill occurs or is in danger of occurring, please immediately report it to the supervisor.

### 7.3 Dress Code and Uniform

If your job requires you to work out of doors, you must dress appropriately for the weather. If your job involves daily supervision of outside staff, you are entitled to the same rain gear allowance provided to union staff. The company will provide latex gloves for certain activities that require them.

Lockers will be provided for outdoor employees to store personal belongings. If you are a temporary employee, you may be required to share a locker.

If your job involves meeting with customers, suppliers and other visitors, you must be dressed in a professional and presentable manner. Employees must be fully clothed at all times; working without a shirt is not acceptable.

Drivers are issued company shirts at the beginning of the season, and are requested to wear them as often as possible. Drivers are responsible for their own laundry and should ensure their shirts are clean at all times when making deliveries.

### 7.4 Substance Abuse

Heritage Gardens has an obligation to the public, its visitors and the workers present in its workplace, to provide safe, reliable and efficient production. Further, Heritage Gardens endeavours to provide a safe and healthy workplace and promote the general health and welfare of its employees. To achieve these goals, and to have a safe workplace free from illegal drugs and alcohol, Heritage Gardens will not tolerate consumption or possession of illegal drugs or alcohol by employees while on duty or on company property or impairment by any means while on duty. Heritage Gardens recognizes alcohol or illegal drug abuse or addiction is a

## HERITAGE GARDEN LTD. - EMPLOYEE HANDBOOK

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serious societal and health problem, and is prepared to assist employees with the recognition and treatment of abuse and/or addiction problems. Heritage Gardens' goal is to return employees to work in good health, with good attendance and performance.

### 7.5 Smoking

For health and safety reasons, smoking is not permitted in any of the buildings. You may smoke outdoors, away from fuel tanks and other flammable material. Please note that you must be at least 10 feet (three meters) from entrances to the workplace. Please ensure that your cigarette/cigar/pipe is fully extinguished and dispose of the butts in an appropriate manner, not by throwing them on the ground. If you choose to smoke, please restrict smoking to scheduled break times and be considerate of non-smoking co-workers.

### 7.6 Telephone and Cell Phone Use

Our phone lines are meant for company purposes. That being said, there may be times when you need to use a telephone for personal calls. Please try to do this on your lunch hour, or break time, and keep your calls as brief as possible. Only local calls are permitted on our telephones.

If you choose to bring your personal cell phone to work, please avoid talking, texting or surfing the Internet on your phone during work hours. You are more than welcome to do these activities on your lunch hour or break time. If you are expecting an urgent call during working hours, you must obtain the permission of your supervisor in advance.

### 7.7 Internet and Computer Use

We understand that when you work during the week it is occasionally necessary to conduct personal business during office hours. However, personal use of company computers is prohibited. Please note that e-mail systems are provided for employment-related use only. We reserve the right to access and to disclose the messages that you send or receive on the voice mail or e-mail systems. You should also be aware that deleted messages from the computer screen may not actually be deleted from the e-mail system. You may not use company computers to access, distribute, or create inappropriate or illegal materials.

### 7.8 Parking

Parking is provided for all employees in designated areas. Office employees may park to the west of the main office in such a way as to allow full work access to all roadways. If this area is full, then employees must park in the main parking lot where all other employees park.

Vehicles parked elsewhere may be towed at the employee's expense.

### 7.9 Mileage Policy

If you use your personal vehicle for farm business, you may be entitled for mileage reimbursement. No reimbursement will be paid for travel incurred without authorization. Please see our mileage policy in the Appendix for further details.

### 7.10 Hours of Work

Normal working hours are 8:00 am to 4:30 PM Monday to Friday. Coffee breaks are 15 minutes, morning and afternoon. There is a half-hour, unpaid lunch between 12:30 and 1 pm. Although these are the default hours, our seasonal business means that schedules and hours change during the year, and work may be required on weekends and evenings at times.

If your job involves supervising union staff and work extends into overtime, you are entitled to the same breaks as the staff you are supervising.

### 7.11 Attendance / Lateness

All employees are expected to arrive on time, ready to work. If you are going to be late, or if you're unable to come to work, advise the office as soon as possible. Frequent lateness, extended meal breaks and/or poor attendance may lead to disciplinary action or dismissal.

### 7.12 Tools and Equipment

At the beginning of a season you may be issued tools such as clippers, etc., which may be required for your job; these items will be marked and recorded. Please take good care of your tools and ensure that you don't lose them. It is your responsibility to ensure your tools are marked to prove ownership.

### 7.13 Off Duty Employees

We ask that off-duty employees not come in and distract those who are working. If you wish to come in on your time off and use farm equipment you may do so only with prior permission from the general manager. While you are here using the equipment you must follow all safety procedures and work policies.

### 7.14 Handling Customers and Visitors

Our attitude toward our customers comes through in many ways. Visitors to our nursery should be greeted with a smile and a friendly hello. If you see someone on our property and they



appear unsure of where to go, greet them and help them find the person or the product they are looking for.

The appearance of our nursery is important to us as well. Please do your part to keep it clean. Replace tools in their proper place, and if you see something where it should not be, don't ignore it and assume that someone else will pick it up. Let's keep our nursery clean and tidy so that our visitors will be impressed.

### **7.15 Customer Complaints**

When a customer phones or visits the nursery with a complaint, your first responsibility is to refer the customer to their appropriate sales representative or someone in the sales department. If no one is available, then refer the customer to the General Manager.

If you receive a complaint from anyone else —a neighbour, visitor, or supplier—politely refer them to a supervisor, manager or owner. It is important that you do not get into a situation where the problem may be escalated by trying to explain or justify actions. You can say something along the lines of, "I think my supervisor/the owner would like to hear what you have to say."

### **7.16 Official Company Spokesperson**

Only the general manager is authorized to speak on behalf of the company to the press or other media. If you are contacted by the press asked for comments on any matter pertaining to the company, you must answer that you are not authorized to speak on behalf of the company and refer the questioner to the General Manager.

### **7.17 Security**

Security is provided by a combination of limited access, keys, and access codes. Keys and access codes are issued as required by your manager or the General Manager.

Employees wishing to gain access to the facility outside of normal business hours should contact their manager.

### **7.18 Conflict of Interest**

We understand that some employees have second jobs, or run businesses, in their spare time. To avoid any conflicts of interest, we ask that our employees not work for, or hold an interest in, any operations that are or may be seen as a competitor to us. Please make sure that while you are at work, you are working for us. If you need to spend time on these other endeavours, it must be limited to your personal time. The use of company phones, computers or other

## HERITAGE GARDEN LTD. - EMPLOYEE HANDBOOK

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equipment for outside employment or business activities is prohibited. Please note that it is not acceptable for you to promote your other interests to our customers or suppliers.

If you are uncertain as to whether a conflict exists with any of your activities outside of work, please speak to your supervisor.

### **7.19 Soliciting**

Please check with your supervisor before bringing anything to work that you want to sell or distribute, whether it be for profit, fundraising or purely informational. It is important to us that everyone feels comfortable at work; therefore we want to ensure that all materials are appropriate and will not cause undue distraction.

### **7.20 Personal Entertainment Devices**

For safety reasons, employees are not permitted to operate machinery, equipment or vehicles while wearing earphones or headphones. If you are working together with others, or are responsible for answering telephones and radios, you should avoid the use of earphones or headphones as well.

## 8.0 DISCIPLINE

### 8.1 Progressive Discipline

Our farm policies have been established to provide a safe and successful business for both our employees and owners.

Should an employee fail to follow our policies appropriate disciplinary action will be implemented.

Disciplinary action for minor incidents will normally include a verbal warning for the first incident and a written warning for the second incident. Further incidents may result in suspension without pay or dismissal. In some cases where employees have already been engaged in progressive discipline, even minor incidents may result in a written warning on the first occurrence.

Examples:

- Use of insulting language to fellow workers or supervisors,
- Failure to perform legitimate work assignments,
- Failure to follow established working procedures,
- Violation of a safety rule or safety practice,
- Failure to conform to standard dress code,
- Unsatisfactory work performance, and
- Unexcused tardiness or absences

More serious incidents may result in a written warning or even suspension without pay, even for a first time offense. Repeated incidents may result in dismissal.

Examples:

- Use of threatening language to fellow workers or supervisors,
- Flagrant violation of a safety rule or safety practice,
- Leaving work during working hours without permission,
- Being unfit to work due to the influence of alcohol or other non-therapeutic drugs,
- Willful damage to company property, and
- Use of threatening or insulting language to customers.

Theft of company property may result in immediate termination.

## 8.2 Meeting Job Expectations

We strive to maintain a strong relationship between supervisors and employees. For this reason, if there are any instances when minimum performance standards are not being met, we will informally ask our employees how we can help them meet expectations. If you are unclear about expectations or how to conduct your job, or if there are reasons in your personal life or at work which are interfering with your ability to perform your duties, we ask that you inform your supervisor as soon as possible. We will do our best to respect your privacy and the confidentiality of your situation.

If we have exhausted all avenues of informal resolution and yet an employee is unwilling to perform their duties or tasks to the best of their ability, we will be left with no choice but to use more formal means of discipline, which may include written warnings, suspension or termination.

## 8.3 Complying With Policies

Our farm policies have been established to facilitate a safe and successful environment for our employees and the owners. When an employee willfully fails to follow our policies, appropriate disciplinary action will be implemented.

Disciplinary action for minor incidents (e.g. being late for work without advising your supervisor) will include a verbal warning for the first incident and a written warning for the second incident. Further incidents may result in suspension without pay or dismissal. More serious incidents (e.g. failure to follow safety, bio-security, discrimination, or harassment policies) may result in a written warning or even suspension without pay, even for a first time offense. For theft, fraud, gross insubordination, or serious physical or verbal abuse will result in immediate suspension or dismissal.

## 8.4 Procedures and Documentation

All warnings, even verbal warning, will be documented. Written warning will become part of the employee's permanent record.

In all cases, the discipline process will involve investigation of facts, a discussion with the employee and a clear explanation of consequences for further violations. Written warnings will all be reviewed and signed by the General Manager.

Employment may be terminated for repeated failure to improve work performance, for multiple recurrences of minor conduct violations or for a single major violation. In all these situations, the facts must be clear and will be documented. A copy of the discharge letter must be kept in the Personnel File.

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No employees will be terminated without the involvement of the General Manager.

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