

**MISSISSAUGAS OF THE NEW CREDIT FIRST NATION
EDUCATION & SOCIAL SERVICES COUNCIL
PUBLIC MINUTES
Monday, September 12, 2016**

Start 9:25 am

Finish 12:25 pm

Chief Councillor

R. Stacey Laforme (Away on Council Business)

Councillor

Erma Ferrell

Councillor

Casey Jonathan

Councillor

Evan Sault

Councillor

Veronica King-Jamieson

Councillor

Margaret Sault

Councillor/Chair

Cathie Jamieson

Executive Director

Cynthia Jamieson

Recorder

Charlotte Smith

Education Director

Amanda Sault

SHS Director

Rachelle Ingrao

HR Manager

Kerri King

Communications Director

Deanna Dunham

PW Director

Arland LaForme

Legal Counsel

Kent Elson

Band Member

Carolyn King

AGENDA ITEM NO. 1 – OPEN MEETING

Chair/Councillor Cathie Jamieson opened the meeting at 9:25 am.

AGENDA ITEM NO. 2 – REVIEW AND ACCEPT AGENDA

MOTION NO. 1

MOVED BY MARGARET SAULT

SECONDED BY CASEY JONATHAN

That the MNCFN Education & Social Services Council accepts the Agenda with the following additions:

- Agenda Item No. 4a) – In-Camera Item;
- Agenda Item No. 11a) – Electoral Officer’s Nomination Meeting Report;
- Agenda Item No. 11b) – Request by Chief – Donations for Standing Rock;
- Agenda Item No. 17a) – Request for a Cemetery Plot;
- Agenda Item No. 18 – Request for Updates from Communications Director.

Carried

AGENDA ITEM NO. 3 – REVIEW & ACCEPT THE AUGUST 8, 2016 EDUCATION & SOCIAL SERVICES COUNCIL (PUBLIC) MINUTES

MOTION NO. 2

MOVED BY CASEY JONATHAN

SECONDED BY MARGARET SAULT

That the MNCFN Education & Social Services Council accepts the Education & Social Services Public Council Minutes of August 8, 2016.

Carried

AGENDA ITEM NO. 4 – MATTERS ARISING FROM THE MINUTES

4.1 See Agenda Item No. 8 – Indigenous Children & Youth Strategy. Letter was sent to Minister Michael Coteau of Children & Youth Services inviting him to visit MNCFN.

Council moved In-Camera at 9:35 am.

Council moved out of the In-Camera session at 10:05 am.

Councillor Evan Sault in at 9:45 am.

SOCIAL & HEALTH SERVICES

SHS Director in at 10:10 am.

AGENDA ITEM NO. 5 – MEDICAL TRANSPORTATION FOR MNCFN

SHS Director advised that New Credit does not have consistent, reliable medical transportation for the Home and Community Care Clients (HCC) and Band Members who call in looking for transportation. New Credit does not currently have a Contribution Agreement with NIHB, whereas Six Nations does. New Credit Clients/Band Members can access Six Nations Medical Transportation, but are not given the same priority as Six Nations.

There are times when Personal Support Workers from New Credit have to rearrange their busy schedules to provide transportation (and use their own vehicles) to clients.

NIHB has informed that to initiate the process of New Credit having its own Medical Transportation, a letter from Chief and Council must be sent to NIHB.

Councillor questioned if there would be small training sessions for drivers in case anything should happen to any of the Clients/Band Members who are being driven to and from their appointments. SHS Director answered that yes, they would be trained in CPR, First Aid etc. Councillor informed that cell phones would also be needed for the drivers. SHS Director advised that she will look into the Contribution Agreement to see if these things can be added.

MOTION NO. 6

MOVED BY VERONICA KING-JAMIESON SECONDED BY MARGARET SAULT
That the MNCFN Education & Social Services Council approves and signs the letter that has been drafted to Non-Insured Health Benefits regarding initiating a Funding Agreement for Medical Transportation.

Carried
2nd Reading Waived

AGENDA ITEM NO. 6 – OTHER/NEW BUSINESS

There was no Other/New Business.

SHS Director out at 10:20 am.

OTHER/NEW BUSINESS

AGENDA ITEM NO. 7 – COUNCILLOR REQUESTING FOLLOW-UP FROM EXECUTIVE DIRECTOR OF MOTIONS/DIRECTIONS BEING COMPLETED

Councillor brought this item to the Council Table as the Communications Director was to write a letter to the Woodland Cultural Centre (WCC), and she (Councillor) asked WCC if they had received the letter, which they did not. The Office Clerk's role is to work with Communications in order that information can flow more freely.

Executive Director informed that she brought this item to the attention of the Senior Managers, and also gave them the template for keeping track of their Motions/Directions to be completed in a timely manner. She has a binder in which to keep track of everything. She will follow up and have another meeting with the Senior Managers.

Councillor wants an update regarding Curve Lake, and asked that the Communications Director bring this information later this afternoon.

Communications Director will be present later in the meeting to give an update on the Mississauga Nation (Nationhood). Executive Director will contact Communications Director to be in attendance.

PW Director in at 10:35 am.

Band Member Carolyn King in at 10:35 am.

AGENDA ITEM NO. 8 – NEW BACKHOE (PW DIRECTOR)

PW Director informed that a Motion of Council is required to approve the purchase of the new 2016 3CX-14 Super JCB Backhoe through Doughty & Williamson out of Jarvis, ON to replace the old John Deer 310E Backhoe.

Councillor questioned if this was in the budget and PW director answered no. Councillor then questioned if replacement dollars could be put in the budget. PW Director advised that he would ask the Infrastructure Manager and other workers in the Public Works Department to keep track of the hours that the machines are used.

MOTION NO. 7

MOVED BY MARGARET SAULT

SECONDED BY ERMA FERRELL

That the MNCFN Education & Social Services Council approves the request for MNCFN Public Works Department to purchase the new 2016 JCB Backhoe from Doughty & Williamson, 2173 Highway 3 East, Jarvis, ON, N0A 1J0 in the amount of \$82,000.00 (Eighty Two Thousand Dollars). Purchase dollars will come from MNCFN Public Works Equipment Reserve Dollars.

Carried

2nd Reading Waived

PW Director out at 10:40 am.

HR Manager in at 10:40 am.

AGENDA ITEM NO. 9 – EMPLOYMENT POLICY AMENDMENT – SEC. 13.3 – COMPASSIONATE CARE LEAVE (HR MANAGER)

HR Manager informed that the Policy surrounding Compassionate Care Leave (CCL) is not in line with the Canada Labour Code.

There is a staff member who is going off on CCL and when reviewing the policy, the HRM noticed the discrepancy.

The current policy provides employees with an unpaid leave of up to 8 weeks to provide care and support to a gravely ill family member who is at a significant risk of death within 26 weeks. Changes have been made to the CLC permitting employees the ability to take a CCL of up to 28 weeks in a 52 week period if an eligible family member has a significant risk of dying within a 26 week period.

Please note that family members in this section includes more than what our policy permits under bereavement leave. For the purposes of CCL, it includes aunts, uncles, nieces, nephews and spouses of each, married or common-law.

Executive Director pointed out that this was dealt with before, but now there are further changes.

MOTION NO. 8

MOVED BY CASEY JONATHAN

SECONDED BY EVAN SAULT

That the MNCFN Education & Social Services Council approves the following amendment to the Employment Policy and Procedures Manual under section 13.3 – Compassionate Care Leave (CLL):

“Helping employees find a balance between the workplace and family is important to the MNCFN. To this effect, compassionate care leave is provided to persons who have to be away from work temporarily to provide care or support to a family member. Employees are entitled to 28 weeks of unpaid leave that can be taken within a 52-week period to provide care and support to a gravely ill family member who is at a significant risk of death within 26 weeks.

A “family member” is an individual related to an employee whose relationship is described under the Employment Insurance program. The relationship can include, but not limited to, a spouse or common-law partner, a child, a parent or any other person who is prescribed under the *Employment Insurance Act*. The entitlement of 28 weeks of compassionate care leave may be shared by two or more employees who are under federal jurisdiction. The total amount of leave that may be taken by two or more employees in regard to the same family member is 28 weeks in the 52-week period. The minimum period of compassionate care leave that can be taken is one week.

Procedures:

- 1) An employee must obtain a medical certificate from a qualified medical practitioner, stating that the family member has a serious medical condition and as a result, there is a significant risk of death within 26 weeks.
- 2) An employee must give their employer written notice of the leave, as soon as the employee is able to. The notice must contain reason(s) for the leave and the intended length of the leave.

- 3) If the employee wishes to extend the length of the leave (up to the maximum of 28 weeks), another written notice must be provided to the employer as soon as the employee is able.

The leave ends on the last day of the week in which either the family member dies or the completion of the 28 weeks of leave. An employee returning to work from Compassionate Care Leave shall be reinstated to their former job at the same salary or hourly rate, with service and all benefits as accrued at their leave date. Seniority shall continue to accrue will on leave. An employee who qualifies for CCL cannot be terminated or laid off from work as a result of the leave. If the employee's job is not available upon return due to a lack of funds, they may be eligible for reinstatement in another job with the same wages and benefits, if funds are available.

Pension and group benefits will continue for an employee on CLL provided the employee pays their portion of the contributions/premiums. Payments shall be made directly to the MNCFN.

Carried
2nd Reading Waived

Abstainer: Councillor Erma Ferrell – This item has already been approved.

AGENDA ITEM NO. 10 – EMPLOYMENT POLICY AMENDMENT – SEC. 10 – PENSION PLAN (HR MANAGER)

HR Manager informed that the MNCFN Employment Policy needs an amendment to be in line with CRA (Canada Revenue Agency) requirements relating to Federal pension plans.

According to the CRA, employees in a federal pension plan can contribute up to a maximum of 18% of their salary to their pension plan. The way our policy reads and is applied by Finance is 'staff are permitted to make a 2% voluntary contribution to the plan.' This is straight forward for Status employees, but it impacts a non-status employee differently. If a non-status employee elects to contribute 8%, it is minus the CPP (4.95%). 3.05% is contributed to the plan and matched by MNCFN. This stills leaves room for a voluntary employee contribution of up to 11.9%.

As a result of recent pension info sessions, it has been realized that our policy doesn't permit all staff to make contributions up to the 18% threshold designated by the CRA. This is especially true in the case of non-status employees, who because of the CPP, contributes less funds to the pension plan. Amending this section of the policy will not cost the First Nation anything as we will continue to contribute a maximum of 8% per employee. I have attached a copy of the current pension plan policy. Please note that when referring to a pension plan, employees who are contributing become 'members' and are referred to as such in the overall plan.

HR Manager noted that non-Natives have to contribute to CPP.

Councillor questioned how many dollars over and above do we get from INAC to cover the pension plan. Executive Director answered that New Credit gets nothing. We are paying the whole amount for this pension.

MOTION NO. 9

MOVED BY MARGARET SAULT

SECONDED BY VERONICA KING-JAMIESON

That the MNCFN Education & Social Services Council amends the Employment Policy Section 10 – Pension Plan to read:

“The Administration assists eligible employees in preparing for their retirement by providing a pension plan for eligible employees, dependant on funding availability. Participation in the pension plan is mandatory for eligible employees (members) after their first six (6) months of continuous employment with the organization.

Status employees contribute 4% or 8% of their salary to the pension plan and the administration contributes an equal amount of behalf of each member. Non-status employees contribute 4% or 8% of their salary to the pension plan, less the current CPP rate and the administration contributes an equal amount on behalf of each member. Members may elect to make voluntary pension contributions. The total member’s and employer’s contributions and any forfeited amounts allocated to the member in any calendar year may not exceed the lesser of 18% of the member’s compensation and the money purchase limit for the calendar year, both as defined in the Income Tax Act, or such other maximum as required under the applicable legislation.”

Carried

2nd Reading Waived

AGENDA ITEM NO. 11a) – ELECTORAL OFFICER’S NOMINATION MEETING REPORT

MOTION NO. 10

MOVED BY EVAN SAULT

SECONDED BY CASEY JONATHAN

That the MNCFN Education & Social Services Council approves the Electoral Officer’s Nomination Meeting Report.

Carried

2nd Reading Waived

AGENDA ITEM NO. 11b) – REQUEST BY CHIEF – DONATIONS FOR STANDING ROCK COMMUNITY

Chief asked if Council wanted to donate to Standing Rock in North Dakota. Councillor informed that there is a meeting on Friday with other Mississauga Nations and the Communications Director will put this item on the Agenda.

Council moved In-Camera at 11:00 am.