



# **POLICY MANUAL OF THE FULCRUM PUBLISHING SOCIETY**

LAST UPDATED ON JULY 18, 2023

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## Section 1: Interpretation

1.01 The following definitions shall apply throughout this Policy Manual unless the context otherwise requires:

- (a) “Act” means the Business Corporations Act of Ontario and any act that may be substituted therefore, as from time to time amended.
- (b) “Board” means the Board of Directors of the Corporation.
- (c) “Bylaws” means this by-law and all other by-laws and special by-laws of the Corporation from time to time in force and effect.
- (d) “Letters Patent” means the letters patent of incorporation of the Corporation, as from time to time amended.
- (e) “Meeting of Members” means an annual or general or special general meeting of members.
- (f) “Membership” means any individual with an active University of Ottawa student number who has paid fees in one or more of the academic terms at the University of Ottawa. Membership is only valid for the duration of the academic term in which the fees were paid.
- (g) “Voting Membership.” Voting members of the Fulcrum Publishing Society are individuals who:
  - (i) have obtained staff status with the newspaper as defined in section three (3) of the Constitution. Or,
  - (ii) are members in good standing of the Fulcrum Publishing Society’s Board of Directors or Editorial Board. Or,
  - (iii) are undergraduate or graduate students at the University of Ottawa

And:

  - (iv) are not members of the Executive’s of the University of Ottawa Student Union (UOSU) or the University of Ottawa Graduate Students’ Association (GSAED).
- (h) “Recorded Address” means, in the case of a member, their address as recorded in the register of members, and in the case of a director, officer or auditor of the Corporation, or any other person, their address as recorded in the records of the Corporation (and where no address is so recorded, then the last address of such director, officer or auditor known to the Chief of Staff of the Corporation).
- (i) “Signing Officer” means, in relation to any instrument, any person authorized to sign the same on behalf of the Corporation.
- (j) “Publishing Year” means May 1 to April 30
- (k) “Academic Year” means May 1 to April 30
- (l) “Fulcrum” means the University of Ottawa’s English-Language News Outlet, which is published and owned by the Corporation
- (m) “Editorial Content” means all articles, editorials, writing, letters, layout, photos, graphics, visuals, and aesthetics of the publication of the Fulcrum.
- (n) “Editorial Board” means the directors of the editorial content.
- (o) “Employees” means section editors, editor-in-chief, unelected editorial positions, business positions, and any other individual on the Corporate payroll.

- (p) “Editorial Department” encompasses the editorial board, all employees, and volunteers responsible for aspects of producing editorial content, and all production of editorial content for the Fulcrum.
- (q) “Business Department” encompasses all employees and volunteers responsible for overseeing the financial management of the Corporation, but excludes the Board.
- (r) “Constitution” means the governing document in which the governing policies of only the Editorial Department are set out.
- (s) “Policy Manual” means the governing document in which the governing policies of the Business Department and of the Corporation as a whole are set out.
- (t) “Publication” refers to a weekly cycle as defined by the Editorial Board.
- (u) “Staff Status” refers to a volunteer who has contributed to the paper three times and has attended three volunteer meetings.

*Last updated on September 26, 2021*

## **Section 2: Preamble**

2.1 Purpose. This policy manual shall serve to govern all policies and operating procedures of the Corporation.

2.2 Authority. If any of the provisions contained in this Policy Manual are inconsistent with those contained in the Bylaws of the Corporation, the provisions contained in the Bylaws of the Corporation shall prevail.

2.3 Amendment Procedures. This Policy Manual shall be amended by a majority vote at a duly constituted meeting of the Board, except where a policy has been mandated by the voting members at a duly constituted meeting of members. All policies mandated by the voting members will be noted as such throughout this Policy Manual.

2.4 Distribution. Prior to the first duly constituted meeting of the Board in any given publishing year, each director must receive a copy of this Policy Manual. A copy of this Policy Manual must be made available on the Corporation’s website.

2.5 Review. At at least one duly constituted meeting of the Board in any given publishing year, the Policy Manual must be reviewed.

*Last updated on December 9, 2015*

## **Section 3: Mission and Vision Statements**

3.1 Mission Statement. By holding those in positions of power accountable, the Fulcrum promotes the wellbeing of the University of Ottawa community through accessible and independent information from on and off campus.

3.2 Vision Statement. A University of Ottawa where every community member has the Fulcrum in the palm of their hand.

*Last updated on July 22, 2020*

## **Section 4: Committees**

4.1 Definition. All committees of the Board fall to the President of the Corporation to create. No committee of the Board has executive powers, except for the Executive Committee of the Board. All committee meetings are open to non-directors. The Board may choose at any time to refrain from convening any committee contained in this section of the Policy Manual.

4.2 Legal Committee. The Legal Committee shall be a special committee of the Board consisting of at least two (2) directors, one of which must be the President of the Corporation. The Editor-in-Chief must also sit on this committee. The Legal Committee is charged with finding at least two (2) experts in the field of law to act in an advisory capacity for the Corporation. The Legal Committee is also charged with researching publication, corporate, and employment law in order to advise the Board on any matter that the Board deems necessary. Should it be required, any committee of the Fulcrum pursuant to this policy may seek the Legal Committee's advice.

4.3 Marketing Committee. The Marketing Committee is a standing committee of the Board consisting of the President, the Social Media Manager, the Executive Director, and two (2) directors. The committee is responsible for developing strategies to increase the Fulcrum's visibility with the intention of increasing readership and planning fundraising initiatives for the Fulcrum.

4.4 Finance Committee. The Finance Committee shall be a standing committee of the Board that is responsible for overseeing the creation of the budget of the Corporation, overseeing the audit, recommending financial policies to the Board, and supervising the financial affairs of the Corporation. The Finance Committee shall be chaired by the President or a Director appointed by the President and additionally be comprised of the Editor-in-Chief, Executive Director, Treasurer, and any director, employee, or staff member of the Corporation as appointed by the Board who expresses interest in the process. The Finance Committee is required to meet as many times as necessary to fulfill the duties placed upon them. The budgeting process which must be undertaken by the Finance Committee is outlined in this Policy Manual.

4.5 Human Resources Committee. The Human Resources (HR) Committee is a standing committee of the Board consisting of the President, Vice President, and one (1) director. This committee is responsible for hiring the Executive Director, as well as contract negotiations and performance reviews, and exit interviews for the Executive Director, and Editor-in-Chief. It shall also have the authority to discipline, but not dismiss any employee. However, the committee may recommend dismissal of any employee to the Board.

4.6 Inter-board Health and Wellness Committee. The Inter-board Health and Wellness Committee is a standing committee of the Board consisting of the President, two (2) directors,

the Editor-in-Chief, and any interested Fulcrum volunteer or staff member. The committee is tasked with promoting and facilitating a healthy workplace and wellness amongst the employees, volunteers, and Board members of the Fulcrum. Moreover, the committee is responsible for improving communication between the Board and Editorial employees, including but not limited to communicating decisions made at monthly Board meetings.

**4.7 Capital Assets Committee.** The Capital Assets Committee is a special committee of the Board consisting of the President, two (2) directors, the Executive Director, and Editor-in-Chief. The committee is responsible for pursuing any policy related to major operational purchases including but not limited to office furniture, computer equipment, software, and cameras.

**4.8 Policy Review Committee.** The Policy Review Committee is a standing committee of the Board consisting of the President and two (2) directors. The committee is responsible for reviewing suggested changes to the Corporation's policy documents, making policy recommendations, and reviewing the Bylaws and Policy Manual yearly before the Annual General Meeting.

**4.9 Executive Committee.** The Executive Committee is a special committee of the Board consisting of the President, Vice-President, Chief of Staff, and Treasurer. The committee is responsible for making executive decisions on behalf of the Board.

**4.10 Grievance Committee.** The Grievance Committee is a special committee of the Board. The overseer of the complaint shall be the Chair of the committee. They shall immediately fill the two other positions, avoiding any persons known to be substantially in conflict with either the complainant(s) or defendant(s);

- a. the second member of the committee shall be a voting member of the Board appointed by the President;
- b. the third member of the committee shall be the Executive Director;
- c. the overseer of the complaint should also recognize the need to represent a diversity of backgrounds and opinions on the committee.

**4.11 Nominations Committee.** The Nominations Committee is a standing committee of the Board consisting of the President, Chief of Staff, and one (1) director. The committee is responsible for recruiting suitable candidates, reviewing applications for vacant positions on the Board, and assisting with Board onboarding and orientation. They shall strive to ensure a balanced composition of the Board that reflects the diversity of the membership.

*Last updated on February 27, 2022*

## **Section 5: Financial Governance**

**5.1 Oversight.** The day-to-day financial governance of the Corporation shall be overseen by the Executive Director of the Corporation. In all financial management, the Executive Director is responsible to the President of the Board, and to the Board of Directors itself.

5.2 Signing Authorities. The signing authorities of the Corporation shall be the:

- a. President;
- b. Executive Director; and
- c. Any one (1) Board member as voted in by the Board

5.3 Requirements. Two (2) signing authorities are required to sign any cheques or negotiable instruments signed on behalf of the Corporation.

5.4 Contracts. Contracts, documents or any instruments in writing requiring the signature of the Corporation, aside from cheques, must be signed by the President of the Corporation and a second signing authority.

5.5 Investments. Any investments in the name of the Corporation shall be in the control of the President of the Corporation and any such other persons as the Board shall appoint from time to time. The President of the Corporation and Executive Director shall be given the authority to contact the investment broker to obtain any knowledge needed to perform their duties.

5.6 Bookkeeper. There shall be an external bookkeeper of the Corporation. The bookkeeper shall be approved by a vote of the Board.

5.7 Advertisements. The Executive Director shall be responsible for ensuring that all advertisements that are published correspond with a signed contract from the advertiser.

5.8 Financial Review. The Executive Director of the Corporation shall be tasked with reviewing the books of the Corporation prior to each duly constituted Board meeting. They are responsible for reconciling petty cash to ensure that all expenditures are legitimate; reconciling credit card purchases to ensure that expenditures are legitimate; reviewing employee payroll to ensure that employees are receiving the correct remuneration; reviewing the list of unpaid advertisers to ensure that collections are kept up to date; ensuring that all invoices issued correspond to signed contracts. A report on the finances of the Corporation must be submitted by the Executive Director at all duly constituted Board meetings.

5.8.1 Performance Review. Twice per fiscal year, at regular intervals, the HR Committee must meet with each Business Employee and the Editor-in-Chief to review their performance. These meetings must be focused on improving their performance in relation to their job descriptions and any other guiding documents, and must be positive in tone.

5.9 Audit. A full audit must be conducted every year and be monitored by the President, Executive Director, and the Finance Committee and such committee shall have the power to approve drafts, except the final draft which must be approved by a majority vote of the Board. If signatures are needed to approve the final draft it shall first be signed by the President, followed by any other member determined by the Board to fill the required signatures. Auditors shall be instructed to complete all the necessary tax return forms for both levels of governments.

5.10 Loans. No member of the Board or employee of the Corporation may borrow money on the credit of the Corporation, or charge, mortgage, hypothecation or pledge all or any of the real or personal property of the Corporation including book debts, rights, powers, franchises and undertakings to secure any securities or any money borrowed, or other debt, or any other obligation or liability of the Corporation.

5.11 Financial Statements. The Corporation shall comply with the financial statement requirements of the Act which are applicable to the Corporation. Notwithstanding the generality of the foregoing, the President of the Corporation shall prepare or cause to be prepared the following financial statements:

- a. Balance Sheet;
- b. Statement of Income and Expenses;
- c. Statement of Accumulated Equity;
- d. Statement of Change in Financial Position.

5.12 New Spending. Any substantial deviations, changes, or unplanned/new spending in excess of \$500 that is not reflected in the current year's approved budget is subject to approval by the Board.

5.12.1 Formal Raise Process. If an employee at any time wishes to request a raise in pay, their proposal must be submitted in writing to the Human Resources Committee for a two-stage evaluation.

5.12.1.1 The Human Resources Committee will assess the request based on its merits. This assessment will be based exclusively on any new information that either the Fulcrum or employee could not have reasonably been expected to know at the time the initial rate of pay was agreed upon. If the request is rejected on the basis of this assessment the decision is final. If the request is accepted it passes to the second stage.

5.12.1.2 The Finance Committee will assess the request based on the available assets of the Fulcrum. If the funds are not available the offer will be rejected. This decision will be final. If it is determined that funds are available, the Finance Committee will then be responsible for making a recommendation to the Board to accept the request in whole or in part, and, in the case where only a partial offer is made, and the Board accepts the recommendation, negotiating where necessary.

5.13 Transfers. Transfers of funds from the Corporation's chequing account may be approved in principle in the budget. The Board shall approve any transfers between the Corporation's account.

5.14 Changing Signing Authorities. At any date prior to the first duly constituted meeting of the new Board, an outgoing President and the elected Board member who holds signing authority must submit signed letters renouncing their signing authority of the Corporation to the Executive Director. At any date prior to May 31 or immediately following the hiring of a new Executive Director, the outgoing Executive Director must also submit a signed letter renouncing their



signing authority of the Corporation to the President. At the time of the expiration of a contract, termination or resignation of an employee mandated by the Board to have signing authority, they must submit a signed letter renouncing their signing authority of the Corporation to the Executive Director.

**5.15 Corporate Credit Card.** There shall be a Credit Card available for use of the Corporation. Although the card will belong to the Corporation, an individual of the Society with signing authority is required to guarantee the card and accept personal liability for the account. This means the Credit Card shall be under the name of said individual with signing authority. The Credit Card shall be obtained by and go under the name of the Executive Director or another individual with signing authority for that fiscal year. At the time of termination, resignation, or the ending of the contract of an Executive Director or other signing authority whose name is on the card, the card must be cancelled and an application for a Credit Card with a new name on it will be made.

**5.16 Exit Interviews.** The outgoing Executive Director and outgoing Editor-in-Chief must complete exit interviews prior to the expiration of their contracts. The exit interviews will be conducted by the HR Committee.

**5.17 Low Liquid Assets.** If at any point the Corporation's liquid, uncommitted assets (i.e. for the purposes of a reserve fund), as assessed by the Executive Director, are in danger of reaching an amount of ten (10) per cent or less of the Corporation's annual budget, the Executive Director is required to notify the President immediately, who is subsequently required to notify the Board of Directors immediately and ensure that the necessary arrangements are made for an emergency meeting of the Board of Directors, a meeting which must take place within the next business week to address the financial concerns as raised by the Executive Director.

**5.18 Staff Contingency Fund.** The budget passed by the Board shall include a line designated as "Staff Contingency Fund" and which:

- a. Shall be no less than two (2) per cent of the total salaries line. These funds will be drawn from a special account reserved expressly for this purpose, which will be replenished each year as necessary;
- b. Shall be used to pay for unexpected expenses, including, but not exclusive to: unforeseen leave and raises;
- c. The Editor-in-Chief may ask the President for authorization to use the fund. The President's permission shall be considered sufficient for its one-time use;
- d. Any authorization of funds made by the President must be included in the President's monthly report;
- e. If the funds requiring authorization affect more than two publication cycles, then the Board's approval is required.

**5.19 Expense Reimbursement.** Employees must obtain written approval from the Executive Director before incurring any eligible expenses on behalf of the Corporation in the performance of their duties. All expenses will require a receipt or invoice and must be submitted to the ED by email within thirty (30) days of incurring the expense(s). If the receipt has been lost, a signed

Lost Receipt Declaration Form shall be submitted to the ED if the expenditure indicated on the form is below fifty (50) dollars. If the amount of the expenditure indicated on the Lost Receipt Declaration Form is more than fifty (50) dollars, only fifty (50) dollars of the expenditure amount shall be reimbursed.

**5.20 Bonuses.** A term-end bonus may be awarded at the discretion of the Board to an outgoing Executive Director or Editor(s)-in-Chief for exemplary performance, which includes, but is not limited to, exceeding financial or nonfinancial goals, performing additional duties than expected, or serving as a good example of professional behaviour in the workplace. The bonus amount must be no more than \$1,000.00 and paid no later than the end of the employee's contract.

*Last updated on February 22, 2023*

## **Section 6: Budget**

**6.1 Annual Budget.** The Corporation shall create and approve a budget for each fiscal year.

**6.2 Responsibility for Drafting.** The Finance Committee in conjunction with the Executive Director should be responsible for drafting the budget.

**6.2.1 Supporting Documents.** The Finance Committee and Executive Director are also responsible for preparing the following supporting documents in an up-to-date and accessible format accompanying the proposed draft when applicable: the previous annual budget, budget notes from the Board and Committee meetings, strategic vision documents with budgetary impact, costs/income projection rationales, product and service estimates, pertinent maintenance, renewal or fixed costs, as well as any comments and recommendations made in the consultation process.

**6.2.2 Advertising Plan.** At the earliest reasonable opportunity following the hiring of an Executive Director, they must develop a thorough and comprehensive plan for obtaining advertising sales. The plan must be reviewed for comprehensiveness, thoroughness, and feasibility by the President of the Society in a meeting with the Executive Director called for that purpose. Should the advertising plan meeting between the Executive Director and President not occur within thirty (30) days of employment, an emergency meeting of the Board must be called to consider the advertising plan and the reasons for which it was not drafted by the deadline.

**6.3 Approval.** The draft budget shall be presented with all pertinent supporting documents to the Board at a meeting preceding the Annual General Meeting. Once approved by the Board, the Draft Budget must be presented to the Membership for approval at the Annual General Meeting.

**6.3.1 Supporting Documents at AGM.** Supporting Documents need not be provided at the Annual General Meeting.

**6.4 Consultation.** The Executive Director and the Chair of the Finance Committee must provide a draft budget and supporting documents to the following individuals at least seven (7) days before submission to the Board for comments and recommendations:

- a. Editorial Board
- b. Editor-in-Chief
- c. President
- d. Board of Directors

**6.4.1 Incorporation of Consultation Feedback.** The Finance Committee and Executive Director should meet to decide how to incorporate feedback given during consultation, before approving the draft that will be presented to the Board.

**6.5 Drafting the Budget for Consultation.** The following process should be followed to draft the initial budget that will be the object of consultation.

- a. Beginning at the start of the third quarter, the Executive Director should present the Finance Committee with the current fiscal year's budget, adjusted only by rate increases on current services i.e. printing, and other services, as an initial draft, accompanied by all pertinent supporting documents.
- b. The Finance Committee should then meet to discuss in general terms the current year's operations and project proposals for the subsequent year.
- c. The Human Resources Committee should review current year's salaries & wages in conjunction with the President, Editor-in-Chief, and Executive Director.
- d. Based on the conclusions and directives reached by the Finance and Human Resources Committees, the Executive Director should draft a new budget, including all new projects, advised cutbacks, new wage lines, etc.
- e. The Finance Committee should meet to approve this draft (from part d) for consultation.

**6.6 Required Budget lines.** The following lines, under the circumstances provided below, must be provided for in the budget:

- a. Contingency Fund: If less than ten (10) per cent of the organization's projected annual expenses is available in the form of liquid assets, the organization will be required to include in the annual budget a Contingency Fund line equivalent to at least one month's operating expenses.
- b. FPS Charitable Fund: The budget passed by the Board shall include a line designated as "FPS Charitable Fund" which:
  - i. Shall be of an amount of no higher than one hundred (100) dollars;
  - ii. Shall be donated toward a charitable group of the Board's choosing on an annual and/or regular basis;
  - iii. Was originally named for Melanie Wood, a widely respected former Editor-in-Chief who led the Fulcrum from 2007 to 2008 during a transitional period in the early years of the outlet's independence, and which The Fulcrum Publishing Society opted to rename in 2022 as Melanie Wood was no longer involved with the Fulcrum.

6.7 Budgetary Review. The budget with year-to-date spending must be reviewed by the Finance Committee, Executive Director, and President on at least a quarterly basis.

6.7.1 Overspent Budget Line. If a budget line is exceeded, it must be reported to the Board in the Executive Director's monthly report, and at the next possible Finance Committee meeting for discussion.

6.7.1.1 Significant Unapproved Overspending. If a budget line is exceeded without approval by \$2000 or 25%, whichever comes first, then a meeting of the Finance Committee will automatically be triggered. The Board may, by general vote, determine that this meeting is not required.

6.7.1.2 Detailed Report of Activities. The Board may require from the Executive Director a detailed report of all activities under the overspent budget line.

6.8 Surplus Funds. If it becomes clear to the Board that there will be a surplus at the end of the year, every effort will be made to reduce or reallocate the surplus within the current fiscal year's budget, or toward future special projects and/or capital expenses.

6.8.1 Consideration of Special Projects. The Strategic Planning Session is the primary place to set priorities for surplus funds. Outside of the Strategic Planning Session, a detailed and costed proposal, with an assessment of budgetary impact should be presented to the Board at a monthly meeting.

6.9 Requests for Copy of Budget. The Executive Director is obligated to present the budget with year-to-date spending to any Member, Director, or Employee who requests it.

6.9.1 Timeframe for Delivery of Budget. The Executive Director must provide the requestor with the most up-to-date available budget with the year-to-date spending within five (5) days. If the requestor specifies that the year-to-date spending must be as up to date as possible, the Executive Director must fulfill the request within fourteen (14) days.

6.10 Deficit Budgeting. The Corporation must not budget/run for a deficit for four (4) consecutive fiscal years. In the fifth (5) year, the Corporation must avoid a deficit at all allowable costs.

6.11 Editorial Salaries. The budget for Editorial salaries for the upcoming publishing year is set by the Board in conjunction with the annual budget planning process.

- a. The Executive Director, Editor-in-Chief, and President shall review the existing salary structure for the Editorial Board and propose changes to the Board.

***Last updated on January 22, 2023***

## Section 7: Hiring

### 7.1 Policy Statement

FPS is committed to hiring individuals with the knowledge, skills, and behavioural competencies that align with FPS' mission and interests. FPS is committed to hiring practices that promote diversity, provide equitable treatment of all applicants, and are free from discrimination based on protected grounds under the *Ontario Human Rights Code*. This policy outlines a fair and transparent hiring process within the FPS in compliance with applicable employment legislation.

### 7.2 Definitions

- a. Hiring: The process of recruiting, screening, and selecting candidates for positions within the organization.
- b. Protected Grounds: Age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status (including single status), gender identity, gender expression, record of offences, sex, and sexual orientation.

### 7.3 Formation of Hiring Committee

- a. All editorial employees, except for the Editor(s)-in-Chief, will be hired by a committee consisting of the Editor(s)-in-Chief and Executive Director. The committee may, at its discretion, include one (1) member of the Editorial Board. The Editor(s)-in-Chief will be elected according to the procedures outlined in the Editorial Constitution.
- b. All business employees will be hired by a committee consisting of the Executive Director and up to two (2) Directors.
- c. The Executive Director will be hired by the Board at the recommendation of the committee consisting of the members of the HR Committee.
- d. Any other paid or unpaid positions will be hired by a committee of one (1) or more members approved by the HR Committee.

### 7.4 Authorization to Hire

Before beginning the hiring process, the Hiring Committee must obtain prior approval from the Board to proceed with recruitment for a vacant position.

### 7.5 Job Description

The position job description should be accurate and identify the job title, major responsibilities, level of responsibility with respect to budget and finances as applicable, and supervisory responsibilities as applicable.

### 7.6 Job Posting

- a. The position job posting should comply with FPS branding and include the following elements:
  - i. standardized statement on the FPS and its mission
  - ii. position title
  - iii. positions status (e.g., term duration, full-time, part-time, volunteer, intern, etc.)
  - iv. hourly wage or salary range
  - v. location (may include remote/hybrid work)
  - vi. summary of key duties and expectations
  - vii. knowledge, skills, abilities, education, and experience required, including acceptable equivalencies, as applicable
  - viii. closing date
  - ix. instructions on how to apply
  - x. other position-related information, as applicable
  - xi. statement that the FPS is an equal opportunity employer
- b. All job postings must be advertised for at least two (2) weeks before the closing date on the Fulcrum's website, social media and published issues, and relevant external sources identified by the Hiring Committee to ensure the widest distribution possible.

#### 7.7 Screening Candidates

- a. Following the closing date, the Hiring Committee should select candidates using one (1) or more screening methods below.
  - i. *Interview.* To explore employment/volunteer experiences, qualifications, career goals, and behaviour indicators to determine fit with the FPS.
    - The Hiring Committee will contact each candidate selected for an interview and arrange an interview time. A candidate may be disqualified if they fail to respond within seventy-two (72) hours of first contact.
    - An interview may not occur with fewer than fifty (50) percent of mandated Hiring Committee members present.
    - All candidates will be interviewed by the same committee members, ideally. As a minimum, at least one (1) committee member will be present for all interviews.
    - Questions must be prepared in advance and used for all interviews. The committee may also ask clarifying questions as needed.
    - All committee members must take notes during the interview and use a consistent rating system to rank candidates' responses.
    - The Hiring Committee must interview a candidate before an offer is made.
  - ii. *Testing.* To ensure proficiency and ability to perform duties.
    - Pre-employment testing may be used to measure the level of competence in job-related skills and capabilities. Tests or assessment tools used as part

of the screening process must be valid, job-related, reliable, uniformly administered to all candidates and unbiased.

- iii. *Reference check.* To confirm the candidate's ability to perform job requirements with previous supervisors.
  - The Hiring Committee must request two (2) references from interviewed candidates for the Executive Director position and ensure every effort is made to check those references before selecting the successful applicant.
  - Reference checks can be provided by present or former supervisors, or present or former colleagues who can speak to the candidate's work and management style.

#### 7.8 Offer of Employment

- a. The Hiring Committee will make an offer of employment to the top selected candidate based on a matrix assessing experience, suitable skills, familiarity with the student press in general, interview performance, and any other criteria relevant solely to the candidate's suitability for the position. The committee may also select up to two (2) other candidates based on these criteria should the selected candidate not be approved or decline the position.
- b. The Hiring Committee will inform all unsuccessful candidates that their application has been rejected.
- c. No verbal or written offers of employment will be made to any candidate prior to the successful completion of the screening process.
- d. No verbal or written offer of employment will be made to any Executive Director candidates before their contract and compensation structure have been approved by the Board and the successful candidate ratified by the Board.

#### 7.9 Ratification

The successful candidates for the positions of Executive Director or Editor(s)-in-Chief must be ratified by the Board before their proposed start dates.

#### 7.10 Employee Intake

- a. Each employee must complete and return their employment contract, employee information form, direct deposit form, federal and provincial tax forms, and any other onboarding documents, on or before their start date to confirm acceptance of the terms and conditions of employment. They must be informed of the Corporation's Policy Manual, including the Code of Conduct and Disciplinary Action, By-Law, and Editorial Constitution as appropriate.
- b. All employees must attend orientation and complete mandatory training required by law, as per the Mandatory Training for Employees Policy.

#### 7.11 Hiring Process Timeline

The Hiring Committee should make every effort to fill a vacant position in a timely manner and complete the hiring process between three (3) weeks and three (3) months of the job posting date. If the committee is unable to fill the vacant within this period they shall report to the Board and seek extension or further guidance.

#### 7.12 Conflict of Interest and Confidentiality

- a. Hiring Committee members are expected to declare any real or potential conflicts of interest including, but not limited to, participating in hiring processes where the candidate is someone known to the committee member, e.g., a family friend, former colleague, etc. An employee may not participate on the Hiring Committee when any of the screened-in candidates is a family member or an individual with whom the employee is engaged in a romantic relationship.
- b. All hiring materials and documentation used in the hiring process must be filed, and the information collected, treated as confidential.

#### 7.13 Emergency Hiring Procedure

If a position is vacated and needs to be immediately filled, an individual may be hired on an interim basis at the discretion of the ED and EIC(s) while the position is being advertised. This individual will fill the position on an acting basis and will be compensated accordingly. The interim candidate must be ratified by the Board at their next meeting or by an online vote.

#### 7.14 Outside Employment

Employees must not be engaged in any other employment or activity that interferes with the provision of the services stipulated in their employment contract, or that is for the benefit of any person, corporation, or enterprise whose business interests are either competitive or in conflict with those of the Corporation. If there is any doubt in this respect, employees are encouraged to inform their immediate supervisor and obtain written authorization, if deemed necessary.

#### 7.15 Breach of Policy

Employees who fail to comply with this policy will be subject to disciplinary action, as per the Disciplinary Action Policy.

***Last updated on January 22, 2023***



## **Section 8: Disciplinary Action**

### **8.1 Policy Statement**

FPS will endeavour to use every opportunity to clearly communicate to all employees the expectations of the job and what will happen if these expectations are not met. Each employee has the responsibility to maintain a satisfactory level of performance and to adhere to FPS' policies and interests. In the event that performance is unsatisfactory, or an employee fails to observe FPS' policies and interests, performance improvement and possibly progressive discipline measures will be implemented as outlined in this policy.

### **8.2 Definitions**

- a. **Progressive Discipline:** An increase in severity of corrective measures to correct behaviours and to improve an individual's performance or conduct to meet expected standards.
- b. **Simple Misconduct:** Work-related conduct that disregards FPS' interests. The conduct may be intentional or unintentional, and could result from, but is not limited to carelessness, indifference, or lack of effort.
- c. **Serious Misconduct:** Work-related conduct that demonstrates an intentional, flagrant disregard of the FPS' interests, including but not limited to theft, fraud, intoxication, intentional serious damage to property, intentional infliction of personal injury, conduct that constitutes a criminal offence, repeated incidents after written warnings of occurrences of harassment, or unprovoked insubordination.

### **8.3 Performance Improvement Process**

Where a supervisor has identified one or more gaps in an employee's performance that is related to a lack of skills or abilities required in performing the job, the supervisor should follow the steps below promptly:

- a. Clarify job expectations in writing, and bring unacceptable work to the attention of the employee promptly;
- b. Develop an action plan, ensuring employee ownership;
- c. Provide support and guidance to assist the employee and further training and instruction, as required;
- d. Provide a reasonable timeframe for improvement;
- e. Monitor performance relative to the plan and provide regular feedback in writing;
- f. Include another supervisor or the HR Committee in the process to ensure the employee has access to support other than from their own supervisor;
- g. Verbally indicate to the individual that if the problem persists outside of the designated timeframe or the desired outcome is not sustainable, progressive disciplinary measures will apply;

- h. Maintain complete written records at all steps of the process.
- i. When an employee lacks the skills or abilities to perform the job, one of the following three (3) outcomes may result:
- j. There is improvement to the point where the employee has met the expectations outlined and requires less frequent but ongoing follow-up; or
- k. The individual is unable to close the gaps and is transferred or demoted to a more suitable position, if such an option is available; or
- l. The individual is unable to close the gaps and is terminated from employment, as per the Termination Policy.

#### 8.4 Progressive Discipline Process

- a. Where a supervisor has identified a situation of alleged misconduct involving an employee, they will apply disciplinary action in a manner consistent with the seriousness of the act giving rise to the discipline. The supervisor shall give due consideration to any other mitigating factors, such as the employee's discipline history and work performance, before taking disciplinary action. Discipline shall be applied through four (4) progressive stages in the following manner:
  - i. *One (1) or more verbal warnings.* At this stage, the supervisor will speak to the employee, provide them with an opportunity to explain their situation, and collect all relevant facts surrounding the alleged misconduct.
    - If it is established that simple misconduct occurred, the supervisor will provide a verbal warning to the employee, and actively engage the employee in a constructive dialogue on steps that can be taken to improve the situation with the expectation that the behaviour will improve immediately. The supervisor will explain to the individual that if their performance does not improve, then written warning, suspension, and termination are the next progressive steps in the process. A report should be placed in the employee's confidential file, signed by the supervisor outlining the disciplinary action taken.
    - If it is established that serious misconduct occurred, the supervisor will immediately inform the HR Committee and provide a detailed record of the misconduct and a written recommendation for termination or other sanctions, in accordance with the Code of Conduct Policy.
  - ii. *One (1) or more written warnings.* At this stage, the supervisor should engage the employee in a constructive dialogue and help them analyze why their attempts to improve the situation were not successful. The supervisor will provide a signed written warning to the employee, convey the importance and urgency of rectifying the unsatisfactory performance, and remind them of the stages in the progressive discipline process.

- iii. *One (1) or more suspensions of increasing duration.* At this stage, the supervisor will consult the HR Committee on issuing the employee an immediate suspension with pay for up to two (2) weeks. The Board is responsible for approving suspensions due to cases involving progressive discipline on recommendation from the HR Committee.
- iv. *Termination of employment.* At this stage, following unsuccessful attempts to address existing poor performance or behaviour of the employee, the supervisor will provide the HR Committee with a record of all progressive steps taken and a written recommendation for termination of the individual's employment. The Board is responsible for approving terminations due to cases involving progressive discipline on recommendation from the HR Committee. In all cases, the HR Committee will finalize/approve the letters and facilitate the process, as per the Termination Policy.
- b. The supervisor may consult the HR Committee at any stage of the discipline process. Depending upon the severity of a reoccurrence, or if it is established that serious misconduct has occurred, certain steps may be bypassed, in consultation with the HR Committee.
- c. The supervisor is responsible for maintaining complete, written records at all steps, ensuring the employee's file is kept up to date. The HR Committee is responsible for providing a report to the Board on progressive discipline cases that require a suspension or termination of employment.

#### 8.5 Enforcement

The progressive discipline process outlined in this policy shall be enforced by the Editor(s)-in-Chief and Executive Director for editorial employees, and by the HR Committee for business employees.

#### 8.6 Location of Proceedings

Whenever possible, all progressive discipline measures are to be carried out at the FPS' corporate headquarters.

#### 8.7 Breach of Policy

Employees who fail to comply with this policy will be subject to disciplinary action, as outlined in this policy.

***Last updated on November 27, 2022***

## Section 9: Transitions

9.1 Transition Reports. All Editorial Board members must submit a transition report to the Executive Director and/or Editor-in-Chief by April 30. Executives of the Board and committee chairs must submit a transition report to the President by May 31.

9.2 Keys and Property. All employees must turn in their keys and any property belonging to, or in the care of the Corporation to the Executive Director by April 30.

9.3 Withholding Pay. Those employees who do not complete the obligations laid out in this section shall have their last paychecks withheld until such obligations are fulfilled.

*Last updated on November 28, 2021*

## Section 10: Advertising

10.1 Board Review. The Board shall review and approve the general terms of the standard advertising contract and rate card at its first meeting of the year.

10.2 Contracts. This section must be printed on any and all contracts signed by advertisers in the booking of advertisements.

10.3 Limits. The Corporation will not publish any advertisement that is deemed to be racist, sexist, homophobic, or otherwise discriminatory; is considered to be libellous in congruence with the Canadian Libel and Slander Act, the determination of which will be made by the Editor-in-Chief of the Fulcrum; contravenes the laws of Canada or of the Province of Ontario; contains editorial content, or material which could be confused with editorial content unless it is duly labelled on the front of the material as an advertisement.

10.4 Excessively Delayed Payments. If after two (2) months from the date of the last expected payment, no payment has been received for that time period and no payment plan has been agreed upon, no further advertising contracts may be signed and no advertisements required by any standing contracts may be published.

- a. As soon as payment has been received or a payment plan (for debt owed) has been agreed upon, then advertisement may resume and new advertising contracts may be signed.
- b. If a payment plan has been agreed to, but not upheld by the client, then the Fulcrum Publishing Society reserves the right to cancel any open contracts and/or pursue collections.

10.5 Refusal of Service. The Fulcrum Publishing Society reserves the right to refuse service to any advertiser who does not adhere to the above stipulations. Furthermore, the Fulcrum Publishing Society reserves the right to nullify existing contracts with advertisers who fail to adhere to the above stipulations.

10.6 Liability. The publisher shall not be liable for errors in the advertisement unless those errors were caused directly by the publisher. The total cost of liability shall not exceed the cost of one unit of advertising. The publisher is not liable for damages arising out of errors beyond the amount paid for the actual space occupied by the advertisement in which the error occurred. There shall be no liability for any non-insertion of any advertisement.

*Last updated on November 28, 2021*

## **Section 11: Technology**

11.1 Storage. After the publication of the final issue of each year, but prior to the expiry of their contract, the Editor-in-Chief shall copy the “production” files from their publishing year onto a portable storage platform and provide these copies to the Executive Director for the Corporation’s records and archives.

11.2 Backup Procedures. In order to ensure the Corporation has a backup of files and records available in an emergency, it will follow these procedures: the Editor-in-Chief shall ensure that all production files are saved in the Corporation’s cloud storage.

11.3 Sale of Assets. Whenever possible and applicable, the Corporation should seek to sell off computer assets that are being replaced. Prior to any sale, the hard drives shall be wiped clean of any Corporation documents, programs, and information.

11.4 Cybersecurity. The Editor-in-Chief and the Executive Director are stewards of information security and are responsible for creating and maintaining procedures for employees to protect the Corporation’s digital assets. The President is responsible for ensuring cybersecurity and best practices amongst the Board of Directors.

*Last updated on November 28, 2021*

## **Section 12: Areas of Shared Responsibility**

12.1 Definition. The following shall be considered areas or items of shared responsibility or importance between the Business and Editorial departments of the organization:

- a. The design of the Fulcrum’s website and web presence
- b. The design of the Fulcrum’s logo (or “flag”)
- c. Changes or renovations to the Fulcrum’s offices

12.2 Consultation. For all items designated in Section 12.1, neither the Editorial Board nor the Board of Directors can make unilateral changes without receiving the approval of the other body.

*Last updated on July 22, 2020*

## Section 13: Board Meetings

13.1 Documents Provided in Advance of Meetings. The following documents shall be provided to all Board members via email no later than forty-eight (48) hours prior to each Board meeting:

- a. The proposed agenda for the meeting, to be provided by the Chief of Staff;
- b. The draft minutes for the previous meeting, to be provided by the Chief of Staff;
- c. The written Editorial and Business reports, to be provided by the Editor-in-Chief, Executive Director, President, and Social Media Manager;
- d. The budget year-to-date, sales aged-overdue and account balances of the Corporation, to be provided by the Executive Director; and
- e. Any other documents or information that will serve as the object of a meeting motion that may require substantive review, analysis, and discussion before Board members can cast informative votes.

13.2 Meeting Minutes. The Chief of Staff shall take minutes of every Board meeting or assign their responsibility to another Board member that include:

- a. The names of the Board members and guests who attended the meeting;
- b. The text of all motions before the Board, including all related documentation necessary to give effect to a Board motion that has been passed (such as a budget); and
- c. The results of the votes on all motions.

Following the voted approval of the minutes at a duly constituted Board meeting, any two signing authorities must sign the document to certify its approval. Only signed minutes may be uploaded to the corporate website. The signed copy of the minutes shall be kept at the Corporate headquarters.

*Last updated on May 19, 2021*

## Section 14: Electronic Votes

14.1 Motions. Any Board member may propose a motion to be voted upon by the Board via email.

14.2 Force. A motion passed by the Board via email in accordance with this section has the same force and effect as though the motion were passed by the Board at a regular meeting.

14.3 Minutes. Every motion proposed via email, the results of these proposed motions, and the votes or abstentions of each Board member shall be entered into the Board minutes at the first Board meeting after the email vote is completed. This is unless the votes were specifically called for in a prior Board meeting in which case they will be recorded in the minutes of the meeting in which the call occurred.

14.4 Procedures. Any Board member proposing a motion to be voted upon via email shall send the text of the motion to the Chair of the Board, who shall, as soon as it is practicable, forward the text of the motion to each of the other Board members via email.

14.5 Vote Deadline. The Chair of the Board shall, when forwarding the motion to the Board members, specify a deadline for Board members to vote on the motion. The deadline for voting shall be no sooner than forty-eight (48) hours after the motion is forwarded to the other Board members and no later than ninety-six (96) hours after the motion is forwarded.

14.6 Amendments. No motion that has been forwarded by the Chair to the Board members may be amended.

14.7 Abstentions. A director who does not vote in favour of or against the motion is deemed to have abstained.

14.8 Decision. An email motion is passed if it receives a simple majority vote, except where a greater threshold is required by policy, with at least as many votes cast as the number of directors required for quorum of a meeting.

*Last updated on July 28, 2020*

## **Section 15: Code of Conduct**

### **Part 1: Introduction**

15.1.1 Scope. This code applies in the context of the Corporation's workplace and in exceptional circumstances outside the Fulcrum workplace where such conduct is likely to be damaging to the Fulcrum's reputation. The workplace is defined as the physical Fulcrum Corporation offices; additionally, the workplace is further understood to include any conferences, retreats, editorial or Board of Directors meetings, irrespective of location, as well as during travelling to and from said events; furthermore, for purposes of this Code, the workplace also extends to all listservs and communications from Corporation email addresses, as well as any other time/place that an individual can reasonably be understood to be representing the Corporation, including and especially when on assignment. This code applies to all Fulcrum volunteers, employees, and directors while they are in the Corporation's workplace as defined above.

15.1.2 Application. All employees, directors, and volunteers must agree in writing to the terms of this Code of Conduct before contributing to the Corporation in any way.

15.1.3 Visibility. This Code shall be posted prominently in the Fulcrum office and circulated to current and new members. The whole document shall be posted on the Fulcrum website. Copies of this Code shall be made available to anyone within forty-eight (48) hours of the request.

15.1.4 Violations. Violations shall be subject to the complaints process outlined in Section 15.4.

### **Part 2: Expectations**

15.2.1 Expectations. The Corporation expects all members to aid in the maintenance of a safe, professional, and smooth-running operation. All members shall:

- a. conduct themselves professionally and courteously while in the workplace or on Fulcrum business;
- b. do their utmost to foster a welcoming, tolerant, comfortable, and professional environment at all times; and
- c. decline to participate in any public behaviour, discussions, or commentary disparaging to any fellow volunteer, employee, director, or member of the public.

15.2.2 Office and Equipment Usage. Since the Corporation's office is shared by many people, individuals should clean up after themselves and respect the personal space of others. Equipment and other property belonging to the Corporation shall be treated with respect and care, and shall only be used for its intended purpose. By extension, equipment shall not be used for non-Fulcrum projects. Equipment being removed from the office shall be properly signed out and must be returned in the condition in which it was removed.

15.2.3 Damage. Damage to, or any malfunction of, the Corporation's equipment must be reported to the Editor-in-Chief and the Executive Director immediately.

15.2.4 Work Done for the Fulcrum. Contributors shall:

- a. adhere to deadlines as assigned or delegated;
- b. not accept assignments they do not intend to complete;
- c. alert their editor immediately should the completion of an assignment come in to doubt;
- d. take great care to ensure the integrity of all quotes, attributions, and facts bearing in mind that errors reflect not only on personal journalistic integrity, but also directly on the credibility of the Fulcrum.

### **Part 3: Unacceptable Behaviour**

15.3.1 Unacceptable Behaviour. All those affiliated with the Corporation may reasonably expect to pursue their work in a safe and civil environment. The Corporation therefore condemns any violence or offences against property; moreover, the Corporation does not tolerate any harassment or discrimination on the basis (individually or in any combination) of race, ancestry, creed, ethnic origin, gender identity/expression, sex, colour, sexual orientation, disability, age, marital status, political or religious affiliation, place of origin, socio-economic class or as a result of any conditions or requirements that do not accord with the principles of fairness. These areas will be referred to as "protected grounds" from here on in.

15.3.2 Harassment. Harassment is defined as engaging in a course of vexatious and/or unsolicited comment or conduct that is known, or ought reasonably to be known, to be unwelcome. This policy applies to all the Corporation's members and it addresses harassment from all sources such as volunteers, clients, employers, supervisors, workers, and members of the public. This definition applies to both single and ongoing incidents. Harassment may include, but is not limited to:

- a. unwelcome remarks, jokes, innuendoes or taunts about a person's body, clothing, or any other protected ground;
- b. insulting gestures and jokes: for example, of a sexist, racist or homophobic nature;



- c. the display of pornographic and/or racist material outside of the context of legitimate research;
- d. refusing to talk to, or work cooperatively with, a person based on any protected ground;
- e. unwelcome physical contact, such as patting, touching, or pinching;
- f. unwelcome sexual overtures;
- g. creating, or threatening to create, a condition that necessarily endangers or threatens the health, safety, or well-being of another volunteer, employee or director; and
- h. making a sexual solicitation or advance where the person making the solicitation or advance is in a position of power to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

15.3.3 Human Rights Legal Support Centre. If a worker needs further assistance, they may contact the health and safety representative or the Human Rights Legal Support Centre at 1-866-625-5179.

15.3.4 Workplace Violence. The workplace violence policy and program should be consulted whenever there are concerns about violence in the workplace.

15.3.5 Offences Against Property. Offences against property are defined as wilfully or recklessly taking, having unauthorized possession of, and/or damaging or destroying any property belonging to:

- a. the Corporation; or,
- b. any fellow volunteer, employee, or director when said individual's property was in the Corporation's workplace.

#### **Part 4: Complaints**

15.4.1 Complaints Process. Complaints made under this Policy shall be handled in a manner that is consistent with the principle of fairness for all parties to the complaint, regardless of constituency. This includes the obligation to hear both sides, render decisions untainted by bias, give reasons for any arising decision, and allow for a course of appeal.

15.4.2 Initial Complaint. Complaints can be brought to the overseer of complaint (as outlined in section 15.4.3) by anyone who has suffered, or (if not a sufferable offense) personally witnessed, a gross or recurrent failure to meet expectations (as outlined in Section 15.2) and/or an instance of unacceptable behaviour (as outlined in Section 15.3).

15.4.3 Complaint Oversight. Complaints shall be overseen in the first place by the immediate supervisor according to the following order, provided that the complaint is not against the latter:

- a. if a volunteer or an editor has a complaint, it will initially be overseen by the Editor-in-Chief;
- b. if the Editor-in-Chief has a complaint, it will initially be overseen by the Executive Director;
- c. if the Executive Director has a complaint, it will initially be overseen by the Board;

- d. if there is a dispute between a person external to the Corporation and any volunteer and/or employee of the Corporation, it will initially be overseen by the Board of Directors;
- e. if a director has a complaint, it will initially be overseen by the President; and
- f. if there is a complaint against the President of the Corporation, it will initially be overseen by the Board of Directors as a body.
- g. if there is a complaint against a director, it will initially be overseen by the Executive Committee.
  - i. if the director is on the Executive Committee, they will be excused from their position.

15.4.4 Alternate Oversight. A complainant may at any time request that their complaint be handled by the Board initially.

15.4.5 Proceeding with the Complaint. At all stages of the complaint the twin rights to confidentiality and fairness held by both the complainant(s) and the defendant(s) shall be held in the highest regard by all participants.

15.4.6 Complaint Period. Normally, a formal complaint should be filed within thirty (30) days of the alleged violation. This period may be extended at the discretion of the overseer of complaint.

15.4.7 Filing of Complaint. Any formal complaint must be made in writing, include substantive detail as to the nature and extent of the alleged code violation(s), and specify the identity of the defendant(s).

15.4.8 Restrictions. Complaints may not be brought on behalf of another party.

## **Part 5: Grievance Process**

15.5.1 Grievance Committee. The overseer of the complaint shall act as the Chair of the Grievance Committee.

15.5.2 Delays. The overseer of the complaint shall inform the complainant(s) of any delays regarding the complaint procedure, should they occur.

15.5.3 Human Resources Committee. In the event that the alleged offence is of a sufficiently serious nature as to suggest an ongoing danger to volunteers, employees, and directors or the Corporation's interests, the overseer of the complaint shall consult the Human Resources Committee.

15.5.4 Composition. The Grievance Committee shall be composed as follows:

- a. the overseer of the complaint shall be the Chair of the committee. They shall immediately fill the two (2) other positions, avoiding any persons known to be substantially in conflict with either the complainant(s) or defendant(s);
- b. the second member of the committee shall be a voting member of the Board appointed by the President; and

- c. the third member of the committee shall be the Executive Director;
- d. the overseer of the complaint should also recognize the need to represent a diversity of backgrounds and opinions on the committee.

15.5.5 Confirmation of Membership. Having preliminarily established an absence of malice or conflict on the part of a prospective member of the committee, the overseer of the complaint shall disclose the written complaint to the prospective committee member in strict, stated confidence. The overseer of the complaint shall then ask the prospective committee member to declare if they feel able to deal fairly with the complaint involving the named parties. If they cannot do so without reservation then they shall be replaced by another suitable member.

15.5.6 Selection Deadlines. The overseer of the complaint shall make every reasonable effort to complete the initial selection of the Grievance Committee within forty-eight (48) hours of receiving the complaint.

15.5.7 Notification of Complainant. The overseer of the complaint will notify the complainant(s) of the composition of the Grievance Committee to ensure that there are no substantial conflicts from the perspective of the complainant(s). It shall fall to the judgment of the committee as a whole to weigh any objections.

15.5.8 Notification of Defendant. The overseer of the complaint shall make every reasonable effort to notify the defendant(s) in writing that a complaint has been filed within twenty-four (24) hours of the approval of the committee. The composition of the committee shall be disclosed at this time. The defendant(s) shall receive a copy of the formal complaint, with information that may overtly identify the complainant(s) having been redacted.

15.5.9 Right to Reply. The defendant(s) shall be encouraged to submit a written statement in response to the complaint. The defendant(s) shall also be expressly informed of their opportunity to state, in writing, any objections to the composition of the committee. The defendant(s) shall normally have forty-eight (48) hours to compose these responses, though this may be extended at the discretion of the committee.

15.5.10 Disclosure of Reply. The Grievance Committee members shall receive one (1) copy each of the defendant(s)' reply to allegations made against them.

15.5.11 Defendant Objection to Committee Membership. The overseer of the complaint shall review any objection on the part of the defendant(s) to the composition of the committee. It shall fall to the judgment of the committee as a whole to weigh any objections.

15.5.12 Committee Membership Changes. In the event that the composition of the Grievance Committee changes by resignation or removal, both the complainant(s) and the defendant(s) shall have a right of reply to the appointment of any new member of the committee.

## **Part 6: Investigation**

15.6.1 Investigation. The committee shall thoroughly investigate the details of the alleged code violation to ascertain its veracity.

15.6.2 Interviews. Any interviews conducted shall be recorded and transcribed for the investigation file. Interviews shall be conducted only in the presence of all members of the committee. Both the complainant(s) and the defendant(s) shall have the opportunity to suggest witnesses for the interview.

15.6.3 Hearsay. Hearsay shall not be admissible. Hearsay may be understood as second-hand evidence in which the witness is not testifying about what they know personally, but about what others allegedly told the witness they saw.

15.6.4 Leading Questions. Committee members shall not ask leading questions of the witness. Leading questions are those that supply new information to the witness or otherwise suggest an answer or put words in the mouth of the witness.

15.6.5 Transcripts. Witnesses shall be entitled to request a copy of the transcript of their own interview no less than forty-eight (48) hours from giving it and may ask for it from the investigation file at any time until the records are destroyed in accordance with provisions found below in Section 15.7.11.

15.6.6 Testimony. Witnesses may correct errors they note, but may not change their testimony. If witnesses persist in desiring to significantly alter their statements, their entire testimony shall be deemed discredited and shall be disregarded.

15.6.7 Defendant Review. Once the committee is satisfied with the evidence collected they shall forward it to the defendant(s) for review. The defendant(s) shall be given the opportunity to respond in writing to any evidence considered by the committee.

## **Part 7: Decisions**

15.7.1 Decision. The committee may not render a decision until it has collected sufficient facts upon which to act. Decisions must be made in writing and must spell out the reasons underlying the decision. The committee may:

- a. Dismiss the complaint if it is found to be groundless or dilatory;
- b. Recommend another form of mediation if the complaint does not fall within the purview of this Code.

In respect to a defendant who is not an employee or director of the Corporation, the committee may resolve any of the following individually or in combination:

- a. Request an apology from the defendant(s);
- b. Issue a formal confidential notice of reprimand of the defendant to the attention of their appropriate supervisors, editors, etc;
- c. Issue a temporary suspension of privileges, including barring contributions to the Corporation; and/or,

- d. Recommend to the Board a permanent revocation of any and all of the defendant(s)' privileges, including, but not limited to staff status, contributions, participation in any activities, attendance at conferences, or application for any Corporation positions.

In respect to a defendant who is a director or employee of the Corporation, the committee may resolve any of the following individually or in combination:

- a. Request an apology from the defendant(s);
- b. Issue a formal reprimand for the personnel file;
- c. Order an immediate short-term suspension with pay (if applicable) for up to two (2) weeks, which shall include immediate expulsion from the Corporation workplace. The suspension may be extended indefinitely at the discretion of the Board;
- d. Refer a recommendation of termination of employment or contract (if applicable) to the Board for ratification; and/or
- e. Recommend to the Board a permanent revocation of the defendant(s)' status with the organization.

15.7.2 Dissenting Opinion. A committee member disagreeing with the grounds and/or scope of the decision shall detail their reasoning in an dissenting opinion as part of the written decision.

15.7.3 Referrals for Ratification of Certain Decisions. The Board shall act as a body of appeal for all matters arising from this Code of Conduct grievance process. Aspects of the complaints and the identity of those involved shall be kept in the strictest confidence and that all discussions shall be held in-camera.

15.7.4 Appeal by Complainant. The complainant(s) may appeal the dismissal of the complaint to the Board in writing within thirty (30) days of the decision by the Grievance Committee.

15.7.5 Conflict of Interest. Any member of the Board who is in a conflict of interest, is named in the complaint, or has ruled on the issue as a member of the Grievance Committee shall recuse themselves from any discussion of the issue at a Board meeting.

15.7.6 Suspension. The extension of any suspension must be ratified by the Board with full reference to the investigation files. The Board shall at that time decide whether the suspension will include pay (if applicable).

15.7.7 Termination. Any recommendation for termination or permanent revocation of privileges shall only be ratified by the Board.

15.7.8 Appeal by Defendant(s). The defendant(s) may appeal any ratified decision of the Board in writing to the Board. The defendant(s) is/are entitled to a hearing before the Board in respect of any ratification or appeal.

15.7.9 Board Decisions. All decisions of the Board must be given in writing and must include reasoning, and shall be appropriately filed with other documents from the investigation. Dissenting opinions shall be included if applicable.

15.7.10 Record of Investigation. Any written decision issued by the Grievance Committee or subsequently by the Board will be included in the personnel file of the defendant(s) along with the investigation transcripts, as well as a copy of the initial written complaint and any replies. Both the complainant(s) and the defendant(s) have the right to see these documents. Other witnesses in the investigation do not have any right to said documents. Records from the complaints deemed dilatory or groundless shall be destroyed after thirty (30) days, once the window for appeal has elapsed.

15.7.11 Retention of Records. Records of all complaints and decisions shall be retained in the Corporation's files for three (3) years.

15.7.12 Notification of Decisions. The right to confidentiality of complaints and defendants must be balanced firstly against the Board's need to be aware, and secondly against the need for all volunteers, employees, and directors to be kept aware of the disposition of their fellow colleagues.

15.7.13 Confidentiality of Decisions. Decisions arising out of this process, both of the Committee and the Board, shall remain confidential except in the following cases, and even so only specific aspects will be made selectively available according to the stipulations in each case:

- a. In the event of any reprimand being issued to a director, the Board shall be notified in-camera of the details of the decision by the overseer of the complaint.
- b. In the event of a reprimand of a volunteer or employee who is not a director, the Editorial Board and Board shall be notified in-camera by the overseer of the complaint.
- c. In the event of any suspensions arising from this process, parties involved will be notified of the suspension of the defendant, and further that it came about as a consequence of a Code of Conduct violation. The details of the complaint and arising decision shall otherwise remain confidential.
- d. In regards to an on-going investigation into workplace harassment, a complainant who has allegedly experienced harassment, the alleged harasser(s) and any witnesses will be instructed not to discuss the complaint, incident or the investigation with other staff or witnesses unless necessary to obtain advice about their rights.

15.7.14 Legal Recourse. This Code of Conduct does not affect any members' right to seek legal recourse.

## **Part 8: Duty to Consult**

15.8.1 Amendments. Any amendment to the Code of Conduct must be made in consultation with the health and safety representative. The consultation must provide an opportunity for the health and safety representative to provide feedback, whether orally or in writing, on the changes and the feedback must be considered by the Policy Committee.

*Last updated on February 25, 2022*

## Section 16: Information Management

16.1 Application. This policy applies to all documents, both physical and electronic, produced by and for the Fulcrum Publishing Society.

16.2 Definition. Information management concerns the creation, storage, and access of records. “Record” means any record of information however recorded, whether in print form, on film, by electronic means, or otherwise.

16.3 Oversight. The work of information management will be overseen by the Executive Director and Business Department with input from the Editor-in-Chief.

16.4 Purpose. This policy provides direction on managing information as a valuable and strategic resource to:

- a. ensure the integrity of information and to support the mandate and business functions of the FPS;
- b. ensure information is protected;
- c. support decision-making and enhance the services provided to the student community.

16.5 Requirements. Information management should not be redundant or take up too much time in order to ensure the policy is followed and accessible.

16.5.1 Schedule. A records retention schedule for all documents created and received by the Corporation is made by the Executive Director to be followed by all employees, volunteers, and Board members.

16.5.2 Elements. The records retention schedule will dictate:

- Category of record (Based on length of time to be kept)
- Type of record (Based on function)
- Retention trigger date
- Destruction date (If applicable)
- Disposition and back-up process

16.5.3 Inventory. An electronic inventory of records should be created to show what information holdings the Corporation possesses at any given time.

16.5.4 Privacy. Certain documents have levels of security prescribed to them.

16.5.4.1 Security. Confidential documents must be kept in a locked drawer or room where the Executive Director holds the only key.

16.5.5 Viewing Files. Employees or volunteers who wish to view files are allowed to, and may appeal to the Board to view secret or confidential files.

16.5.6 Disposal. Files that no longer need to be kept will be destroyed effectively.

16.6 Evaluation. An information audit to evaluate and improve information management for the Corporation should be performed every summer term to ensure best practices are being followed.

16.6.1 Oversight. The evaluation shall be completed by the Executive Director, Editor-in-Chief, and a member of the Board appointed by a general vote.

16.6.2 Content. The adherence to information management policies, efficiency, knowledge, and teaching of information management, hierarchies, and use of electronic/Cloud services should be evaluated to see if the information management program can be improved.

16.7 University Archives. All editorial content shall be stored with the University Archives so long as they consent.

16.8 Storage. All permanent documents are kept in two formats: digital and physical.

*Last updated on May 19, 2021*

## **Section 17: Accessibility**

17.1 Statement of Commitment. The Fulcrum Publishing Society is committed to improving accessibility. We will put the following policies into practice as outlined by the *Accessibility for Ontarians with Disabilities Act*. We are committed to improving accessibility for our employees, volunteers, and contributors. We are equally committed to improving the accessibility of our content for all of our readers.

17.2 Training. The Fulcrum Publishing Society is committed to training staff and directors on Ontario's accessibility laws and on accessibility aspects of the Human Rights Code that apply to persons with disabilities. Training will be provided in a way that best suits the duties of staff and directors.

17.3 Employment. The Fulcrum Publishing Society will notify the public and staff that, when requested, we will accommodate disabilities during recruitment and assessment processes and when people are hired. If needed, we will provide customized workplace emergency information to employees who have a disability. Our performance management process will take into account the accessibility needs of all employees. We will notify staff that supports are available for those with disabilities. We will put in place a process to develop individual accommodation plans for employees.



17.4 Existing Policies. Any of our policies that do not respect and promote the dignity and independence of people with disabilities will be modified.

*Last updated on May 19, 2021*

## **Section 18: Mandatory Training for Employees**

18.1 Policy Statement. FPS is committed to providing a safe environment for its members, employees, volunteers, and directors through monitoring compliance with workplace training and education to ensure it meets legislative requirements. All employees must complete the employer provided or designated mandatory training and education (organizational, professional, and job-specific) as a requirement of employment and a condition of continued employment.

18.2 Definitions. Mandatory Training: Any training identified by the employer as a requirement to meet its obligations, including legislated requirements for employees or organizational standards to ensure safety and to maintain competence.

### 18.3 Establishment of Mandatory Training for Employees.

1. Prior to the initial staff training/orientation date, the Board will approve mandatory training requirements and set the training expectations of the FPS, with recommendations from the HR Committee.
2. The HR Committee, Executive Director, and Editor(s)-in-Chief will identify resources to enable employees to complete mandatory training and ensure the content is relevant, easy to follow, and up to date.

### 18.4 Implementation of Mandatory Training for Employees.

3. During staff training/orientation, the Executive Director will clearly communicate mandatory training requirements to employees and direct them to the relevant resources.
4. All employees must complete the employer provided or designated mandatory training or provide proof of completion of equivalent external training within thirty (30) days from the start date of their employment, or another specified deadline, unless an extension is granted at the discretion of the Executive Director.
5. Following this period, employees who have not successfully completed the mandatory training will receive a letter, prepared and signed by the Executive Director, clarifying the training expectations of the FPS and requiring completion of the training within seven (7) days from the date of the letter.
6. Any employee who does not act in accordance with this policy and complete their mandatory training within the specified timelines will be subjected to the termination of their employment with the FPS.

7. Mandatory training completed will be valid for the duration specified by the HR Committee or Executive Director and no longer than two (2) years from the date of completion.

#### 18.5 Compliance with Workplace Training Legislative Requirements.

8. The Executive Director is responsible to maintain a record of each employee's mandatory training compliance status.
9. The HR Committee will monitor compliance with workplace training and education legislative requirements annually, and notify the Board of any changes.

#### 18.6 Appendix A

In addition to any job-specific or professional training, all employees must complete the following mandatory training modules.

- [Accessibility for Ontarians with Disabilities Act \(AODA\)](#)
- [Worker or Supervisor Health and Safety Awareness](#)
- [Workplace Violence and Harassment](#)
- [Health and Safety Representative \(HSR\) Basic Training](#) (only required for the Health and Safety Representative)

Other training to consider providing for all employees on topics, including but not limited to:

- Diversity, equity, and inclusion
- Mental health
- Professionalism in the workplace
- Conflict resolution in the workplace
- Leadership essentials (for the Executive Director and Editor(s)-in-Chief)
- Canadian Press (CP) style (for the Editor(s)-in-Chief)

*Last updated on August 28, 2022*

## **Section 19: Time Reporting**

19.1 Policy Statement: FPS is committed to ensuring a balance between operational requirements, member accountability, and the wellbeing of employees through effective time reporting. This policy establishes guiding principles for consistent time reporting to support workforce planning, correct costing of projects or billings, compliance with legislation, and operational efficacy.

19.2 Definitions: Time Reporting is tracking of time worked by an employee on projects, activities, and tasks as assigned by a supervisor or based on the position's duties in the employer-approved time reporting system.

19.3 Procedure: Establishment of Time Reporting Requirements

1. The HR Committee will develop a time reporting procedure that meets organizational needs and legislative requirements, with input from the Executive Director and Editor(s)-in-Chief.
2. Prior to the initial staff training/orientation date, the Board will approve the time reporting requirements for the FPS recommended by the HR Committee.

19.4 Implementation of Time Reporting Requirements

3. The Executive Director will ensure employees are aware of the requirement to track their time worked and have access to the employer-approved time reporting system.

19.5 Reporting Time

4. All employees must record their time worked and absences in the time reporting system and submit their completed timesheet before the submission deadline set by the Executive Director for approval.
5. Employees are encouraged to record their hours in the time reporting system at the end of each day and as close in time to when the work took place.
6. Employees are responsible to ensure their timesheet is accurate, i.e., a true reflection of time worked recorded to the nearest 30 minutes, and complete, i.e., all time worked, breaks, and absences are fully reported.
7. Employees are not permitted to delegate others to complete their individual time reporting.

19.6 Leave, and Additional Hours/Overtime

8. For any additional hours or overtime to be worked, employees must obtain prior written approval from the Executive Director. Employees can then submit their additional hours/overtime in the time reporting system.
9. Employees can submit requests for absences in advance in the time reporting system.

19.7 Approving Time

10. The Executive Director will approve timesheets on a biweekly basis per payroll reporting due dates and respond to requests for additional hours/overtime and absences in a reasonable timeframe upon receipt of such requests.

19.8 Non-Compliance with Time Reporting Requirements

11. Employees who fail to comply with this policy may face disciplinary action, as per the Disciplinary Action Policy.

*Last updated on September 25, 2022*

## **Section 20: Additional Hours and Overtime**

20.1 Policy Statement. FPS is committed to providing a healthy workplace that supports a proper work-life balance for its employees. On occasion, additional hours or overtime may be required to meet the organizational demands. This policy describes the procedure to request additional hours or overtime and ensures authorized hours are compensated in compliance with employment legislation.

### 20.2 Definitions.

1. Regular Hours: Hours stipulated in an employee's employment contract.
2. Additional Hours: Authorized hours worked in excess of an employee's regular hours up to and including the provincial statutory overtime threshold, i.e., 44 hours.
3. Overtime Hours: Authorized hours worked in excess of the provincial statutory overtime threshold, i.e., 44 hours.

### 20.4 Procedure.

#### Requests for Additional Hours or Overtime

1. Employees are responsible to monitor their workload and hours of work diligently to ensure position duties are completed within regular hours. Employees must discuss any problems or concerns regarding their work completion as soon as these arise with their supervisor (i.e., Executive Director and Editor(s)-in-Chief or the HR Committee).
2. The Executive Director and Editor(s)-in-Chief are responsible to ensure careful management and adjustment of employee workload and hours of work to prevent the need for additional or overtime hours.
3. All hours worked in excess of an employee's regular hours must be approved by the employee's supervisor (i.e., Executive Director or HR Committee) prior to the employee working any additional or overtime hours.
4. The employee must submit a written request to the supervisor with the date(s) they intend to work additional or overtime hours, the number of hours requested, and a brief description of the tasks to be completed.

#### Additional Hours and Overtime Provisions

5. Authorized additional hours worked will be compensated as paid time off, in lieu of pay, at a ratio of 1:1 for every additional hour worked.
6. Authorized overtime worked will be compensated as paid time off, in lieu of pay, at a ratio of 1:1.5 for every overtime hour worked.
7. Paid time off because of additional or overtime hours must be taken within two (2) months of the pay period in which the hours were worked.
8. Paid time off requests will be entered by the employee and approved by the Executive Director in the time reporting system, as per the Time Reporting Policy. If a mutually agreed upon time is not possible, the Executive Director will schedule the employee's time off at their discretion. Exceptions will be handled on a case-by-case basis by the Executive Director in consultation with the HR Committee.
9. The Executive Director will accurately track all authorized additional or overtime hours worked, banked and taken.

#### Banked Additional Hours and Overtime

10. The maximum additional or overtime hours an employee may bank at any one (1) time is equal to the regular hours the employee usually works in one (1) week.
11. In extenuating circumstances, it may be necessary for an employee to exceed the maximum allowable hours banked. The supervisor must consult the HR Committee before permitting an employee to work excessive hours.

#### Termination of an Employee

12. In the event of termination of employment, all banked additional hours or overtime will be paid out to the employee in accordance with applicable employment legislation.

#### Breach of Policy

13. Employees who fail to comply with this policy will be subject to disciplinary action, as per the Disciplinary Action Policy.

***Last updated on September 25, 2022***

## **Section 21: Fitness for Work**

21.1 Policy Statement. This policy sets out FPS' expectations that all employees report to the workplace fit for work and remain fit for work and able to perform the essential duties of their job safely and effectively. FPS is committed to supporting and accommodating employees who may not be fit for work due to disability, as required under the *Ontario Human Right Code*, and to providing a safe and healthy workplace for employees under its obligation as an employer under the *Occupational Health and Safety Act*.

## 21.2 Definitions.

1. Fit for Work: A physical and psychological state that allows the employee to perform the essential duties of their job competently and in a manner which does not compromise the safety and health of themselves or others
2. On duty: Any time an employee is conducting FPS-related business and undertaking duties and responsibilities associated with their contract of employment.
3. Substance: Any substance that, if consumed, has the effect of intoxicating the user or impairing their ability to perform their job duties, including, but not limited to, alcohol, opiates, hallucinogens, cannabinoids, or medication (either prescription or over-the-counter).

## 21.3 Procedure.

### Obligations of the Employees

1. Employees must report fit for work and remain fit for work while on duty, including all scheduled and unscheduled work (overtime, etc.).
2. Employees shall immediately inform their supervisor if they are not fit for work, including situations where the employee has consumed a substance that impairs their ability to perform their job duties.
3. Employees shall immediately inform their supervisor if they become aware of or witness behaviour raising concerns about whether another employee is fit for work such that the health and safety of themselves or others may be compromised.
4. An employee instructed to temporarily cease their duties due to behaviours that indicate they are not fit for work, must demonstrate to the satisfaction of the FPS, that they are fit to work before resuming their duties.

### Responsibilities of the Supervisor

5. Supervisors are responsible for ensuring that employees under their supervision are fit for work.
6. Supervisors shall consult with the HR Committee if they observe possible signs of fitness to work concerns with their employees (e.g., changes in attendance, performance, behaviour).
7. If an employee advises they are not fit for work or demonstrates behaviours that indicate they are not fit for work, the supervisor will instruct the employee to temporarily cease their duties to allow for an appropriate assessment. This assessment may include leaving the workplace in a safe manner to attend to their healthcare needs and to seek medical attention as required.

8. Supervisors shall immediately report the incident to the HR Committee so that appropriate next steps can be identified.

#### Accommodations

9. FPS will support and accommodate employees who disclose a disability (e.g., substance dependence or other medical issues affecting their fitness to work) to the point of undue hardship as per the Workplace Accommodation Policy.

*Last updated on October 30, 2022*

## **Section 22: Workplace Accommodation**

22.1 Policy Statement. FPS is committed to fostering an inclusive workplace where all employees are treated with respect and dignity. FPS will act in a manner consistent with its obligations under the *Ontario Human Rights Code*.

FPS will provide a workplace that ensures equal opportunity free from discrimination based on race, colour, national or ethnic origin, religion, age, sex (includes pregnancy or child-birth), sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability (includes mental or physical disability, disfigurement and dependence on alcohol or a drug) or conviction for an offence for which a pardon has been granted or a record suspended.

FPS will provide workplace accommodation, to the point of undue hardship. The purpose of accommodation is to ensure that individuals who are otherwise able to work are not discriminated against by being excluded from doing so when working conditions can be adjusted without causing undue hardship to the employer.

#### 22.2 Definitions.

1. Accommodation: Steps taken to adjust rules, policies, practices, or situations that have a negative impact on an individual or groups, protected under the *Ontario Human Rights Code*.
2. Undue Hardship: When accommodation adjustments to the workplace would be prohibitively expensive or create undue risks to health or safety. Each situation will be viewed as unique and assessed individually. A claim of undue hardship must be supported with facts and a detailed analysis of options, impressionistic or speculative reasons will not suffice.

## 22.3 Procedure.

### Accommodation for Job Applicants

1. When contacted for an interview, job applicants will be advised that FPS has an accommodation policy and asked whether they require accommodation to participate in the hiring process.
2. The hiring team will evaluate the job applicant's request for accommodation and may request more information from the applicant to facilitate the accommodation.
3. If a request for accommodation is denied, the reasons why will be clearly communicated to the job applicant.

### Accommodation for Employees

4. An employee may request accommodation by notifying their supervisor. Alternatively, accommodation needs may be identified through supervisor and employee collaboration in response to concerns raised by the supervisor.
5. The supervisor will document the request, including the employee's name, position and date of the request, any details provided by the employee and any accommodation options suggested by the employer or employee.
6. The supervisor may request supporting documentation from the employee to identify accommodation needs and options (e.g., details of restrictions or limitations). When dealing with an accommodation request based on disability, the supervisor should refer to Appendix A which provides guidance on asking for medical information to support the accommodation request.
7. The supervisor will consider accommodation options including, but not limited to, workstation adjustments; reassignment of job tasks; changes to scheduling or hours of work; leaves of absence; and temporary or permanent reassignment.
8. The supervisor will discuss available accommodation options with the employee. The accommodation preferences of the employee will be considered. However, the supervisor may proceed with an option that is less costly or easier to provide, when it meets the employee's accommodation needs. The supervisor will clearly communicate the reasons for his or her decision to the employee.
9. The supervisor will review the accommodation measures with the employee on a regular basis to confirm they continue to be necessary and effective.
10. If the available accommodation options raise the likelihood of causing undue hardship, the supervisor will refer the matter to the HR Committee for decision.

### Appeals



11. If an employee or applicant has been denied accommodation, is not satisfied with the accommodation offered, or believes that their request has not been handled in accordance with this policy, they may request a second opinion from the Board of Directors.
12. An employee or applicant may also file a discrimination complaint with the Ontario Human Rights Commission.

### Privacy and Confidentiality

13. All records associated with accommodation requests will be maintained in a secure location, separate from employees' personnel files, and will only be shared with persons who need the information. All individuals involved in the accommodation process will comply with the requirements of the *Freedom of Information and Protection of Privacy Act* to protect personal information.

## Appendix A Requesting Medical Information

### Consider Whether Medical Information Is Required

Over the course of our lives, many of us will need workplace accommodation at some point. Healthy workplaces are built on mutual trust. Employers should exercise restraint in requesting medical information to support an accommodation request. For example, if an employee's accommodation request is obviously required to meet their disability need, employers should not ask for a doctor's letter. It is obvious that an employee who uses a wheelchair needs automatic door openers, and elevators to access the workplace.

### Gather and Consider the Relevant Medical Information

To appropriately accommodate an employee's disability the employer may require information from a medical professional about the employee's accommodation needs. Employers must keep in mind that requesting medical information for the accommodation process requires the balancing of two competing rights: the employer's right to manage the workplace and the employee's right to privacy.

When asking for medical information to support an accommodation request, employers must use the least intrusive means possible and respect the employee's privacy rights. In most cases the necessary medical information can be provided by the employee's family doctor or specialist. The medical information will allow the employer to make an informed decision about reasonable accommodation options. Employers need to know:

- a) Whether the employee has a disability; and if so
- b) What accommodations the employee needs.

### Provide Relevant Information to the Medical Professional

The employer should provide the medical professional with the following information:

- Description of the employee's job function/responsibilities.
- The employee's work schedule.
- Whether the employee is in a safety-sensitive position.
- Any other relevant information that is particular to the workplace.

#### Ask the Medical Professional for Information

The employer should ask the following questions:

- Does the employee have a disability that requires accommodation?
- What accommodations does the employee require?
  - For example: are there any restrictions or limitations to the performance of the job?
- What is the employee's prognosis?
- If the employee is off work, are there specific recommendations for accommodation that will facilitate a safe and successful return to work?

Note: Employers are rarely entitled to the employee's diagnosis.

Medical information may come in various formats—from a hand-written note to a formal report. Based on the information provided, the employer should be able to determine whether the employee:

- Is able to perform the essential duties of their position with appropriate accommodation.
- Needs to move to a different position due to their accommodation requirements.
- Needs to be off work, and if so, for how long.

Once the medical information has been provided, the employer has the primary responsibility for accommodating the employee.

#### Include the Employee in the Accommodation Process

The employee has a duty to cooperate in the accommodation process. This duty can include attending appointments as scheduled, providing complete and accurate information to the medical professional, and providing the employer with the relevant medical information obtained (unless it is sent directly to the employer). The employee has the final say whether their medical information can be released.

The employee has the right to reasonable accommodation – that is accommodation that meets their needs – but they do not have the right to perfect or their preferred accommodation.

#### Exercise Caution When Requesting Independent Medical Evaluations (IME)

Note: Employers should exercise caution and seek legal advice before requesting an IME –particularly in the first situation – because asking an employee to undergo one infringes on their privacy rights. As with any other medical assessment, the employer is entitled only to the medical information they need to accommodate the employee.

In certain situations, employers can ask an employee to have their accommodation needs assessed by a medical professional who is not their family doctor or specialist. This process is called an Independent Medical Evaluation (IME).

The employer cannot ask for any more medical information from an IME than they can ask from the employee's own family doctor or specialist. Likewise, the employer should provide the same information given to the employee's medical professional. There are generally four situations when an employer can ask an employee to undergo an IME:

1. When medical information provided by the employee's medical professional is unclear or insufficient, the employer must go back to that medical professional, identify the deficiency and request clarification. If the information subsequently provided is not responsive, the employer may then consider requesting an IME.
2. When there is contractual right to request an employee to undergo an IME, provided, for example, in a collective agreement.
3. When there is a legislative requirement in certain industries.
4. When an employee requests the assistance of a specialist.

Good Practices for IMEs:

- Allow the employee to select the physician from a list of acceptable specialists.
- Agree in advance to accept the results of the IME.
- Provide the employee with time off work to attend the IME.
- Pay for the cost of the IME.

These practices are especially applicable to the 1<sup>st</sup> and 4<sup>th</sup> IME scenario.

#### Exercise Caution When Removing an Employee from the Workplace

Generally, an employee should not be removed from the workplace unless there is medical information to clearly support this. However, if an employee has health needs requiring urgent attention, or if they pose a serious risk to the safety of themselves or others, an employer should deal with this immediately. An employer should obtain legal advice when removing an employee from the workplace, and other agencies or offices may need to be contacted.

***Last updated on October 30, 2022***

## Section 23: Termination

### 23.1 Policy Statement

FPS recognizes that employment is based on mutual consent. Either the employee or FPS may sever the employment relationship at any time with or without cause or prior notice. This policy highlights the general procedures to be followed when either a voluntary or involuntary termination occurs.

### 23.2 Definitions

**Probationary Employee:** An employee who is participating in a probationary period as defined in their employment contract. The position could be the employee's initial appointment, or a position obtained subsequent to their initial appointment.

### 23.3 Procedure

#### a. Types of Voluntary Terminations

- i. *Resignation.* An employee voluntarily terminates their employment by giving written notification to their supervisor (i.e., Executive Director or HR Committee). A minimum of two (2) weeks' notice should be provided unless otherwise stipulated in the employee's employment contract. More notice is appreciated to enable the FPS to recruit a suitable replacement. The supervisor must forward an employee's letter of resignation to the HR Committee immediately.

#### b. Types of Involuntary Terminations

- i. *Release from Employment – "Without Cause."* Involuntary termination includes reasons due to restructuring, financial constraints, non-culpable performance issues, shortage of work, or other reasons.
- ii. *Release from Employment – "With Cause."* Involuntary termination for reasons related to performance or conduct. Dismissal may be immediate and supersede the progressive discipline process when warranted in circumstances such as, but not limited to, theft, dishonesty, willful misconduct, gross insubordination, conflict of interest, major breach of policies, or where principles and regulations impacting the interests of the FPS are compromised.
- iii. *Termination of Probationary Employees.* Employees may be terminated during the probationary period due to unsuitability. Employees will be eligible for two (2) weeks' notice prior to termination unless otherwise indicated in their employment contract.
- iv. *Termination from Term Employment.* Employment for term employees will either terminate at the expiration of the term or earlier, as stipulated in their employment contract.

- v. *Deemed Terminated.* An employee will no longer be employed by the FPS and will be deemed terminated if the employee fails to return to work after an unauthorized absence of five (5) consecutive working days unless a satisfactory explanation for the absence is provided and accepted by the FPS.
- c. General Termination Procedure
  - i. An employee who either voluntarily or involuntarily ends employment with the FPS will be regarded as separated from the FPS and their employment terminated for all purposes.
  - ii. The duty to preserve the confidentiality of FPS information extends beyond, and continues after the employee's employment with the FPS ends.
  - iii. The terminated employee must immediately return to the FPS all the foregoing property including any other property which has been leased or rented by the FPS for use by the employee. The FPS retains the right to withhold a final paycheck until all outstanding assets are returned or the liability incurred for replacement costs of any such property.
  - iv. The final paycheck and record of employment of the terminated employee will be produced in the first pay period following the termination date and include all amounts owed for termination or severance pay, such as wages earned but not yet paid up and any accrued but unpaid vacation pay.
  - v. The Executive Director will record the rehire status of the terminated employee in the employee's confidential personnel file. The rehire status may be required in the future should the employee be considered for re-employment with the FPS.
- d. Dismissal Procedure
  - i. All involuntary terminations due to a release from employment, with or without cause, must have prior approval from the Board, in consultation with the HR Committee, through a simple majority vote, before any action is initiated.
  - ii. Dismissal of any employees will be conducted by the President and one (1) other director of the Board.
  - iii. The dismissed employee must receive a letter of dismissal outlining the reason for dismissal ("without cause" is considered a reason in this context), signed by the President and at least one (1) director of the Board.
  - iv. Employees who are involuntarily terminated should not be considered for re-employment in any role with the FPS during any portion of the severance period.
  - v. The Board must approve any letter of recommendation for a dismissed employee sent on behalf of any employee or director of the FPS prior to it being sent.
  - vi. If any of the procedures outlined herein conflict with the employee's contract, then the contract shall prevail.
- e. Exit Interviews

- i. Upon the departure of an employee for any reason other than involuntary termination, a confidential face-to-face or exit interview or online questionnaire may be conducted by the supervisor or the HR Committee. Exit interviews are recommended to receive feedback and suggestions based on the employee's experience with the FPS. If an exit interview is not offered, employees are encouraged to request one.
- ii. Summary reports will be prepared by the interviewer on feedback relative to the operation and management of the FPS and made available to the HR Committee or Board upon request.

#### **23.4 Breach of Policy**

Employees who fail to comply with this policy will be subject to disciplinary action, as per the Disciplinary Action Policy.

***Last updated on November 27, 2022***

## **Appendix A: Executive Officers**

### **President**

- Responsible for overseeing the budget of the Corporation
- Drafts, or causes to be drafted all financial documents required by the Board of Directors
- Oversees the audit of the Corporation
- Ensures that all Corporate documents are correctly filed with the government
- Oversees the Executive Director and ensures that financial controls are being enforced
- Reviews policy drafts in consultation with the Board
- Prepares all necessary arrangements for the Annual General Meeting
- Oversees the Business department when the Board is not meeting
- Acts as a signing authority
- Writes a transition report for the incoming President
- Before or on the final day of their term, shall transfer the President email account to the incoming President

### **Chair**

- Chairs all duly constituted meetings of the Board except in cases of absence
- Receives, and causes to be presented, motions to the Board
- Writes a transition report for the incoming Chair

### **Vice-President**

- Assumes the duties of the President or the Executive Director in the event that they are unwilling or unable to fulfill their duties
- Assumes any of the President's duties in the event of a conflict of interest on the President's part
- Writes a transition report for the incoming Vice-President

### **Chief of Staff**

- Coordinates all necessary internal communication required for the Board's general activities though not all necessarily all of its committees, including: meeting agenda, meeting minutes, and meeting supporting documents
- Fosters a culture of learning through ongoing professional development efforts that may include, but is not exclusive to: curating and regularly adding to the Board of Directors Professional Development Library of Online Resources, preparing and where possible administering an annual orientation session for incoming directors, and preparing or seeking out and encouraging other directors to prepare regular professional development workshops
- Fosters a culture of engagement, professionalism, and accountability
- Supports the President in the recruitment of Directors in the circumstance that Director seats are vacant
- Takes, or causes to be taken, edits, and is the keeper of all minutes of the Corporation
- Responsible for providing all necessary notice to directors or members of the Corporation
- Compiles and distributes all documents relating to the meeting
- Writes a transition report for the incoming Chief of Staff

### **Treasurer**

- Drafts, or causes to be drafted all financial documents required by the Board of Directors
- Oversees the audit of the Corporation
- Oversees the Executive Director and ensures that financial controls are being enforced
- Acts as a signing authority
- Writes a transition report for the incoming Treasurer

*Last updated on June 30, 2020*

## **Appendix B: Business Department Employees**

### **Executive Director**

#### *General*

- Oversees the Business Department
- Acts as a link between the Board and the Business Department
- Acts as a liaison between the Fulcrum and Canadian University Press for administrative matters
- Implements any resolutions passed by the Board of Directors
- Attends all Board meetings
- Acts as the office manager of the Corporation
- Responsible for the professional upkeep of the office
- Provides a report to the Board at all regular meetings and as requested by the Board
- Provides adequate training to the incoming Executive Director
- Oversees and maintains the distribution of the Fulcrum's equipment
- Performs any tasks assigned by the Board
- Writes a transition report for the incoming Executive Director

#### *Human Resources*

- Responsible for hiring and disciplinary procedures in accordance with the Human Resources policy
- Administers employee intake
- Ensures alignment and compliance with all relevant employment legislation, including, but not limited to, the *Employment Standards Act*, the *Occupational Health and Safety Act*, the *Workplace Safety and Insurance Act*, the *Accessibility for Ontarians with Disabilities Act*, and the Ontario Human Rights Code
- Administers payroll
- Approves and tracks staff leave, vacation, and hours worked, as required by law
- Acts as the workplace coordinator for health and safety

#### *Bookkeeping and Administration*

- Maintains accounts payable
- Maintains accounts receivable in conjunction with the Advertising Manager
- Approves all advertising contracts
- Responsible for all Fulcrum accounts



- Maintains relations with Free Media to ensure the Fulcrum receives remittances for national advertising
- Administers the Corporation's bank accounts and petty cash
- Communicates with the Fulcrum banker, accountant, and auditor
- Maintains the Corporation's files to ensure that continuity is maintained from year to year
- Acts as a signing authority
- Procures some online advertising

*Budgetary*

- Drafts the Corporation's budget in accordance with budgeting policy
- Assures adherence to the annual budget
- Approves all expenditures within the parameters set by the Board
- Ensures that the advertising sales target is met

*Last updated on June 30, 2020*

## **Appendix C: Archival Procedures**

- a. Permanent files have long-term value and are kept forever. These include:
  - Audit reports
  - Chart of accounts
  - Cheques for important payments and purchases
  - Copyright/patent/trademark registrations
  - Deeds/mortgages/bills of sale
  - Depreciation schedules
  - Employee discrimination reports
  - General ledgers/year-end trial balance
  - Incorporation records (articles, charter, by-laws, minutes, etc.)
  - Insurance records
  - Journals
  - Legal correspondence
  - Loan documents
  - Mission statements
  - Organization charts
  - Program files
  - Property records (until a move to a new location)
  - Tax returns
  - Year-end financial statements
- b. Determinate files have limited long-term value, and are kept for five years include:
  - Accident claims (settled)
  - Accounts receivable/payable ledgers/schedules
  - Bank statements/deposit records/electronic funds transfer evidence/cancelled cheques/reconciliation
  - Canadian Centre for Occupational Health and Safety logs
  - Cancelled stocks and bonds certificates

- Donations
  - Expense analysis and distribution schedules
  - Expired contracts
  - Garnishments
  - Funded grants
  - Internal audit reports
  - Invoices
  - Inventory records
  - Notes receivable ledgers and schedules
  - Payroll records and summaries
  - Personnel files for terminated employees
  - Purchase orders
  - Sales records
  - Strategic plans
  - Timesheets
  - Vouchers for payment
  - Workers compensation documentation
- c. Transitory files are kept for two years, and do not have long-term value. These include:
- Administrative correspondence
  - Correspondence with customers and vendors
  - General correspondence
  - Petty cash vouchers
  - Unfunded grants

*Last updated on June 30, 2020*

## **Appendix D: Incident Response Plan**

### **PROCEDURE**

Definition of an incident: Anything that damages the Fulcrum's assets, brand, or people. This includes financial, capital assets, human resources, etc. examples include, but are not limited to: significant damage to building, cyber attack on the website or social media accounts, serious injury to employee, or negative media coverage of The Fulcrum as an institution.

Exclusions: issues of the editorial process, journalistic integrity, or misinformation.

It is important to note that every director has the right to express their opinion as an individual. However, only a majority of the Board may approve an official statement from The Fulcrum Publishing Society.

Procedure to Follow:

1. The President must gather all of the relevant information about the incident, consulting the ED and/or EIC and other parties involved if required.

2. The President must draft an email to be sent out to all directors and employees of the Corporation informing them of the situation and how the Board plans to proceed, including public messaging.
  3. The President must draft a preliminary short statement on behalf of the Board and send to the EIC for dissemination. This statement should seek to recognize the issue, reassure the Corporation's members, and advise that more information will follow.
    - a. If the EIC disagrees with the position of the statement, they may come to an agreement with the President with a revised statement.
    - b. In the event of no agreement, both statements will be sent to the Board for one to be approved by a majority vote.
  4. The President must call a special meeting of the Board of Directors. At this meeting a written plan of action shall be developed which will guide how the Corporation will address the issue. This plan must be shared with the ED and the EIC. Moreover, the Board may choose to issue a more detailed public statement on the situation.
- This plan will be reviewed by the Policy Committee at least once a year.

*Last updated on October 28, 2019*

## **Appendix E: Anti-Oppression Document**

### The Fulcrum Publishing Society Anti-Oppression Principles

#### Introduction

At the Fulcrum, we recognize that every individual is unique and can be treated unfairly based on appearance, gender, race, religion, and much more. We believe in equality and unity no matter where you're from, no matter who you are, and want our members to share and practice these beliefs as well. This document is intended to serve as an ever-evolving guide for the Fulcrum and its members to follow not only in a professional environment, but in our everyday practices. This document will not make the Fulcrum oppression-free nor will it terminate personal agendas. However, the Fulcrum is committed to eliminating oppressive behaviour as much as possible and will use this document as a base-point to incorporating anti-oppression practices in our lives.

#### Principles

*We are committed to the following principles:*

**Understand and challenge** the system of oppression and explore the nature of those structures that empower oppressive behaviour.

**Leading** our members and community by example. It starts from the top and is up to our leaders to act on and educate our anti-oppression beliefs and views with our members and community.

**Respecting** culture and beliefs is one of the most powerful tools in our society. The ability to understand and adapt to our diverse workforce will empower our community even more.

**Listen** to those around you. Active listening allows us to understand an individual's beliefs more clearly. We want all voices to be heard and considered.

**Appreciate** the work of other individuals. Be conscious and sensitive to a person's personal situation and be willing to help those in times of weakness. Be courteous, kind, and celebrate each other more often.

**Equal opportunity** for all members and applicants. Every member and every individual applying for membership will be treated fairly regardless of sex, race, gender, religion, culture, ethnicity, and all other forms of discrimination.

Support

*This document will be periodically reviewed by the Board of Directors and staff collectively.*

*Last updated on June 30, 2020*

## **Appendix F: Workplace Violence Policy**

### **Policy Statement**

The Board of Directors and management of the Fulcrum Publishing Society are committed to the prevention of workplace violence and are ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers' health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence from all sources. The *Occupational Health and Safety Act* defines workplace violence as:

- a. The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b. An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or
- c. A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Violent behaviour in the workplace is unacceptable from anyone. The workplace extends beyond the office and can include anywhere a worker is working. This policy applies to all workers, volunteers, freelancers, directors, and management at the Fulcrum Publishing Society, as well as all other visitors. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

### **Program**

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate

assistance and a process for workers to report incidents or raise concerns. The workplace violence program is provided below.

#### Measures and procedures to control the risks of workplace violence

1. While working alone in a public venue:
  - a. Follow all rules and authorities applicable to the venue or the event;
  - b. Tell others where you are going and when you expect to be back;
  - c. Have emergency contacts available; and
  - d. Ensure that your phone is fully charged.
2. While working alone in the office:
  - a. Have emergency contacts available;
  - b. Know the location of the exits;
  - c. Ensure there is proper lighting, do not work in the dark; and
  - d. Keep all doors locked while in the office.
3. To be informed of emergencies happening on the University of Ottawa campus:
  - a. Download the University of Ottawa's SecurUO app to receive emergency alerts via push notifications on your device. If you cannot get apps on your phone, contact the University of Ottawa's Emergency Management Program at [areyouready@uottawa.ca](mailto:areyouready@uottawa.ca) to explore other alerting options that may be available;
  - b. When there is an emergency on campus, the university will tweet updates using the Twitter handle @uOttawaAlert; and
  - c. Download the University of Ottawa's Alertus application onto your personal computer. When activated, an alert will appear on your screen with the following text: ALERTE !! ALERT followed by a brief description of the affected area and what action to take.

#### Measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur

1. University of Ottawa Protection Services Non-Emergency -- 613-562-5499;
2. University of Ottawa Protection Services Emergency -- 613-562-5411;
3. Ottawa Police Service Non-Emergency -- 613-236-1222; and
4. Life-threatening emergency or fire: 9-1-1

While on any of the campuses of the University of Ottawa, Protection Services shall always be called for an emergency. Only use 9-1-1 or the Ottawa Police Service's non-emergency number while off-campus.

The University of Ottawa's Emergency InfoLine, 613-562-5555, will provide up-to-date information on all major campus emergencies.

#### **Complaints**

All complaints made under this policy and program will be handled in accordance with Part 4 of the Code of Conduct in the Fulcrum Publishing Society Policy Manual.

#### **Accountability**

The Board of Directors, as the employer, will ensure this policy and the supporting program are implemented and maintained. All workers and supervisors will receive appropriate information and instruction on the contents of the policy and program.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats. Incidents may be reported to the Editor-in-Chief, the Executive Director, the Board of Directors, or the President. There will be no negative consequences for reports made in good faith.

#### Commitment to Investigate Incidents of Workplace Violence

The Board of Directors and management pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible.

Signed: **Kalki Nagaratnam, President**

Date: 20 January 2022

The Code of Conduct should be consulted whenever there are concerns about harassment in the workplace.

Annual review date: January 20, 2023

***Last updated on February 27, 2022***

## **Appendix G: Health and Safety Policy**

The Board of Directors and management of the Fulcrum Publishing Society are vitally interested in the health and safety of its workers. Protection of workers from injury or occupational disease is a major continuing objective.

The Fulcrum Publishing Society will make every effort to provide a safe, healthy work environment. The Board of Directors, the Executive Director, the Editor-in-Chief, and workers must be dedicated to the continuing objective of reducing risk of injury.

The Board of Directors, as employer, is ultimately responsible for worker health and safety. As President of the Fulcrum Publishing Society, I give you my personal commitment that I will comply with my duties under the Act, such as taking every reasonable precaution for the protection of workers in the workplace.

Supervisors will be held accountable for the health and safety of workers under their supervision. Supervisors are subject to various duties in the workplace, including the duty to ensure that

workers work in compliance with established safe work practices and procedures. The term supervisor is defined as the Executive Director and the Editor-in-Chief.

Every worker must protect their own health and safety by working in compliance with the law and with safe work practices and procedures established by the employer. Workers will receive information, training, and competent supervision in their specific work tasks to protect their health and safety.

It is in the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of this organization, from the president to the editor.

Signed: **Kalki Nagaratnam, President**

Date: Jan. 20, 2022

Annual review date: January 20, 2022

***Last updated on February 27, 2022***