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TSAWWASSEN FIRST NATION

Tsawwassen First Nation

Employment and Training Policy (2022)

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Order Number: O.096-2023

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Kim Baird
Interime Chief Administrative Officer

Table of Amendments

Section(s) Amended	Date	Order number	Come Into Force Date
This Policy replaces the Employment and Training Policy (2017)	26/04/2022	O.036-2022	01/04/2022
<p>The following sections were amended: s.1, s.2, s.3.1, s.3.3, s.3.4, s.5, s.6.1, s.6.2, s.6.3, s.6.6, s.7</p> <p>The following sections were repealed and replaced: s.6.5, s.6.6.2, s.6.6.3, s.6.6.4, s.6.6.5</p>	21/11/2023	O.096-2023	21/11/2023

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1. Definitions

- a) **“Client”** means a potential or successful applicant for support under the Employment and Training Policy;
- b) **“CPA”** means a Community Partnership Agreement;
- c) **“Dependent”** means a legal ward of a client, who is living with and financially dependent on the client;
- d) **“Dependent spouse”** means a person who is the legal partner of the Client and who has resided with the Client for at least one year, and who is solely dependent on the Client for financial support. A spouse cannot be declared as a dependent spouse if the spouse is working full or part time or is regularly supported by an external source such as the Ministry of Child and Family Development, Service Canada, Worker’s Compensation, or Pension;
- e) **“Eligible client”** means Tsawwassen Members and aboriginal peoples ordinarily resident on Tsawwassen Lands or in the surrounding area;
- f) **“Eligible Course”** means a course eligible for funding support as set out in this policy;
- g) **“Eligible Institution”** means any institution that offers eligible courses as set out in this policy;
- h) **“Eligible Post-Secondary Institution”** means Canadian public post-secondary institutions, as well as any Canadian institution that is on the BC Student Loan “designated” institutions list or the Private Career Training Institutions Agency’s accredited institutions list, and any Canadian trades training institution designated by the Industry Training Authority, as well as comparable institutions in other provinces.
- i) **“Full-time client”** means a client who is enrolled in
 1. An eligible course that runs at least 15 hours per week for the duration of at least one week; or
 2. for courses that run less than a week, an eligible course that runs 3 hours or more a day, and the client has demonstrated that he or she has no employment income for that day;
 3. for eligible courses at an eligible post-secondary Institution as defined in Tsawwassen’s Post-Secondary Education Policy, at least 80% of a full-time course load, as determined by the institution.
- j) **“Part-Time Client”** means a client who is enrolled in one or more eligible courses, but who is not a full-time client;
- k) **“Permanent disability”** means a functional limitation caused by a physical or mental impairment that prevents an individual from performing the daily activities necessary to participate in studies and in the labor force, and is expected to remain with the individual for their expected life;

- l) **“Program”** means the Employment and Training Program;
- m) **“TFN”** means Tsawwassen First Nation;
- n) **“TFN Member”** means a Tsawwassen individual who is enrolled as a member of the Tsawwassen First Nation in accordance with the Final agreement and the *Membership Act*;
- o) **“TWS”** means Targeted Wage Subsidy;

2. Purpose

The objective of this program is to increase employability and improve career opportunities for Tsawwassen Members, as well as other aboriginal peoples ordinarily resident on Tsawwassen Lands or in the surrounding area. TFN will support interested Tsawwassen FN Members and other aboriginal people to upgrade . and upscale education to allow them to find higher paying, more desirable careers.

In order to achieve that objective, the Education and Skills Development Department will:

- Advertise employment opportunities;
- Advise clients and former clients of employment opportunities that may interest them;
- Support single seat purchases, providing clients with funding to any eligible institution and course;
- Run pre-employment and essential skills courses including resume writing, interviewing skills, job search, and drivers training.
- Provide employment enhancement skills and certification, such as WHMIS, forklift, First Aid, FOODSAFE, etc.
- Provide funding for books and equipment, travel, living allowances, and disability assistance, in addition to tuition, so as to allow people to take the time off work to upgrade their qualifications;
- Provide clients with an Employment and Training Coordinator;
- Provide individual career and employment guidance and assistance with employment and training applications;
- Arrange for mentorship opportunities, including opportunities for Tsawwassen Members to be mentored by Tsawwassen Government employees;
- Arrange for internship opportunities, including internship opportunities with Tsawwassen Government;
- Provide employment support programs including targeted wage subsidies to help clients as they enter new careers; and
- Provide employment support for youth through student summer employment.

The program is funded through an agreement with Service Canada.

TFN staff are responsible for administering employment and training funding in accordance with the policies set out by Executive Council as well any applicable agreement with Canada. All amounts set in this policy are in Canadian dollars (CAD).

3. Eligibility

3.1. Client Eligibility

3.1.1. In order to be eligible for support under the program, clients must be Tsawwassen Members, or they must be aboriginal persons ordinarily resident on Tsawwassen Lands or in the surrounding area.

3.1.2. Subject to section 3.1.3, Clients are only eligible for funding under this program for expenses or categories of expenses that are not already covered by other funding from other programs, whether provided through TFN or other governments or entities. For example, a client who is receiving living expenses through TFN's Post-Secondary Education program is not eligible for living expenses under this program. However, a client could receive living expenses under the Post-Secondary Education Policy (the "PSE Policy") and tuition support under this policy, as long as the total amount of funding for any client in any year toward employment and training does not exceed \$45,000, and as long as the funding falls within the limits established in section 4.9 [Years of Support] of the PSE policy, and section 3.4 [Years of Support] of this policy.

3.1.3. Any scholarships or bursaries a client is awarded from outside agencies is not considered other funding for the purposes of section 3.1.2, and will be over and above the funding TFN provides. The Education and Skills Development department will assist clients to identify and apply for bursaries and scholarships provided by outside agencies.

3.1.4. The Education and Skills Development department is responsible for determining whether an applicant is eligible for funding pursuant to this policy. A client may appeal eligibility and other administrative decisions made by the TFN Employment and Training Coordinator or the Manger of Education and Skills Development to the Chief Administrative Officer

3.2. Eligible Courses

Eligible courses include:

- Single seat purchases offered by an eligible Canadian post-secondary institution;
- Single seat purchases offering courses or certifications through a Canadian technical or vocational institution;
- Single seat purchases of high school equivalency courses;
- Employment enhancement skills, offered through TFN or other organizations, such as First Aid, WHMIS, Food Safety, Confined Space, Fall Protection, and Forklift, among other training as demand and opportunity arises; and
- Essential skills training, offered through TFN or other organizations, such as resume writing, interviewing skills, job search, and drivers training.

In order to be an Eligible Course, the course must prepare individuals for the labour market, taking into account current or projected labour market needs.

Eligible Courses can range from single-day courses to four-year post-secondary programs. However, an applicant can only be approved for funding for a maximum of one year at a time, and there is no guarantee that an applicant who receives funding one year will get funding in another year, even if he or she is continuing in the same program.

3.3. Minimum Academic Standard

Clients taking programs of at least one academic year in length at an Eligible Post Secondary Institution as defined in the PSE Policy must maintain a "C-" or equivalent grade (average of 60%) in order to continue to be eligible to receive support.

For clients taking any other course or program, a client who is not successful in completing a course may receive support to take the same course a second time; if unsuccessful a second time, the client will no longer be eligible for funding for that course, subject to section 3.3.

3.4. Years of Support

TFN strives to support clients as they pursue employment and training. At the same time, TFN works to ensure funding is made available to as many students as possible. Therefore, for any program at least one academic year in length at an Eligible Post Secondary Institution as defined in the PSE Policy, the limits established under section 4.9 [Years of Support] of that policy, will apply.

4. Attendance Requirements

All clients are expected to attend class each day.

Clients who are unsuccessful in completing a course due to failing to meet the course's minimum attendance requirements, or who withdraw from a course, will not be eligible for funding for the same course again. Exceptions may be made for medical reasons if a doctor's note is provided.

For any program at least one academic year in length at an Eligible Post-Secondary Institution, clients who do not complete the program will be responsible for paying back support for a semester as set out in section 7.5.

Clients are responsible for informing the Education and Skills Development department in writing of any significant changes that might affect their eligibility for funding (including dropping courses that result in a full-time client moving to part-time status), prior to the end date of their course.

5. Training Application Process

Eligible candidates may apply for funding through the following application steps:

- Show that training is employment-related, and not a general interest courses (unless Adult Basic Education or high school equivalency);
- Fill out an Employment and Training Application form, as provided by the Education and Skills Development department;
- Obtain a letter of acceptance from the eligible school or institution; and
- Apply for funding with the total cost of tuition, books, and equipment. Proof of costs can be provided through the institutions account statement, or a letter from the institution.

6. Funding

6.1. Annual Maximums

The maximum funding assistance for each client each year for training/education/employment support is \$45,000.

The maximum is set high enough to cover specialized programs with high tuition rates. TFN's expectation is that the actual funding will be significantly less than \$45,000 for most clients. If the funding is less than \$45,000, the client will receive the lesser amount. This will ensure availability of funds to more clients.

Clients must declare all other funding they receive to cover either their living expenses or training or education-related expenses. Other funding, including living expenses covering the training period, will be included in calculating the \$45,000 maximum. The exception is that scholarships and bursaries will not be included in the total.

Wages paid under the Targeted Wage Subsidy and the Student Employment Program are not considered support and are not included in the calculation of the \$45,000 maximum.

6.2. Tuition

TFN will support, subject to available funding, up to the full cost of tuition, subject to the maximum in section 6.1.

Tuition funding will be paid directly to the education institution upon invoicing by the institution.

Applicants are responsible for ensuring the institution is aware of the sponsorship.

6.3. Books, Equipment and Personal Computers for Students

TFN will pay the actual cost of books and equipment that are specifically required at any program, not including personal computers, to a maximum of \$3,000 per year.

To be eligible, books and equipment must be indicated as required on a course list, syllabus, hand-out or a letter from the institution offering the course.

Book and equipment costs will either be paid directly to the institution upon invoicing, or will be reimbursed to the student upon receiving receipts.

Equipment may include specialty equipment required for trades training such as scientific calculators but does not include personal computers or laptops.

TFN will pay up to a maximum of \$2,000 for personal computers, inclusive of software, required for a student's studies. TFN will offer this to a student once every four (4) years.

Personal computer costs will be reimbursed to the student upon receiving receipts. In certain circumstances, TFN may coordinate an alternative way to provide a student with a personal computer.

6.4. Equipment for Employment

TFN will pay for equipment required for employment, up to a maximum of \$3,000 per 5-year period. A letter must accompany the request from the potential employer stating that certain specialized or safety clothing or equipment (including tools) is required for the position. The nature of the items must be such that an individual would not normally own them; and there is a one-time allotment per item per client.

If the client has already been working for the employer for more than one month in the same position, he or she would not be eligible for this funding. If the client were offered a new position by the employer, he or she would be eligible for new funding if additional equipment were required.

The client must provide quotes from at least three separate suppliers/retail outlets specializing in the required items to verify cost, and the funding would be issued directly to that supplier.

Funding will not be provided for normal office and street attire, and will not be provided for non-essential equipment.

6.5. Commuter Travel for Training, Job Search, and Employment

Commuter funds from TFN to academic training institutions will be reimbursed according to the number of TransLink zones traveled. Students with a TransLink U-Pass will receive support as part of their tuition (section 6.2) funding. As TransLink fees are subject to change, TFN will cover the monthly rate as it stands as of that year.

Clients attending full-time training/education may apply for and receive amounts equivalent to the applicable U-Pass.

Parking Permits

Students who commute to academic training institutions by personal vehicle will be reimbursed for real costs for daily, semester or yearly parking permits up to a maximum of \$1000. The cost of parking will be reimbursed to the student upon submission of the receipt. Students are to choose the most reasonable permit to suit the length of their program. Order to Amend the Employment and Training Policy (2023)

Commuting for Training, Job Search, and Employment

Clients who are taking training part-time, and clients who are searching for employment, can apply for funding to cover daily public transit costs, not to exceed the price of daily bus tickets to and from their course(s) or job search activities for each travel day.

Clients who begin a new job may apply for compensation to cover public transit costs for the first month of their employment, up to the cost of a one-month bus pass.

Clients who commute to training or job search activities or their first month of employment by personal vehicle are eligible for compensation at a rate of \$0.50 per kilometre. Compensation for any day's travel by personal vehicle may not exceed the cost of a return bus ticket, and total compensation for a month may not exceed the cost of a monthly bus pass.

Any additional vehicle costs above the stated allotment are the responsibility of the client.

6.6. Training Living Allowances

The purpose of living allowances is to enable clients to pursue employment enhancement and upscaling training by providing support when they are unable to earn employment income.

6.6.1. Basic Living Allowance

Clients attending an eligible Post Secondary Education Program of at least one semester in duration are eligible for the Maximum Monthly Living Allowance for the months they are attending the post-secondary institution full time, as defined in the TFN Post Secondary Education Policy (subject to section 6.4.3 of this policy).

Clients who are taking Eligible Courses of one week or more in duration, and at least 15 hours in class each week, are eligible for a Weekly Living Allowance for the weeks they are taking the Eligible Courses (subject to section 6.6.4 of this policy).

Clients who are taking Eligible Courses of less than one week in duration are eligible for the Daily Living Allowance for days during which they are in class for at least three hours, and during which they are not receiving any payment for employment.

The maximum living allowance any client may receive in a month is listed in the table, below.

Clients receiving Employment Insurance or funding under other programs that provide living allowance-type support, are not eligible for a living allowance under this section, but may be eligible for a top-up pursuant to section 6.6.6.

Category	Daily Living Allowance	Weekly Living Allowance	Monthly Maximum
Single	\$83.92	\$409.87	\$1762.48
Married (spouse working)	\$76.05	\$371.39	\$1596.99
Married (dependent spouse)	\$116.45	\$568.71	\$2445.46
Single parent with one dependent	\$121.69	\$594.32	\$2555.61
For every additional dependent	\$15.73	\$76.85	\$330.46

* Daily Allowance is the Monthly Allowance divided by 21 (the average number of working days in a month)

**Weekly Allowance is the Monthly Allowance divided by 4.3 (the average number of weeks in a month)

6.6.2. Cost of Living Adjustments

Amounts in section 6.6.1 are calculated for 2022 and are subject to change based on cost-of-living adjustments. Adjustments are calculated by the annual change in consumer price index from October (previous year) to October (current year). Adjustments to the living allowance

6.6.3. Employed Clients

Clients who are eligible for the Weekly or Monthly Living Allowance under section 6.6.1, but who are employed more than 15 hours per week, are eligible for a living allowance according to the following formula: Applicable living allowance (see 6.6.1) minus 30% of gross income.

Example: Donna is a single student living alone, with no dependents. She works and makes \$1,500 a month. If she decided to go to school, her living allowance would be the applicable living allowance for a single individual (\$1600) less 30% of her monthly wages ($\$1,500 \times 30\% = \450). So she would receive a monthly living allowance of $\$1,600 - \$450 = \$1,150$. She keeps all her work income.

Full-time clients taking training of one month or longer, who are otherwise ineligible for any Living Allowance because of employment income, are eligible for an incentive payment of \$100, plus \$200 for each dependent, for each month they are in full-time training.

6.6.4. Part Time Clients

Clients who are attending a post-secondary institution part-time, as defined in the Post-Secondary Education Policy, and clients who do not qualify for the daily or monthly living allowance under section 6.6.1 because they are training for less than 15 hours a week or 3 hours a day, will not receive a living allowance, although they may be eligible for other funding (such as funding for tuition, books and equipment).

Clients who are not eligible for a Living Allowance but who can demonstrate that they successfully completed a course, or courses, involving at least 30 hours of class or training time will be eligible for a Completion Stipend of \$110.

6.6.5. Employment Insurance Top-Up

Clients who are on Employment Insurance (“EI”) but who are taking courses that would otherwise meet the criteria for living allowance support under section 6.6.1 are eligible for a Top-Up if they are currently on EI and are registered for an Employment and Training program. Clients must provide the EI benefits statement form to the Employment and Training Coordinator. The length of top-up is not to exceed the duration of the course. The combined amount of EI Payments and the EI top-up cannot exceed the living allowances outlined in section 6.6.1.

Clients who are receiving other living allowance-type income support must advise the Employment and Training Coordinator of the other income they receive and may be eligible for a top-up to the living allowances outlined in section 6.6.1 if approved by TFN’s Manager of Employment and Skills Development.

6.6.6. Requirement to Inform

Clients are required to declare any employment, employment insurance, or other income that they receive or expect to receive while they are receiving living expenses under this policy.

6.7. Disability Assistance for students and employees

Clients who require additional supports for training or employment, such as attendant care, note takers, sign language interpreters, specialized equipment, etc. can apply for support up to a maximum of \$5,000 per year. This includes additional transportation expenses that facilitate the client’s integration to both the job duties and the workplace itself, or costs for an attendant to help a disabled person attend an interview, meeting, etc.

Disability assistance funding is intended for clients who are not receiving other funding for their required services or to supplement other funding. Clients who receive funding for their needs from TFN or other sources will not be eligible for disability assistance. For example, if a client applies for a college program and the college institution provides notetakers free of charge, then TFN will not provide funding for a notetaker.

Applicants should provide one or more of the following to support their application:

- A medical certificate
- A psycho-educational assessment
- Documents that prove you have received federal or provincial disability assistance

6.8. Travel Assistance to Employment

Eligible clients may apply for a one-time payment of up to \$1000 in travel assistance to employment.

The purpose is to provide applicants with train, bus or airfare assistance to other parts of British Columbia or Canada if the client is offered a job in another location. If multiple transportation options are available, an amount equivalent to the most cost-effective mode of transportation, within reasonable time constraints, will be provided. The client must provide proof of the job offer, which must be permanent and full-time. The client must sign a declaration indicating what other funding, if any, the client is receiving for transportation, and that other funding will be deducted from the amount TFN will contribute toward the cost of transportation. The client must provide proof of purchase of the ticket to TFN within 10 business days of receiving the funding.

7. Targeted Wage Subsidy

The purposes of the targeted wage subsidy are to encourage employers to hire unemployed or underemployed individuals, to provide clients with on-the-job training and experience, to upgrade skills and increase employability among Tsawwassen Members and other Indigenous people. The hope is that some employers will transition clients to permanent employment after the subsidy period ends, and that all clients will improve their employability.

- The Targeted Wage Subsidy may be used to support internships, including internships for Tsawwassen Government positions.
- The Targeted Wage Subsidy may be used for School Work Experience programs arranged through a school district.
- The employer must sign a (CPA) with TFN before TFN will provide a Targeted Wage Subsidy.
- The CPA must set out the goals for the agreement, including what experience and training the employee will gain, and how that training and experience will increase the employee's employability.
- The employer must guarantee employment for a minimum time period as part of the CPA.
- The CPA will specify the proportion of wages to be paid by the Community Partner and the proportion to be paid by TFN. The maximum to be paid by TFN is 75% of wages.
- While the total rate of pay received by the client may be above minimum wage, TFN's contribution will not exceed the cost of minimum wage in British Columbia.
- The employer will be responsible for EI, Income Tax, CPP and WCB submissions on the client's behalf, where appropriate.
- TFN can provide wage subsidies for fulltime hours for up to three months, although extensions may be arranged with the approval of the Manager of Education and Skills Development in special circumstances, such as a School Work Experience program as set out in section 7.

- The CPA will be customized in accordance with individual client needs.
- The CPA must detail the hours worked, the rate of pay, and the wages to be provided by the employer and by TFN.
- The employer must submit time sheets and a record of payments made to the client and to the Employment and Training Coordinator on a schedule set out in the CPA.
- The employer must agree to retain the client for the full length of the contract, although in special circumstances, if approved by both the employer and the Manager of Education and Skills Development, the contract may be ended early.
- The employer must agree to train and support the client in all relevant aspects of the job description.
- The employer must provide TFN's Employment and Training Coordinator with monthly progress reports that include updates on progress with respect to any training commitments.
- The employer and TFN's Employment and Training Coordinator will discuss and include in the CPA any specific measures that the employer will undertake to ensure that the workplace is culturally sensitive.
- The TFN Employment and Training Coordinator will follow up with the client within 12 weeks of the conclusion of the agreement to assist the client with employment maintenance and/or job searches.
- All time sheets, progress reports and record of payments issued under the Targeted Wage Subsidy program will be retained in the client's file for one year past job completion.

8. Summer Student Employment

The purpose of Student Summer Employment is to provide employment for youth enrolled in school.

To be eligible for Summer Student Employment, eligible clients must be

- between the ages of 15 and 25 years of age on the day the employment is to begin;
- registered in school the previous academic year and planning to return to school in the subsequent year.

Preference will be given to youth who have not previously received this assistance.

Youth will be assessed by the Employment and Training Coordinator to determine employment suitability.

TFN will cover the full cost of wages and benefits for eligible clients hired under the Summer Student Employment program.

Base wages for Summer Student Employment will be minimum wage rates. Returning students, or students with additional job experience, skills, or certification will be compensated at a greater rate, not to exceed \$10/hour above minimum wage rates for full time hours.

The employer and TFN must sign an agreement that specifies, among other things, the terms and length of the contract and requirements for the employer to provide biweekly timesheets and progress reports.

The employment period will not exceed nine weeks for grade school students, and sixteen weeks for university or college students, except in special circumstances approved by the Manager of Education and Skills Development.

The successful applicant will sign an agreement with TFN.

A notice will be circulated in the community weekly newsletter requesting applications to accept students under the Summer Student Employment program.

The Employment and Training Coordinator will follow up with the employer a week prior to the end of the employment period to measure the results of the employment experience.

All documentation must be submitted by TFN in a timely manner and copies made for the file.

9. Follow up

Each client will be supported by the TFN Employment and Training Coordinator throughout training and employment programs in order that the coordinator can provide appropriate assistance for the client's career planning.

The Employment and Training Coordinator will follow-up with each client within 12 weeks after course or employment completion with ongoing job search assistance.

Clients agree to provide a photocopy of all diplomas/certificates they earn through this program. These will be entered into a client file.

TFN will maintain a database of program participants so that the Employment and Training Coordinator can contact clients and former clients about future employment opportunities.