

Community Enhancement Employment Program (CEEP) Project Administration Guidelines 2011-12

Note:

It is the responsibility of the sponsoring organization to review this document in detail and to comply with all project administration requirements.

A separate Guide to Completing the 2011-12 CEEP Application document is available on the CEEP website (http://www.ma.gov.nl.ca/ma/emp_support/ceep.html) to assist sponsors with their application.

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1. Hiring

1.A. Advertising for Employment

In order to provide all eligible individuals in the area with an equal opportunity for employment consideration, the project sponsor must ensure that the call for workers is adequately advertised. Job posters, advertising on the local community channel, and any other forms of advertising commonly used within the community are encouraged. To assist project sponsors, the Department has developed a job poster form that is available on the CEEP website: http://www.ma.gov.nl.ca/ma/emp_support/ceep.html

1.B. Hiring Process

Sponsors are expected to employ both women and men. In addition, sponsors are encouraged to hire individuals who meet the program criteria and who are currently receiving income support benefits from the Department of Human Resources, Labour and Employment.

Project sponsors are to offer equal opportunity employment and should welcome applications from all eligible candidates. Applications should be considered without discrimination in relation to any areas protected in the Newfoundland and Labrador Human Rights Act including, for example, age, sex, marital status, disability, etc. Candidates who have support workers must be considered for employment together with all other eligible applicants.

Hiring Committee: The Department recommends that the project sponsor form a Hiring Committee to make decisions about whom to hire on the project. The committee should consist of at least three members, with a minimum of two people involved in any individual hiring decision.

The Department recommends that project sponsors give hiring priority to individuals who require the fewest number of hours of employment.

1.C. Avoiding Conflicts of Interest When Hiring

Sponsors should contact the Employment Support Division **in advance** if they need to clarify any issues related to potential conflicts of interest.

Hiring Family Members: Sponsors need to ensure they avoid conflicts of interest in deciding who is employed on a project:

- People involved in hiring should not have input into a decision affecting a member of their immediate family, i.e., father, mother, step-parent, foster parent, sister, brother, spouse (including common-law spouse), child, step-child, mother/father-in-law, sister/brother-in-law, or other relative permanently residing with the people who make the hiring decisions.
- If a committee member is potentially in a conflict of interest situation because an immediate family member has applied to work on a project, the committee member must leave the meeting during the discussion of that individual and must not have any input into the hiring decision.

Municipalities: If the project sponsor is a Municipality, the Hiring Committee should also ensure that hiring is conducted in accordance with the Municipalities Act, 1999 and in particular Section 206 (1) which requires prior written approval of the Minister of Municipal Affairs if a councillor is to be one of the persons hired for the project.

Local Service Districts: If the project sponsor is a Local Service District, the Hiring Committee should also ensure that hiring is conducted in accordance with the Local Service District Regulations under the Municipalities Act, 1999, in particular Section 30 (2) which requires prior written approval of the Minister of Municipal Affairs if a committee member is to be one of the persons hired for the project.

1.D. Worker Eligibility

Unemployed Individuals: All workers hired for the project must be unemployed and not have been successful in getting enough insurable hours to qualify for Employment Insurance (EI) benefits during the current year.

Last Nine Weeks of EI Claim: Individuals who are currently receiving EI Benefits and are within the last nine weeks of their current claim are eligible. However they should contact Service Canada regarding the interruption of their claim.

Maximum Hours of Employment: Individuals may be employed on a project for a maximum of 420 hours less any insurable hours of employment they have already worked during the current year for the purpose of establishing Employment Insurance Benefits.

- For example, if a worker has had 120 hours of other employment this year, they would only be eligible for 300 hours of project employment.
- Individuals cannot receive more than 420 total hours of project employment through the CEEP. For example, a worker requiring in excess of 420 hours to become EI eligible, cannot receive 420 hours from one project sponsor and the remaining hours from another project sponsor.
- Workers who require more than 420 hours of project employment in order to receive EI benefits are not eligible to participate in this program.

EI Eligibility: Workers **must** be eligible for EI benefits after completing their project employment. Further information regarding EI eligibility is available from Service Canada. Sponsors who have unallocated employment hours remaining on a project that are insufficient to qualify the next eligible applicant may allocate these hours to that individual.

1.E. Employee Declaration Forms

As a condition of employment, workers must complete an Employee Declaration form. Workers must confirm the number of employment hours they require to become EI eligible. By signing the declaration, the worker is giving consent to provide the Employment Support Division with a copy of their Record of Employment from the project, and contact information for survey purposes. If workers make a false statement in the number of hours, they may be refused future employment through the Community Enhancement Employment Program.

Completion at Start of Employment: The employee declaration forms for hired applicants only, must be completed and sent to the Department **immediately** after a worker is hired. Sponsors must seek approval from the Department if hours required by a worker are different from the total initially indicated in the individual's Employee Declaration Form. The Department will not fund any hours paid by the sponsor that exceed the hours in the declaration form, unless **prior** approval was provided to amend the form.

Declarations submitted to the department must be only for those workers actually hired on the project.

2. Employment

2.A. Wage Rates

Regular Wage Rate: The regular wage rate paid by the Department under the program is the provincial minimum wage rate in effect during the course of the project. If sponsors have additional funding from other sources, the sponsor has the discretion to pay higher wages; however, these additional costs will not

be reimbursed by the Department. Sponsors will only be eligible for actual wages incurred during the project.

Specialized Wage Rate: If specialized or skilled labour (e.g., supervisor, heritage specialist, electrician, carpenter, or plumber) is required for a project, a wage premium of up to an additional \$2.00 per hour may be paid. Project sponsors must receive **prior** approval from the Department of Municipal Affairs before paying the specialized wage rate.

The wage premium must be paid only to the position(s) approved by the Department in advance to receive it. If particular individuals have multiple skills, (for example, carpentry and supervising), they can only receive a single wage premium of \$2.00 per hour.

If the project sponsor wishes to request the specialized wage rate after the start of the project, the sponsor should complete a project amendment form detailing the request. However, the sponsor cannot pay this rate until it receives approval from the Department.

2.B. Labour Cost Eligibility Timeframe

No labour costs from before the approval date of the project or after the end date of the project will be eligible for payment. All expenses under this program must be incurred **before** March 9, 2012.

2.C. Mandatory Employment Related Costs (MERC)

As an employer, the project sponsor is responsible for ensuring that all payments required by law are made. These include workers' compensation, income tax, Employment Insurance, Canada Pension, payroll tax, vacation pay and any other payments as required.

Vacation Pay: Project sponsors must pay four percent (4%) vacation pay to workers.

Canada Revenue Agency: All Canada Pension Plan (CPP) contributions, Employment Insurance (EI) premiums and income tax deducted from wages paid to the employees must be remitted to the Canada Revenue Agency (CRA). A T4 slip must be issued to each employee by the end of February 2012 for all wages paid in 2011, and the end of February 2013 for all wages paid in 2012. For more information, contact the Canada Revenue Agency at 1.800.959.5525.

Workplace Health and Safety: As an employer, the project sponsor must also register with the Workplace Health, Safety and Compensation Commission (WHSCC) and pay assessments based on your annual payroll. For more information, contact the WHSCC at 1.800.563.9000. All sponsors are responsible for making and arranging these payments. The WHSCC rate for 2011 is 2.63% for government sponsored projects.

2.D. Employment-related Legislation

Employers must ensure that they comply with all employment-related legislation. This includes:

- Environment Protection Act and associated regulations
- Human Rights Code
- Labour Standards Act and Regulations
- Occupational Health and Safety Act, Regulations and First Aid Regulations
- Workplace Health, Safety and Compensation Commission Act

2.E. Paid Holidays

If a project timeframe includes the following holidays, employees are eligible to be paid for them. Employees must have worked on the project the work day before and the work day after the holiday in order to be paid for that specific holiday.

- Thanksgiving Day – Monday, October 10, 2011
- Remembrance Day – Friday, November 11, 2011
- Christmas Day – Sunday, December 25, 2011 (observed Tuesday, December 27, 2011)
- Boxing Day – Monday, December 26, 2011
- New Year's Day – Sunday, January 1, 2012 (observed Monday, January 2, 2012)
- In any municipality, the day fixed by the council as a public holiday (for those on a project in that community on that date)

3. General Project Administration

3.A. Avoiding Project Conflicts of Interest

By accepting government funding for a project, sponsors take responsibility for administering public funds and ensuring those funds are used for their intended purpose in the community (e.g., enhancing the services, property, or infrastructure of the community or of a non-profit community organization). The surrounding community must see that funds are being used only for their intended purpose. Materials, labour or funds from a project may not be used to benefit private individuals. Sponsors should contact the Employment Support Division in advance if they need to clarify any issues related to potential conflicts of interest.

3.B. Workers' Compensation

The Workplace Health, Safety and Compensation Act requires all employers performing work in Newfoundland and Labrador to register with the Commission and pay assessments based on their workers' earnings. All sponsors are responsible for making and arranging these payments.

3.C. Liability

Any liability arising from this employment shall be the sole and absolute responsibility of the project sponsor. The Division recommends that the sponsor obtain general liability insurance coverage for any damages to third parties or their property.

3.D. Application Amendment – Project Approved For Lesser Amount

If the project is approved for a lesser amount than originally requested, the project sponsor will be required to complete an Application Amendment form, as well as sign and return the Letter of Offer for the revised funding amount. In the form, sponsors must detail the revised project activities able to be completed with

the approved amount of funding. Project funding is contingent upon review and acceptance by the Department of the information provided in the Project Amendment form.

3.E. Application Amendment – Change in Project Activities

If the project sponsor must change the activities detailed in the application, sponsors must submit an Application Amendment form to request approval of a revised scope of work from the Department of Municipal Affairs. Sponsors must seek immediate approval from the Department and receive approval before starting the new activities.

3.F. Materials Costs

In addition to materials required to complete the project, other eligible materials costs may include the following:

- Gloves, goggles, hardhats or safety vests
- Cost of any associated permits
- Rental of portable toilets for work projects in remote locations

Each worker is responsible for the cost of personal safety clothing, such as safety boots and chaps. These purchases **are not** eligible materials costs under the program guidelines.

Excluded from eligible costs are capital expenditures, including the purchase of computers. Sponsors should consult with the Department of Municipal Affairs if they are uncertain about the eligibility of a particular expenditure **prior** to purchasing. Materials purchased must pertain to the approved scope of work for the project approved by the department.

In special circumstances, at the request of the sponsor, the Department may approve materials costs up to a maximum of 30% of actual total labour costs.

Cost Eligibility Timeframe

No materials costs from before the approval date of the project or after the end date of the project will be eligible for payment. All expenses under this program must be incurred **before** March 9, 2012.

Adjustments Based on Actual Labour Costs

As the cost allowances for materials and administration are a percentage of actual total labour costs, if a project does not use all of its approved hours of employment, the budget for materials and administration will be adjusted downwards accordingly. Therefore, sponsors should not commit the full value of their materials and administration budgets until they are certain that they will use all the hours of labour approved for the project.

If the actual labour costs for a concluded project are significantly lower than the approved amount, the initial 75% advance may be greater than the overall project cost. If this situation develops, the project sponsor will be required to refund the difference between the actual cost and the 75% initial advance to the Department when submitting the project's final report.

3.G. Worker Survey

Individuals employed through this program may be asked to participate in a confidential and anonymous survey. The survey will provide general information about workers to help evaluate and improve the program. Worker participation in the survey is voluntary, confidential, and anonymous.

4. Final Report

The deadline for submission of the final report is 14 days following actual completion of the project, which for most projects will be well in advance of March 9, 2012. Sponsors must use the Final Report form provided on the Department's website and include all supporting documentation at this time. If a sponsor fails to meet these deadlines, they may not receive the 25% balance of funding for the current project and/or may not be approved for project funding in future years. **Sponsors must complete all sections of the final report.** Incomplete reports will be returned to the sponsor for completion which will delay the final payment process.

4.A. Employee Declaration Variances

Sponsors should pay particular attention to Section C.2. of the Final Report: Employee Declaration Variances. In this section, project sponsors **must** record and provide details for workers whose hours on their Records of Employment (ROEs) were greater or less than the hours reflected on their Employee Declarations. If the project sponsor does not provide sufficient reason for the variance, the labour costs associated with these hours may be ineligible for reimbursement.

4.B. Additional Documentation

The following additional documentation must be submitted with the completed Final Report:

- Copies of each worker's Record of Employment (ROE). (If there is another funding source for the total wages paid on any of the attached ROEs, please note amounts and sources of all wages paid.)
- Copies of invoices, receipts and/or other supporting documentation itemizing specific materials purchased for the project.

4.C. Submission of Final Report

Final Reports can be submitted by mail or fax.

Please visit http://www.ma.gov.nl.ca/ma/emp_support/ceep.html for more information.

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