

Community Enhancement Employment Program (CEEP) 2017-18 Project Administration Guidelines



Changes have been made to these guidelines. Please review carefully.

It is the responsibility of the sponsoring organization to review this document in detail and to comply with all project administration guidelines. If a sponsor does not comply with these guidelines, they may be issued a non-compliance letter by the Department of Municipal Affairs and Environment. Please note that consecutive non-compliance issues may jeopardize a portion of the final release payment and/or eligibility for future funding. If you have any questions or need additional guidance, please contact Employment Support toll free at 1.866.508.5500.

A separate Guide to Completing the 2017-18 CEEP Application document is available on the CEEP website (http://www.mae.gov.nl.ca/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, and can be reimbursed through the Administration Costs of the program's Final Report. To assist project sponsors, the Department of Municipal Affairs and Environment (the Department) has developed a job poster form that is available on the CEEP website: http://www.mae.gov.nl.ca/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 Advanced Education, Skills and Labour.

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 Employment Support **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 and Environment 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 and Environment if a committee member is to be one of the persons hired for the project.

1.D. Worker Eligibility

All individuals hired for the project **must be currently unemployed** (casual, part-time and call-in individuals are not eligible) and not have been successful in securing enough insurable hours to qualify for Employment Insurance (EI) benefits during the current year. The Department recommends that project sponsors give hiring priority to individuals who require the fewest number of hours of employment. Individuals must have at least 20 hours of EI insurable hours to qualify for the program. Under extenuating circumstances Departmental approval may be granted to hire individuals who have been unsuccessful in securing some insurable hours in the current year. Project sponsors are directed to contact Employment Support in such situations.

Individuals must be laid off for a minimum of 14 calendar days prior to being hired for a CEEP project if they are being laid off and re-hired by the same employer.

Last Nine Weeks of EI Claim: Individuals currently receiving EI benefits who are within the last nine weeks of their current claim are eligible, provided they require 400 hours or less of project employment toward their new claim (individuals requiring more than 400 hours of project employment for EI eligibility cannot be hired). These individuals 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 400 hours. Insurable hours of employment already worked during the current year for the purpose of establishing EI benefits are to be deducted from the 420 hours required for EI eligibility.

- 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 400 total hours of project employment through the CEEP. For example, a worker requiring in excess of 400 hours to become EI eligible, cannot receive 400 hours from one project sponsor and the remaining hours from another project sponsor.
- Individuals who require more than 400 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 who will determine if the individual is entitled to receive EI benefits. Sponsors who have unallocated employment hours remaining on a project that are insufficient to qualify the next eligible applicant may allocate those hours to that individual.

Individuals cannot combine previous years CEEP hours' with current CEEP hours for EI eligibility.

Individuals who cannot obtain the hours required for EI eligibility by the program end date are not eligible for employment on a CEEP project.

Ineligible Workers: After completing the review of the Final Report, if it is determined by the Department that a worker was not eligible to work on the CEEP project, the full amount of hours worked by that individual may be deducted from the final payment.

Residency: Individuals who reside outside the community/district are eligible to work on a CEEP project, provided all other eligibility requirements are met.

1.E. Employee Declaration Forms

As a condition of employment, individuals must complete an Employee Declaration Form. Individuals must have a minimum of 20 EI eligible hours and confirm the number of employment hours they require to become EI eligible (up to a maximum of 400 hours). By signing the declaration, the worker is giving

consent to provide Employment Support with a copy of their Record of Employment from the project, and contact information for survey purposes. If individuals make a false statement with respect to the number of hours, they may be refused future employment through the Community Enhancement Employment Program.

Prior to Start of Employment: Sponsors must obtain written Departmental approval prior to hiring individuals for the project. The Employee Declaration Form for applicants must be completed and submitted to the Department together with all ROE's (See section 1.F.) **seven calendar days prior to the individual starting work on the project.**

Sponsors must seek approval from the Department if the hours required by a worker vary during their employment on the project from the total initially indicated in the individual's Employee Declaration Form. The Department will not normally fund any hours paid by the sponsor that exceeds the hours in the declaration form. Funding may be considered in either of the following situations: 1) if a sponsor seeks prior approval through an amended Employee Declaration Form submitted to the Department via fax; or 2) if a sponsor identifies a variance in Section 4.A. of the final report.

1.F. Record of Employment

To be considered for employment, applicants are required to submit to the sponsor their Record of Employment from their previous employer(s). The Record of Employment(s) and the completed Employee Declaration Form must be submitted to the Department **seven calendar days prior to the individual starting work on the project.** The Department will notify the sponsor in writing whether or not the individual is eligible to participate in the CEEP project. Sponsors cannot hire individuals without Departmental approval. Labour costs incurred prior to receiving written Departmental approval will not be reimbursed.

Any Record of Employment with a code other than "A" will not be considered for employment on a CEEP 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 (\$10.75/hour) in effect until September 30, 2017. The provincial minimum wage rate effective October 1, 2017 is \$11.00 per hour. 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 approved 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 **written** approval from the Department before paying the specialized wage rate.

The wage premium must be paid only to the position(s) approved in advance by the Department. If particular individuals have multiple skills (for example, carpentry and supervising) they can only receive a single wage premium of \$2.00 per hour. To qualify for supervisor only rate there must be at least 6 workers employed on the project. The rate paid for a supervisor must be adjusted if at any point during the project the amount of hired workers reduces and does not meet the qualifying requirements. Limit of one specialized labour position per project.



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 written 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 reimbursement. All expenses under this program must be incurred **before March 9, 2018**.

Please note as identified in Section 1.E. And Section 1.F., sponsors must have written approval from the Department before hiring individuals on their project.

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. Sponsors are able to claim MERC incurred during the project.

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 2018 for all wages paid in 2017, and the end of February 2019 for all wages paid in 2018. For more information, contact the Canada Revenue Agency at 1.800.959.5525.

Workplace NL: As an employer, the project sponsor must register with WorkplaceNL, pay the appropriate assessment rate and submit a copy of the WorkplaceNL statement or invoice with their Final Report. All sponsors are responsible for making and arranging these payments. **All Provincial Government Funded Projects must register under the Newfoundland Industry Classification (NIC) Code of 8275 – Provincial Government Funded Projects.** Contact WorkplaceNL @ 1-800-563-9000 or 778-1291 for more information. **Please ensure CEEP projects are registered with WorkplaceNL under NIC Code of 8275.**

2.D. Employment-related Legislation

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

- *Environmental Protection Act* and regulations
- *Human Rights Code*
- *Labour Standards Act* and regulations
- *Occupational Health and Safety Act* and regulations, including First Aid regulations
- *Workplace Health, Safety and Compensation Act*

2.E. Paid Holidays

If a project timeframe includes the following holidays, CEEP workers are eligible to be paid for them in accordance with the *Labour Standards Act*. However, CEEP workers must have worked on the project a minimum of 30 calendar days before **and** the work day after the holiday in order to be paid for that specific holiday.

- Thanksgiving Day – Monday, October 9, 2017
- Remembrance Day – Friday, November 13, 2017
- Christmas Day – Monday, December 25, 2017
- New Year's Day Monday, January 1, 2018

Please Note: if an approved sponsor closes their office beyond the days we have listed as paid holidays, please contact Employment Support for guidance at 1.866.508.5500.

2.F. Leave

Sick/Medical Leave: As per the *Labour Standards Act*, CEEP workers are not entitled to *paid* sick leave or medical leave.

Bereavement Leave: As per the *Labour Standards Act*, CEEP workers employed on a project for less than 30 calendar days are entitled to 2 days of **unpaid** bereavement leave. CEEP workers employed on a project for 30 calendar days or more are entitled to 1 day of paid bereavement leave and 2 days unpaid bereavement leave. CEEP workers are entitled to bereavement leave in the event of the death of the spouse, a child, a grandchild, the mother, father, a brother or sister, a grandparent or a mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law or son-in-law of the worker.

2.G. Hours of Work

CEEP workers can work a maximum of 40 hours per week. This includes 8 hours of *paid* time for work per day and one hour of *unpaid* time for lunch per day. While there is some flexibility on the part of the sponsor in managing hours of work, it is important to note that CEEP workers must only be paid for the hours they work on the CEEP project.



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 Employment Support in advance if they need to clarify any issues related to potential conflicts of interest.

3.B. Workplace Health, Safety and Compensation Commission

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 worker earnings (see section 2.C. above).

3.C. Liability

Any liability arising from this employment shall be the sole and absolute responsibility of the project sponsor. The Department 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/Greater Amount

If the project is approved for a lesser/greater amount than originally requested, the project sponsor will be required to complete an Application Amendment form, as well as sign and return the Offer of Funding for the revised funding amount. On 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, or Addition to the Project Activities

If the project sponsor must change the activities detailed in the application, the sponsor must submit an Application Amendment form to request approval of the revised scope of work from the Department. Sponsors must receive written approval from the Department before starting the new activities.

Please Note: any subsequent Amendment(s) to the original Application replaces the previously approved application/amendment(s).

3.F. Materials and Administration Costs

Materials Costs: The purpose of the materials budget is to provide CEEP workers with the necessary supplies to perform the activities outlined in the approved project scope. Sponsors are permitted to claim a maximum of 25% of eligible total labour costs for materials expenses.

Materials purchased are reviewed to ensure eligibility and consistency with the work completed during the project. Sponsors **must** submit official invoices for purchased materials with their completed final report. The invoices must clearly indicate the supplier's name, description of items and the date they were purchased. Please note Employment Support may contact suppliers to verify expenses. Invoices from individuals or community organizations are *not* eligible for reimbursement.

Eligible materials costs include:

- Materials necessary to carry out the **approved** project activities by CEEP employees only
- Equipment and tools reasonably necessary to carry out the **approved** project activities
- Gloves, hardhats, safety vests
- Cost of any associated permits and fees
- Rental of portable toilets for work projects in remote locations
- Occupational Health and Safety/First Aid training

Please note that, subject to reasonable exceptions, items purchased for use on a CEEP project must be maintained by the sponsor for use on future projects.

Examples of items **excluded** from eligible materials costs include:

- Capital expenditures, including computers, scanners, video/audio recorders, printers, furnishings, chainsaws, generators, shop vacs, portable heaters, hot water boilers, oil tanks, septic systems, water and sewer pipes, playground equipment, kitchen appliances, flag poles/flags, computer software etc.
- Travel expenses, including the use of private and sponsor owned vehicles
- Rental of work spaces
- Electrical material and supplies
- Trees, shrubs, flowers, sods, grass seed, planting soil
- Fuel expenses, with the exception of reasonable use for chainsaws, generators, etc.
- Personal items, such as clothing, boots, jackets
- Design and printing costs for signage
- Rental of sponsor owned or other community organization's equipment
- Materials purchased to assist volunteers, regular employees of the sponsor or sponsor hired contractors/individuals will not be eligible for reimbursement
- Banking service charges, interest charges, postage, office and payroll supplies, job advertising
- Utility expenses, including oil, heat and light, telephone, internet, etc.
- Miscellaneous items such as toiletries, groceries, light bulbs, batteries, storage totes, Christmas decorations, first aid supplies, cutting of keys, ice salt, carpet rugs, etc.
- Regular town maintenance, such as road repair, ditching, culverts, chlorination, snow clearing, etc.
- Operational costs

Under special circumstances, some items may be considered for reimbursement with pre-approval from the Department. Any funding approved for these expenses may be done so on a cost shared basis.

Please note that lost tools or damages to any rented equipment are the responsibility of the sponsor.

Use of Contractors: Sponsors must contact this office at 1.866.508.5500 prior to commencing work involving the services of a contractor. Sponsors **must** receive written approval from the Department before starting any such work. This includes, but is not limited to, electricians, plumbers, and heavy equipment operators. Any funding approved for such work may be done so on a cost shared basis.

Cost Eligibility Timeframe: Any materials purchased before the approval date of the project or seven (7) calendar days prior to the end date of the project will *not* be eligible for reimbursement.

Materials required within the last seven (7) days prior to the end date of the project may be considered upon written request to the Department.

Any materials not used within the active project timeframe will *not* be eligible for reimbursement. These materials may be returned to the place of purchase.

All expenses under this program must be incurred **before March 9, 2018**

Administration Costs: The administration budget is intended to assist sponsors with administration costs associated with their project. A representative of the project sponsor must be available to monitor the general progress of the project and manage the project administration (e.g. payroll, project final reports). This does not have to be a full-time position and may be performed by a volunteer. **This individual cannot be a worker on the project.**

Any item that is not considered an eligible materials cost may be funded from the administration budget.

Adjustments Based on Eligible Labour Costs: As the cost allowances for materials and administration are a percentage of eligible 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 eligible labour costs for a concluded project is 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 eligible 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 the Department with 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 calendar days** following the actual completion of the project, which for most projects will be well in advance of March 9, 2018. Sponsors must complete the Final Report form and use the checklist provided at the top of that form to ensure all supporting documentation is submitted with the Final Report at this time. If a sponsor fails to meet these deadlines, they may not receive the full 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, delaying the final payment process. Sponsors are obligated to respond to any inquiries from the Department regarding the Final Report.

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 Record of Employment differ from the hours reflected on their Employee Declaration Forms. 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(s) 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
- Receiver General remittance calculations
- Copy of WorkplaceNL statement or invoice

Please note that Employment Support retains the right to request photographs of the CEEP project activities, and/or any item associated with the project, either during the project or at any time after the project has been completed. In the event a sponsor receives such a request, they are required to provide the photographs within the timeframe specified by Employment Support.

4.C. Submission of Final Report

Final Reports can be submitted by mail, email or fax:

Employment Support

Department of Municipal Affairs and Environment
4th Floor, West Block
Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

Email: employmentsupport@gov.nl.ca

Fax: 709.729.2019

Toll-Free: 1.866.508.5500

For additional information, please visit, http://www.mae.gov.nl.ca/emp_support/ceep.html.