



## Introduction

This section pertains to agency human resource practices. It applies to mandated child and family services agencies and licensed adoption agencies.

## Legislation

[The Child and Family Services Authorities Act](#)

[The Child and Family Services Act](#)

[The Adoption Act](#)

[Other Relevant Legislation](#)

### The Child and Family Services Authorities Act

Ministerial responsibilities under [section 24](#) of *The Child and Family Services Authorities Act* include establishing policies and standards for the provision of child and family services. Child and family services include adoption services under *The Adoption Act*.

[Section 19](#) of the Act lists the duties of child and family services authorities. Clause (b) requires authorities to develop objectives and priorities for child and family services consistent with provincial objectives and priorities. Under clause (d), authorities must ensure that culturally appropriate standards they develop are consistent with provincial standards, objectives and priorities. Clause (f) requires authorities to establish hiring criteria and ensure agencies implement them.

### The Child and Family Services Act

[Clause 86\(k.1\)](#) of *The Child and Family Services Act* provides for the making of a regulation with respect to qualifications to be met by persons who provide services to or for agencies. Section 3 of the [Child and Family Services Regulation](#) pertains to child abuse, criminal record and prior contact checks. Section 4 applies to agency contract staff.

### The Adoption Act

[Clause 127\(2\)\(c\)](#) of *The Adoption Act* provides for the making of a regulation with respect to qualifications to be met by persons who provide services to or for agencies. Section 45 of the [Adoption Regulation](#) pertains to persons who provide adoption services for an adoption. Section 46 applies to persons who provide adoption services for a child and family services agency on a contract basis.



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## Other Relevant Legislation

In addition to the specific provisions noted above, the following federal and provincial Acts also govern human resource practices:

- The [\*Canadian Charter of Rights and Freedoms\*](#) guarantees equality and mobility rights and freedom from unreasonable discrimination.
- [\*The Human Rights Code\*](#) (Manitoba) prohibits unreasonable discrimination on matters relating to employment. The Code requires managers to make reasonable accommodation of differences related to characteristics prohibited by the Code. It also allows for employment equity programs and other special programs.
- [\*The Employment Standards Act\*](#) sets out minimum working conditions for all individuals employed in Manitoba.
- [\*The Labour Relations Act\*](#) (Manitoba) promotes fair labour practices.
- The [\*Canada Labour Code\*](#) governs federal works, undertakings, or businesses that are within the legislative authority of Parliament. This is a complex legal/jurisdictional matter that requires legal direction on any particular issue.
- [\*The Civil Service Act\*](#) and [\*The Civil Service Superannuation Act\*](#) apply only to provincial government departments and agencies and their employees.
- [\*The Workers' Compensation Act\*](#) provides for compensation to eligible persons injured in the workplace.
- [\*The Workplace Safety and Health Act\*](#) sets out the responsibilities of employers with respect to workplace safety and health.

## Policy

[Agency Human Resource Policies](#)  
[Agency Hiring Practices](#)

### Agency Human Resource Policies

Provincial policies with respect to human resource practices of external (non-government) agencies are reflected in a Manitoba Family Services and Housing publication entitled [\*The Roles, Responsibilities and Functions of a Board: A Board\*](#)



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[Development Guide](#). This guide was prepared for board and staff of provincially funded social service agencies.

Regional offices of Family Services and Housing follow the [Principles and Policies for Managing Human Resources](#) developed by the Civil Service Commission

Child and family services agencies are also required to follow culturally appropriate standards developed by their respective mandating authorities pursuant to [section 19](#) of *The Child and Family Services Authorities Act*.

## Agency Hiring Practices

Child and family services agencies and licensed adoption agencies are expected to employ or retain skilled and experienced workers (field staff) capable of delivering services under *The Child and Family Services Act* and *The Adoption Act*. When appropriate, agencies may also adopt an [affirmative action](#) program or give priority to developing an aboriginal workforce. All applicants for employment as an agency field worker, including contracted persons, are subject to a satisfactory criminal record and child abuse registry check. Applicants will be subject to a check of their academic credentials.

A front-line child protection worker refers to field staff whose duties include child protection work. For child and family services authorities and agencies, entry-level qualifications for child protection field staff must reflect the following considerations:

- academic credentials
- competency-based skills
- suitability and relevance of work experience
- equivalencies
- cultural appropriateness

## Standards

1. **Written Agency Human Resource Policies** – An agency must have written human resource policies that at a minimum contain information on the following:
  - the organization (charts, job descriptions, terms for each position)
  - conditions of employment (hours, breaks, outside work, other conditions)
  - staffing policy (recruitment and hiring, probation, retirement, resignation)
  - compensation (salaries, terms of payment, overtime, vacations, sick pay, benefits, expenses, absence from work)



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- performance reviews, professional development and reclassifications
  - confidentiality
  - conflict of interest
  - employee rights (reporting protocols, grievance procedures, termination)
2. **Entry Qualifications for Child Protection Workers** – Persons hired or retained to do front-line child protection work must meet one of two entry qualification levels: Field Staff 1 (FS1) or Field Staff 2 (FS2). These levels apply to persons (incumbents), not to jobs (positions). FS1 and FS2 applicants are hired to the same position level and are therefore not subject to different work assignment criteria. However, persons with FS1 entry qualifications are considered only if there are no applicants who meet FS2 entry qualifications and who can perform the duties of the job. Persons hired with FS1 entry qualifications commit in writing to an education and training plan (see Standard 8 below) that will lead to a FS2 designation.
3. **Field Staff 2 (FS2) Designation** – An agency must not designate a person hired to do front-line child protection work as an FS2 unless the person meets one of the following criteria:
- Bachelor of Social Work degree from an accredited university
  - Master of Social Work degree from an accredited university
  - completed Pre-Master in Social Work from an accredited university
  - related social services degree from an accredited university plus two years social service experience
  - post-secondary diploma in a related field plus three years direct child welfare experience
  - post-secondary certificate in a related field plus five years direct child welfare experience
  - Grade 12 diploma plus ten years direct child welfare experience

Direct child welfare experience is calculated as one year for one year of front line child protection work and one year for two years of all other social services related employment.



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4. **Hiring Persons with Field Staff 1 (FS1) Qualifications** – An agency must not hire a person to do front-line child protection work who does not meet FS2 qualification requirements (see Standard 3 above) unless they meet all of the following criteria:

- completion of a Grade 12 diploma or General Education Development (GED) testing program
- stability in one's personal life demonstrated through skills in decision-making, problem-solving and leadership
- significant approval and respect from members of the community where the person will be working
- a cultural background consistent with the community where the person will be working or a sound understanding of the community's cultural traditions
- an acceptable level of counselling and interpersonal skills demonstrated through prior work experience

Qualifications that are considered an asset but are not required include a person's affiliation with a community and an ability to speak or understand an aboriginal language.

5. **Supervision of Persons with FS1 Qualifications** – An agency must provide FS1 front-line child protection workers with additional supervision on a weekly basis to assist them in carrying out their duties. Supervisors are required to record on personnel files the amount and frequency of supervision provided, progress reports with respect to education and training plans (see Standard 8 below) and results of performance reviews.

6. **Mentoring of Persons with FS1 Qualifications** – Within one month of hiring a front-line child protection worker with FS1 qualifications, an agency must assign the person in writing to a formal mentoring relationship. The mentor must be a senior worker with FS2 qualifications and two years direct child welfare experience. Any necessary workload adjustments for the mentor are the responsibility of the agency. The terms of the assignment must include the following at a minimum:

- a statement that a mentor will be provided for a minimum of six months
- a description of the role of the mentor and the fact that the relationship does not replace and should not undermine the role of the supervisor



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- the nature and frequency of contacts between the mentor and the worker and a commitment to ensuring daily contact if necessary and possible
  - the types of mentoring to be provided including job shadowing and coaching, case advice, emotional support and orientation to agency and community resources
7. **Probationary Period of Employment** – All new employees to an agency, whether FS1 or FS2, are subject to a six-month probationary period during which their suitability for ongoing employment with the agency will be assessed. Any employee who does not meet performance expectations or any other employment obligations will be subject to employment review and action, such as an extension of probation or termination of employment.
8. **Education and Training Plan** – All persons with FS1 qualifications hired to do front-line child protection work must agree in writing to an education and training plan that includes the following terms and conditions:
- Within three months of commencing employment, the person produces confirmation of registration in one of the post-secondary academic programs listed in Standard 3 above, which is approved by the agency in order to fulfill probationary employment requirements. An agency may grant the person a three-month extension to produce the required registration when circumstances warrant it. Persons who do not meet this requirement shall be terminated prior to the end of the probationary period.
  - Within one year of commencing employment, the person must complete at least one course in the approved post-secondary academic program and provides written confirmation of successful completion. Persons who do not meet this requirement shall have their probation period extended or have their employment terminated.
9. **Reclassification to FS2 Status** – Upon providing written confirmation of completion of at least 50 per cent of the approved post-secondary academic program and the full experience requirement (as listed in Standard 3 above), an FS1 worker is eligible to apply to the agency's mandating child and family services authority for FS2 status. If the application is successful, the person can be permanently designated FS2 with respect to the position he or she is filling in the agency. The FS2 designation does not travel with the person to another agency unless approved by that agency's mandating authority prior to the person commencing employment. One authority is not bound by another authority's decision regarding an FS2 designation.



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FS1 workers who have already started a Bachelor of Social Work degree at point of hire may apply for FS2 status upon verification that at least 50 per cent of the program has been completed after the attainment of one year experience in a front line child protection role.

10. **Exemptions to Education and Training Plan Requirements** – A front-line child protection worker with FS1 status may apply to the appropriate child and family services authority for an exemption to education and training plan requirements (see Standard 3 above) in the following circumstances:
- none of the post-secondary academic programs listed in Standard 3 is available or accessible to the FS1 employee due to community remoteness, and
  - the FS1 employee has signed a written training and professional development contract with the agency that is approved by the agency's mandating authority and the Director of Child and Family Services.

The best interests of children are, in all cases, the paramount consideration in the granting of an exemption by the authority and the Director of Child and Family Services.