

We at Stevens & Company are employment specialists. Our objective is to help you avoid liability and litigation in your Human Resources department.

Most employers do not have in-house HR staff, so we coach existing staff to manage HR issues effectively and to avoid litigation. We will work with you to assess your needs and design mini HR sessions to help employees understand their obligations and focus on potential problem areas.

We can strategize with management and handle HR situations such as harassment complaints, hiring to firing and avoiding litigation in an affordable way. Our lawyers will give you the tools to improve efficiency, collaboration, decision making and deal with conflict in the workplace in a healthy and professional manner.

Contact Stevens & Company to find out how we can get you immediate results through trust and respect.

**Are your employee policies ready to deal with the use of medicinal marijuana in the workplace?**  
Stevens & Company can work with you to update your policies and help with solutions to accommodate employees.

Beginning in 2018, employees may be entitled to benefits for work related chronic mental stress.

#### **TOP 5 HR MISTAKES:**

1. Failing to document performance issues
2. Not implementing a sexual harassment policy
3. Not having relevant job descriptions
4. Not understanding what is legal or illegal to ask in an interview
5. Terminating an employee without a plan or legal advice

#### **FUN FACT**

Nearly 4 in 5 (78%) employed First Nations, works in a First Nations Community. First Nations governments or organizations employ nearly 40% of this workforce.

## **THE 60'S SCOOP COMPENSATION**

### **What was the Settlement Amount?**

Currently, there is an Agreement in Principle. This agreement includes a maximum amount of compensation of **\$750 million**, to be shared among all individual victims of the 60's Scoop class action across Canada. Additionally, there will be **\$50 million** to establish a Healing Foundation to help Indigenous people to learn about their traditional languages and culture. It is important to understand that unlike the Indian Residential School class action, this class action is "capped" at this amount.

Because this is still an "Agreement in Principle" there is a lot of work ahead to negotiate and develop the final agreement. There are a number of lawyers from four class actions across Canada that are in the process of negotiating this final agreement with the Federal Government.

### **What you should know about the Settlement.**

The settlement is Canada wide and covers all "Indian" and Inuit children, living on and off the reserves who were apprehended between 1951 and 1991.

### **What kind of compensation will individuals receive?**

The settlement may result in payments of between \$25,000 and \$50,000 per claimant, depending on how many 60's Scoop children there are.

### **What will the healing foundation do?**

The intent of the foundation is to offer support for healing and counselling services to those who need it, but it will also support advocacy efforts to protect First Nation children.

### **When will Claimants receive money?**

All potential applicants will have to be notified before any compensation is paid.

### **How much will go to lawyers?**

None of the compensation for individual claimants will go to lawyers. It is hoped that this will be a simple process of an application. The application form is being created by the Federal Government.

In the meantime, individuals who believe they qualify for compensation should take steps to obtain their historic records from the Children's Aid Societies in the province they were apprehended. This would include the Court Order that allowed the province to place the Indian child or Inuit child in its custody.

It is likely that individuals will require help in getting these historic records and we suggest that each First Nation government discuss if they want to establish a process to assist individual claimants to obtain these records and decide what assistance will be provided.

## **Does the settlement deal with sexual and physical assaults that happened in care?**

No, you will not be able to sue Canada for sexual assaults but you may be able to sue the province for sexual abuse you suffered while you were in care of the province.

## **DAY SCHOLAR CLASS ACTION**

### **What is the Day Scholar class action?**

This class action law suit was started to obtain compensation for:

- All First Nation students that attended Indian Residential School, who did not sleep there, but who attended classes there and each night went to their home;
- The children of a Day Scholar; and
- The First Nations where the Indian Residential School was located that the Day Scholars attended.

This law suit is about the Canadian Federal Government's failure to protect the First Nation language and culture and seeks compensation for: 1) Day Scholars; 2) the children of the Day Scholars; and 3) the First Nations where the Indian Residential School was located that the Day Scholars attended.

Day Scholar Class Actions were initiated by the Tk'emlups te Secwepemc (Kamloops) and Shishalh (Sechelt) Indian Bands who were joined by the Grand Council of the Crees (Eeyou Istchee), the James Bay Cree (the Plaintiffs).

### **Who will be eligible for compensation if this matter is settled?**

**Survivor Class:** A person who attended a federally owned and operated residential school during the day and returned home every night.

**Descendant Class:** The children (son or daughter of the day scholar only): natural, legally adopted or traditionally adopted by ceremony.

**Band Class:** A band with a residential school on or near their lands, or that had day scholars.

If your First Nation requires assistance in setting up a process to assist individual claimants to obtain historic records and information, please contact Sam Stevens at 250-248-8220 or email to [sam@stevenslaw.ca](mailto:sam@stevenslaw.ca)