



THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA

**AGENDA**

November 2<sup>nd</sup>, 2022 at 3:00 p.m.

1. Call to Order and Moment of Silence  
*Let us take a moment of silent reflection to contemplate in our own way the responsibility we have to collectively use our skills and experience to ensure the mutual long-term benefit of our Municipality and those we represent.*
2. Traditional Land Acknowledgement  
*As we gather this morning (afternoon), I would like to acknowledge on behalf of Council and our community that we are meeting on the traditional territory of the Algonquin People. We would like to thank the Algonquin people and express our respect and support for their rich history, and we are extremely grateful for their many and continued displays of friendship. We also thank all the generations of people who have taken care of this land for thousands of years."*
3. Roll Call
4. Recital of the Municipal Mission and Vision Statements
5. Disclosure of Pecuniary Interest & General Nature Thereof
6. Deputations/Presentations – none
7. Adoption of Minutes of previous meeting
  - Council Minutes
    - i. September 12, 2022
    - ii. September 27, 2022
8. Policy/By-Law Review
  - i. By-Law 2022-27 Being A By-Law to Codify Human Resource Recruitment and Management Policies
    1. Guidelines – Employee Attraction
    2. Guidelines – Employee Onboarding
    3. Guidelines – Employee Development
    4. Guidelines – Employee Retention
    5. Guidelines – Employee Separation
    6. Guidelines - Officer and Employee Code of Conduct
9. Closed Session  
*Under Section 239 (b) of the Municipal Act, 2011, to discuss personal matters about an identifiable individual, including municipal or local board employees specifically the Clerk's Performance Appraisal and Contract*
10. Questions and Answers
11. Confirmation of Proceedings By-law

## 12. Adjournment

Note\* Alternate formats and communication supports are available on request.

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HCM Mission: At your service; working effectively to bring together people, partnerships and potential for a strong, connected community.

HCM Vision: Providing a healthy, connected, and sustainable community teeming with possibilities for our citizens now and into the future.



# THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA AND MARIA

## **BYLAW NUMBER 2022-28**

### **BEING A BY-LAW TO AUTHORIZE THE APPOINTMENT OF A MUNICIPAL ADMINISTRATOR**

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## **Legal Authority**

### **Scope of Powers**

Section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, ("*Municipal Act*") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

### **Powers of a Natural Person**

Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

### **Powers Exercised by Council**

Section 5 (1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council

### **Powers Exercised by By-law**

Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

### **By-laws**

Section 10 (2) of the *Municipal Act* provides that a single-tier municipality may pass by-laws respecting among other things the governance structure of the municipality and its local boards (section 10 (2) 1).

## **Preamble**

Council for the Corporation of the United Townships of Head, Clara and ("Council") acknowledges that good governance systems and practices are critical for the effective and efficient delivery of municipal services.

Council further acknowledges that the organizational structure currently in place

in the Township is one in which all Officers and Employees of the Municipality report to a senior administrator the Clerk-Treasurer and not directly to Council.

Council has reconsidered the position title for its most senior administrator.

## **Decision**

Council of the Corporation of the United Townships of Head, Clara and Maria decides it in the best interest of the Corporation to adopt a new position title for the senior administrator position which shall be called "Municipal Administrator" replacing the Township Clerk-Treasurer position title.

## **Direction**

**NOW THEREFORE** the Council of the Corporation of the United Townships of Head, Clara and Maria directs as follows:

1. That the position of Municipal Administrator is hereby created.
2. That the Municipal Administrator shall report directly to Council all other Officers and Employees will report directly or indirectly to the Municipal Administrator.
3. That Schedule "A" – Municipal Administrator Duties and Responsibilities attached hereto form part of this bylaw:
4. That any changes to Schedule "A" may be adopted by resolution.
5. That Council may appoint the Municipal Administrator by resolution.
6. This by-law takes effect on the day of its final passing.

Read and adopted by Resolution 22/11/02/003 this 2<sup>nd</sup> Day of November, 2022.

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**Mayor**

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**Clerk**

**SCHEDULE “A”**  
**Municipal Administrator Duties and Responsibilities**

**GENERAL DUTIES & RESPONSIBILITIES:**

- a. Promote the Township’s mission and values as established by Council.
- b. Establish and maintain an effective working relationship with staff, administration, members of Council, and the public.
- c. Undertake strategic and business planning initiatives and other studies to improve organizational efficiency and productivity as required.
- d. Recruit, select and train staff.
- e. Prepare annual budget; control expenditures, optimize various revenue sources and ensure cost effective operations are implemented and maximized.
- f. Maintain a high profile and public relations function in the community and province.
- g. Serve as an effective liaison with municipal organizations, Provincial and Local Governments.
- h. Maintain a constant awareness of new trends and developments in the municipal leadership field.
- i. Ensure workplace health & safety and perform two (2) recorded inspections annually.
- j. Demonstrate strong self-management skills and further personal development.
- k. Undertake performance management reviews for direct reports (as applicable).
- l. Complete general administrative (special) projects assigned.

# Municipal Administrator Guidelines – Employee Attraction

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule A - Employee Attraction, the following are the Municipal Administrator guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council. And shall:

- Adopt administration practices compliant with ESA, OHSa and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw 2022-27 or these guidelines and require amendments to one or both.

## Existing Employment Contracts

Terms and conditions established in an Employment Contract which are not compliant with terms and conditions set out in this guideline, supersede the terms and conditions of this guideline unless the guideline provides an additional benefit then this guideline supersedes the specific term/conditions in the Employment Contract.

## Compensation & Benefits

All Officers/Employees full-time, part-time and/or seasonal will be compensated in accordance with the Pay Grid adopted by Council. Employment contracts may provide enhanced compensation and benefit entitlements and will take precedence over these guidelines.

## Compensation

### New Officers/Employees

Officers/Employees starting employment with the Township will begin at the first step of the Pay Grid for the Classification of the position unless:

1. The Municipal Administrator determines that the individual's competency, education etc. merits starting at a different step in the Pay Grid.

2. The Officer/Employee has negotiated a different starting rate and the and Municipal Administrator believes it is in the best interest of the Township to agree to the negotiated rate.
3. In the case of a new employee who would report directly to the Municipal Administrator who has negotiated a different starting rate and the Municipal Administrator believes it is in the best interest of the Township to agree to the negotiated rate.

Any time a new Officer/Employee is compensated at a rate other than step 1 of the Pay Grid for the Classification of the position, the rationale will be documented and placed in the new employee's personnel file.

### **Existing Employees**

Any time an existing Officer/Employee is promoted or transferred into a different position with the Township a new employment contract will be negotiated, and they will begin at the first step of the Pay Grid for the Classification of the position unless:

1. The Municipal Administrator believes that the individual's competency, education etc. merits starting at a different step in the Pay Grid.
2. The Officer/Employee has negotiated a different starting rate and the Municipal Administrator believe it is in the best interest of the Township to agree to the negotiated rate.
3. In the case of an Officer/Employee who would report directly to the Municipal Administrator who has negotiated a different starting rate and the Municipal Administrator believes it is in the best interest of the Township to agree to the negotiated rate.

Should an existing Officer/Employee be compensated at a rate other than step 1 of the Pay Grid for the position Classification, the rationale will be documented and placed in the Officer's/Employee's personnel file.

### **Merit-Based Increases**

The following will be used to determine if an Officer/Employee is entitled to a merit-based increase. Merit-based increases do not include increases in compensation after the successful completion of a probationary period.

An Officer/Employee may receive a merit increase if:

1. The Municipal Administrator has completed a performance evaluation and has recommended a merit increase and they are not at the top of the Pay Grid for their position Classification.
2. They have acquired a designation/additional education relevant to the position.
3. They have not received a merit increase in the past three (3) years and they are not on a performance improvement plan or at the top of the Pay Grid for their position Classification.

4. The increase can be supported by the Township's budget.

### **Cost of Living Increases**

The Treasurer will provide the Municipal Administrator with a report by August 30 of any given year that identifies those Officers/Employees who have reached the top of the Pay Grid for their position Classification. Additionally, the Treasurer will provide the Municipal Administrator with the average cost of living increase between January and August 30 of any given year. The Municipal Administrator will prepare a report and recommend to Council cost-of-living increases for those employees who have reached the top of the Pay Grid for their position Classification.

Following any Council approved cost-of-living increase for either certain position Classifications or for the entirety of the Pay Grid, the Treasurer will ensure that the Pay Grid is updated to reflect the approved cost-of-living increase.

The Treasurer will then ensure that adjustments to any Officer/Employee compensation commence January 1, of any given year and are implemented the subsequent payroll cycle.

### **Acting Pay**

During an Officer's/Employee's employment they may be offered a temporary assignment in which they are required to "Act" in the place of another Officer/Employee. To be clear, a regular full-time or part-time Officer/Employee is in an Acting assignment when they are filling a position whose duties are outside of those tasked in the Officer's/Employee's regular position.

### **Cover Off Assignment**

The assignment of an Officer/Employee to perform some of the duties of another position while at the same time continuing to perform their normal job responsibilities is considered a cover-off assignment which does not involve changes in an Officer's/Employee's current rate of pay.

### **Acting Assignment**

The assignment of an Officer/Employee to perform the duties of another position on a continuous basis for a specified period generally not to exceed one year is considered an Acting Assignment.

During an Acting Assignment the Officer/Employee receives Acting Pay. Acting pay shall be an increase of 5% based on their regular full-time or part-time position, or the base pay of the Acting position, whichever is the higher amount.

Any acting assignment is authorized at the discretion of the Municipal Administrator or designate. A temporary assignment plan approved by the Municipal Administrator will outline:

1. The temporary assignment,



2. The name and position of the individual to assume the duties during the temporary assignment,
3. The proposed length of the temporary assignment,
4. The development opportunity for the Officer/Employee, and
5. The financial impact to the overall operating cost.

In some circumstances, the Municipal Administrator may consider more than one Officer/Employee being selected for the assignment and a rotation arrangement being implemented

In the situation where an Acting Assignment is expected to last for several months, an Officer/Employee development opportunity also exists. In these cases, the Municipal Administrator will balance operational effectiveness with employee development needs and Township equity practices.

### **Pay Methods and Periods**

The Treasurer shall enrol all Officers/Employees the Township payroll system. Pay periods begin on the Sunday of a pay period and end on the Saturday fourteen (14) days later. Each Officer/Employee is required to submit a timesheet to the Treasurer on the Monday after the pay period ends.

Wages are paid on a bi-weekly basis on Monday via direct deposit or cheque.

### **Payroll Deductions and Garnishments**

The Treasurer will ensure that Officers/Employees are subject to statutory deductions (e.g. Employment Insurance, Canadian Pension Plan, federal and provincial taxes) and provides for other Officer/Employee deductions (e.g. Canada Savings Bonds, benefits, premiums, submitted TD1 forms) where allowable and as requested.

The Treasurer shall garnish wages upon direction from lawful court orders, in amounts compliant with the *Wages Act, 1990*.

## **Benefits and Pension Plan**

### **Benefits**

Council has directed that the Township will offer a competitive benefit package to eligible Officers/Employees.

The Municipal Administrator will establish a Benefit Program in consultation with Officers/Employees that is in accordance with Council's direction in Schedule A to Bylaw 2022-27. The Benefit Program will be reviewed annually during the budget preparation process to ensure it remains relevant to the needs of Officers/Employees and continues to adhere to the direction of Council. To be clear, changes in the Township workforce may change the type of benefits needed.

The Municipal Administrator will seek a benefit provider to provide such service to the Officers/Employees of the Township.

The Treasurer is responsible for the management of the Benefit Program and will ensure that all eligible Officers/Employees are enrolled into the Benefit Program. Additionally, the Treasurer will familiarize themselves with how Officers/Employees may access the services of the Benefit Program and ensure that changes to the Benefit Program are communicated to the participants within ten (10) days of the Treasurer becoming aware of the changes.

Officers/Employees are responsible to submit Benefit Program enrollment forms and other required documentation to the Treasurer within two (2) business days of receiving the same.

Officers/Employees requiring information related to the Benefit Program will first access the online resources available to them. If they are unable to find the information or do not understand their obligations, they may make an appointment with the Treasurer to seek clarification.

### **Pension Plan and Retirement Benefits**

All eligible full-time Officers/Employees will participate in the Township's pension plan, in accordance with the AGF Program administration guidelines. All municipal employees will also concurrently contribute to the Canada Pension Plan (CPP).

The Treasurer is responsible for the management of the AGF Program and will ensure that all eligible Officers/Employees are enrolled into the Program. Additionally, the Treasurer will familiarize themselves with how Officers/Employees may access the services of the AGF Program and ensure that changes to the AGF Program are communicated to the participants within ten (10) days of the Treasurer becoming aware of the changes.

Officers/Employees are responsible to submit AGF Program enrollment forms and other required documentation to the Treasurer within two (2) business days of receiving the same.

Officers/Employees requiring information related to the AGF Program will first access the online resources available to them. If they are unable to find the information or do not understand their obligations, they may make an appointment with the Treasurer to seek clarification.

### **Flexible Work Arrangements**

From time to time the officers and employees of the Municipality may require various flexible work opportunities to assist employees in meeting their work and personal responsibilities. Officers or employees requiring flexible work arrangements may make a request to the Municipal Administrator preferably in writing. All requests must include:

- I. The type of flexible work arrangement being requested.

- II. The request must outline the type of arrangement, duration of the arrangement, and any other information that may be beneficial for the Municipal Administrator to be aware of (i.e., reasoning).

### **Types of Flexible Work Arrangements**

Flexible work arrangements are any working arrangements or schedules that differ from the Officer's/Employee's standard hours or days of work, and may include, but are not limited to, any of the following types or combinations of working arrangements:

- Compressed Work Week
- Flex Time
- Reduced Work Week
- Telecommuting/Remote Work
- Job Sharing
- Gradual Retirement
- Leaves and Sabbaticals
- Child Care/Elder Care Requirements
- Banking of Hours/Annualized Hours

Not all jobs and Officers/Employees may be suitable for each of the flex options outlined. All flexible work arrangement requests will be reviewed based on the individual, the position, and any other relevant considerations.

### **Definitions**

**Flexible Work Arrangements:** Flexible work arrangements are changes to an Officer's/Employee's terms and conditions of employment. This allows them to achieve better work and home life balance.

**Compressed Work Week:** Officers/Employees work a longer workday in exchange for a reduction in the number of days at work. For example, an Officer/Employee works four (4) days a week for ten (10) hours a day; they are paid for forty (40) hours.

**Flex Time:** Officers/Employees work their regular daily and weekly hours, but outside the normal start and end times each day. For example, an Officer/Employee works 7-11 am and then 2-6 pm; they are still working eight (8) hours a day and are paid for forty (40) hours.

**Reduced Work Week:** Officers/Employees work less than the standard weekly hours with a proportional reduction in salary. For example, an employee works eight (8) hours a day for four (4) days a week; they are paid for thirty-two (32) hours.

**Telecommuting/Remote Work:** Officers/Employees complete their work from a home office or another remote location using devices such as telephones, fax machines, high-speed internet, smart phones, laptops, tablets, etc. Their primary work location is at home with specific expectations for working in person at the municipal office or any other municipal physical office space

**Job Sharing:** Under a job-sharing arrangement, two or more Officers/Employees share the responsibilities of one position. It should be clear before starting how these arrangements affect pay, benefits, and holidays. It is very important that those in a job-sharing arrangement work effectively as a team and communicate well. Job sharing may be an option when few part-time positions are available within the Municipality.

**Gradual Retirement:** Gradual retirement allows Officers/Employees to reduce their working hours or reduce their workload over a period of time rather than switching from full time employment to retirement abruptly. This phased period can be used to train the replacement Officer/Employee, to help others adjust to restructuring within the organization, to facilitate knowledge transfer, to document key information, or to adjust for the redistribution of tasks among the remaining employees.

**Leaves and Sabbaticals:** Leaves and sabbaticals are authorized periods of time away from work without loss of employment rights. Paid or unpaid leaves are usually granted for family, health care, education, or leisure reasons.

**Child Care/Elder Care Requirements:** This allows flexibility for child/elder care arrangements not covered under the ESA. Allowing employees to take time (paid or unpaid) to attend to childcare/elder care requirements. Officers/Employees must be prepared to demonstrate that they have pursued all reasonable efforts to secure safe alternative caregiving, such as daycare, spouses, or other family members and that no other reasonable option can be safely arranged

**Banking of Hours/Annualized Hours:** This arrangement allows Officers/Employees to choose, within negotiated boundaries, their days and hours of work to the maximum for a set period of time. This period of time may be weekly, monthly or yearly. Such arrangements are often a combination of flex time and compressed work week and can help reduce the amount of overtime hours required. These arrangements may be suited to fields where there is variation in demands such as peak hours or seasonal peaks. For example, if an employee's seasonal peak is in the winter and they work overtime hours, they can bank those overtime hours to use as vacation days in the summer.

## Responsibilities

### Officer/Employee

Each Officer/Employee seeking flexible work arrangements will be responsible for:

- Having a thorough understanding of their job requirements
- Being self-motivated, well-organized, and disciplined in their approach to work
- Maintaining excellent communication with Municipal Administrator , colleagues, and clients (if applicable)
- Having a reliable internet connection with an ergonomic workstation if applicable

### Municipal Administrator

The Municipal Administrator will be responsible to:

- Monitor service levels and operational objectives
- Stay abreast of the *Employment Standards Act* and how it relates to flexible work arrangements
- Monitor productivity and maintain communication with the Officer/Employee(s)
- Ensure the approved schedule/work arrangement(s) do not impact service levels of the individual or department
- Proactively voice concerns (if any) to relevant stakeholders (i.e., Officer/Employee, Council etc.)
- Approve or deny the flexible work arrangement request submitted by the Officer/Employee
- Terminate an arrangement at any time with reasonable written:
  - minimum of one (1) week to a maximum of three (3) weeks of notice, depending on how long the arrangement had been in place and the purpose of the flexible arrangement

### Assessment

- Each request will be assessed by considering:
  - a. the nature of the job,
  - b. the Officer/Employee's current standing and competency level,
  - c. the needs of the department, and
  - d. operational efficiencies.
- The Municipal Administrator will (whenever possible) respond to the request within thirty (30) calendar days. The Municipal Administrator will meet with the Officer/Employee to discuss the request.
- Authorization and implementation of an alternative or flexible working arrangement is at the discretion of the Municipal Administrator and subject to maintaining service levels and meeting operational requirements.
- In the case of a modified work week; the average period cannot exceed three (3) weeks and any workday cannot exceed ten (10) hours. Days off are scheduled as agreed with the Officer/Employee and approved by the Municipal Administrator.

- Officers/Employees entering into any type of flexible work arrangement have a responsibility to fully participate in the agreement, follow the guidelines and actively work to support its success.
- The Municipal Administrator is responsible for ensuring that the operational requirements are being met and that the guidelines and agreements are followed.
- Flexible work arrangements are subject to regular review by the Township. The Municipal Administrator must determine if it continues to meet operational requirements and/or that participating Officers/Employees are in compliance with the guidelines established. If any issues arise, these will be discussed with the individual Officer/Employee and could result in notice of changes to or cancellation of the arrangement.

## **Non-Statutory Leaves and Notice of Statutory Leaves**

### **Vacation - Officer/Employee**

Each Officer/Employee commencing employment with the Township is entitled to paid vacation between January 1, and December 31, of any given year.

The vacation entitlement to each Officer/Employee during their first year of employment will be in accordance with vacation entitlements agreed to in the Officer/Employee contract prorated from their start date to December 31, of that year. For example, if an Officer/Employee starts work on June 30 (six (6) months to December 31), of the year and is entitled to the standard two (2) weeks vacation required by law, the Officer's/Employee's statutory prorated vacation leave will be half or one (1) week for the first year of employment.

Each Officer/Employee will accrue vacation time entitlements to a maximum of five (5) weeks based on the following schedule:

- Two weeks of vacation for employees with less than five years of service.
- Three weeks of vacation time for employees with five to nine years of service.
- Four weeks of vacation time for employees with ten to nineteen years of service.
- Five weeks of vacation time for employees with twenty or more years of service.

Vacation accrual outlined in this section does not apply to Officers/Employees who have negotiated specific vacation entitlements as part of their Employment Contract. To be clear, an Officer/Employee cannot accrue additional vacation entitlements based on the schedules herein. Any change in vacation entitlements will be detailed in the Employment Contract allowing for incremental increases to a maximum of five (5) weeks. For example, an Officer/Employee negotiates four (3) weeks of vacation at the outset of employment and an additional week for each five (5) years of service to a maximum of five (5) weeks and the schedule herein does not add additional weeks of entitlement to an Officer/Employee.

### **Notice of Vacation Entitlements For Upcoming Year**

On the first Monday in December in any given year, the Treasurer will provide the Municipal Administrator the number of vacation days each Officer/Employee is entitled to during the next year.

The Municipal Administrator will ensure that all Officers/Employees are aware of their vacation entitlement.

### **Approval of Vacation**

The Municipal Administrator shall select a date prior to March 31, of any given year in which any Officer/Employee must select their preferred weeks of vacation.

The Municipal Administrator will approve vacation leave for Officers/Employees which ensures:

- a. Levels of service are not interrupted;
- b. Any Officer/Employee is not on vacation leave for more than three (3) weeks in a row unless exceptional circumstances arise, and the Municipal Administrator has approved such leave; and
- c. How requests for the same vacation leave period by more than one Officer/Employee will be considered and resolved including when seniority may not be the determining factor.

### **Notice of Vacation Entitlements Not Taken**

On the last Monday of September in any given year, the Treasurer will provide the Municipal Administrator with a list of Officers/Employees who have not taken their allocated vacation. The Municipal Administrator will advise the Officer/Employee of the vacation entitlement not yet taken and remind them that they will need to schedule their vacation entitlement immediately or submit a request to the Municipal Administrator by the first Friday in October to request a carry over or payout.

### **Application for Carryover or Payout**

Any Officer/Employee not able to take their vacation entitlement during the calendar year due to extenuating work circumstances, may apply to the Municipal Administrator by no later than the first Friday in October of any given year and request their entitlement be carried over to the next year or be paid out as of December 31 in the year that the vacation entitlement has been earned. The Municipal Administrator, in their sole discretion, can approve or deny the carryover or payout. To be clear, the Municipal Administrator can require an Officer/Employee to take their vacation entitlement in the year that it has been earned.

### **Vacation - Seasonal and Part-Time Employees**

The Treasurer will ensure that vacation entitlements are be paid to seasonal and part-time employee as a percentage each pay period based on the requirements of the *Employment Standards Act*.

### **Paid Holidays**

The Treasurer by the last Friday in December of any given year shall provide a calendar of dates for the next year related to the Public, Civic and Township paid holidays approved in Bylaw 2022-27 to the Municipal Administrator.

The Treasurer is responsible to monitor attendance before and after any paid holiday to ensure that compliance with Bylaw 2022-27. Prior to refusing payment to the Officer/Employee the Treasurer will provide a report to the Municipal Administrator any time an Officer/Employee does not qualify for the paid leave.

Any time the Municipal Administrator receives a report that an Officer/Employee does not qualify for a paid holiday they will:

1. Meet with the Officer/Employee to determine the reason they were absent from work the day before or the day after a paid holiday.
  - a. Determine if there is a valid reason for the absence.
  - b. Provide the Officer/Employee and the Treasurer with a written decision to pay or not to pay the Officer/Employee the paid holiday.

### **Statutory Leave**

Officers/Employees are entitled to take job-protected leave under the following circumstances:

- Bereavement Leave
- Domestic or Sexual Violence leave
- Emergency Leave
- Family Responsibility
- Parental Leave
- Pregnancy Leave
- Short- and Long-term Sick Leave

In all circumstances an Officer/Employee will notify the Municipal Administrator prior to starting any leave of absence, preferably in writing. There are some circumstances when advance notice may not always be possible. In such cases, the Officer/Employee must contact the Municipal Administrator as soon as practical, and notice can be given orally.

In accordance with the *Employment Standards Act* the Officer/Employee will need to provide reasonable evidence of eligibility for leave. The Municipal Administrator is responsible to ensure that reasonable evidence is received.

All statutory leave will be documented on the Officer's/Employee's file.

Prior to starting a leave of absence, Officers/Employees will be advised of their obligations, if any, under the Township's Pension Program in accordance with AGF Program administration guidelines.



It is the responsibility of the Officer/Employee to be aware of their rights and responsibilities under each of the leaves. Detailed information regarding eligibility and entitlements to statutory leave of absence are available online in *Your Guide to the Employment Standards Act*, <https://www.ontario.ca/document/your-guide-employment-standards-act-0>.

Officers/Employees may also be eligible for Employment Insurance (EI) and other benefits through the federal government when on statutory leave. Refer to the ESA for further information. If the Officer/Employee is eligible for EI benefits, the Treasurer will ensure that the proper information is provided to the Officer/Employee within three (3) business days after the last pay to the Officer/Employee.

### **Sick Leave**

Officers/Employees who have worked at least two (2) consecutive weeks are entitled to three (3) days of unpaid sick leave.

Officers/Employees who have successfully completed their probation will accrue sick leave credits at a rate of 0.83 days for every month of service to a maximum of 10 days per calendar year for personal illness, injury, medical emergencies and medical appointments. Where possible, employees are expected to schedule medical appointments outside of work hours. The Municipal Administrator may ask for a medical note for absences longer than three (3) days to ensure reasonable circumstances of entitlement of leave and support accommodations at work if required.

### **Bereavement Leave**

Officers/Employees who have worked at least two (2) consecutive weeks are entitled to four (4) days paid leave of absence upon the death and funeral of any of the following family members:

- spouse, including common-law or same-sex spouse
- parents including stepparents and parents of spouse
- children including stepchildren
- brother, and brother of spouse
- sister, and sister of spouse
- son-in-law
- daughter-in-law
- grandparent, including grandparent of spouse
- grandchild

Bereavement leave must be taken between the day of the death and seven (7) calendar days following the funeral.

If the death of a family member occurs during an Officer's/Employee's vacation, the Officer/Employee will be granted bereavement leave with pay and the vacation credits will be restored.

### **Family Responsibility/Caregiver Leave**

Officers/Employees who have worked at least two (2) consecutive weeks are entitled up to three (3) days of unpaid family responsibility leave per year.

Officers/Employees must submit a written request to the Municipal Administrator and provide as much notice as possible. The Township recognizes that in extenuating circumstances an Officer/Employee may request this leave at very short notice. In their request the Officer/Employee must provide the name of the relative, the relationship to the Officer/Employee, and a statement indicating that absence is required due to the relative's medical situation.

### **Childcare/Eldercare**

Officers/Employees who have successfully completed their probation may request a leave of absence to care for their spouse, children, or elderly relatives for up to one (1) year.

Officers/Employees must submit a written request to the Municipal Administrator and provide as much notice as possible. The Township recognizes that in extenuating circumstances an Officer/Employee may request this leave at very short notice. In their request the Officer/Employee must provide the name of the relative, the relationship to the Officer/Employee, a statement indicating that absence is required due to the relative's medical situation and the length of leave requested.

Childcare or eldercare leaves are subject to the approval of the Municipal Administrator.

An Officer/Employee can request childcare leave as an extension of parental leave. Requests for an extension beyond one year must be made in writing and are subject to the approval of the Municipal Administrator.

An Officer/Employee returning from childcare or eldercare leave will return to his/her former position or a suitable alternate position if available.

### **Pregnancy Leave**

An eligible Officer/Employee is entitled to seventeen (17) weeks of pregnancy leave.

The leave may start up to seventeen (17) weeks before an Officer's/Employee's expected date of delivery.

An Officer/Employee must provide at least two (2) weeks written notice before the start of the leave. The notice period is waived in the event of pregnancy complications or premature birth, however written notice is still required.

An Officer/Employee must provide at least four (4) weeks notice before returning to work from pregnancy leave.

An Officer/Employee returning from pregnancy leave will return to their former position or a comparable position.

An Officer/Employee who has a still-birth or miscarriage will be eligible for twelve (12) weeks of pregnancy leave.

An Officer/Employee receives no pay for the first two weeks of pregnancy leave.

Officers/Employees who are eligible for pregnancy benefits under the *Employment Insurance Act* may collect benefits for up to fifteen (15) of the seven (17) weeks of pregnancy leave. Basic benefits coverage continues during the seventeen (17) week pregnancy leave, for Officers/Employees eligible for benefits. Officers/Employees are responsible for premiums that they would normally pay for such as group life insurance. Service and eligibility for benefits, including sick pay accrual (where applicable) continue to accrue during pregnancy leave. However, the period of leave does not count towards completion of the probationary period. An Officer's/Employee's vacation entitlement is not affected by pregnancy leave.

The Township will continue to pay pension contributions for the duration of the leave.

In accordance with the *Employment Insurance Act*, a mother intending to take a combined pregnancy and parental leave will select the length of parental leave at the start of the pregnancy leave for Employment Insurance purposes. This selection will be shared by and be applicable to both eligible parents.

### **Parental Leave**

An Officer/Employee may be entitled to parental leave. Currently, the employment standards legislation defines parent as:

- a natural or adoptive parent
- a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own

A birth mother who has taken a pregnancy leave is entitled to up to sixty-one (61) weeks of parental leave. A father, or any non-birth parent is entitled to up to sixty-three (63) weeks of parental leave. The leave is provided to care for a child who has come into the care, custody or control of a parent for the first time.

A birth mother must begin their parental leave when their pregnancy leave ends.

A father or any other non-birth parent must begin their parental leave no later than seventy-eight (78) weeks after the birth or after the child first comes into their custody, care or control.

Officers/Employees are encouraged to provide as much notice as possible before taking parental leave. They must give at least two (2) weeks of notice before the start of the leave.

Officers/Employees must give the Township notice of when they plan to end the leave and if they wish to change the return date to an earlier or later time.

If an Officer/employee wishes to extend the period of their parental leave, they must apply for a childcare leave prior to the end of their parental leave.

An Officer/Employee returning from parental leave will return to their former position or a comparable position.

Any Officer/employee who decides not to return to work after parental leave, must give the Township at least four (4) weeks notice of their intention to resign their employment.

### **Domestic or Sexual Violence Leave**

Officers/Employees who have been employed by the Township for at least thirteen (13) consecutive weeks are entitled to domestic or sexual violence leave if the Officer/Employee or the Officer's/Employee's child has experienced or been threatened with domestic or sexual violence, and the leave is taken for any of the following purposes:

- To seek medical attention for the employee or the child of the employee because of a physical or psychological injury or disability caused by the domestic or sexual violence
- To access services from a victim services organization for the employee or the child of the employee
- To have psychological or other professional counselling for the employee or the child of the employee
- To move temporarily or permanently
- To seek legal or law enforcement assistance, including making a police report or getting ready for or participating in a family court, civil or criminal trial related to or resulting from the domestic or sexual violence

An Officer/Employee is not entitled to this leave if the Officer/Employee committed the domestic or sexual violence.

“Child” means a child, step-child, child under legal guardianship or foster child who is under 18 years of age.

The first (5) days of leave are paid, regardless of whether the five (5) days are taken from the ten (10) day or fifteen (15) week entitlement; the remaining entitlement is unpaid leave.

The pool of fifteen (15) weeks are counted in full weeks (even if only a partial week is taken), but do not have to be taken consecutively. Notice must be given every time leave is taken.

Officers/Employees are encouraged to provide as much notice as possible before taking domestic or sexual violence leave to the Municipal Administrator. The Municipal Administrator shall report such leaves to Municipal Administrator and the Treasurer.

The Treasurer shall document the leave and ensure that the Officer/Employee receives five (5) days of pay as required.

### **Other Statutory Leaves**

Officers/Employees are also entitled to the following leaves and must provide notice to the Municipal Administrator as herein described:

1. **Infectious Disease Emergency Leave** – there is no maximum time limit per year for this leave however, the government may revoke it at any time. An Officer/Employee must provide oral or written notice and the Township may request evidence to support the leave.
2. **Family Medical Leave** – maximum twenty-eight (28) weeks per year. An Officer/Employee must provide written notice and the Township may request evidence to support the leave.
3. **Critical Illness Leave** – seventeen (17) to thirty-seven (37) weeks. An Officer/Employee must provide written notice with a timeline for return and the Township may request evidence to support the leave.
4. **Child Death Leave** – maximum of one-hundred-four (104) weeks. An Officer/Employee must provide written notice with a timeline for return and the Township may request evidence to support the leave.
5. **Crime-Related Child Disappearance Leave** – two (2) weeks (no death)/ one-hundred-four (104) weeks (death). An Officer/Employee must provide written notice with a timeline for return and the Township may request evidence to support the leave.
6. **Organ-Donor Leave** – thirteen (13) weeks and then another thirteen (13) week extension. An Officer/Employee must provide two (2) weeks of written notice with, and the Township may request evidence to support the leave.
7. **Reservist Leave** - there is no maximum time limit per year for this leave. An Officer/Employee must provide four (4) weeks of written notice and the Township may request evidence to support the leave.

Upon being given notice from an Officer/Employee of any of the above noted leaves, the Municipal Administrator will:

- I. Ensure that the applicable evidence is received from the Officer/Employee;
- II. Ensure a copy of the notice and the supporting evidence is placed in the Officer's/Employee's personnel file; and
- III. Advise the Treasurer in writing of any statutory obligation related to wage/benefit continuance and the date when the Officer/Employee will return to work.

### **Non-Statutory Leave**

Officers/Employees may request leave of absence without pay or time away from work to vote in an election. Additionally, Officers/Employees may be required to participate on a jury and will need to request a leave of absence from the workplace during the period of jury duty.

Officers/Employees may request non-statutory leave in writing to the Municipal Administrator. The Municipal Administrator will consider and approve the request.

All non-statutory leave will be documented on the Officer's/Employee's file.

### **Leave of Absence without Pay**

Once per calendar year, an Officer/Employee may submit a request in writing or by email for a personal leave of absence without pay for up to ten (10) working days to Municipal Administrator for consideration.

The Municipal Administrator will review and approve/deny the request for a leave of absence without pay with two (2) business days to the Officer/Employee requesting the leave within one (1) business day.

Approved leaves of absence without pay will not affect coverage of any other benefit the Officer/Employee may be receiving or vacation accrual.

If the employee is submitting a request for leave of absence without pay for a period greater than ten (10) working days (up to a maximum of one (1) year), the following conditions will apply:

- The Officer/Employee is responsible for covering health, dental and life insurance benefit coverage costs after the first thirty (30) days of leave.
- Short- and long-term disability coverage is maintained only for the first ten (10) days of leave. The employee will not have the option to continue paying for these coverages during the remaining leave.
- Vacation time will only be accrued for the first ten (10) days of leave.
- Employees returning from leave will be subject to the "Returning to Work" provisions of this Guideline.

### **Voting**

Officers/Employees who are eligible to vote in a municipal, provincial, or federal election are entitled to three consecutive hours of paid, job-protected leave during periods in which the polls are open. However, polling stations often remain open after regular working hours. If any Officer/Employee is unable to attend the polling station after normal working hours and requires leave to vote will notify the Municipal Administrator in writing a minimum of one (1) week prior to voting day.

The Municipal Administrator will review and approve/deny the request for leave to vote within one (1) business days and notify the Officer/Employee requesting the leave.

If a personal emergency comes up and an Officer/Employee requires time away from work to vote, they may contact the Municipal Administrator to request time away from work to vote. The Municipal Administrator under such circumstances may approve/deny the request.

### **Jury Duty**

Any Officer/Employee who is required to attend jury selection will be compensated their regular pay for the day(s) they are required to participate in the selection process if they notify the Municipal Administrator in advance of the date.

Any Officer/Employee selected to participate as a juror will be compensated at their regular rate of pay for the first ten (10) days. Thereafter, they will be compensated at a reduced rate for a period of no more than thirty (30) days. Their regular pay will be reduced by the standard daily payment from the Court for their services as a juror.

If the period of jury duty occurs during an Officer's/Employee's scheduled vacation, the Officer/Employee may request that their vacation be rescheduled. The Municipal Administrator may approve the request. In the circumstance where the Municipal Administrator is unable to approve the request, or the Officer/Employee is only required to attend jury selection/duty for one (1) or two (2) days while on vacation, they can request that those days be restored to their vacation entitlement in writing to the Municipal Administrator.

### **Returning to Work From Extended Leaves**

Officers/Employees returning from extended absences such as disability leave and leave without pay will assume their former position, wherever possible. If the same position is not available, the Township will make every effort to find a comparable position and level without loss of compensation and/or benefits. If this is not possible, the Officer/Employee will be offered first consideration for any available position for which they are qualified.

### **Unauthorized Leave**

Any unauthorized leaves of absence will be subject to non-payment. It is the obligation of the Municipal Administrator to notify the Township and the Treasurer of any unauthorized leave.

Where an Officer/Employee is absent for one (1) day without notifying the Municipal Administrator, the Municipal Administrator will attempt to contact the Officer/Employee to ensure their well-being, ascertain the reason for their absence and determine the date of their return.

Any Officer/Employee who is absent without proper notification and approval for three (3) or more consecutive scheduled days may be deemed to have abandoned their position and employment may be terminated at the discretion of the Municipal Administrator.

## **Overtime and Other Related Compensation**

### **Overtime Senior Management**

Officers/Employees considered senior management are required to attend evening meetings and are often required to work extra hours due to the nature of their position. They are entitled to 70 hours of management leave in lieu of overtime pay. Time in lieu hours must be taken within the same fiscal year and is not eligible for carry-over to the following year.

Any newly hired Officers/Employees filling a senior management position will receive time in lieu of overtime pay will have this time pro-rated based on the start date of employment.

### **Overtime Full-time Officers/Employees**

Overtime must be kept to a minimum and will only be approved by the Municipal Administrator if it is deemed necessary for the essential operation of the Township or the department.

Overtime shall be paid to employees who are required to work in excess of their regular scheduled hours providing the following:

- I. Any and all overtime has been pre-approved by the Municipal Administrator or their designate by submitting and “Authorization for Overtime” form. The form shall state the date the overtime will occur, the reason the overtime is needed and whether the overtime will be paid or banked to be taken at a later date.
- II. Any overtime worked by an Officer/Employee that has not obtained prior approval will not be compensated for their time unless in extraordinary circumstances deemed reasonable by the Municipal Administrator.
- III. Any overtime worked that an employee wishes to bank must be taken as time off within ninety (90) days of the date the overtime was worked. All banked hours shall be taken prior to December 31st of every calendar year and is not eligible to be carried-over to the following year.
- IV. Employees will not be compensated for overtime of less than fifteen (15) minutes.
- V. Overtime will be paid at 1.5 times the employee’s regular hourly wage and will only be paid once the employee has worked the maximum hours set out in the Employment Standards Act for the type of work.
- VI. Any amount of overtime allowed to work by an employee shall not exceed the limits established under any applicable legislation.

### **Overtime Part-time Officers/Employees**

Overtime for part-time Officers/Employees will only be accepted under special circumstances and must be approved by the Municipal Administrator by submitting an “Authorization for Overtime” form. The form shall state the date the overtime will occur, the reason the overtime is needed.



- I. Any overtime worked by an Officer/Employee that has not obtained prior approval will not be compensated for their time unless in extraordinary circumstances deemed reasonable by the Municipal Administrator.
- VII. Any overtime worked shall be paid at 1.5 times the employee's regular hourly wage and will only be paid once the employee has worked an excess of the total weekly hours as set out in the *Employment Standards Act* for the type of work.
- II. Any overtime worked in any given week shall be paid on the next scheduled pay period. Part-time employees will not be eligible to bank any overtime worked.

### **Callouts**

If an Officer/Employee is called out to fulfill a job-related duty after normal operating hours, they will be entitled to:

- III. A minimum of three (3) hours of worked time.
- IV. Overtime at 1.5 hours per hour for any hour of the three (3) hours of worked time which is more than the maximum working hours before overtime applies.
- V. Accrue time from the point of departure (if not the Officer's/Employee's main residence) for the length of time required until the Officer/employee returns to the point of departure or their main residence immediately after they have completed the activity they were called out for.

### **Exceptions**

Officers/Employees are not entitled to overtime in the following instances:

- VI. Time spent at educational or training seminars, conferences, or workshops for which the employee, in consultation with the Municipal Administrator, has elected to attend.
- VII. Time spent on travel to attend educational or training seminars, conferences or workshop for which the employee, in consultation with the Municipal Administrator, has elected to attend.

# Municipal Administrator Guidelines – Employee Recruitment

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule B - Employee Recruitment, the following are the Municipal Administrator) guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council. And shall:

- Adopt administration practices compliant with ESA, OHSA and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw 2022-27 or these guidelines and require amendments to one or both.

## Employee Recruitment Process

The following recruitment process will be followed when recruiting to fill a position with the Township.

1. Pre-Recruitment Analysis
2. Recruitment Strategy, Hiring and Selection
  - a. Screening Applications
  - b. Interviews
  - c. Selection Tests/Assessments
3. Reference and Internet Checks
4. Police Reference Check
5. Letter of Offer/Employment Contract

## Pre-Recruitment Analysis

### Vacancy

When a non-management level Officer/Employee position becomes vacant, a position needs assessment will be carried out by the Municipal Administrator.

When a management level Officer/Employee position becomes vacant, a position needs assessment will be carried out by the Township.

The position needs assessment will include:

- I. A review of the job profile/job description to determine if it is adequate and still meets the needs of the department and/or the Township.
- II. A review of exit interview feedback from the Officer/Employee leaving the position when possible.
- III. An analysis of communication and other internal relationships impacted by the position within the organizational structure to consider gaps and look for opportunities to improve workplace culture and resilience.
- IV. An analysis of relevance to determine if there is still a need for the position or if the position needs to be modified or realigned or changed completely; and
- V. Identification of key attributes (competency, communication style, personality) necessary for an individual to be successful in the position and that are the best fit for the workplace.

### **New Position**

The Municipal Administrator may propose the creation of a new by submitting a business case to Council.

The position may be permanent full/part time or a short-term, non-permanent or contract, position and the business case will:

- I. Identify the need for the new position and a proposed position title along with the expected duties (Position Profile);
- II. Explain value of, and need for the position to the municipal operation/the level of service defined by Council;
- III. Identify communication and other internal relationships impacted by the position within the organizational structure and propose changes to the overall organizational structure if necessary;
- IV. Identify key attributes (competency, communication style, personality) necessary for an individual to be successful in the position and that are the best fit for the workplace; and
- V. The most appropriate recruitment strategy to fill the position expediently and with an individual that is the best fit for the position, the department, and the overall workplace if the position is not being filled internally.

### **Position Profile**

The Municipal Administrator is required to ensure that Position Profiles are created, reviewed during every performance evaluation and updated as necessary. Each Position Profile will identify:

- I. The title of the position;
- II. The requirement for professional designations or certifications;
- III. The preferred education, skills and professional attributes required to successfully fulfill the obligations of the position;
- IV. How the position fits within the operating structure of the Township;

- V. Who the position reports to within the municipal operating structure;
- VI. The permitted channels of communication (i.e. interdepartmental, committees, external stakeholders etc.;
- VII. The internal and external relationships that directly affect the position;
- VIII. General performance expectations for the position;
- IX. Day to day duties and responsibilities; and
- X. Hours of work/work schedule.

## **Recruitment Strategy, Hiring and Selection**

The Municipal Administrator will be responsible for the recruitment and hiring of Officers/Employees to fill vacant or new positions or other positions.

Prior to advertising a vacant, soon to be vacant or new positions with the Township the Municipal Administrator, will prepare a recruitment strategy for the position being filled that will include at a minimum:

- I. How and where the position will be advertised;
- II. The timeframe for recruiting and hiring;
- III. Who will be part of the selection group/committee;
- IV. The selection criteria;
- V. Selection tests/assessment that will be used to ensure competency and fit;
- VI. How the evaluations of the candidates will be conducted;
- VII. Potential obstacles to filling the position; and
- VIII. Alternatives to ensure adequate service delivery if the position cannot be filled within the expected timeframe.

A Candidate selected to fill one (1) of the following positions will be introduced to and interviewed by Council prior to a formal offer being made:

- Municipal Clerk;
- Municipal Treasurer;
- Fire Prevention Officer/Chief;
- Chief Building Official; and
- Community Emergency Management Coordinator.

## **Reference and Internet Checks**

The Municipal Administrator will be responsible to ensure that any candidate they are considering making an offer of employment to completes the “Reference and Internet Checks Authorization Form”. Prior to providing any candidate with a letter of offer and employment contract, reference and internet checks will be completed the Municipal Administrator.

The Municipal Administrator will be responsible to ensure that any candidate they are considering making an offer of employment to completes the “Reference and Internet Checks

Authorization Form". Prior to providing any candidate with a letter of offer and employment contract, reference and internet checks must be completed by the Municipal Administrator.

The Municipal Administrator will prepare a reference and internet check plan that:

- I. Identifies who will be conducting the reference checks (if being done internally, requires two (2) people).
- II. Identifies who will be conducting the internet checks.
- III. Lists the questions that will be asked of the candidate's references.
- IV. Identifies who will be contacted to provide a reference for the candidate.

Once reference checks have been completed the Municipal Administrator will prepare a "Confirmation of Reference Checks Report" that will include:

- I. A summary of internet checks including but not limited to what searches were conducted and the results of those searches.
- II. A summary of responses to the questions asked of the candidate's references.
- III. A recommendation to or not to make an offer of employment to the candidate.

Confirmation of Reference Checks Reports will become part of the candidate's personnel file if they are offered and accept the position. In those circumstances when the candidate is not offered the position or does not accept the position, the Confirmation of Reference Check Reports will be maintained on file in accordance with the Township's record retention policy.

## **Police Reference Check**

Not all Officer/Employee positions in the Township requires a police reference check. For any position requiring such a check, the Municipal Administrator will prepare as part of the Job Profile those criminal charges which would prohibit an individual from holding the position.

The Municipal Administrator will be responsible to ensure that any candidate they are considering making an offer of employment to submits a Criminal Record Check or a Vulnerable Sector Police Reference Check if the position the candidate is to fill requires one to be completed.

### **Criminal Record Check**

A summary of an individual's criminal charges and their dispositions, including convictions and discharges, as stored in the RCMP National Repository of Criminal Records.

### **Vulnerable Sector Police Reference Check**

A police reference check conducted by the Ontario Provincial Police Service or any other police service in Canada, which includes a criminal record check and confirms whether an individual has been granted a pardon for a registered sex offense in Canada. A vulnerable sector police reference check includes a summary of information contained in local police service databases that have not been provided to the RCMP National Repository of Criminal Records.

Criminal Record Check or a Vulnerable Sector Police Reference Check will become part of the candidate's personnel file if they are offered and accept the position. In those circumstances when the candidate is not offered the position or does not accept the position, the Confirmation of Reference Check Reports will be maintained on file in accordance with the Township's record retention policy.

### **Letter of Offer and Employment Contracts**

The Municipal Administrator will be responsible to prepare a Letter of Offer and Employment Contract for a successful candidate using the approved "Employment Contract Template".

The Municipal Administrator may have the Letter of Offer and Employment Contract reviewed by an Employment Lawyer.

# Municipal Administrator Guidelines – Employee Onboarding

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule C - Employee Onboarding, the following are the Municipal Administrator guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council. And shall:

- Adopt administration practices compliant with ESA, OHS and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw 2022-27 or these guidelines and require amendments to one or both.

## Onboarding Program

This Guideline governs the onboarding process and sets out roles and responsibilities to ensure all new Officers/employees feel welcome at the Township

The following key information each new Officer/Employee will need immediately are topics such as:

- Pay
- Pensions and Benefits
- Occupational Health and Safety
- Government Policies
- Standards of Conduct
- Learning and Development Opportunities

## Definitions

**Onboarding:** Onboarding is a one-year process focusing on integrating a new employee into the organization to facilitate the acquisition of skills, knowledge, and behaviors necessary to be successful in their position. Onboarding begins the moment a candidate is interviewed and ends when a new employee is fully integrated and performing as expected.

**Orientation:** Orientation is a stage of onboarding where a new employee learns about the company and their job responsibilities. This typically occurs on their first day but could span over their first week.

**Training:** Workplace training is the process of developing knowledge, skills and efficiency in your job. Employers conduct different types of training depending on their requirements, the urgency of their needs and the availability of resources.

### **Responsibilities**

Responsibility for onboarding is shared among many individuals, however, the new Officer/Employee and the Municipal Administrator play the most significant roles in the orientation, onboarding, and training process.

Every Officer/Employee, whether new to the Public Service or new to a particular position, is encouraged to take an active role in the Onboarding process.

### **Prior to the Start of Employment**

The Municipal Administrator will send the new hire an email **5 days before** their start date that includes the following:

- The date and time of the first day
- What they need to bring (i.e., paperwork, void cheque, etc.)
- Location of the office and parking instructions (if applicable)
- Who to ask for or where to go upon arrival on the first day
- Dress code expectation and PPE requirements where applicable
- A basic overview of the first day's events

In preparation for the new Officer's/Employee's first day, the Municipal Administrator will:

- Make an announcement to the Council, staff, and other stakeholders regarding the arrival of the new Officer/Employee
- Ensure that the new Officer's/Employee's work area is properly set up including equipping the area with office supplies and establishing computer network access
- Assign an "onboarding buddy" to the Officer/Employee and brief them of their three (3) -month role in the onboarding process
  - An onboarding buddy is a top performing colleague who is knowledgeable on job duties, company culture, best practices, etc.
  - For more information on the Onboarding Buddy Program see the **Onboarding Buddy Guide**
- Ensure the Officer's/Employee's email address has been created and access to network has been granted

### **Orientation**

Below are the typical steps and responsibilities for a new Officer's/Employee's orientation program.



### **Municipal Administrator**

- Facilitate/lead introductory meeting with the team
- One on one meeting with the new Officer/Employee to discuss:
  - History of the Township and their vision, mission, and values
  - Expectations
  - First week goals/deliverables
  - Answer any initial questions
- Ensure all relevant HR and accounting paperwork has been completed
- Tour of the office building pointing out key areas such as restrooms, the printer, lunchroom, meeting rooms, etc.
- Provide relevant resources and equipment (i.e., computer, phone, office supplies, etc.)
- Ensure the new employee can sign in and navigate relevant software with the correct permission levels (i.e., email, intranet, LMS, etc.)
- Provide benefits information and forms for review and sign-up
- Confirm that the new Officer/Employee and onboarding buddy have met

### **Onboarding Buddy**

- Meet the new Officer/Employee
  - Answer any initial questions
  - Explain expectations and format of onboarding buddy program

### **New Officer/Employee**

- Read and sign-off on applicable policies and procedures which include, but are not limited to:
  - Health and Safety Policies
  - Employee Code of Conduct
  - Internet Use Policy
  - Violence and Harassment Policy
  - Employee Handbook

### **Training**

On the job training helps Officers/Employees develop the skills, competencies, and knowledge they need to carry out their role in the organization. On-the-job training that will be provided to the new Officer/Employee within their first year includes:

- Self-paced eLearning
  - a structured course or learning experience delivered electronically
- Coaching or mentoring
  - Mentors: share their knowledge, skills and/or experience, to help another to develop and grow
  - Coaches: provide guidance to a new Officer/Employee on their goals and helps them reach their full potential
- Job shadowing
  - Follow an Officer/Employee and observe them in their day-to-day work

### **Mandatory training topics include:**

- Accessibility for Ontarians with Disabilities Act (AODA)
- Workplace Hazardous Materials Information System (WHMIS)
- Worker/Supervisor Health and Safety Awareness
- Workplace Violence and Harassment
- Other position-specific training/certifications as required

### **Check-ins**

Throughout the new Officer's/Employee's first year, the following check-ins will take place:

- Weekly check-ins with the Municipal Administrator to discuss progress and deliverables for the first 3 months
- Weekly check-ins with their onboarding buddy for the first 3 months ensuring all the new Officer's/Employee's questions are answered
- Monthly check-ins with the Municipal Administrator from month 3-12 to discuss goals, progression, and feedback on the onboarding process

## **Onboarding Buddy Guide**

### **What is an Onboarding Buddy?**

An onboarding buddy is a peer coach who assists the new hire to navigate the Municipality's systems. A buddy partners with the new employee for the first few months of their employment to assist them by:

- Offering encouragement and resources to help introduce them to the Municipality's culture
- Explaining basic operational issues
- Supporting their immediate productivity on the job
- Helping them build confidence
- Exemplifying the Municipality's values

Toward the end of the few months, you and the new employee can discuss with the Municipal Administrator if and how to continue the relationship.

### **Buddy Responsibilities**

- Establish a rapport with the new employee
- Have lunch or a coffee break with the new employee at least once a month
- Act as an informational resource on policies and procedures
- Help socialize the new employee to the Municipality's guidelines, norms, and culture
- Answer general/routine questions
- Make introductions to other members of the Municipality
- Follow up with the new employee on a weekly basis for 3 months

## Buddy Selection Criteria

The Municipal Administrator responsible for selecting a buddy for the new employee. Selections should be based on the following characteristics:

- Demonstrates strong performance
- Is given time to be accessible to the new employee Is skilled in/has knowledge of the new employee's job
- Is a peer of the new employee
- Has patience and good communication and interpersonal skills
- Wants to be a buddy
- Is well regarded and accepted by peers

## What an Onboarding Buddy is not

An onboarding buddy is **not**:

- Responsible for the entire onboarding process
- A mentor who is involved with developing an employee
- A supervisor, responsible for the new employee's job performance

The buddy is not positioned to resolve performance, policy, or disciplinary matters. However, the buddy can share opinions on how to resolve these matters. Ultimately, a buddy directs a new employee to the Municipal Administrator to resolve a relevant issue(s).

## Why Onboarding Buddies are Important

New Employee Benefits	Buddy Benefits	Municipality Benefits
Early productivity	Leadership development	Increased employee engagement & retention
One-on-one assistance	An increased network	Enhanced onboarding process
Understanding of how things get accomplished	Opportunity to support others	Increased employee productivity
Single point of contact	Recognition as a strong performer	Increased employee communication

## Tips

You do not have to be an expert or know everything to be a buddy. Just focus your attention on assisting the new employee with an open mind and with a good attitude and identifying resources as needed. Ask questions like “What do you need?” or “How can I help?”.

Do's	Don'ts
Offer feedback	Don't be judgemental
Be patient	Don't try to cover everything at once
Talk about each other's communication preferences as you likely have different styles	Don't try to force a relationship; it may take time to develop one

# Municipal Administrator Guidelines – Employee Development

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule D - Employee Development, the following are the Municipal Administrator guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council. And shall:

- Adopt administration practices compliant with ESA, OHSA and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw2022-27 or these guidelines and require amendments to one or both.

## Existing Employment Contracts

Terms and conditions established in an Employment Contract which are not compliant with terms and conditions set out in this guideline, supersede the terms and conditions of this guideline unless the guideline provides an additional benefit then this guideline supersedes the specific term/conditions in the Employment Contract.

## Performance Management

Performance management is both a system and a process. It requires a consistent method of implementation [system] as well as a clear set of action steps [process]. It provides the necessary framework for each employee to be successful in their position and for the overall success of the Township. This is accomplished by aligning the performance expectations of each Officer/Employee with the overall goals of Council/the Township. Performance management is continuous throughout the year. From time to time, work improvement plans, and progressive discipline may be required to support an Officer/Employee in achieving satisfactory performance.

Annual reviews will be conducted using the Township's "Standard Performance Measurement Tool" and adopted process which includes self-assessments completed by each Officer/Employee.

The tool consists of objective [actual tasks completed] and subjective [competency] performance measures that are agreed upon on an annual basis between Council and the Municipal Administrator.

### **Assessment Tool**

A standardized assessment tool should be used to ensure consistency in how performance is assessed year after year and throughout the entirety of the township operation. This does not mean that the tool cannot be modified from time to time to meet the needs of the Township. It does mean that the approach to conducting performance assessments will be standardized as a practice across the Township for all Officers/employees.

The Performance Assessment tool used by the Township consists of objective [actual tasks completed] and subjective [ability to do the “job” duties/competency] performance measures. This type of evaluation tool balances the performance information being considered by limiting bias, minimizing personality similarities/differences, and increasing the validity of the feedback being given to an Officer/Employee. However, the value or weight of each of these measures will be unequal when analyzing the overall performance rating. To be clear, the subjective measures should count for between one (1) and thirty-five (35) percent of the total rating only.

The percentage or weight given to the subjective measures would vary based on position within the township operation. The more important contact/work with other people the higher the weight or value the subjective measures ought to have in comparison to the objective measures. For example, a weight or value between 25% and 35% would be appropriate for the Municipal Clerk or a Management position. For a position like an equipment operator (where technical skill proficiency is more essential than working well with people) the weight or value would be between 15% and 20%.

### **Objective Measures = Performance Expectations/KPIs**

Objective performance measures [performance expectations or key performance indicators (KPIs)] are fact based. Either some task or activity was completed well and on time, or it was not.

Each position within the township operation has its own set of performance expectations or KPIs based on the function of the position; which may include legislated/mandatory activities as well as tasks/actions directly related to the Township’s Council Term Plan or other strategic priorities.

### Example for a Management Position

Focus	KPI	Measure
Build a workplace culture that supports employee success	Develop performance expectations for direct reports	<ul style="list-style-type: none"> <li>- Review the job description for each direct report by July 31, 20XX</li> <li>- Review previous performance evaluations for each direct report by August 15, 20XX</li> <li>- Draft performance expectations based on the job descriptions and goals as set by Municipal Clerk for each direct report by September 15, 20XX</li> <li>- Meet with each direct report to review potential changes to the job description and the performance expectations by October 30, 20XX</li> </ul>
Work to develop a governance culture of accountability, increased transparency & inclusion.	Develop a system/process of reporting to Council to ensure that accountability, transparency & inclusion are addressed in applicable staff/other reports	<ul style="list-style-type: none"> <li>- Attend training on staff report template and provide training to staff on how to use the template by July 31, 20XX if the process is adopted by Council.</li> </ul>

### Example for Front-Line Position

Focus	KPI	Measure
Build a workplace culture that supports employee success	Successfully complete established performance expectations	<ul style="list-style-type: none"> <li>- Meet with Management Position Supervisor to review potential changes to the job description and the performance expectations by August 15, 20XX</li> <li>- Log work carried out as described in the performance expectations</li> </ul>
Work to develop a governance culture of accountability, increased transparency & inclusion.	Develop a system/process of reporting to Council to ensure that accountability, transparency & inclusion are addressed in applicable staff/other reports	<ul style="list-style-type: none"> <li>- Train direct reports on staff report template on the information needed to complete the template by August 31, 20XX if the process is adopted by Council.</li> </ul>

### **Subjective Measures = How Others Perceive the Employee's Competency**

Subjective performance measures are perception based and not fact based. They are more about the experience the individual assessor has about the employee. Perception can be based on personal opinions/perspectives, ethics/attitudes, and beliefs. It can also be shaped by the opinion of others. Subjective measures can be difficult to rate if there is insufficient detail within the overall measure since they can mean different things to different people. Key to consider when using subjective performance measures is to provide some definitive statements to clearly outline the expectation.

Overall measures should include the following themes. The definitive statements would be different based on where the position fits within the municipal organization. Expectations are higher for positions of authority than for front-line workers, but they could all still apply.

- Leadership
- Communication
- Planning & Goal Setting
- Decision-making
- Team Building
- Time Management & Productivity
- Change Management
- Stress Management
- Emotional Intelligence
- Personal Development
- Community & Partnerships
- Performance Management

As an example of more definitive statements Leadership could include:

- Builds a solid foundation of trust and respect
- Leads through example
- Is seen as a strong leader
- Is honest and ethical in dealings with others
- Creates an environment of trust
- Keeps promises
- Makes others feel valued
- Is able to influence and persuade others
- Builds positive relationships
- Provides regular, effective one-on-one coaching
- Is a patient and helpful coach.



All or a selection of these could be evaluated based on the position being assessed. The scale that will be used to rate the individual's competency in each area such as Never, Rarely, Sometimes, Often, Always. Then an overall performance score will be calculated by averaging the responses. A 360 evaluation approach will be used in this circumstance.

### **Conducting the Assessment**

Prior to the annual performance assessment/evaluation of an Officer/Employee the Municipal Administrator will:

1. Set a date and time for the annual review meeting with the Officer/Employee. Make sure that the date selected provides ample time to conduct a review of the performance expectations and the competencies. A 360 can take a number of days to more than a week to collect all of the responses and then prepare the analysis.
2. May choose to have another Officer/Employee or contract a third party to assist with the performance assessment.
3. Provide the Assessment Template to the Officer/Employee and complete it as their supervisor. Ask that they complete and return it by a set date.
  - a. Circulate the competency portion of the Assessment Template with the appropriate instructions and due date to:
    - b. All/Select Direct Reports
    - c. Coworkers
    - d. External Stakeholders which may include:
      - i. Ratepayers
      - ii. Members of Committees/Local Boards
      - iii. External Colleagues
      - iv. Provincial or Federal Government Representatives
4. Summarize/analyze the results.
5. Identify areas of strength
6. Identify areas needing additional support or professional development.
7. Review the results with the Employee.

### **Analyzing the Feedback**

Once all participants have returned their responses using the Assessment Template, the data will need to be reviewed and scored. With the Assessment Model there should be two (2) separate scores:

- Performance Expectations (Objective Measures)
- Competency (Subjective Measures)

Reviewing the Performance expectations should not be onerous. The Assessor and the Officer/Employee should be well versed on how well the Officer/Employee is achieving these expectations based on the quarterly review/updates. The score will be based on the number of the expectations that have been successfully completed. Once calculated, the score will then need to be converted to a weighted percentage that is in keeping with the overall percentage assigned to the subjective measures.

The results of the Competency portion will need to be converted to a percent. We would suggest the following scoring be used then the overall total score be averaged.

Never	= 1
Rarely	= 2
Sometimes	= 3
Often	= 4
Always	= 5

Once the average has been calculated the result will need to be weighted so that it reflects the 1% to 35% value that was agreed upon.

The two (2) numbers are then added to complete the overall score.

Note: if the competency value is 25% then the performance expectations would need to be 75% for an overall score out of 100%.

As an example, assume all 12 Competency Areas are used and the maximum score that can be achieved for each is 15 then  $15 \times 12 = 180$  (a perfect score) if the employee scores 162 out of 180 you would divide  $162/180 = .90$  and then multiply that rate by 25/100 or  $(.90 \times .25) \times 100 = 22.5$  out of 25

A similar calculation would need to be done for the objective measures.

### **Preparing the Report**

The Report should follow a consistent format and include at a minimum the following:

Date of the performance assessment

- Name of the Officer/Employee
- Who is responsible for carrying out the assessment
- Who actually conducted the review (if a third party is used etc.)
- Brief Summary of previous assessments
- How the current assessment was conducted
- What the benchmark performance expectations are and how the employee scored
- Identify any areas of concern
- Identify areas of success
- The competency score and other feedback
- Identify any areas of concern
- Identify any areas of success

### **Meeting with the Officer/Employee**

Once the report is completed a meeting date will be scheduled with the Officer/Employee. A copy of the report will be given to the Officer/Employee prior to the meeting date.

On the scheduled date, the meeting with the Officer/Employee report will be reviewed. It is important that this be done in a constructive and not punitive way. This is an opportunity to review the successes and identify areas for improvement or professional development.

It is also the time to discuss the performance expectations for the next year and prepare the success plan.

### **Success Plan**

The Success Plan captures the agreed to performance expectations for the next review year, the related competencies that will be measured during the next review (including the value percentage 1% - 35%) and any learning/improvement strategies or professional development or other resources that may be required to assist the employee in being successful in their position.

### **Progressive Discipline**

If an Officer/Employee violates Township policy or exhibits problematic behavior, a system of progressive discipline will be followed. To be clear, progressive discipline can be issued in relation to policy violations, attendance, conduct, health & safety, or performance concerns.

Officers/Employees will be given four (4) opportunities to correct the unwanted behavior unless the behaviour or concern is severe in nature. If the concern is sufficiently egregious, progressive discipline can be accelerated to match the violation. Typically, progressive discipline will progress through the following steps:

- I. Coaching
- II. Verbal Warning
- III. Written Warning
- IV. Final Written Warning with Possible Suspension
- V. Termination

Each progressive discipline step will be documented with the Officer/Employee receiving a written notice which will:

- Explain the violation;
- Explain the applicable Township policy and/or workplace expectations;
- Advise of any consequences associated with further violations;
- Provide guidance/suggestions for improvement; and
- Be placed in the Officer's/Employee's personnel file.

### **Investigation and Documentation**

Prior to issuing progressive discipline, a proper investigation will be conducted and documented by the Municipal Administrator. While an investigation is being conducted an Officer/Employee may be suspended from the workplace at the discretion of the Municipal Administrator.

If such a suspension is required, the Officer/Employee will be notified in writing of the decision, the proposed timeline for the investigation and the reasons for the suspension. This form of suspension is not disciplinary. It is intended to allow a thorough examination of the issues and determine appropriate action. Should the investigation not be completed during the expressed timeline, the Municipal Administrator may authorize an extension to the suspension.

The suspended Officer/Employee will be provided with the details of the allegations and given an opportunity to respond to them. The suspended Officer/Employee must ensure that they be available for interviews during this period. If the suspended Officer/Employee fails to make themselves available, the investigation will proceed, and determinations will be made based on the information available. Should the suspended Officer/Employee need to leave town or be otherwise unavailable for interviews, they must submit a request to Municipal Administrator and be granted approved leave.

The suspended Officer/Employee will have the right to legal representation, or a support person present at any such interview, and will be given a minimum of twenty-four (24) hours written notice prior to any interviews taking place.

Any Officer/Employee who is placed on suspension with pay will be required to temporarily turn over their office keys, identification, and credit cards. All Township property, business information, and confidential information are to remain at the worksite. If any Officer/Employee placed on suspension maintains any files or equipment at their residence which are the property of the Township, they will be required to return these items to the Municipal Administrator, until such time as the investigation is completed.

Officers/Employees placed on suspension should not have contact with anyone from the workplace, including the Municipal/Township/Town Council, other than their designated point of contact.

### **Appeals**

In the event that an Officer/Employee feels that they have been wrongfully accused, or disciplined, they may file a written appeal with the Mayor.

Written appeals must contain:

- I. Details of the discipline;
- II. Events surrounding the discipline; and
- III. Why the employee feels the discipline is not warranted or appropriate.

The Mayor shall review and respond to all written appeals within ten (10) business days.

The Mayor upon receipt of a written appeal will refer the matter to a third party to review and provide a response.

# Municipal Administrator Guidelines – Employee Retention

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule E - Employee Retention, the following are the Municipal Administrator) guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council. And shall:

- Adopt administration practices compliant with ESA, OHSA and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw 2022-27 or these guidelines and require amendments to one or both.

## Workplace Culture

The Township workplace is team oriented with a focus on the Vision, Mission, and Strategic Objectives of Council. Additionally, Officers/Employees share a core set of values.

### Shared Values

1. Respect
2. Professionalism
3. Work-life Balance
4. Excellent Service
5. Continuous Learning and Improvement

### 1. Respect

Officers/Employees must always be respectful of others in the workplace. They are expected to foster:

- Respect by treating others in a professional, fair and courteous manner;
- Inclusivity by Acknowledging and valuing the differences in others;
- A psychologically safe workplace where everyone is able to be authentic and can expect open and civil communication;
- Officer/Employee recognition;
- A work environment where conflict is addressed early; and

- A culture of cooperation and empowerment of others.

## **2. Professionalism**

Officers/Employees are expected to exhibit professionalism no matter their function within the Township. To be clear, Officers/Employees are expected to:

- Perform their duties consistently with skill and competency;
- Be reliable and trustworthy;
- Act in a manner that supports the Vision, Mission, Strategic Objectives of Council; and
- Refrain from gossip or being openly critical of other Officers/Employees, Council, Ratepayers and other Stakeholders.

## **3. Work-life Balance**

Work-life balance involves reducing/minimizing work-related stress/stressors and promoting a way of working that allows Officers/Employees to maintain their physical/emotional health and overall wellbeing.

Officers/Employees at all levels are expected to be responsible for their own health and wellbeing and be able to self-advocate as may be required.

The Municipal Administrator and Department leads/supervisors will actively integrate, promote, and support activities that support work-life balance including but not limited to:

1. Leading by example;
2. Creating an environment where their direct reports feel safe to communicate their concerns about work-life balance;
3. Workload management;
4. Boundaries Between Workplace and Personal Technology;
5. Ensuring that those who report to them take their vacation and other leaves; and
6. Providing support and resources as may be required.

## **4. Excellent Service**

Officers/Employees are public servants and are expected to perform their duties in a manner that consistently meeting and often exceeds the expectations of those the Township serves. Officers/Employees are expected to:

1. Act as an ambassador of the Township and understand that their attitude while carrying out their duties should focus on making a good impression.
2. Remember that the Township is a “people” focused operation, and that relationship building is important even when enforcing policy.
3. Instill confidence in the Township administration/operation by speaking positively about other Officers/Employees and Council.
4. Speak with positive focus not negative – for example saying, “*we would be happy to assist you with that on Tuesday the 10<sup>th</sup> at 10 A.M.*” instead of saying “*We can’t do that for two weeks*”.

5. Go the extra mile – this may not always be possible, but it should always be the goal!
6. Handle difficult people respectfully.
7. Remember that how they treat others while carrying out their duties impacts the attitudes of others.

## **5. Continuous Learning and Improvement**

Continuous learning and improvement are critical to the sustainability of Township operations. Officers/Employees are key to the successful delivery of Township services and often must adapt or change how they carry out their duties due to regulatory changes or updated sector best practices. It is important that each Officer/Employee monitor and evaluate the effectiveness and efficiency of the approach/method of service delivery.

Each Officer/Employee is expected to:

- Be open to new ways of doing things;
- Provide feedback about what is going well and what can be improved;
- Identify roadblocks or challenges along with potential solutions;
- Be willing to take training and/or participate in learning opportunities; and
- Be future focused and not focused on how things have been done historically.

## **Workplace Culture Assessments**

The Municipal Administrator and the Department leads/supervisors will create an annual workplace culture assessment plan that includes at a minimum:

- Creation of an assessment tool or approach (survey, focus groups, etc.);
- The date when the assessment will be completed and who will carry out the assessment (this may be carried out by a third party which could include the senior administrator of another municipality); and
- The date when the results will be shared with all Officers/Employees.

# Municipal Administrator Guidelines – Employee Separation

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule F - Employee Separation, the following are the Municipal Administrator guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council and shall:

- Adopt administration practices compliant with ESA, OHSA and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw 2022-27 or these guidelines and require amendments to one or both.

## Existing Employment Contracts

Terms and conditions established in an Employment Contract related to Officer/Employee Separation supersede the terms and conditions of this guideline.

## Voluntary Departure

### Officer/Employee in a Non-Management Position

Any Officer/Employee in a non-management position may resign from their employment with the Municipality/Township/Town by providing their supervisor with not less than **two (2)** weeks of written notice **eight (8)** weeks of written notice in the case of retirement (the "Resignation Period").

### Officer/Employee in a Management Position

Any Officer/Employee in a management position may resign from their employment with the Township by providing their supervisor with not less than **four (4)** weeks of written notice and **eight (8)** weeks of written notice in the case of retirement (the "Resignation Period").

Upon receipt of the written notice, the Municipal Administrator will:

- I. Determine if they do not require the Officer/Employee to report to work during the Resignation Period.
  - a. If the Officer/Employee is not required to report to work, they will receive written notification that they are not required to report to work as of a certain date, that they will receive their compensation entitlements for the



Resignation Period, the date and time of their exit interview and that they are required to return all Township property prior to leaving their last day.

- b. If the Officer/Employee is required to report to work during the Resignation Period, they will receive written notification from Municipal Administrator acknowledging the resignation, the date and time of their exit interview and that they are required to return all Township property prior to leaving their last day.

- II. Conduct an exit interview with the Officer/Employee. The exit interview may be conducted by a neutral third party.

## **Exit Interviews**

Every Officer/Employee voluntarily leaving their employment with the Township will participate in an exit interview on the last day of work.

The key purpose of an exit interview is to seek feedback about an Officer's/Employee's experience working for the Township. Exit interviews will be conducted in person and one-on-one with the exiting Officer/Employee.

All exit interviews will be kept confidential. The interview will be recorded, summary notes prepared, and feedback provided to the exiting Officer/Employee within seven (7) days of their exit interview.

Any Officer/Employee participating in an exit interview can expect:

- To be notified in writing of the date, time, and location of the exit interview.
- To receive a pre-interview questionnaire to be completed and submitted to the interviewer no less than twenty-four (24) hours before the interview.
- To be reminded of obligations like equipment returns, non-competes, intellectual property agreements, etc.
- To receive a follow up "Exit Interview Report" that will contain a summary of the exit interview, the "lessons learned" from the feedback and how their feedback will be implemented.

## **Layoffs**

Should a temporary layoff be necessary, the Municipal Administrator will give the impacted Officer(s)/Employee(s) as much notice as possible. There may be circumstances that arise in which the Municipal Administrator is unable to provide advanced notice of a temporary layoff.

In all circumstances, notice of a temporary layoff will be provided in writing and will:

- Explain the purpose of the layoff;
- The potential length of the layoff;
- The Municipality's/Township's/Town's obligations, if any, to those affected by the temporary layoff;

- The rights and responsibilities of the impacted Officer(s)/Employee(s); and
- If applicable, request the return of Municipal/Township/Town property.

## **Termination**

Termination of employment of any Officer/Employee is at the sole discretion of the Municipal Administrator.

Every effort will be made to ensure that:

- The Officer/Employee whose work relationship with the Township is being terminated, is treated with respect;
- The termination of employment is done in person; and
- That the termination of employment is not carried out on a Friday.

Any Officer/Employee being terminated must promptly deliver to the Township any and all property, technology, data, manuals, notes, records, plans, or other documents, including any such documents stored on any video or software related medium, held by the Officer or Employee concerning the Township's services and programs, developments, and equipment. This includes intellectual or other property made or prepared by the Officer or Employee. An Officer or Employee may with written permission, may retain samples of their work if such work is already in the public domain

### **Termination With Cause**

Any Officer/Employee may have their position with the Township terminated with cause by providing the Officer/Employee with only any applicable statutory minimum entitlements under the *Employment Standards Act* or any successor legislation then in force.

Reasons for a with cause termination includes any of the following:

- a material breach of this agreement or the Employer's policies;
- unacceptable performance standards as determined by the Employer;
- failure to keep Council informed of all relevant aspects of the Employee's employment;
- theft, dishonesty or falsifying records, including providing false information as part of the Employee's application for employment;
- any intentional or negligent disclosure of any information by you, including a breach of confidentiality or fiduciary duties as determined by the Employer;
- destruction, improper use or abuse of the Employer's property;
- violence in the workplace;
- obscene conduct at the Employer's premises, property, or during employment-related functions at other locations;
- harassment of co-workers, supervisors, managers, customers, suppliers or other individuals associated with the Employer irrespective of where such harassment occurs;
- insubordination or refusal to take lawful directions from Council;
- repeated, unwarranted lateness, absenteeism, or failure to report for work;

- personal conduct within or outside the workplace that prejudices the Employer's reputation, services, or morale.

### **Termination Without Cause**

#### **During the Probation Period**

Prior to the expiration of a Probation Period, an Officer's/Employee's employment may be terminated without cause, by providing the Officer/Employee with only any applicable statutory minimum entitlements under the *Employment Standards Act* or any successor legislation then in force.

**After the Probation Period:** After the expiration of the Probation Period, an Officer's/Employee's employment may be terminated without cause, by providing the Officer/Employee with any applicable statutory minimum entitlements under the *Employment Standards Act* or any successor legislation then in force and common law reasonable notice as may be determined at the time.

# Municipal Administrator Guidelines - Officer and Employee Code of Conduct

As required in *Bylaw 2022-27 Being a Bylaw to Codify Human Resources Recruitment and Management*, and specifically related to Schedule G - Officer and Employee Code of Conduct, the following are the Municipal Administrator guidelines for implementation of Council's direction.

## Preamble

Council has directed that the Municipal Administrator has the overall responsibility of ensuring all Officers/Employees perform work exhibiting fundamental values established by Council. And shall:

- Adopt administration practices compliant with ESA, OHSA and other applicable legislation;
- Not change or fail to follow established guidelines without the express permission of Council; and
- Keep up to date on change in law and reporting same within thirty (30) days of becoming aware if the changes impact Bylaw 2022-27 or these guidelines and require amendments to one or both.

## Officer and Employee Code of Conduct

Officers/Employees of the Township are expected to conduct themselves in accordance with the Officer and Employee Code of Conduct.

The provisions of the Officer and Employee Code of Conduct or this Guideline in no way affect the right of any person to:

- (a) contact the police or other law enforcement agency on their own initiative;
- (b) exercise their right(s) under any legislation including, their right to refuse unsafe work as provided by the Ontario *Occupational Health and Safety Act*; or
- (c) take any other available legal action.

Any Officer/Employee found to have contravened the Officer and Employee Code of Conduct will be subject to disciplinary action up to and including termination.

## Reporting a Non-Compliant Act

Any Officer/Employee witnessing another Officer/Employee act contrary to the Officer and Employee Code of Conduct must:

1. Immediately document the incident including:
  - a. Who acted contrary to the Officer and Employee Code of Conduct,
  - b. What occurred,
  - c. Who witnessed the action(s),

- d. Where and when the breach occurred, and
  - e. Any other details they believe are relevant to the incident.
2. Report the situation to the Municipal Administrator.

### **Frivolous and Vexatious Complaints**

Any Officer/Employee who makes a complaint/report that is frivolous, vexatious, or made in bad faith will be subject to appropriate action and possible disciplinary measures up to and including termination of employment with the Township.

Examples of bad faith include, but are not limited to, making a report knowing the allegations therein are untrue or making a report for an improper purpose.

### **Investigating a Non-Compliant Act**

The Municipal Administrator will determine if:

- I. The Municipal Administrator will conduct the investigation; or
- II. Someone else in the municipal organization will conduct the investigation; or
- III. County Human Resources staff will conduct the investigation; or
- IV. The Municipal Administrator will hire some other third-party to conduct the investigation.

A third-party or an Officer/Employee required to conduct such an investigation will have training on investigative processes, procedural fairness, assessment of credibility and how to analyze evidence.

Every investigation into a non-compliant act will be confidential and conducted based on the principle of procedural fairness which means that the investigation will be conducted without bias and at a minimum the individual alleging the contravention (Complainant) and the individual alleged to have contravened the Officer and Employee Code of Conduct (Respondent) will be interviewed.

### **Investigation**

Any person investigating allegations that an Officer/Employee contravened the Officer and Employee Code of Conduct will follow the following process:

#### **1. Notification of Parties**

Once an Investigator has been assigned to carry out an investigation, they will give notice to the Officer/Employee who reported the alleged contravention and the Respondent Officer/Employee who the allegations are against of the receipt of a complaint and that the complaint has been received and is under review.

#### **2. Crystallization of the Complaint & Preliminary Review**

The Complainant may not have provided sufficient detail to crystallize the complaint and the Investigator will need to speak with/interview the Complainant to ensure they have sufficient relevant information to first determine that the matter is property

investigated as a contravention of the Officer and Employee Code of Conduct and to provide the Respondent with an account of the allegation.

Within seven (7) days of crystalizing the allegations, the Investigator shall determine if there is sufficient evidence to conduct a full investigation.

Upon deciding not to proceed with an investigation, the Investigator will notify the Complainant and Respondent that an investigation will not be proceeding, and a report will be delivered to the Municipal Administrator.

### **3. Investigation Plan**

Prior to commencing an investigation, the Investigator will prepare an investigation plan that will include:

- a. Summary of Complaint
- b. Identification of Applicable Law/Policy
- c. Investigation Timeframe
- d. Identification of Parties to be Interviewed and Key Topics to Cover
- e. Documents to be Obtained and Relevance

### **4. Notification of Investigation to the Complainant & Respondent**

If the Investigator decides a full investigation is warranted, they will notify the Complainant that an investigation has commenced.

They will also provide the Respondent notice which includes a summary outlining the allegations of breach and sufficient evidence that the Respondent can provide a response. The Investigator does not have to provide the Respondent with all Complainant and/or Witness evidence only what they believe is necessary to allow the Respondent a chance to respond.

### **5. Analysis of the Evidence and Preparation of Findings**

Findings of contravention will be based on the civil burden of proof being a balance of probabilities. Balance of probabilities means that there is evidence to support the allegation that the Officer's/Employee's actions/conduct "more likely than not" [50.1%] took place, and that the behaviour is a breach of the Officer and Employee Code of Conduct.

As required, assessments of credibility will be made based on:

- whether or not the individual has firsthand knowledge of the situation,
- whether or not the individual had an opportunity to observe the events
- whether or not the individual may have bias or other motive,
- the individual's ability to clearly describe events
- consistency within the story
- the attitude of the individual as they are participating

- any admission of dishonesty<sup>1</sup>

## **6. Presentation of Findings to Respondent**

Prior to the finalization of the Investigation Report, the Investigator will provide the Respondent with their findings.

The Respondent has seven (7) calendar days to provide feedback to the Investigator. Any Respondent requiring additional time to respond must notify the Investigator within three (3) days of receiving the Investigator's findings citing the reason for the extension and the Respondent's preferred response date.

In the sole discretion of the Investigator, an extension may be granted. If an extension has not been granted the Respondent must submit their response by the original date.

## **7. Finalization and Presentation of Report**

Within fifteen (15) days of receiving the Respondents feedback on the findings, the Investigator will finalize and present the investigative report to the Municipal Administrator.

The investigation plan, any evidence collected by the Investigator as well as any documents provided to the parties are the "record" of the Investigator, will not form part of the Officer's/Employee's personnel file and will remain in the care and control of the Investigator.

### **Report of Findings and Corrective Action**

Upon completion of an Investigation the Municipal Administrator will ensure the Complainant and the Respondent are provided with the findings and any corrective action that involves them. To be clear, notification will be given to:

- The Complainant advising them that a contravention of the Officer and Employee Code of Conduct was or was not found to have occurred and if applicable that corrective action will be taken. The Complainant will not be advised of the corrective action unless an action is being taken that directly impacts the Complainant.
- The Respondent advising them that a contravention was or was not found to have occurred and if applicable what corrective action will be taken.

## **Officer/Employee Obligations During an Investigation**

Any Officer/Employee involved in an investigation of a non-compliant act is expected participate fully.

### **Confidentiality**

Officers/Employees will ensure that information about complaints and incidents is kept confidential to the extent possible. Information obtained about an incident or complaint under

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<sup>1</sup> *Faryna v. Chorny* (1951), [1952] 2 D.L.R. 354 (B.C.C.A.), at Para 10, 11.  
*Alberta (Department of Children and Youth Services) v. A.U.P.A. (2009)*, 185 LAC (4<sup>th</sup>) 176 (Alta.Arb.)

this Guideline, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect Officers/Employees, to investigate the complaint or incident, to take corrective action or otherwise as may be required by law.

While the investigation is on-going, the Complainant, the Respondent(s) and any witnesses should not to discuss the incident or complaint or the investigation with each other or other Officers/Employees or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

Any Officer/Employee involved in the investigation will be required to sign a confidentiality agreement that outlines their obligations to keep their participation and their evidence confidential.

### **Reprisal**

An Officer/Employee can report any violation of the Officer and Employee Code of Conduct without fear of reprisal. The Township does not permit or condone reprisal against anyone who, in good faith, reports or participates in an investigation of a possible violation. Good faith means that any Officer/Employee and/or witness involved have made a genuine and honest attempt to provide accurate information, even if it turns out they were mistaken.

It is a violation of the Officer and Employee Code of Conduct to discipline or punish a person because they have made a report in good faith of any violation. Reprisal may be the subject of an investigation, and persons engaging in reprisal are subject to disciplinary measures up to and including termination of employment.

### **No Interference with an Investigation**

No Officer/Employee may hinder, obstruct, or otherwise interfere with an investigation. Individuals engaging in such conduct will be subject to disciplinary measures, up to and including termination of employment with the Township.

## **Notification to Council of Investigation**

Investigations of alleged contraventions of the Officer and Employee Code of Conduct are confidential personnel matters. Council will only be informed of an investigation and the findings when:

- The contravention of the Officer and Employee Code of Conduct is sufficiently egregious and places the Township and risk of financial loss and/or litigation.
- As a result of an investigation an Officer's/Employee's employment is being terminated.