

**TOWN OF
AMHERSTBURG**



POLICY NO.: HO3-00 ANTI NEPOTISM

SOURCE: COUNCIL MINUTES

SECTION: REPORT OF MUNICIPAL OFFICERS

DATE ENACTED: DECEMBER 13, 2004

DATE OF AMENDMENT:

SUBJECT:

ANTI NEPOTISM

INTENT:

The Town wishes to maximize all hiring procedures in an effort to select the overall best qualified candidate for each position. There shall be no prohibition against the hiring of qualified persons whether or not they have immediate relatives employed in the Town or whether or not they have immediate relatives as a member of Town Council, provided that no applicant shall be hired for employment except with the approval of Town Council, to occupy a position where an immediate member of his or her family occupies a position

- In the same immediate working area; or
- Under the same immediate supervisor; or
- Where one member of his/her immediate family supervises another

The purpose of the Anti-Nepotism Policy should neither be a hindrance nor advantage to employment at the Corporation of the Town of Amherstburg. In accordance with the Human Rights Code, the Corporation of the Town of Amherstburg will not discriminate in its hiring practices on the basis that the person is related to a current employee or member of Town Council. The Human Rights Code provides that there shall be no discrimination in employment on the basis of family status in s.5(1). However, s.24(1)(d) provides that the employer may grant or withhold employment or advancement in employment to a person who is a spouse, child or parent of the employer or an employee.

Our overall intent remains that vacated positions be staffed by qualified candidates selected on the basis of education, experience, knowledge, ability and suitability within the framework of legislation, Collective Agreements, Equal Opportunity, Budgetary limitations and Corporate Needs.

SCOPE:

This policy applies to regular full-time, regular part-time, temporary full-time, temporary part-time, contract employees, or any other employee relationship including seasonal and students employed within the Corporation of the Town of Amherstburg.

DEFINITIONS

For the purpose of this policy, “immediate relative” means the following:

Parent: refers to any person who is mother, father, stepmother or stepfather, foster mother or foster father.

Child: refers to a person born within or outside marriage and includes a person whom the parent has demonstrated a settled intention to treat as a child of his/her family and includes a stepchild or an adopted child.

Spouse: shall mean the person to whom a person is married or with whom the person is living in a conjugal relationship outside marriage, including same-sex partners.

PROCEDURES

All applications received by recruitment will be processed in accordance with normal Human Resources procedures and practices; however, the Corporation does wish to ensure that employees are not placed in a position of being forced to choose between the interest of the Corporation and the immediate relative. Relatives of employees or Members of Council may be considered for hire based solely on qualifications under the provisions of this policy.

No employer or member shall deal with an application for employment submitted by his or her immediate relative.

The fact that a potential employee is related to an existing employee or Member of Council neither prejudices nor advances that person’s hiring prospects.

Restrictions to employment, or advancement in employment, of immediate relatives will result only if the existing employee is promoted, or the proposed new employee is to be appointed, to a position where an immediate relative occupies a position:

- In the same immediate work area; or
- Under the same immediate supervisor; or
- Where one member of his/her immediate family supervises another

Concurrent with the Offer of Employment, the applicant completes the Family Relationship form; this form, signed by the applicant, indicates that in the event of a family relationship comments will be sought from the Chief Administrative Officer. This form shall stipulate “Approval from Council is required before hiring an applicant whose immediate family member works in the same immediate work area, under the same immediate supervisor or where one member of the family supervises another”.

Whenever there is any conflict between this policy and any current Collective Agreement between the Town of Amherstburg and its Unions and/or Associations, the current Collective Agreement shall prevail.