


POLICY

	Policy:	EMPLOYMENT POLICY		
	Department:	Office of the CAO		
	Division:	Human Resources	By-Law No.:	2015-124
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INDEX

1. POLICY STATEMENT	PAGE 1
2. PURPOSE	PAGE 1
3. SCOPE	PAGE 2
4. DEFINITIONS	PAGE 2
5. INTERPRETATIONS	PAGE 4
6. GENERAL CONDITIONS	PAGE 4
7. RESPONSIBILITIES	PAGE 7
8. RECORDS AND INFORMATION	PAGE 9

1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to recruiting and maintaining a competent, qualified and diverse workforce that enhances the corporate vision and culture of our organization. Individuals will be treated fairly and respectfully.
- 1.2. Employees and other individuals who perform work for the Corporation will be treated in a fair, consistent, and respectful manner.

2. PURPOSE

- 2.1. This policy has been developed in accordance with the *Municipal Act, Section 270 (1)* which requires municipalities to adopt policies on the hiring of its employees; the manner in which the municipality will try to ensure that it is accountable to the public for its action; and the manner in which the municipality's actions are transparent to the public.
- 2.2. This policy is in accordance with the *Municipal Act 2001, S.O. 2001 c25, s270 (1)*, as amended; the *Ontario Human Rights Code, R.S.O. 1990, c. H. 19* as amended; the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56* as amended; the *Employment Standards Act, 2000, S.O. 2000, c. 41* as amended; the *Ontarians with Disabilities Act, 2001, R.S.O 1990, c. O.1*, as amended; the *Accessibility For Ontarians With Disabilities Act, 2005, S.O. 2005, c.11* as amended; the applicable requirements of the Ontario Ministry of Training, Colleges and Universities, and the Ontario Ministry of Education; all collective agreements between The Corporation of the Town of Amherstburg and its unions/associations; and any other applicable legislative requirements including Regulations under the applicable Acts, Town of Amherstburg By-laws, policies and procedures.

- 2.3. To outline the Corporation's employment goals, objectives and principle statements, including work performed by volunteers and other non-paid individuals.
- 2.4. To attract, select, and retain qualified, competent candidates to meet the staffing needs of the Corporation.
- 2.5. To anticipate and plan for future recruitment needs of the Corporation.
- 2.6. To acknowledge the Corporation's commitment to utilize a selection and hiring process that ensures consistency in its application across the organization; and ensures the most capable and qualified individuals are hired, promoted, transferred or appointed in a manner that has integrity, is publicly accountable, is fair, equitable and transparent.

3. **SCOPE**

- 3.1. This policy applies to all Town of Amherstburg employees, regardless of employment status.
- 3.2. This policy applies to individuals, inclusive of, but not limited to, non-paid work placements, volunteers and employment applicants.
- 3.3. This policy shall be reviewed every five years from the date it becomes effective, and/or sooner at the discretion of the CAO.

4. **DEFINITIONS**

- 4.1. **Advertisement** refers to the posting of employment opportunities in the local newspaper, and/or on the Town's website and/or by notification through a trade association or organization.
- 4.2. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the *Municipal Act, 2001*.
- 4.3. **Corporation** refers to the Corporation of the Town of Amherstburg.
- 4.4. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, as an entirety, the Mayor, Deputy Mayor and Councillors.
- 4.5. **Director** is the person responsible for direction and operational control of a division as defined on the Town's organizational structure.
- 4.6. **Employee/Staff** is any person who supplies services to the Corporation for wages including any union or non-union, regular or temporary, full-time, part-time, seasonal or casual staff member, including but not limited to permanent staff, temporary staff, committee members, students, recreation staff, contract employees, paid work placements, and adult crossing guards.

- 4.7. **Employment Related Matters** refers to any work or services that are performed for the Corporation through a position, placement or assignment, as approved by Town Council or the CAO or Human Resources. This includes matters relating to new and existing positions/placements/assignments that are paid or unpaid, permanent or temporary, union or non-union, full-time or part-time, seasonal, casual, contract, work placements, volunteerism and any other type of work/service. It includes the process of hiring, transferring, promoting or separating individuals. It involves job vacancies, recruitments, work placements, assignments, volunteerism, employee orientation, acting assignments, job transfers, separations, layoffs/bumping, restructuring, staff reductions, staff establishment and offers of employment (job or placement offers) to new hires, rehires, current employees, work placements, contract employees, students, Recreation Staff, seasonal employees, casual employees, volunteers and any other type of individual or group as determined by the CAO.
- 4.8. **Hiring Control Program** refers to a fiscally responsible approach to hiring where the Human Resources Department will ensure that any new positions are brought to Council or at budget time.
- 4.9. **Manager** reports directly to a Director (or the CAO in some instances) and who is responsible for a department within a division of the Corporation, as defined on the Town's organizational structure.
- 4.10. **Non-Paid Work Placement** is any person who obtains a placement and supplies a service to the Corporation without receiving a salary or wage, for purposes of satisfying a requirement or condition in order to continue to receive a type of benefit, such as the completion of a training program or school requirement.
- 4.11. **PDA** refers to a Physical Demands Analysis conducted for a position within the Town's organizational structure.
- 4.12. **Senior Management Team (SMT)** is comprised of the Chief Administrative Officer and the Directors. If a Director is unavailable, a delegate may be assigned.
- 4.13. **Student** is as any person attending secondary school, college or university on a full time basis and who has indicated his/her intention to return to school, or one who is engaged by the Corporation under a co-operative student employment program with secondary schools, universities, colleges or government agencies.
- 4.14. **Town** is the Corporation of the Town of Amherstburg.
- 4.15. **Volunteer** is an individual who chooses to undertake a service or activity, without coercion and is not compelled to participate for purposes such as satisfying a requirement or condition in order to receive a type of benefit. A Volunteer does not receive a salary or wage for this service or activity and performs this activity in service to the Corporation.

5. INTERPRETATIONS

- 5.1. Any reference to this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.
- 5.2. References to the CAO and SMT include their designates from time to time.

6. GENERAL CONDITIONS

6.1. Administration of Employment Related Matters

- 6.1.1. Under the direction of the CAO, all employment related matters will be approved, initiated (where appropriate), coordinated, and administered by the Human Resources Department. Human Resources staff shall have the ability to give others (including other departments) authority to perform employment functions on their behalf where appropriate. All job offers to internal and external candidates, except as noted in 7.1.3. and 7.2.4. are to be made solely by either the CAO or the Manager of the Human Resources Department unless Human Resources has given another individual approval or instructions to do so.

6.2. Recruitment Process

- 6.2.1. The following steps prescribe the Town's standard recruitment process:
 - 6.2.1.1. Approval of the filling of a vacancy, based on the identification of a vacancy and on approved budget funding.
 - 6.2.1.2. Establishment of the job posting, based on the completed job evaluation questionnaire and physical demands analysis (PDA) for the position, unless otherwise identified by Human Resources.
 - 6.2.1.3. Posting and advertisement of positions, in accordance with the Collective Agreement.
 - 6.2.1.4. Application process (including application details, acceptance and short listing); the rules governing eligibility and qualifications; the screening and selection process (including all testing and the interviewing process).
 - 6.2.1.5. The recommendation process.
 - 6.2.1.6. Documentation and processing.
 - 6.2.1.7. Announcement of successful candidate(s) and the orientation process.

6.3. **Employee Processing**

- 6.3.1. A candidate, whether an external or an internal candidate, or any other individual as identified in Section 3 shall be scrutinized prior to employment. Candidates will be processed as noted in 6.2 as a condition of obtaining a position or placement with the Corporation, and for purposes of validating qualifications and substantiating staffing decisions.
- 6.3.2. Human Resources, in accordance with job requirements and applicable procedures, shall determine the type of employment processing to be completed. Employment processing includes, but is not limited to: obtaining police clearances; completion of medicals, reference checks, family relationship declarations; educational validation; driver's licence and abstract verification; and any other processing as required.
- 6.3.3. The Corporation acknowledges the importance of validating qualifications and substantiating staffing decisions. Individuals identified in Section 3 who are recommended for employment and/or placement by the Corporation are required to complete employment processing, as determined by the Human Resources Department, prior to receiving confirmation of the position/placement and actively commencing their first day of work or placement.
- 6.3.4. The Hiring Control Program will ensure that any new positions are brought to Council or at budget time.

6.4. **Employment Opportunities**

- 6.4.1. The Corporation shall provide current employees with employment opportunities through internal job postings in accordance with collective agreements, terms and conditions of employment and applicable procedures.
- 6.4.2. Employment opportunities shall be made available to the public where feasible.

6.5. **Employment Surety**

- 6.5.1. While the Corporation cannot guarantee employment through restructuring, job change, and/or elimination, the Corporation is committed to working constructively with its employees to introduce change in a positive, fair and respectful manner.

6.6. **Employees with Disabilities**

- 6.6.1. The Corporation recognizes that individuals with disabilities are valuable contributors to the organization. The Corporation is committed to hiring a diverse workforce as well as eliminating barriers in hiring people with disabilities and special needs. Accommodations shall be in accordance with the *Accessibility for Ontarians with Disabilities Act* (AODA). The Corporation shall offer equivalencies

in its job qualifications, recruitment practices, and workplace accommodations in accordance with legislated requirements.

6.7. **Family Relationships**

- 6.7.1. The Corporation shall abide by the *Human Rights Code* in its hiring practices as it relates to hiring individuals with family relationships to existing employees, and shall develop and implement a family relationship procedure which addresses the reporting relationship of both new and current employees at time of hire, job transfer, appointment or following a job or status change.
- 6.7.2. As a public entity, the Corporation is committed to providing good government in an accountable and transparent manner as it relates to nepotism. It is the goal of the Corporation to protect itself and its employees from both real and perceived conflicts of interests which may occur when family members work together. All situations, in which immediate relatives of current employees or members of Town Council are hired, transferred, promoted, appointed or acquire the status of immediate relative once employed, shall be reviewed to ensure that any bona fide occupational requirement potentially affected by nepotism is considered.
- 6.7.3. It is the Corporation's expectation that the onus remains with the employee and hiring department to bring forth to Human Resources situations involving family relations, which may be a conflict of interest.

6.8. **Conflict of Interest**

- 6.8.1. No individual will be involved in employment related matters where the involvement of that individual may result in a conflict of interest.

6.9. **Employee Health and Safety**

- 6.9.1. The Corporation is committed to the safety and well-being of both its employees and customers accessing corporate facilities. All individuals performing work for the Corporation shall be required to possess identification, as approved by applicable procedures. It is the expectation that the identification card shall be displayed in a visible location on the individual or be in the individual's possession while in the workplace and is to be utilized for purposes of identifying one's self in the work environment and/or accessing Corporate facilities, in accordance with the Badge and Identification Policy.

6.10. **Employee Orientation Program**

- 6.10.1. The Corporation believes that a well formulated Orientation Program at the corporate and Departmental level, for new or rehire employees and others as identified in Section 3, will welcome individuals in a positive manner and equip them with tools for success.

6.11. **Termination of Employment**

- 6.11.1. All individuals who terminate employment and/or their services, both voluntarily and involuntarily, shall be treated fairly with dignity and in a consistent manner in accordance with legislation, case law and procedures as established by Human Resources.
- 6.11.2. As well, any individual referred to in Section 6.11.1. shall arrange that all corporate property that is in the possession of said individual, be returned to the Town.

6.12. **Volunteers**

- 6.12.1. The Corporation recognizes that Volunteers enhance existing and potential programs offered to residents by the Town of Amherstburg. Furthermore, volunteers enhance the work of the Town and its mission to foster community development, engage community partners and thereby improve quality of life for all.
- 6.12.2. Volunteers will be managed in a respectful manner which encourages enhanced involvement and minimizes risk to the Corporation. Human Resources, in consultation with applicable departments, shall establish procedures that speak to a pre-screening process for Volunteers; Volunteers working under the direction and control of the Corporation; performing their responsibilities in a manner acceptable to the Corporation; and the Corporation's ability to accept, suspend or dismiss the services of a Volunteer.

7. **RESPONSIBILITIES**

7.1. **Council** has the responsibility and authority to:

- 7.1.1. Support the Employment Policy.
- 7.1.2. Provide the necessary financial and human resources to carry out the intent of the policy.
- 7.1.3. Appoint a Chief Administrative Officer in accordance with the CAO Appointment By-law.

7.2. **Chief Administrative Officer (CAO)** has the responsibility and authority to:

- 7.2.1. Support the policy including providing guidance, direction and final authority on issues that may arise where the Senior Management Team (SMT), Manager of Human Resources and applicable department(s) were unable to achieve resolution.
- 7.2.2. Recommend to Town Council adequate budgetary resources to meet the obligations under this policy.

- 7.2.3. As part of fiscal responsibility, implement a Hiring Control Program from time to time, as may be required and provide direction to the SMT, and Manager of Human Resources on the parameters of the program.
- 7.2.4. Make recommendations to Town Council regarding the appointment of statutory officers of the Town in accordance with The CAO By-law.

7.3. **Directors, Supervisors, and Managers** have the responsibility and authority to:

- 7.3.1. Engage in periodic internal discussion regarding organizational changes to identify upcoming vacancies.
- 7.3.2. Consult with Human Resources regarding staffing needs.
- 7.3.3. Demonstrate the existence of Council approved funds to hire.
- 7.3.4. In consultation with Human Resources, support the completion of current and accurate Job Evaluation Questionnaires and Physical Demands Analysis (PDA's) for positions under their direction.
- 7.3.5. Initiate the recruitment process, as necessary.
- 7.3.6. Support and enforce the policy including the completion of all documentation as requested by Human Resources.
- 7.3.7. Encourage staff to be aware of and attend applicable training, as required.
- 7.3.8. Ensure new, rehire and current individuals, as identified in Section 3, successfully complete all required employment processing and approval is received by Human Resources (or CAO where applicable), as required, authorizing the commencement of work, prior to the individual's actual start date.
- 7.3.9. In accordance with appropriate procedures, ensure individuals who are new to their department receive both the corporate orientation (through Human Resources) and departmental specific orientation and training related to their position.
- 7.3.10. Assume responsibility for Volunteers assigned to their respective work area accordingly.

7.4. **Manager of Human Resources** has the responsibility and authority to:

- 7.4.1. Ensure the Corporation has a current employment policy and hiring procedure and both are made available to staff.
- 7.4.2. Develop, review, audit, administer, and direct all employment related matters, policies and procedures, including, but not limited to: staffing needs; the recruitment plan and process; hire and rehire process; volunteerism; work placements; identification system; separation process; employment processing; orientation program; staff establishment and employment records.

- 7.4.3. Request an annual budget allocation for resources to implement this policy.
- 7.4.4. Support appropriate training requirements to effectively carry out this policy.
- 7.4.5. Endeavour to apply the policy and applicable procedures consistently across the Corporation and where issues arise that cannot be resolved at the department level, they shall be forwarded to the applicable SMT member and if no resolve is achieved, to the Chief Administrative Officer.
- 7.4.6. Review the Employment Policy one year after initial implementation and every five (5) years after or as required.

7.5. **Human Resources** staff have the responsibility and authority to:

- 7.5.1. Be familiar with, abide by and provide consistency in the application of the Employment Policy and applicable procedures.
- 7.5.2. Advise the Manager of Human Resources of any issues arising from the application of the policy.
- 7.5.3. Endeavour to ensure departments abide by the policy and applicable procedures.

7.6. **Employees and other Individuals identified in Section 3** have the responsibility and authority to:

- 7.6.1. Be aware of the Employment Policy and abide by all applicable policies, procedures, orientation and training requirements related, but not limited to: health and safety, respectful workplace, security, conflict of interest, orientation, family relations and other areas as determined by appropriate procedures and Human Resources, as a condition of continued employment, placement or volunteer assignment.
- 7.6.2. Provide Human Resources with all required information and documentation for purposes of completing employment related matters.

8. RECORDS AND INFORMATION

- 8.1. All documentation related to matters under this policy, such as job postings and associated documents, advertisements, employment applications, tests, interviews, and employment processing documents, shall be retained and filed in the Human Resources Department.
- 8.2. Records will be retained in accordance with the record retention requirements of the *Municipal Freedom of Information and Protection of Privacy Act* and The Town of Amherstburg's Records Retention schedule.