



AGENDA

HUMAN RESOURCES, ADMINISTRATION & PUBLIC RELATIONS COMMITTEE MEETING

March 25, 2021 Immediately Following Emergency Service Committee Meeting

Zoom Meeting and You Tube Channel: Township of South Algonquin Council

1. Open Meeting/Call to order
2. Additions/Amendments to the Agenda
3. Adoption of the Agenda
4. Disclosure of Pecuniary Interest
5. Unfinished Business
6. New Business
 - Review of Smoke Free Workplace Policy
 - Review of Complaint Policy
 - Review of Hiring Policy
7. Move into closed session to consider subject matter regarding; Ontario Municipal Act, Part VI, S.239 (2) k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board; Recruitment Process
8. Adjournment

NOTE: Submissions received from the public, either orally or in writing, may become part of the public record.

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

SUBJECT:	SMOKE- FREE WORKPLACE			
TYPE:	HUMAN RESOURCES	POLICY NO. HR-009-00		
DATE:	REVIEW DATE:	FREQUENCY:	REL. BY-LAW:	PAGE #:
Oct, 26, 2018		As Required	18-584	2
Revisions				
Oct. 26, 2018 New Policy				
<u>Mar. 25, 2021 Revised</u>				

I. Policy Statement:

The Corporation of the Township of South Algonquin is committed to providing a healthy and safe work environment for its employees, clients, contractors and visitors using our premises and recognizes the known hazards of exposure to second-hand smoke.

SMOKING PROHIBITIONS:

In order to reduce the exposure to second hand smoke, smoking is prohibited in any building or structure owned by the Corporation of the Township of South Algonquin.

1. No person shall smoke in any building or structure owned by the Corporation of the Township of South Algonquin. This includes inside all enclosed workplaces, workplace vehicle and public spaces. This also includes private property that staff may attend when on official township business.
2. No person shall smoke within nine (9) metres from any entrance, exit, window or walkway of any building or structure owned by the Corporation of the Township of South Algonquin.
3. Smoking restrictions in outdoor public spaces shall be governed by the Smoke-Free Ontario Act and any other applicable legislation and by-laws.

DEFINITIONS:

“Property” means any lands which belong exclusively to the Township of South Algonquin and to which legal rights apply.

“Smoke or Smoking” means the inhaling, exhaling, burning or carrying of any lighted cigar, cigarette, e-cigarette, pipe or other lighted smoking equipment.

“Entrance or Exit” means an exit or entrance used by the public, staff, tenants or contractors and

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includes shipping and receiving areas.

PROCEDURE:

1. Service contracts will require contractors and suppliers to conform to the Policy.
2. Compliance:
 - a) If an employee is seen smoking other than in the identified areas the appropriate Supervisor or Department Head will be notified. It is the responsibility of management representatives to monitor compliance with the policy among all employees and visitors and to document clearly all steps taken in the application of the policy.
 - b) Township of South Algonquin employees are encouraged to promote compliance of the policy to ensure its effectiveness. Anyone witnessing a contractor or visitor smoking where smoking is prohibited will advise the person of the policy and refer them to signage. If the person refuses to comply, the employee will immediately notify the appropriate Supervisor or Department Head, who will inform the individual of the Corporate Policies and Procedures. If the individual continues smoking in a restricted area, they will be asked to leave the property.

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

BY-LAW NO. 2017-540

**Being a By-Law to Adopt a Complaint Policy
for the Corporation of the Township of South Algonquin**

WHEREAS Section 8(1) of the Municipal Act, S.O. 2001, as amended, states that the powers of a Township under this or any other Act shall be interpreted broadly so as to confer broad authority on a Township to enable it to govern its affairs as it considers appropriate and to enhance the Township's ability to respond to municipal issues;

AND WHEREAS Section 10(2) 2 of the Municipal Act, S.O. 2001, as amended, states that a single-tier Township may pass by-laws, respecting accountability and transparency of the Township and its operations and of its local boards and their operations;

AND WHEREAS on January 1, 2016 the Ombudsman Act, R.S.O. 1990, c. O.6 was amended to allow the Ontario Ombudsman to investigate general complaints about the province's 444 municipalities in addition to complaints about closed municipal meetings, which were added to the Ombudsman's jurisdiction in 2008;

AND WHEREAS the Council of the Corporation of the Township of South Algonquin deems it expedient to establish a Complaint Process Policy to ensure accountability and transparency when addressing citizen complaints through the appropriate policies, procedures and local complaint mechanisms.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of South Algonquin hereby enacts as follows:

1. **THAT** the Complaint Process Policy, attached as Schedule A and Schedule B to this by-law is hereby adopted as an official policy document of the Corporation of the Township of South Algonquin
2. **THAT** Schedule A and Schedule B attached hereto shall be read with and form part of this by-law.
3. **THAT** this by-law may be referred to as the "Complaint Process Policy"
4. **THAT** this By-Law will come into force and effect upon the date of passing.

Read a First and Second Time this 7th day of September, 2017

Read a Third Time and finally passed this 7th day of September, 2017

MAYOR Jane A.E. Dumas

CAO/Clerk Treasurer Holly Hayes

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

Schedule “A”

Complaint Process Policy

PURPOSE

This policy is intended to enable the Township of South Algonquin to promptly and effectively address program and service delivery concerns raised by members of the public. The policy will assist the Township in providing excellent service to the public, and contribute to continuous improvement of operations. The Township strives to reduce customer dissatisfaction by:

1. Providing a timely and accurate response to complaints; and,
2. Using complaints as an opportunity to improve program and service delivery issues.

A complaint is distinct from:

- a request for service made on behalf of a citizen for a specific service, or to notify the Township that a scheduled service was not provided on time.
- a general inquiry or specific request for information regarding municipal service.
- an opinion or feedback, comment and expression of interest in a program or service.
- an expression of approval or compliment for municipal staff member, program, product or process.
- a suggestion or idea submitted by a customer with the aim of improving services, programs, products or processes.

The policy is not for complaints:

- regarding staff members that are employed by a service provider contracted by the Township shall be subject to the policies of that service provider.
- issues addressed by legislation, or an existing municipal by-law, policy or procedure.
- a decision of Council or a decision of a committee of Council.
- internal employee complaints.
- matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.

DEFINITIONS

- a. “Complainant” means the individual filing the complaint with the Township;
- b. “Complaint” means an issue or concern raised with a municipal program, service, or operation that is not resolved to the complainant’s satisfaction at the point of service delivery and for which the complainant submits their concerns to the Township in accordance with this policy;

- c. "Council" means the Council of the Township of South Algonquin;
- d. "Employee" means the employee of the Township;
- e. "Township" means the Township of South Algonquin;
- f. "Ombudsman" means the Ontario Office of the Ombudsman;

FRONTLINE RESOLUTION

It is the responsibility of the complainant to attempt to resolve concerns by dealing with Township employee(s) directly involved with the issue where appropriate.

It is the responsibility of all Township employees to attempt to resolve issues or concerns before they become complaints, and identify opportunities to improve municipal services.

PROCESS FOR FILING A COMPLAINT

Where frontline resolution cannot be achieved, complaints should be submitted to the CAO/Clerk Treasurer or designate in writing and include:

- a. The name, phone number and mailing address of the individual submitting the complaint.
- b. The nature of the complaint including the:
 - i. Background leading to the issue(s);
 - ii. Date(s), time(s), and location(s) of any incident(s); and,
 - iii. Identify the type of incident;
 - iv. Name(s) of any employee(s) previously contacted regarding the issue(s);
- c. Any action(s) being requested of the Township.

Receipt and Acknowledgement

The CAO/Clerk Treasurer shall log the complaint and forward a copy to the Department Head or designate. Within seven (7) business days of receipt of the complaint, the CAO/Clerk Treasurer shall acknowledge to the complainant in writing that the complaint has been received.

Investigation

A Department Head may not delegate the authority to investigate a complaint to an employee who is or may be named in the complaint.

If a complaint is made against the Department Head, the CAO/Clerk Treasurer or designate shall conduct the investigation.

If a complaint is made against the CAO/Clerk Treasurer, the Chair of the Human Resources Committee shall accept and acknowledge the complaint and~~the Mayor shall~~ consult with Council. and Council may designate the municipal solicitor, or other qualified individual at arms-length from the Township, to investigate.

The designated investigator shall review the issues identified by the complainant and in doing so may:

- Review relevant municipal and provincial legislation;

- Review the Township's relevant policies and procedures;
- Review any existing file documents;
- Interview employees or member of the public involved in the issue;
- Identify actions that may be taken to address the complaint or improve municipal operations; or,
- The Department Head may, at their discretion, notify Council of an open complaint investigation for information purposes.

Decision

Within thirty (30) calendar days of receipt of a complaint, the Department Head shall provide a response in writing to the complainant.

The response shall include:

- Whether the complaint was substantiated,
- If the complaint is not substantiated, provide reason(s) for their decision; and,
- Any actions the Township has or will take as a result of the complaint.
- If the Department Head is unable to provide a response within thirty (30) calendar days, they shall notify the complainant of the delay and provide an estimate of when a response will be provided.

Record

The Department Head shall file a copy of the complaint and resolution with the CAO/Clerk Treasurer. The CAO/Clerk Treasurer shall maintain a file of the complaint in accordance with the Township's records retention by-law. If a municipal employee was the subject of the complaint, a copy of the record shall be retained in their personnel file.

Reporting

The CAO/Clerk Treasurer shall provide a report to the Council on an annual basis outlining the complaints received and the outcome achieved.

APPEAL PROCESS

Once the Township has communicated the decision to the complainant, there is no appeal process at the municipal level.

NON-COMPLIANCE

Non-compliance with this complaint policy may result in the complaint being filed with the Ontario Ombudsman for investigation.

REVIEW CYCLE

This policy shall be reviewed every term of Council.

PROCESS

CAO/CLERK TREASURER:

- receives written complaint
- logs complaint
- forwards to appropriate department head
- acknowledges receipt to complainant within 7 days

DEPARTMENT HEAD/CHAIR OF HR COMMITTEEMAYOR:

- investigate the complaint
- make a decision
- notify the complainant of the outcome within 30 days of the filing of the complaint
- file a copy of the decision with the CAO/Clerk Treasurer

CAO/CLERK TREASURER:

- file a copy of the decision
- report to Human Resources and Administration Committee annually

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

SUBJECT:	HIRING EMPLOYEES			
TYPE:	HUMAN RESOURCES	POLICY NO. HR-007-00		
DATE: March 4, 2010	REVIEW DATE: Dec. 16, 2008, Mar. 16, 2009, Feb. 16, 2010	FREQUENCY: As Required	REL. BY-LAW: 10-368	PAGE #: 1 of 8
Final Revision				
Feb 11, 2010				

I. Purpose:

It is the policy of the Township of South Algonquin to recruit and employ the most qualified candidates in accordance with the spirit and intent of all applicable legislative regulations, so that the best interests of the municipality and its residents are served.

II. Definitions:

Permanent Full-Time Employee those employees who work the regular schedule hours each week over a twelve (12) month period i.e. current Operations Foreman is a Permanent Full Time position.

Permanent Part-Time Employee those employees who work less hours than a normal scheduled work week over a twelve (12) month period i.e. current Manual Worker 3 or the Librarian is a Permanent Part Time position.

Temporary Employee those employees who work full-time or part-time hours during a normal scheduled work week but the period of employment is less than twelve (12) months i.e. current Summer Student is a Temporary Full-Time position; Works Department Summer Student working 30 hrs per week is a Temporary Part-Time position.

Manager/Department Head is the management representative with the authority to manage hiring for the department.

Human Resources Committee is a committee of Council-representatives and staff.

Emergency is a situation or an impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property

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Emergency Hiring are required when there is an immediate need for staff to cover an unforeseen staff shortage(s) or an emergency situation that has occurred which current staff levels cannot sustain required work/recovery levels for more than two weeks.

Temporary Hiring occurs when the Department Head may/may not have advanced notice of a workforce shortage due to illness/injury. Temporary hiring requirements may also refer to work level overloads that are not expected to last longer than thirty (30) days.

III. Authority to Create New Jobs:

Authorization for the creation of any new position shall be given by the Council before any recruiting activities begin.

IV. Responsibility:

Council will have authority to:

- approve increases, decreases and replacements to department staff.
- delegate responsibility for staff approval as required for the expeditious operation of all departments.
- make decisions regarding the appointment, employment, suspension, or dismissal of Department Heads and/or their respective employees.

Clerk/Treasurer will have authority to:

- assist in the recruitment program to ensure that the most qualified applicants are found in compliance with all legislative regulations.
- approve all job postings prior to being posted internally or in the newspaper(s).
- collect and maintain confidential personal information on all applications for employment.
- assist with the interview process as required.
- refer applicants for employment to the various departments for their consideration when a position is to be filled.

Department Heads will:

- advise the Chair of the Human Resource & Administration Committee if funding is available for all positions being filled.

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- seek appropriate approvals prior to posting or filling any non-emergency vacancies.
- promptly forward any applications for employment received to the Clerk/Treasurer.
- assist the Chair of the Human Resource & Administration Committee to interview prospective employees prior to making a recommendation to fill any vacancy.
- sit as a member of the Review Panel.

V. Recruiting Procedure:

Each time a position is to be filled, consideration should be given to the following:

- the effect on operating costs.
- alternative means of accomplishing the proposed function with existing staff.
- at what level the proposed position needs to be filled (full-time, part-time, seasonal, casual, and other).
- will the new employee be fully utilized at all times.
- has the position been properly evaluated and graded.
- can the work be more effectively handled by some other method of assignment.

Approvals Required Before Recruiting:

- Existing staff replacement requires Council approval.
- New/replacement part-time, temporary, casual and emergency (see Emergency/Temporary Hiring) staff additions and replacements require Department Head and/or Clerk/Treasurer approval.
- New/replacement permanent/permanent part-time staff additions require Council approval.

Advertising and Job Posting:

- The Clerk/Treasurer shall be responsible for the co-ordination, format, content, and placement of all staff recruitment advertising and job postings.

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- Applications for employment shall be available from the Clerk/Treasurer or his/her designate at the Municipal Office or on the website.
- All job vacancies will be posted in all departments for a period of one week so that any interested employees may make application for the position.
- When external staff recruitment is necessary the position will be advertised in accordance with provincial legislation in circulations deemed appropriate by the Clerk or designate. Current applications on file will also be considered.
- Every applicant is required to complete an application form.

Applicant Record Maintenance:

- All applications will be received and held in confidence by the Clerk/ Treasurer, in accordance with the Township's Record Retention By-law unless Council instructs otherwise in special cases.
- Applications received internally in response to job postings will be considered prior to seeking external applications.
- A General Application File System will be maintained in the Clerk/Treasurer to accommodate external random applications, resumes or inquiries pertaining to Township positions.
- Applications received for specific positions in response to public advertising will be retained in a separately designated file and considered for employment purposes along with any pertinent applications already on file in the General Application File.

VI. Selection Process:

Initial Steps:

- The initial steps in the recruiting procedures, e.g. file search, advertising, receipt and screening of replies and development of short list, shall be carried out by the Clerk/Treasurer and the Department Head and Chair of the HR & Administration Committee or designate.
- For recruiting Department Heads, the Clerk-Treasurer will **lead** (changed from "conduct" at the direction of Clerk) the recruiting process unless the position is for the Clerk-Treasurer, in this event a special selection committee will conduct the recruiting procedure.

Selection Panel & Testing:

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- The Chair of the Human Resource & Administration Committee or designate will appoint a selection panel (of at least three people) to conduct interviews. The Clerk/Treasurer or his designate may sit on any selection panel.
- The Clerk/Treasurer will make the necessary interview arrangements and prepare candidate evaluation sheets.
- The selection panel will endeavour to interview at least three prospective candidates for each position to be filled, and will provide each candidate with an interview of appropriate length to adequately assess their qualifications and suitability for the position.
- The selection panel will evaluate each candidate and provide their recommendation and evaluation sheets to the Chair of the Human Resource & Administration Committee.
- Appropriate testing of candidates, if required will be arranged by the Department Head or his/her designate.
- the Department Head will seek appropriate approval for the appointment as outlined below.

Final Selection:

- Final selections for Department Heads shall be made by the duly appointed selection Committee in conjunction with the Human Resource & Administration Committee, and will be subject to ratification by Council.
- Final selections for any other position shall be made by the Selection Committee and will be subject to ratification by the Council.

Reference Checking:

- The Clerk/Treasurer will obtain satisfactory reference checks on the applicant. Written authorization for a reference check shall be requested at the interview stage.
 - reference checks are conducted to obtain additional or substantiating information concerning an applicant;
 - personal and two professional reference checks are undertaken on all prospective employees by the Clerk/Treasurer or his/her designate prior to any offer of employment.

Offers of Employment:

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- All offers of employment shall be written and shall set out the title, stating date, duration, and salary, benefits, hours of work, working conditions, relocation conditions (if applicable) and other relevant facts and policies concerning the position and signed by the Department Head and/or the Clerk-Treasurer.

Probationary Period:

- The probationary period for all permanent/permanent part-time employees will be six (6) months from date of permanent hire or 910/1040 hours for permanent part-time hires (35 hr/wk positions/40 hr/wk positions respectively).

Record of Offenses Check:

- Prior to commencing employment, all new employees must undergo a record of offences check in accordance with the policy HR-005 Employee/Volunteer Police Records Check.
 - after a written offer of employment is made, all prospective employees are required to obtain and provide a criminal record check/police record check from the police force responsible for the jurisdiction of their current place of residence;
 - any costs associated with obtaining a criminal record check/police record check are the sole responsibility of the prospective employee; and
 - the written offer of employment is conditional upon successful completion of a criminal record check/police record check.

Falsification of Qualifications:

- falsification or misrepresentation of qualifications on the municipality's application form, applicant resume, or during an interview shall be cause for immediate disqualification and/or dismissal.

Replies to Applicants:

- The Clerk/Treasurer shall reply to job applicants who have been interviewed, and to other applicants received as a result of a newspaper advertisement, unless the job advertisement states that unsuccessful applications will not be acknowledged.

Emergency/Temporary Hiring:

- Hiring for emergency and temporary employment purposes may be handled in a more abbreviated manner at the discretion of the Department Head. All documentation, as outlined in this policy i.e. application, police records check, written offer letter, are still required within 24 hours of hire.

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VII. Hiring Priorities:

- All persons hired for positions with the municipality must:
 - a) be fully qualified for the job in the opinion of those responsible for hiring.
 - b) be at least 15 years of age,
- Present employees will be given preference for openings within the Township if, in the opinion of the selection panel, their qualifications and past performance meet the job requirements.
- The following apply to employment in the Public Works Department:
 - a) all prospective employees are required to obtain and provide a valid (dated no more than 30 days prior) *Ministry of Transportation of Ontario Driver's Abstract*;
 - b) any costs associated with obtaining a *Driver's Abstract* are the sole responsibility of the prospective employee;
 - c) no written offer of employment will be made without acceptable results of the *Driver's Abstract*, as determined by the Selection Committee;
 - d) all employees of the Public Works Department must maintain a valid Ontario Driver's License in the class/classes required for the responsibilities of their position; and
 - e) any costs associated with obtaining or renewing an employee's Driver's License are the sole responsibility of the employee.

VIII. Employment of Relatives:

- No immediate family member of an existing Township employee shall be hired where the candidate (family member) is placed in a position of supervising or being supervised by their immediate family member.
- Immediate family member shall include spouse (married or common-law), father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, grandchild.
- The above shall not be enforced so as to prevent the promotion of an existing employee to a supervisory or other responsible position within the municipality.

IX. Reimbursement of Candidates Expenses:

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- Candidates for permanent positions required to travel from outside the municipality in excess of 100 kms one way to attend an interview may be reimbursed reasonable mileage expenses at the discretion of the Selection Committee.

X. New Employee Relocation Expenses:

- The extent of the relocation expenses, if any, will be determined by the Council on a case-by-case basis, prior to the offer of employment being made.
- Valid receipts must be submitted to the Clerk/Treasurer before any reimbursement is made.

XI. Temporary Hiring

- Notwithstanding all of the above, the Department Head may at his/her own discretion, hire temporary employees as required for a term not longer than thirty working (30) days without following the preceding terms.