

THE CORPORATION OF THE TOWNSHIP OF O'CONNOR
BY-LAW NUMBER 2004-14

Being a By-law to adopt a Hiring Policy.

WHEREAS Section 270 (1) of the Municipal Act, 2001, c.25 provides that a municipality shall adopt a policy with respect to the hiring of its employees, including;

- a) The hiring of relatives of a member of Council,
- b) The hiring of relatives of existing employees of the municipality

AND WHEREAS this policy is required by January 1, 2005;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF O'CONNOR ENACTS AS FOLLOWS:

1. PURPOSE:

The Corporation of The Township of O'Connor is committed to selecting qualified, suitable individuals for employment based on the requirements of the position. This by-law will establish the standards for all hiring of employees for The Township of O'Connor and minimize the potential for personal conflicts from outside the work environment.

2. POLICY:

The citizens of The Township of O'Connor should have the assurance that employees are selected based on the requirements of the position and their qualifications. This level of confidence can be created through following an established procedure when selecting an employee.

An employee or member of Council shall not be involved in the hiring process of any person who is a relative. Relatives of employees and members of Council may be employed or transferred into a reporting relationship only where they will not be working for or reporting directly to any person who is a relative.

The Township of O'Connor will follow all provisions of the Ontario Human Rights Code, Employment Standards Act, the Municipal Conflict of Interest Act and other relevant legislation when recruiting applicants for employment.

3. DEFINITIONS:

Employee: Any person engaging in working for an Employer for remuneration.

Employer: The Council of the Corporation of The Township of O'Connor.

Hiring: Any offer of employment from an employer that is accepted by an employee, and shall apply to new employees as well as existing employees being promoted, demoted or otherwise transferred.

Member of Council: Any person duly elected to the Council of The Township of O'Connor.

Probation Period: An initial period of employment during which an employee is on a trial basis and may be discharged with or without cause.

3. Relative: For the purpose of this by-law a relative shall be a spouse, common law spouse, same-sex partner, child or parent of the employer or an employee.
4. PROCEDURE:
 - Council shall determine and approve staffing needs on an ongoing basis and upon their direction the following hiring procedures shall take place:
 - a) Notice of Hiring: A flyer will be sent to all residents and ratepayers of the Township of O'Connor and will be posted on The Township of O'Connor website and bulletin board, plus for any full time positions in the Administration or the Road department an advertisement may be placed in a newspaper or in other electronic media – stating the position available, etc.
 - b) The Collective Agreement between The Township of O'Connor and the Canadian Union of Public Employees will be followed for road department union positions.
 - c) Job Description: Descriptions of all jobs posted will be available at the Township of O'Connor office and on the township website.
 - d) Applications/Resumes: All members of Council and the Clerk-Treasurer will receive copies of all applications and/or resumes. The Leadhand will also receive copies of all applications and resumes pertaining to the hiring of road employees.
The applications will be short listed by members of Council, and the Leadhand if requested by Council, at a closed meeting of Council.
Council will short list to a maximum of five (5) persons, these persons will be asked to attend an interview meeting.
 - e) Interview Committee: Council will, by resolution, name an interview committee, consisting of up to three members of Council and the Leadhand if requested by Council, or Council may appoint an adhoc committee.
 - f) Interview Meeting: The committee will interview each person who was on the short list for the position. One member of the committee will ask the questions at the meeting, so all the interviews are consistent. The Clerk-Treasurer shall be present at the meeting. The committee will make a recommendation to Council, at their next regular meeting, on who should be hired for the position. Council will then by resolution make the appointment to the position. All applicants will be notified in writing of the hiring decision.
 - g) All new employees must work a probation period. The Union employees as per collective agreement and Non Union employees for a period of six (6) months.
 - h) All new and part time road department employees must supply a medical certificate confirming they are physically capable of performing all duties of a labourer and/or equipment operator. Such medical would be valid for the balance of the current year. A driver's abstract must also be provided for any employee who may be driving a municipally owned vehicle, to confirm a valid drivers license.

4. h) (con't)

This certificate and abstract shall be given to the Leadhand prior to the employee commencing work. If the results are unfavourable the hiring process will not proceed.

The Township will reimburse the employee 50% of the cost of the medical and the abstract.

i) Summer students will be selected by full Council in attendance at the regular Council meeting, under the Closed portion of the meeting. If a relative of any member of Council is applying for the position, that Councillor will abide by this hiring policy. The summer students will not go through the interview process. They will be chosen by Council, based on their application and/or resume. Each Council member in attendance will rank in order of preference. A summary of rankings will be completed with the highest ranking/s been chosen. After the successful student/s have been chosen they will attend the next regular Council meeting, to meet and speak with Council.

Preference will be given to students who reside in The Township of O'Connor.

j) A temporary short-term or emergency short-term employee will be hired, for up to two weeks, by the department head.

5. RESPONSIBILITY:

It is the responsibility of employees and/or members of Council and/or candidates for employment with the Corporation of the Township of O'Connor to declare whether other employees and/or members of Council are their relatives and remove themselves from the hiring process.

ENACTED AND PASSED THIS 8TH DAY OF DECEMBER, 2004.

The Corporation of the
Township of O'Connor

Mayor

Clerk-Treasurer

Amended by By-law #2007-22 – Section 4a)