

To:	Warden Hicks and Members of Grey County Council
Committee Date:	February 28, 2019
Subject / Report No:	CCR-CW-02-19
Title:	Council-Staff Relations Policy
Prepared by:	Jacquelyn Morrison and Heather Morrison
Reviewed by:	Kim Wingrove
Lower Tier(s) Affected:	None
Status:	Recommendation adopted by Committee of the Whole as presented as per Resolution <i>CW60-19</i> ; Endorsed by County Council on March 14, 2019 as per Resolution <i>CC24-19</i> .

Recommendation

1. That **CCR-CW-02-19** be received and that Council endorses Policy **G-GEN-013** being the Council-Staff Relations Policy; and
2. That a By-law be brought forward for Council's consideration.

Executive Summary

Recent changes to the *Municipal Act*, 2001, require all municipalities in Ontario to adopt policies with respect to the relationship between Council and the officers and employees by March 1, 2019. Staff have drafted a Council-Staff Relations Policy to ensure compliance with the new legislated requirements.

Background and Discussion

In May of 2017, Bill 68 received Royal Assent, which amended the *Municipal Act*, 2001. One change that will come into effect on March 1, 2019 is the requirement for all municipalities in Ontario to adopt policies with respect to the relationship between Council and the officers and employees of municipalities.

The purpose of the Council-Staff Relations Policy is to provide guidance on how the County ensures a respectful, tolerant, and harassment-free relationship and workplace between members of County Council and the staff of Grey County.

In researching what other Ontario municipalities have implemented, staff determined that there were at least three options to meet the *Municipal Act* requirement:

1. Draft a Council-Staff Relations Policy that references the current policies and procedures related to council and staff relations (staff's recommendation);
2. Draft an independent policy that does not rely on other policies and procedures; or

3. Pass a resolution confirming that the existing policies and procedures meet the *Municipal Act* requirements (done by at least one municipality).

Grey County currently has a number of existing policies that relate to council-staff relations, including:

- Code of Conduct of Council Policy and Procedure;
- Discrimination and Harassment Policy and Procedure;
- Respectful Workplace Policy and Procedure;
- Workplace Violence Prevention Program Policy and Procedure; and the
- Procedural By-law

Staff is recommending the adoption of a Council-Staff Relations Policy that identifies the existing policies and procedures that the County complies with in order to promote a respectful relationship between members of Council and County staff. A similar approach has been taken by a number of Ontario municipalities, including the Municipality of West Grey, Lanark County, City of Ottawa, Town of Perth, Smiths Falls, and Tay Valley Township. It is staff's opinion that the proposed Policy as drafted will address the requirements of the *Municipal Act*.

Legal and Legislated Requirements

In accordance with Section 270 (1) of the *Municipal Act*, 2001, a municipality is required to adopt and maintain policies with respect to the relationship between members of Council and the officers and employees of the municipality.

Financial and Resource Implications

None.

Relevant Consultation

- Internal: CAO
- External: Of the local municipalities, only West Grey, the Town of the Blue Mountains, and Georgian Bluffs had Council-Staff Relations Policies that could be shared. A review of available Council-Staff Relations Policies from other municipalities in Ontario occurred.

Appendices and Attachments

Draft Council-Staff Relations Policy



Corporate Policy

Council-Staff Relations Policy

Approved by: County Council

Date Approved:

Last Revision Date: February 28, 2019

Replaces: N/A

Scheduled for Review by: 2024

Policy Number: G-GEN-013

Section: Governance

Sub Section: General

References and Related Documents

[Code of Conduct for Council Policy](#)

[Code of Conduct for Council Procedure](#)

[Discrimination and Harassment Policy](#)

[Discrimination and Harassment Procedure](#)

[Respectful Workplace Policy](#)

[Respectful Workplace Procedure](#)

[Workplace Violence Prevention Program Policy](#)

[Workplace Violence Prevention Program Procedure](#)

[Procedural By-law 5003-18](#)

Policy Statement

The Corporation of the County of Grey (“the Corporation”) will promote a respectful, tolerant, harassment-free workplace between members of Council and all employees of the Corporation.

Purpose

This Policy provides guidance on how the Corporation of the County of Grey ensures a respectful, tolerant, and harassment-free workplace between members of Council and the employees of the Corporation.

Scope

This Policy applies to members of Council, advisory committees, and employees of the Corporation.

Definitions

“Act” means the *Municipal Act*, 2001, S.O. 2001, c25, as amended, replaced, or re-enacted from time to time.

“Chief Administrative Officer” or “CAO” means the person appointed as the Chief Administrative Officer of the Corporation of the County of Grey.

“Clerk” means the person appointed as the Clerk of the Corporation of the County of Grey.

“Council” means Council of the Corporation of the County of Grey.

“County” means the Corporation of the County of Grey.

“Delegate” means the presenter for the delegation in attendance at Council or Committee.

“Employee” means all persons employed by the Corporation of the County of Grey, including those employed on a personal services contract and volunteers.

“Member” as it relates to Council and Committee means a Councillor of the Corporation of the County of Grey.

“Municipality” means the Corporation of the County of Grey.

“Warden” means the person who is elected or acclaimed the head of Council.

1.0 Policy Requirements

The relationship between the members of Council and employees of the County is guided by the following:

1.1. Code of Conduct for Council Policy and Procedure

- 1.1.1 The purpose to the Code of Conduct for Council is to ensure that the members of Council, advisory committees and local boards of the municipality share a common basis of acceptable conduct.
- 1.1.2 Section 3.1 states: “Members will respect the role of Council as set out in the Municipal Act, 2001”.
- 1.1.3 Section 3.2 states: “Members will support the mission, vision and values of the Municipality”.
- 1.1.4 Section 3.4 states: “Members will maintain professionalism, integrity, respect, and trust”.
- 1.1.5 Section 3.5 states: “Members will promote open, accountable and transparent local government”.
- 1.1.6 Section 4.1 states: “Respect and Dignity
 - a) Members have a duty to treat members of the public, one another, and staff with respect and without abuse, bullying or intimidation.
 - b) Members will ensure their work environment is free from discrimination

and harassment.

- c) Members will conduct themselves according to legislative requirements, including the municipal workplace harassment and violence policies.
- d) Members will observe decorum and conduct themselves as outlined in the procedural by-law.
- e) Members will refrain from public criticism of other Members, staff or any other person that questions their professional reputation, competence and credibility.”

1.1.7 Section 4.2 states: “Conduct Respecting Staff

- a) Members will be respectful of the fact that staff work for the Municipality and are charged with making recommendations and advice based on political neutrality that reflects their professional expertise and objectivity, without undue influence from any individual member or group of members.
- b) Members acknowledge that only Council, in a duly called meeting with a quorum present, has the capacity to direct staff members.
- c) Members recognize that the Chief Administrative Officer is the only staff person directly reporting to Council. Members will direct any concerns respecting staff through the Chief Administrative Officer.
- d) Members of Council will not:
 - i) Maliciously or falsely injure the professional or ethical reputation of staff;
 - ii) Compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities; or
 - iii) Use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff’s duties.”

1.2. Discrimination and Harassment Policy and Procedure

- 1.2.1 The purpose of the Discrimination and Harassment Policy and Procedure is to ensure that all employees receive fair treatment and work in an environment that is free of discrimination and harassment.

1.3. Respectful Workplace Policy and Procedure

- 1.3.1 The purpose of the Respectful Workplace Policy and Procedure is to outline the minimum standards for creating a healthy, safe, supporting and caring workplace environment free from violence, harassment and bullying.

1.3.2 The Respectful Workplace Procedure provides examples of “Appropriate Workplace Behaviours” and “Inappropriate Workplace Behaviours”.

1.3.3 The Respectful Workplace Procedure states under Employee Responsibilities that “[e]very employee has the right to be treated in a fair, reasonable and respectful manner.”

1.4. Workplace Violence Prevention Program Policy and Procedure

1.4.1 The purpose of the Workplace Violence Prevention Program Policy and Procedure is to eliminate or minimize the risks associated with the potential for violence and to ensure a safe and healthy working environment for all employees.

1.4.2 The Workplace Violence Prevention Program Procedure outlines the roles and responsibilities of workplace parties.

1.5. Procedural By-law

1.5.1 The Procedural By-law establishes rules, procedures, and conduct within Council and Committee meeting.

1.5.2 Sections 14 and 15 of the Procedural By-law outline the Duties of the Warden and Deputy Warden.

1.5.3 Section 16 of the Procedural By-law outlines the Duties of the Members.

1.5.4 Section 18.7 addresses the behaviour requirements of delegates to Council.

2.0 Responsibilities

2.1 Members of Council and officers and employees of the County are required to adhere to this policy and its governing provisions, including the Code of Conduct for Council, the Discrimination and Harassment Policy and Procedure, the Respectful Workplace Policy and Procedure, the Workplace Violence Prevention Program Policy and Procedure, and the Procedural By-law 5003-18.

3.0 Complaints Protocol

3.1 The CAO and/or Clerk shall be responsible for receiving complaints and/or concerns related to this Council-Staff Relations Policy. Upon receipt of a complaint and/or concern, the CAO and/or Clerk shall notify:

3.1.1 In the case of officers and employees of the corporation, the Director responsible for the employee; or

3.1.2 In the case of Council, the Integrity Commissioner.

4.0 Legislative Authority

- 4.1 Section 270 of the *Municipal Act, 2001*, as revised by Bill 68 requires Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the corporation.
- 4.2 The following federal and provincial legislation is applicable: *Municipal Act, 2001*; *Ontario Human Rights Code*; and *Criminal Code of Canada*.
- 4.3 This Council-Staff Relations Policy identifies the legislation, policies, procedures and practices that the County complies with in order to promote a respectful relationship between members of Council and the officers and employees of the County.