



Schedule A to By-law 45-2022

Policy: Hiring of Employees and Employment of Family Members	Policy # HR - 251
Department: Administration	Effective Date: May 24, 2006
	Revision Date: April 10, 2012 November 7, 2013 September 22, 2015

1.0 Purpose

- 1.1 To define a policy as it relates to the hiring of employees and the employment of family members.
- 1.2 To ensure that the Corporation hires, promotes and transfers the most qualified individuals available to fill positions within the Corporation.
- 1.3 To ensure that employment-related decisions concerning existing or potential corporate employees are free from any real or perceived improper influence based on family relationships and to maintain public confidence in the integrity of the Corporation's hiring and employment practices.
- 1.4 In particular, this policy is intended to:
 - 1.4.1 Prevent a conflict of interest, or the appearance of such a conflict, that may arise through the hiring or employment of family members.
 - 1.4.2 Prevent the exercise of any improper influence based on family relationships, or the appearance of such influence, in the Corporation's employment practices.
 - 1.4.3 Ensure all employment advertisement, employment applications and employment interviews will be prepared and conducted in accordance with the *Human Rights Code*, and in particular in accordance with the Commission's policies with respect to same.
 - 1.4.4 Ensure that no elected official or employee will be involved in the process of hiring, transferring, or promoting employees, where the involvement of that individual may result in a conflict of interest as defined in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c.M.50.

2.0 Scope

- 2.1** This policy applies to all elected officials and employees of the Corporation.
- 2.2** For the purpose of this policy:
 - 2.2.1** “Family member” shall mean the child, parent or spouse of an elected official or an employee of the Corporation.
 - 2.2.2** “Spouse” shall mean a person to whom another is married or with whom an individual is living in a conjugal relationship outside of marriage and shall include same sex relationships.
 - 2.2.3** “Child” shall mean both a natural and adopted child and a person who a parent has demonstrated a settled intention to treat as a child of his/her family.
 - 2.2.4** “Parent” shall mean being in a parent-child relationship whether or not that person is the natural or adoptive parent of the child.

3.0 Policy

- 3.1** All new or vacant positions within the bargaining units shall be posted and filled pursuant to the provisions of any Collective Agreements which may be in force from time to time.
- 3.2** All other new or vacant positions shall be advertised in accordance with the provisions of the Town of Lakeshore Advertising Policy.
- 3.3** The Town of Lakeshore is an equal opportunity employer. Accommodations under the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) will be provided upon request throughout the recruitment and selection process, performance management, promotion and redeployment.
- 3.4** From time to time it may be necessary to recruit for a specialized position and in such case the approval of the Chief Administrative Officer is required.

- 3.5** A relative of an employee may be hired provided that an application has been processed in the normal manner and the candidate to be engaged is, in the opinion of the interviewees, the best qualified with respect to the requirements of the position.
- 3.6** No relative of any applicant for a position shall be involved on the interview panel for that position.
- 3.7** Individuals in a supervisory capacity shall not directly supervise a member of their family nor shall they be involved in the selection process.
- 3.7.1** Despite section 3.7, a Volunteer Firefighter may be supervised by another member of a Volunteer Firefighter's family, where the Chief Administrative Officer is satisfied that:
- a) Volunteer Firefighter candidate recruitment decisions are made by persons other than a family member in order to ensure that the candidate selected is qualified for the role;
 - b) practices are in place to maintain transparency, accountability and equity in the supervisory relationship between a Volunteer Firefighter and the Volunteer Firefighter's supervising family member; and,
 - c) disciplinary practices involve supervisory input from officers senior to the Volunteer Firefighter and in addition to the Volunteer Firefighter's supervising family member.
- 3.8** In the event that current Town employees are, or become family members of elected officials or Town employees, the internal transfer or promotion of these family members will not be allowed where family members would be supervised by, or subordinate to one another.
- 3.9** Certain positions, by the nature of their duties, may require a police clearance as a requirement of the job. Such requirement will be disclosed in the job recruitment ad or job posting and any Offer of Employment shall be conditional on the satisfactory receipt of same. Any costs associated with obtaining this clearance certificate will be borne by the candidate and may be reimbursed once hired.
- 3.10** Administration shall make Council aware of the final candidates under consideration for positions at the Director level.

3.11 Compensation

3.11.1 Staff shall be paid within the existing classification level for the position.

3.11.2 Benefits, vacation, or any other approved Council compensation shall be provided in accordance with Council approved policy applicable at the time of hiring.

3.11.3 The Chief Administrative Officer, upon approval by Council, has the discretion to appoint a person above the salary classification; benefit or vacation allotment or any other type of compensation only when one or more of the following conditions apply.

3.11.3.1 There is difficulty in attracting a qualified candidate due to a shortage of skilled labour in the field involved.

3.11.3.2 The rate of pay offered is not competitive with the rates offered by local or regional employers for positions of the same or similar duties.

3.11.3.3 Operational considerations require the presence of a highly skilled or experienced person who can assume the full duties of the position immediately upon taking employment.

3.11.3.4 All terms and conditions of employment of employees of the Corporation that provide for an employee's entitlement upon the cessation of the employment shall be in accordance with the applicable Council – approved compensation policy. Members of Administration are prohibited from bestowing entitlements in excess of those set out in applicable Council – approved compensation policies, unless specific authorization is obtained from the elected Council in advance. In the event a member of administration purports to enter into an agreement with an employee or prospective employee that attempts to bestow entitlements upon termination that are in excess of applicable Council – approved compensation policies without obtaining authorization from the elected Council in advance, such agreement shall be null and void

and the member of administration shall be subject to disciplinary sanctions, up to and including, termination of employment with the corporation.

4.0 Responsibilities

- 4.1** It is the responsibility of the Human Resource Officer to ensure staff are aware of and follow this policy.
- 4.2** It is the responsibility of the Chief Administrative Officer to ensure review approvals in specialized positions.

5.0 Consequences

- 5.1** Failure to follow this policy may result in contradictions to the Human Rights Code or Municipal Conflict of Interest Act.

6.0 References

- 6.1** Human Rights Code
- 6.2** Municipal Conflict of Interest Act
- 6.3** Town of Lakeshore Advertising Procedure