

*RESCINDED BY 2022-13*

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NO. 2019-18**

**Being a By-law to adopt a Council – Staff Relations Policy**

**WHEREAS**, Subsection 270(1) of the Municipal Act, Chapter C.25, R.S.O. 2001, as amended, requires municipalities to adopt and maintain a policy with respect to relationship between members of council and the officers and employees of the municipality by March 1, 2019;

**AND WHEREAS**, the Council of the Corporation of the Municipality of West Grey deems it expedient to adopt the aforementioned policy;

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOWS:**

1. **THAT** the Magnetawan Council-Staff Relations Policy shall be adopted in the form attached hereto as Schedule 'A' and forming part of this by-law;
2. **AND THAT** this Policy shall come into effect as of the date of passing of this by-law.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this 27<sup>th</sup> day of February, 2019.

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Interim Clerk-Administrator

## **Schedule 'A' By-law 2019-18**

### **Council – Staff Relations Policy**

#### **1. Introduction**

As of March 1, 2019, amendments to section 270 of the *Municipal Act, 2001* S.O. c25 require the Municipality to adopt and maintain a policy with respect to the relationship between Members of Council and the Officers and Staff of the Municipality.

#### **2. Scope and Intent**

This Policy shall apply to all Municipal Staff, Officers and Members of Council.

The intent of this Policy is to ensure that the relationship between Municipal Staff, Officers and Members of Council of the Municipality, is co-operative and supportive, with a clear understanding of the respective roles and responsibilities.

#### **3. Definitions**

"Member(s) of Council" means a member or members of the municipal council of the Corporation of the Municipality of Whitestone.

"Municipality" means the Municipality of Whitestone.

"Officer(s)" means a person who holds a position of responsibility with defined rights and duties prescribed by statute or by-law.

"Staff" means any of the following:

- i. A person, not including Members of Council, who performs work for the municipality for remuneration;
- ii. A person who supplies contractual services to the Municipality for remuneration;
- iii. Such other persons as may be prescribed who perform work or supply services to the municipality for no monetary compensation.

## 4. Clarifying Roles

### Role of Council:

- **Policy and Governance Focus:**
  - Provide governance and the representation of the Municipality;
  - Provide direction on matters relating to the Municipality;
  - Create policy.

### Role of CAO/Clerk:

- **Direction Focus:**
  - Liaison between Council and Staff, undertake and direct implementation of Council policy and direction;
  - Hire and develop a team of competent Staff and Officers.

### Role of Staff and other Officers:

- **Implementation Focus:**
  - Research policy and programs;
  - Give best professional advice;
  - Ensure Council members are aware of any issues that may impact upon their decision-making process
  - Implement decisions of Council, fulfill statutory duties, follow direction of Chief Administrative Officer/Clerk and generally see to the operation of the municipal organization.

## 5. Guiding Principles

### 1. Council Decisions

Once a matter is proposed or decided, Staff should only comment on matters of fact or history in discussing issues with the public and the media and should comply with all Municipal policies and by-laws in respect of communications.

### 2. All Members of Council are Equal

Staff and Officers must avoid favouritism and the appearance of favouritism when interrelating with Members of Council. Differences in experience and abilities amongst Members of Council are irrelevant – they all must be treated equally.

### 3. Reporting Relationship and Communication



Members of Council understand they have no individual capacity to direct Staff to perform, or not perform functions or duties.

The CAO/Clerk is responsible for Staff and Officers. Members of Council who need to engage with Staff and Officers are generally encouraged to do so through the CAO/Clerk with the exception of emergencies or as otherwise agreed to with the CAO/Clerk and Council member. This would include both in person, verbal, written and electronic messages.

With the exception of emergencies, generally all communication with Staff and Officers should be during the regular working hours of the Municipality.

Staff and Officers shall treat Council as a collective decision-making body. Staff and Officers shall not participate in political lobbying.

**4. Use of Staff Time**

Members of Council should use the resources of Staff and Officers judiciously and be respectful of the time and effort required to manage the business of the Municipality.

**5. Council Time is Valuable**

Staff and Officers must be respectful of Council's time and ensure information is provided in a timely manner and reports to Council are informative, well researched and concise.

**6. Represent the Whole Community**

Members of Council, together with the Municipality's Staff and Officers, work for the public. Decision making by Members of Council should be based on complete information and unbiased recommendations from Staff and Officers. Members of Council should, in addition to such information and recommendations, rely on their own judgment and show leadership in their decision making.

**7. Respectful Behaviour**

Members of Council should avoid divisions or conflicts at all times and be respectful of staff and Officers. Staff and Officers shall not be targets of derisive/vexatious comments/behaviour/conduct.

Members of Council who have questions or concerns with Staff or Officers shall confidentially and privately direct these concerns to the CAO/Clerk who will investigate and manage the issues as necessary through the appropriate confidential performance reviews or other means as deemed appropriate. Human Resources issues are at all times confidential and shall not be discussed in open Council meetings or in any public forum.

**8. Politics or Management – Not Both**

Council provides governance and policy direction; Staff and Officers give professional advice and implement Council's directives and policies. Members of Council are not elected to be technical experts nor to act in their professional capacities. Likewise, Staff and Officers are not politicians. Advice comes from Staff and Officers; policy and general governance decisions are made by Council.

#### **9. Fostering Mutual Respect and Professionalism**

Members of Council, Staff and Officers shall work hard at fostering a climate of mutual respect and must treat each other with professionalism. Each must be respectful of others' role, abilities and professional duties. Members of Council, Staff and Officers must understand that they all face different, often unique, challenges and recognize their overarching goal is to serve the best interests of the Municipality.

### **6. Complaints**

The CAO/Clerk shall be responsible for receiving complaints and/or concerns related to this Policy.

Upon receipt of a complaint and/or concern, the CAO/Clerk shall:

- a. In the case of Staff and other Officers address the issue;
- b. In the case of a Member of Council, refer the issue to the Integrity Commissioner.

In the case of there being a complaint in regard to the CAO/Clerk, the matter shall be reported to and be addressed by the Mayor.

Handling of complaints shall be done in the manner set out in the applicable Code of Conduct policy.

Where there is a discrepancy between this Policy and the applicable Code of Conduct, the applicable Code of Conduct prevails.