

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2022 - 13

BEING A BY-LAW TO ESTABLISH A COUNCIL STAFF RELATIONS POLICY

WHEREAS Section 270(1) of the *Municipal Act, S.O. 2001, Chapter M.25*, as amended requires municipalities to adopt and maintain a policy with respect to the relationship between Members of Council, and all levels of Staff of the Municipality;

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan recognizes the importance of Council Staff relations and is committed to a respectful and productive relationship between and amongst Council, and all levels of Staff of the Municipality.

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan 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. **THAT** By-law 2019-18 hereby repealed effective the date of passing of this By-law.
3. **THAT** this By-law shall come into force and effect on the date of its passing.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 23rd day of March 2022.

THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN



Mayor



CAO/Clerk



Schedule "A" By-law 2022- Council – Staff Relations Policy

1. Purpose Statement:

The Municipality of Magnetawan takes pride in providing a positive and healthy workplace for its employees through promoting and nurturing good relations and communications between Council and all levels of Staff. This policy provides a framework for information flow and interactions between Members of Council, Municipal Staff and Officers that leads to a respectful, productive, and harassment-free working relationship.

2. Scope:

This Policy applies to all Members of Council, Municipal Staff, and Officers, which includes the members appointed to Council Boards and Committees as well as volunteers herein referred to as 'Staff'.

3. Principles:

The relationship between Members of Council and Staff of the Municipality of Magnetawan is guided by this policy, which complements the existing legislation governing conduct of Members of Council and all levels of Staff including, but not limited to: the Council Code of Conduct, the Council Procedural By-law, the Employee Code of Conduct, the *Municipal Act*, the Ontario Human Rights Code, and the Criminal Code of Canada.

- Council Speaks by Resolution – Council is the elected voice of the ratepayers of the Municipality of Magnetawan, determines policies and provides direction to the administration by Council resolution.
- The CAO/Clerk is the head of the administration and under his/her direction Staff implement Council's decisions and establishes administrative practices, policies, and procedures to carry out Council's decisions.
- Open and Clear Communication – Open lines of communication are essential. Members of Council and Staff should feel comfortable speaking to one another about their work.
- Respectful Workplace – The Municipality is committed to maintaining a healthy, safe, and supportive workplace, free from discrimination and harassment.
- Operate in a working partnership to produce the best results and outcomes for the Municipality.

4. Guidelines

The flow of information between Members of Council and Staff should promote the principles of transparency, accountability, and when required, confidentiality. Formal communication channels exist to raise and manage operational issues and should be respected.

Where appropriate, or deemed necessary, Council Members shall:

- Understand they have no individual capacity to direct Staff to perform, or not perform functions or duties.
- Understand that the CAO/Clerk is responsible for Staff. Members of Council who need to engage with Staff are to do so through the CAO/Clerk with the exception of emergencies or as otherwise agreed to with the CAO/Clerk, which includes both in person, verbal, written, and electronic messages.
- If they have questions or concerns about Staff, confidentially and privately direct these concerns to the CAO/Clerk.
- Discuss municipal business, issues and/or concerns with the CAO/Clerk and, whenever possible, advise of questions prior to meetings of Council or Committees of Council.
- Request advice from the CAO/Clerk regarding the appropriateness of wording for proposed motions, amendments, and formal directions to Staff in accordance with the Procedural By-law.
- Direct ratepayers to the CAO/Clerk regarding operational or corporate policy matters.

- Not permit Staff to be subject to derogatory comments and/or behaviour or conduct on the part of members of the public or individuals conducting business with the Municipality of Magnetawan.

Where appropriate, or deemed necessary, all levels of Staff shall:

- Ensure that Members of Council are apprised of issues that may directly, or indirectly impact the Municipality and/or their decision-making process through either the CAO/Clerk or senior management, which also includes legislative changes and changes to Municipal policies.
- Present balanced and consistent input and advice to Council Members at all times based on political neutrality and objectivity utilizing their professional expertise.
- Uphold decisions of Council as a whole, regardless of personal opinion or belief, and commit to the implementation of those decisions.
- Provide timely, well researched, accurate reports to Council and Committees of Council based on professional expertise and judgement to assist in the decision-making process.
- Develop and implement operational policies and procedures to ensure the effective, efficient, transparent, and accountable management and operation of the Municipality.
- Refrain from engaging in, or assuming, a political role within the discharging of their assigned duties.

5. Complaints:

The CAO/Clerk shall be responsible for receiving complaints and/or concerns related to this Policy and initiating the appropriate processes and remedies to address the issue.

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

- In the case of Staff, address the issue through the appropriate supervisor.
- In the case of a Member of Council, depending on the nature of the issue speak individually to the member, or bring forward to Council during a closed session, or refer the issue to the Integrity Commissioner.
- In the case of a complaint about the CAO/Clerk, the complainant shall be referred to the Head of Council and the complaint will be forwarded to the CAO/Clerk in closed session to be presented to Council as a whole.