

MUNICIPALITY OF THE TOWNSHIP OF GILLIES
BY-LAW NO. 528
(as amended by By-law 609 on November 13, 2007)

Being a by-law to establish a policy for the hiring of employees

Whereas Gillies Council has determined that a by-law to establish the policies for hiring employees should be established;

And whereas the Province of Ontario requires all municipalities to establish a hiring by-law that addresses nepotism;

Now therefore, Gillies Township enacts the following policy:

1. RECRUITMENT

a) Purpose

Recruitment is the process of finding and attracting capable applicants to apply for employment

b) Policy

The Township of Gillies will follow all provisions of the Ontario Human Rights Code, Employment Standards Act, and other relevant legislation when recruiting applicants for employment.

The Township of Gillies will use all appropriate internal and external resources at its disposal to recruit qualified and competent staff for its organization.

Recruitment activity will not commence until approval has been received from the Municipal Council and a valid job description is on file.

c) Procedure

1. The council will identify its staffing needs as part of its annual service/business plan.
2. Council will ensure that job descriptions, including responsibilities and qualifications, are developed for all vacancies.
3. Council will finalize salary and benefits for all positions, before advertising.
4. Council may use various channels of recruitment including but not limited to:
 - a) Walk-ins and write-ins;
 - b) Employee referrals;
 - c) Advertising;
 - d) Human Resource Development Canada (HRDC);
 - e) Educational institutions;
 - f) Professional associations;
 - g) Temporary help agencies;
 - h) Contingent/contract workers/ and/or
 - i) Other provincial program offices.
5. Administration will retain all applications for employment for a period of one year before destroying.

2. SELECTION

a) Purpose

The Township of Gillies will make its selection, appointment and promotion of employees on the basis of the applicant's ability to do the job rather than factors unrelated to job performance. The Township will base its selection decisions on the applicant's experience, education, and personal suitability to the position.

b) Procedure

1. Council will be familiar with all necessary legislation and agreements in terms of employee selection, and will ensure that employment applications, interviews and selection processes do not violate relevant legislation.
2. Council will ensure that its hiring practices are formalized; and that interview formats and hiring criteria are finalized.

3. NEPOTISM

a) Definitions

For the purpose of this policy:

“Relative” is defined as the employee/council member’s spouse or same-sex partner residing at the same residence;

b) Purpose

The Township of Gillies will consider the hiring of relatives of employees and council members, within the parameters of the procedures set out in this policy. This policy is meant to provide rules with respect to recruitment, hiring and promotion which are intended to avoid conflicts of interest and to inform the general public of the standards to which the Township of Gillies adheres. It is meant to avoid, to the extent possible, conflicts or perceived conflicts that may arise in the recruitment and hiring process.

c) Policy

Employment of Relatives

d) Scope

This policy applies to all employees and members of Council.

e) Procedure

1. Relatives of current employees and Council members may be employed only where:
 - a) They will not be working directly for or supervising a relative;
 - b) They will not be working directly above the relative’s immediate superior; or
 - c) They will not be working directly for the relative’s immediate subordinate.

Employees shall not be transferred into a reporting relationship described above.

2. An employee or Council member who is related to a candidate for employment shall not be involved in any aspect of the recruiting process so as to avoid any conflict of interests or allegations of preferential treatment.

f) Responsibility

It is the responsibility of employees and/or members of Council and/or candidates for employment with the Corporation of the Township of Gillies to declare whether other employees and/or members of Council are their relatives.

g) Procedure- Employment of Relatives

Employees are requested to notify their Managers of their relationship to other employees and/or council members, or to candidates for employment.

Council members are requested to notify the Clerk-Treasurer of their relationship to employees or to candidates for employment.

Notwithstanding, this will not restrict the temporary employment of a relative for a period of less than one (1) year, summer work placement, work study, or work on a casual basis.

4. POSTING OF JOB VACANCIES

a) Purpose

The Corporation of the Township of Gillies will not discriminate on the basis of prohibited grounds set forth in Section 5 of the Ontario Human Rights Code, in connection with advertising for employees, employment applications, employment interviews, and the employment selection process.

b) Policy

The Corporation of the Township of Gillies will post on bulletin boards in its main office and on the Gillies Township website, any job vacancies or new jobs for a minimum of five working days. External postings may include local newspapers, journals, Human Resource Development Canada (HRDC), other relevant provincial agencies, and/or circulation of posting to educational institutions and any job vacancies may be posted in these places for a minimum of one day. Postings on local bulletin boards within the boundaries of Gillies Township may be for a minimum of five working days from the date of posting.

Internal and external job postings may be conducted simultaneously, at the discretion of The Council, should circumstances warrant so.

All applicants within the organization will be considered for the position if they meet the qualifications. Selection will be based on the applicant's competency, experience, education, and personal suitability to the position.

c) Procedure

1. Administration will prepare a notice for all job postings which includes:
 - a) the job title;
 - b) qualifications required;
 - c) duties and responsibilities of the position;
 - d) hours of work;
 - e) relevant working conditions;
 - f) location;
 - g) whether position is permanent, temporary or contract;
 - h) status of position, i.e., management, labour, etc;
 - i) procedure for applying;
 - j) closing date for applications;
 - k) salary range, if appropriate; and
 - l) the following statement: *All applications and enquiries will be treated in strict confidence. The personal information collected will be used solely for candidate selection in accordance with the Municipal Freedom and Protection of Privacy Act.*

Administration may choose to post the Job Description, ensuring that the above conditions are included.

5. ACKNOWLEDGEMENT OF APPLICATION

a) Purpose

The Corporation of the Township of Gillies will not discriminate on the basis of prohibited grounds set forth in Section 5 of the Ontario Human Rights Code, in connection with advertising for employees, employment applications, employment interviews, and the employment selection process.

b) Policy

1. Administration shall include the following statement on all internal and external job positions: *The Corporation of the Township of Gillies wishes to thank all applicants for their interest, but only candidates selected for an interview will be contacted.*
2. Following the hiring of the successful candidate, administration shall forward a letter to each of the unsuccessful candidates that were interviewed, informing them that the position has been filled.”

6. INTERVIEW

a) Purpose

The Corporation of the Township of Gillies will not discriminate on the basis of prohibited grounds set forth in Section 5 of the Ontario Human Rights Code, in connection with advertising for employees, employment applications, employment interviews, and the employment selection process. The Township will use the most effective means of selection possible, while at the same time ensuring fair and equitable treatment of all candidates being interviewed.

b) Policy

An Interview Committee will be established of council and the immediate supervisor.

Each Interviewer will:

- a) conduct themselves in a professional manner;
- b) base its assessment solely on the degree to which applicants meet the pre-determined selection criteria for the job; and
- c) evaluate each candidate according to a Structured Interview Format rating system.

7. INTERVIEWS

a) Purpose

Selection procedures employed by an organization affect its overall effectiveness.

- a) must reflect job requirements;
- b) are inseparable from organizational strategies;
- c) must recognize organizational constraints;
- d) must reflect supply challenges; and
- e) should recognize the ethical dimensions of the process.

b) Policy

All interviews will be conducted in a fair and equitable manner, using a structured interview format based upon pre-determined selection criteria.

c) Procedure

1. The supervisor of the vacant position ensures that, in consultation with other stakeholders or persons who may be of assistance, selection criteria are established prior to any interview taking place. Selection criteria will be based on the specific Job Description which lists all necessary qualifications and duties and responsibilities of the position.
2. The Council will review all applications for the positions, based upon the pre-determined selection criteria, and determine the number of qualified applicants to be interviewed.
3. Council or the supervisor will develop a Structured Interview Format, including a rating system for objective determination of the best candidate. The Interview Committee will individually rate the candidate at the completion of his/her interview or at the completion of all interviews. Rating comparisons will take place in order to rank order all interviewees.

4. As part of the interview process, candidates:
 - a) may be asked to provide up to three written references;
 - b) may be expected to pass a test of skills and aptitudes related to the position. All tests or assessments will be reviewed by the Interview Committee as part of the selection criteria; and
 - c) may be asked to provide the names of up to three past employers for a telephone reference. The Pre-Employment Reference Check, attached hereto as Schedule 'A', shall be the format used by the Supervisor when calling the persons named as references.
5. The Council will establish the time, date and place of interviews with all members of the Interview Committee and all candidates chosen for interviews.
6. Completed interview formats of unsuccessful candidates will be maintained for a period of three months from the date of interview and destroyed following that time period. The interview format and application of the successful candidate will become part of the employee's personnel file.
7. Unsuccessful candidates may request a feedback interview. A member of the Interview Committee will conduct the interview identifying constructive information such as areas of strength and those requiring improvement.

8. OFFER OF EMPLOYMENT

a) Policy

The Council must approve all staffing appointments for positions within the Township of Gillies. An offer of employment will not be made until all components of the interview process have been completed i.e. any tests of skills or aptitudes, and, if necessary, telephone references with past employers. (see Interviews.)

b) Procedure

1. Initially the direct supervisor of the position, explaining that the offer is conditional upon the satisfactory outcome of a criminal reference makes a verbal offer of employment. The verbal offer is immediately followed by a written job offer. The written job offer includes the following:
 - a. position title.
 - b. Start date and time;
 - c. Location;
 - d. Salary;
 - e. Summary of benefits.
 - f. Name of immediate supervisor reporting to;
 - g. Explanation re: criminal reference check will be required.
 - h. Length of probationary period.
 - i. An indication that the Township reserves the right to request a medical examination if required; and
 - j. Date of termination of contract, if applicable.
 - k. the successful candidate is asked to provide a written acceptance within five working days of the written offer.
2. Once the successful candidate accepts the job offer, letters of regret are sent to unsuccessful candidates who were interviewed.
3. Once recruitment activity is complete, all data, interview information and applications, etc. are filed with administration.

4. Should the successful candidate decline the job offer, the Interview Committee determines the next most suitable candidate or may decide to initiate the recruitment process again.

9. CRIMINAL REFERENCE CHECK

a) Purpose

The Corporation of the Township of Gillies develops hiring practices, which meet all relevant employment legislation, including regulations, which may require criminal reference checks.

b) Policy

All offers of employment for full-time, part-time on either a permanent or contract basis, **will be** conditional upon the satisfactory outcome of a criminal reference check.

c) Procedure

1. The successful candidate or volunteer is responsible for obtaining a criminal reference check from the local OPP office, which is then submitted to the Township of Gillies.
2. If the results of the criminal reference check are favourable, administration places this information in the employee's personnel file. If the results of the criminal reference check are unfavourable, the candidate is given the option of sharing a copy of the certificate of convictions. If the candidate refuses to do so, the hiring process will not proceed. Should the candidate choose to share the certificate of convictions, Council will determine whether to proceed with hiring the candidate, depending upon the nature of and the circumstances surrounding the charges and convictions.

10. PROBATIONARY PERIOD

a) Purpose

Newly hired employees of the Township are placed on probation, which is the initial period of employment during which an employee is on a trial basis and may be discharged with or without cause.

b) Policy

All new employees are required to serve a probationary period which offers both the organization and staff members an opportunity to explore whether or not the employment relationship is mutually satisfactory.

c) Procedure

1. Unless specified otherwise the probationary period for employees of the Township is for a period of six months. Performance appraisals by the employee's supervisor will take place prior to the expiration of the probationary period. This may result in:
 - a) confirmation of employment to permanent staff: or
 - b) extension of the probationary period.
 - c) termination of employment.

Decisions regarding the outcome of the performance appraisals must be made in writing to the employee prior to the expiry date.

2. During the six month probationary period, the employee is not entitled to object to a lay-off, termination or disciplinary action.

READ A FIRST AND SECOND TIME ON THE 09th Day of December 2004

AND A THIRD TIME AND FINALLY PASSED THIS 09th Day of December 2004.

Reeve

Clerk

SCHEDULE 'A' TO BY-LAW 528

THE CORPORATION OF THE TOWNSHIP OF GILLIES
PRE-EMPLOYMENT REFERENCE CHECK

Applicant's Name:

Introduce yourself by Name, Title & Program.

Reference Name:		
Title:		
Organization & Phone#.		
What was your relationship to the candidate?		
He/she reports that he/she worked for your organization. Is that correct? Yes or No. If Yes, for approximately how many months/years.		
What position(s) did he/she hold in your organization?		
Please rate him/her POOR< FAIR< GOOD or EXCELLENT on the following: a) time management & punctuality.		
completing reports & paperwork on time		
paperwork/reports thorough & accurate		
prioritizing his/her caseload/workload & organizational commitments		
ability to handle workplace change & stress		
ability to work independently.		
ability to work with supervision.		
conflict resolution		
attendance		
Reference Name:		
ability to get along with others		
his/her quality of work		
his/her quantity of work		
initiative		
creativity & innovation		

(example?)		
general work performance		
WOULD YOU REHIRE HIM/HER?		
q) Do you mind if we share the results of this survey with the candidate?		
ANY COMMENTS YOU WOULD LIKE TO ADD.		
Checked by:		
Date		