

The Corporation of the City of Pembroke

By-Law Number 2023-06

A by-law to adopt a Council/Staff Relations Policy for the Corporation of the City of Pembroke

Whereas, the *Municipal Act, 2001*, as amended, provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act; and

Whereas, the *Municipal Act, 2001, as amended*, provides that powers of a municipal corporation are to be exercised by its council through the adoption of by-laws; and

Whereas the *Municipal Act*, indicates that a Municipality must have a policy with respect to the relationship between Members of Council and the officers and employees of the municipality; and

Whereas the Council of the Corporation of the City of Pembroke deems it expedient to adopt a Council/Staff Relations Policy.

Now Therefore the Municipal Council of the Corporation of the City of Pembroke enacts as follows:

1. That the Council/Staff Relations Policy, attached hereto and marked as "Schedule "A", to this by-law be hereby adopted.
2. That this by-law shall come into force and take effect upon the date of the final passing thereof.

Passed and enacted this 17th Day of January 2023

Ron Gervais
Mayor

Heidi Martin
Clerk

Council-Staff Relations Policy

1. Policy Statement

The Corporation of the City of Pembroke will promote a respectful tolerant, harassment-free relationship and workplace between members of Council, and the officers and employees of the corporation.

2. Definitions

Member includes the elected Head of Council and elected members of Council.

Municipality means the corporation of the City of Pembroke.

Staff includes anyone employed by the Municipality, including officers, full-time, part-time, temporary, casual, or seasonal staff, contract staff, students, and volunteers.

3. Purpose

This policy provides requirements on how the City of Pembroke will ensure a respectful, tolerant, and harassment-free relationship and workplace between Members and Staff.

4. Guiding Principles

a. Empowerment

- Staff should be able to complete tasks assigned to them while feeling empowered to do so;
- Members shall set policy and give direction in a way that empowers Staff. This enhances the ability of the Municipality to support the growth and success of its Staff and Members;
- In order for Staff to feel empowered in their roles, Members must entrust them with the authority they need to make decisions and allow them to act according to their understanding of the direction given and the work to be accomplished. This requires that Staff have the resources and the time required to accomplish tasks;
- Staff shall be dedicated to ensuring that Members have the information they need to make decisions.

b. Professional Growth

- By empowering Staff to take on challenges and complete tasks, opportunities for professional growth are also supported;
- Any gaps in the skillsets of Staff can be addressed through education and the opportunity for Staff to create ideas to improve their work where necessary.

c. Collaboration and Partnership

- Members and the Chief Administrative Officer (CAO) shall create a collaborative relationship in order to accomplish tasks and set policy for the

- betterment of the Municipality.
 - The independent role of both the CAO/Deputy Clerk and of Council must be respected by all parties.
 - Members and Staff shall create a collaborative relationship in order to accomplish tasks and set policy for the betterment of the Municipality.
 - A partnership between Members and the CAO/Deputy Clerk, as well between Members and Staff should be fostered through effective communication and respecting each other's roles.
- d. Respect
- The relationship between Staff and Members and their defined roles must be respected to ensure that all members of Staff and Members are treated fairly.
 - Members and Staff shall foster a climate of mutual respect, recognizing the role that they play in serving the Municipality.
 - In order to promote respect in the workplace, Staff and Members shall listen to the ideas of each other without judgment, seek to understand the unique challenges to each other's roles in serving the Municipality, provide constructive feedback when necessary, and encourage a collaborative relationship based on trust, kindness, and respect for individual skillsets.
- e. Realistic Expectations
- Members and Staff shall set reasonable expectations of each other, including providing reasonable timelines to accomplish tasks, and having respect for off-hours communications between Members and Staff; (please refer to the City's [Disconnect from the Workplace Policy](#))
 - Providing clear goals and direction are necessary in order to hold each other accountable for the accomplishment of tasks.

5. Clarifying the Role of Council and the Role of Staff

1) Role of Council

- a. The role of Members is to represent the Municipality, provide direction to Staff through the CAO, and create policy;
- b. Members shall seek to advance the common good of the Municipality;
- c. Members shall act in a way that enhances public confidence in local government;
- d. Members shall work with the CAO/Deputy Clerk and Senior Management in a collaborative and supportive manner and not seek to usurp the administrative function of the CAO and Senior Management;
- e. Individual Members shall not direct Staff or intimidate Staff in the performance of their duties;
- f. Direction to Staff from Council as a whole by way of resolution may only be done through the CAO, as the CAO is responsible for Staff;
- g. Members should respect the time of Staff by providing advance notice of any substantial questions to be raised at a Council meeting so that they may have the required time to provide an adequate response or report;
- h. Members should not expect immediate response time from Staff by e-mail or phone unless the circumstances necessitate such an immediate response. Please refer to the City's [Disconnect from the Workplace Policy](#);

- i. Emails sent to Staff during off-hours should be sent only as necessary during emergencies, while respecting the private lives of Staff. Non-urgent/non-emergency emails sent to Staff during off-hours will only be responded to on the next working day;
- j. Members shall respect the role of the Municipality as an employer and provide direction and support for Staff that adheres to all legal obligations of an employer;
- k. Members shall adhere to the Rules of Order and other requirements as set out in the Municipality's Procedure by-law;
- l. Members shall be respectful of Staff in the workplace and shall not denigrate Staff in public or on social media;
- m. Members shall refrain from any behaviour that constitutes harassment or violence in accordance with the Municipality's Human Resources Policies and Procedures.

2) Role of Chief Administrative Officer

- a) The CAO shall report directly to Council and act as a liaison between Council and Staff to direct the implementation of Council's policies through Senior Management and Staff;
- b) The primary focus of the CAO should be to foster collaborative working relationships with Members and Staff, while maintaining a separate and distinct role;
- c) The CAO shall remind Staff and Members, where necessary, of their roles and their duty to respect the personal and professional time and roles of one another;
- d) The CAO shall acknowledge and recognize the dignity and worth of every person they work with;
- e) The CAO shall undertake such research as is necessary to make recommendations to Council to maintain and improve the efficient administration of the Municipality and to advance the goals of the Municipality;
- f) The CAO shall adhere to the Rules of Order during meetings of Council or committees or local boards, and other requirements as set out in the Municipality's Procedure by-law;
- g) The CAO shall be respectful of Members in the workplace and not denigrate Members in public or on social media;
- h) The CAO shall refrain from any behaviour that constitutes harassment or violence in accordance with the Municipality's Human Resources Policies and Procedures.

3) Role of Staff

- a) Staff shall complete tasks that may include researching policy or programs, providing professional advice, implementing decisions of Council, fulfilling statutory duties, and following direction of the CAO in a professional manner, and seeking assistance where necessary;
- b) Staff will generally communicate with individual members through the CAO;
- c) Staff shall refrain from any behaviour that the Staff member knows, or should reasonably know, is offensive and/or unwelcome;
- d) Staff shall be respectful of members in the workplace and not denigrate Members in public or on social media;
- e) Staff shall acknowledge and recognize the dignity and worth of every person they work with;
- f) Staff shall adhere to the Rules of Order during meetings of Council, or committees or local boards, and other requirements as set out in the Municipality's Procedural By-

- law;
- g) Staff shall respect that Council time is valuable. Reports and presentations to Council should be concise to the extent possible, while still ensuring all necessary information is communicated to Council;
 - h) Staff shall refrain from any behaviour that constitutes harassment or violence in accordance with the Municipality's Human Resources Policies and Procedures.

6. Adherence to other Codes and Policies

Members and Staff shall adhere to the Municipality's existing applicable policies and procedures, including:

- a. Procedure By-law;
- b. Council Code of Conduct;
- c. Workplace Violence & Harassment Policy;
- d. Disconnect from the Workplace Policy;
- e. Human Resources Policies and Procedures.

Responsibilities

Members and Staff are required to adhere to this policy and its governing provisions, including all other existing applicable policies, and procedures adopted by the Municipality.

Monitoring/Contraventions

- a. The Human Resources department shall be responsible for receiving complaints and/or concerns related to this Policy.
- b. Upon receipt of a complaint and/or concern, Human Resources shall notify:
 - i. In the case of Staff other than the CAO, the CAO;
 - ii. In the case of the CAO, Members of Council; or
 - iii. In the case of a Member of Council, the Integrity Commissioner.
- c. The CAO shall investigate all complaints under this policy related to Staff and take such action as is deemed appropriate in the circumstances and in accordance with all other applicable policies.
- d. Members of Council shall investigate all complaints under this policy related to the CAO and take such action as is deemed appropriate in the circumstances and in accordance with all other applicable policies.
- e. The Integrity Commissioner shall receive all complaints under this policy related to Members and investigate in accordance with the process as set out in the Council Code of Conduct. Where there is a discrepancy between this Policy and the Council Code of Conduct, the Council Code of Conduct shall prevail.

Legislative and Administrative Authorities

The Municipal Act, 2001 requires Council to adopt and maintain a policy with respect to the relationship between Members and Staff. The Council-Staff Relations Policy

identifies the legislation, policies, and procedures that the Municipality complies with in order to promote a respectful relationship between Members and Staff.

Enquiries:

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