



POLICY CAO-10: COUNCIL – STAFF RELATIONS POLICY

Council Services

Approval Date: September 11, 2018

Approval Authority: Council Resolution No. 3

Effective Date: September 11, 2018

Revision Date/s:

1. Purpose

- 1.1. This policy provides guidance on how the Corporation of Norfolk County ensures a respectful, tolerant and harassment-free workplace environment including the relationship between Members of Council and employees of the Corporation. The creation of this policy is a requirement of Section 270(1) of the *Municipal Act, 2001*, c M. 25 as amended.

2. Policy Statement

- 2.1. Norfolk County will promote a respectful, tolerant and harassment-free workplace environment and relationship between members of Council and employees of the corporation, guided by a combination of the Code of Conduct for Members of Council and Local Boards By-Law 2018-34, Roles and the Responsibilities of Council and Staff EBS-08, Code of Conduct for Staff HR-01, Respectful Workplace and Violence Prevention Policy HR-04, and the Procedure By-Law 2017-83.

3. Application

- 3.1. In accordance with Section 270(1) of the *Municipal Act, 2001*, this policy applies to all Members of Council and employees of the Corporation of Norfolk County.

4. Policy Context

- 4.1. Code of Conduct for Members of Council and Local Boards By-Law 2018-34 establishes ethical behaviour expected of the members of the Corporation of Norfolk County.
- 4.2. Roles and Responsibilities of Council and Staff EBS-08 states the following:

“Members shall be respectful of the fact that staff work for the municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

Members shall acknowledge that only Council as a whole has the capacity to direct staff members to carry out specific tasks or functions. Members of Council are encouraged to contact staff to answer questions, identify concerns or request services that are normally available to any Norfolk County resident. Members of Council shall not direct the nature, level, timing, or type of service provided in response to their request. This is especially true where staff is not authorized, or do not have the resources to complete a Member of Council’s request for information or service.

Where a Member of Council’s request for information or service is outside the employee’s realm of responsibility, approved plan, or available resources, the employee shall inform the Member of Council and their direct supervisor and/or department head, for an appropriate and timely response to their request.”

4.3. Code of Conduct HR-01 states the following purpose:

“Norfolk County employees must provide excellent service and be accountable for their actions. This responsibility and accountability to the public and other employees is conferred by Norfolk County Council.

4.4. The Respectful Workplace and Violence Prevention Policy HR-04 states the following:

“This Policy applies to all persons who are members of Norfolk County workplace community and persons who interact with members of Norfolk County workplace, including all employees regardless of position and elected representatives in the context of their interactions and dealings with employees.

All members of the workplace community share an obligation to promote safety and guard against risks or threats of violence to themselves and others. All participants in the workplace community are accountable for complying with [The Respectful Workplace and Violence Prevention Policy HR-04].”

5. Norfolk County Commitment

5.1. Norfolk County is committed to fostering a culture and providing a working and service environment free from discrimination and harassment and in

which we respect and protect the safety, health and wellness of all employees. All employees will act professionally and treat one another with courtesy and respect, as well as be responsible for conducting themselves in a manner that contributes to positive working relationships.

- 5.2. Norfolk County will take all reasonable steps to promote co-operative and productive working relationships among its employees and other members of the workplace community. Norfolk County recognizes the potential for violence or threats of violence in connection with work related activity.
- 5.3. Norfolk County actively encourages all employees, volunteers, contractors or others associated with the business of the County to report all events and commits to making every reasonable effort to identify all potential sources of violence and harassment and to eliminate or minimize these risks.
- 5.4. Norfolk County is committed to establishing and maintaining a working environment and workplace interactions consistent with the following:
 - 5.4.1. Provide staff an environment conducive to personal and professional growth, dignity and respect;
 - 5.4.2. That all staff are treated with dignity and respect in the course of their workplace interactions;
 - 5.4.3. Promotes equality of treatment and equality of opportunity for all members of Norfolk County's workplace community;
 - 5.4.4. Provide a workplace free from favouritism, bullying, harassment or any abuse of power;
 - 5.4.5. Provide a workplace free from any form of harassment, violence or discrimination.
 - 5.4.6. Provide staff the opportunity to contribute to the development and well-being of the community.
 - 5.4.7. In the work environment, the County strictly prohibits harassment or discrimination. Harassment includes practices prohibited under the *Ontario Human Rights Code* which threaten an individual's basic human rights and personal harassment; conduct inconsistent with an individual's well-being. Norfolk County will not tolerate any form of harassment, discrimination or abuses of power inconsistent with the commitments made pursuant to this policy.

6. Procedural By-Law

- 6.1. The Procedural By-Law 2017-83 (as may be amended or replaced) establishes rules, procedures and conduct within Council and Committee meetings. Specifically, Part 13: Rules of Conduct, which states the following:

“No member shall: Speak disrespectfully of the reigning sovereign, or any of the Royal Family, or of the Governor-General, the Lieutenant Governor, or any person administering the government of the Dominion of Canada, the Province of Ontario or of the Corporation of Norfolk County.”

7. Responsibilities

- 7.1. Members of Council and employees of the corporation are required to adhere to this policy and its governing provisions, including the Code of Conduct for Council Members, its Committees and Local Boards, the Code of Conduct, Respectful Workplace and Violence Prevention Policy and the Procedural By-Law.
- 7.2. Members shall be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from any individual member or faction of Council. Accordingly, no member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of staff.
- 7.3. No Member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity.
- 7.4. No Member shall compel staff to provide information that ought to be provided to Council as Committee of the Whole or a Sub-Committee or be subjected to threats or discrimination for refusing to engage in providing such information. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to provide certain information to Council.

8. Monitoring/Contraventions:

8.1. The County Clerk or designate shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a formal filed complaint, the County Clerk or designate shall notify:

8.1.1. In the case of employees of the corporation, the General Manager or Director responsible for the employee and the Director of Human Resources and Staff Development; or

8.1.2. In the case of Council, the Integrity Commissioner.

8.2 Where there is a discrepancy between the Council-Staff Relations Policy and the Code of Conduct for Council Members or the Code of Conduct, the language of the Code prevails.

9. References:

- 9.1 Code of Conduct for Council Members, its Committees and Local Boards
- 9.2 Code of the Conduct
- 9.3 Respectful Workplace and Violence Prevention Policy
- 9.4 Procedural By-law