

County of Essex Policy and Procedures Manual

Council/Staff Relations Policy

Policy Number:	2019-001
Policy Type:	Corporate Policy
Approval Authority:	Essex County Council
Office of Responsibility:	Legislative and Community Services
Issuance Date:	2019-02-20
Revised on Date:	2019-02-20
Scheduled Review Date:	Each term of Council
Replaces Policy:	N/A

1.0 Policy Statement

The Corporation of the County of Essex will promote a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the Corporation, guided by the Code of Conduct for Members of Council, the Employee Code of Conduct, the employee Harassment in the Workplace Policy, the Workplace Violence Policy, and the Procedure By-law.

2.0 Scope

2.1 In accordance with Section 270(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, this policy applies to members of County Council and officers and employees of the Corporation.

3.0 Purpose

3.1 This Policy provides guidance on how the Corporation of the County of Essex ensures a respectful, tolerant, and harassment-free relationship and workplace between members of Essex County Council and the officers and employees of the Corporation.

4.0 Definitions

- 4.1 **CAO:** means the County's Chief Administrative Officer.
- 4.2 **Code of Conduct:** means the current By-Law to Establish a Code of Conduct for Members of Council of The Corporation of the County of Essex, and any successor by-law of The Corporation of the County of Essex, setting out a code of conduct for Council Members.
- 4.3 **Corporation:** means the Corporation of the County of Essex.
- 4.4 **Council Member:** means a member of the Council of the Corporation of the County of Essex.
- 4.5 **County:** means the Corporation of the County of Essex.
- 4.6 **County Council:** means the elected body of the Corporation of the County of Essex.
- 4.7 **Staff Member/Employee:** means the officers and employees of The Corporation of the County of Essex including the CAO and individuals providing services to the Corporation under contracts for services.
- 4.8 **Warden:** means the head of County Council as elected by Essex County Council members from time to time.

5.0 Policy

The relationship between members of County Council and the officers and employees of the Corporation is guided by the following:

- 5.1 **Code of Conduct for Members of Essex County Council**
- 5.1.1 The Code of Conduct for members of Essex County Council established the ethical behaviour expected of members of the Council of the Corporation of the County of Essex and citizen members appointed by Council to serve on Committees/Boards/Agencies.
- 5.1.2 Section 8.0 of the Essex County Council Code of Conduct, entitled "Discreditable Conduct" states:
- "All Members have a duty to treat members of the public, one another and staff appropriately and without abuse,

bullying or intimidation. All Members shall ensure that their work environment is utterly free and completely devoid of discrimination, and personal and sexual harassment”.

- 5.1.3 Section 9.0 of the Essex County Council Code of Conduct, entitled “Conduct Respecting Staff” states:

“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 the Council or Local Board.

Members of Council should not:

- Maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff;
- Compel staff to engage in partisan political activities or be subject to threat or discrimination for refusing to engage in such activities;
- 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 in staff’s duties”

5.2 **Employee Code of Conduct**

- 5.2.1 The Employee Code of Conduct is founded on the notion of ensuring public confidence and trust in the integrity, objectivity and impartiality of the Corporation through the recognition and promotion of fundamental principles transparency, accountability, impartiality, and respect.

- 5.2.2 Under the “Council’s Expectations of Staff in Support of Council” section, the Employee Code of Conduct states that Council expects staff:

“To Act with integrity and be honest in their dealings with Members of Council, Officers of the Corporation, other County employees, clients and the public. No employee shall withhold information from, or willfully mislead Member of Council, officers and employees, clients and the public.

No employee shall withhold information from (save and except applicable information protected under laws and regulations), or willfully mislead Members of Council, officers, employees, clients or the public about any issue of corporate concern.”

5.2.3 Employees of the Corporation are expected to:

- Recognize that County Council is the elected voice of the citizens of its seven member municipalities and respect the decisions of County Council; and
- Distinguish between their own personal comments or opinions and those related to their employment with the Corporation.

5.2.4 Employees of the Corporation are not expected to:

- Make comments that disparage or harm the reputation of the County of Essex or its’ Council or their co-workers; and
- Claim to speak on behalf of the Corporation unless they have been authorized to do so; and
- Make personal comments using Corporate letterhead, Corporate email addresses, or anything else that implies a connection between our personal comments or opinions and the Corporation.

5.3 **Harassment in the Workplace Policy**

The County of Essex Employee Harassment in the Workplace policy states that its purpose is:

- 5.3.1 “To promote and maintain a working environment that is free from all types of harassment. To establish procedures for employees of the Corporation who believe that they are being harassed by the Corporation, or by customers, clients, other employees, supervisors, workers, elected officials, vendors, supplier, contractors and members of the public as applicable. To adhere to and enforce applicable legislation including the Ontario Human Rights Code and the Occupational Health and Safety Act.”

5.4 Workplace Violence Policy

The County of Essex Workplace Violence Policy states as follows:

5.4.1 "The Corporation is committed to early identification and prevention of violence in the workplace, and to respond swiftly to actual incidents of violence. Any form or manner of threatening remark or gesture made to an employee of the Corporation, while the employee is carrying out his/her duties, will not be tolerated".

5.5 Procedure By-law

The Procedure By-law established rules, procedures and conduct within Council and Committee meetings. Specifically, Subsection 15.4, under the "Rules of Conduct of Debate" section, states as follows:

5.5.1 "No member shall speak disrespectfully of the reigning Sovereign or of any member of the Royal Family, or of the Governor-General, Lieutenant-Governor, or person administering the government of the Dominion or of this Province, nor shall the use of offensive words in or against the Council or against any member thereof be allowed, nor shall any member speak aside from the motion in debate, and no member shall reflect upon any vote of the Council except for the purpose of moving that such vote be reconsidered, nor shall any member resist the rules of the Council, or disobey the decision of the Presiding Officer of the Council on questions of order or practice or upon the interpretation of the rules of the Council, and in case any member shall so resist or disobey, such member may be ordered by the Council to leave his/her seat for that meeting, and in case of refusing to do so, may, on the order of the Presiding Officer, be removed by the police, but in case of ample apology being made by the offender, may by vote of the Council be permitted forthwith to take his/her seat."

6.0 Responsibilities

6.1 Members of Council and officers and employees of the Corporation are required to adhere to this policy and its governing provisions, including the Code of Conduct for Members of Council, the Employee

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Code of Conduct, the Workplace Violence Policy, the Harassment in the Workplace Policy and Procedure By-law.

7.0 Delegated Authority

7.1 The Director of Council and Community Services/Clerk shall be responsible for receiving complaints and /or concerns related to this policy. Upon receipt of a complaint and/or concern, the Director shall notify:

7.1.1 In the case of officers and employees of the Corporation, the Director responsible for the employee and the Director of Human Resources.

7.1.2 In the case of a member of Council, the Integrity Commissioner.

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

7.3 This policy shall be reviewed, at minimum, once per term of Council.

8.0 Related Policies and/or Legislation

- Municipal Act, 2001, S.O., c. 25, as amended, s. 270(1)
- Code of Conduct for Members of Council
- Employee Code of Conduct
- Harassment in the Workplace Policy
- Workplace Violence Policy
- Procedure By-law

9.0 Enquiries

Director of Council and Community Services/Clerk
County of Essex
clerks@countyofessex.ca

10.0 Summary of Amendments

Date	Amendment(s)
2019-02-20	Council Report 2019-0220-CCS-R001-MB introduces Policy per Bill 68. Approved by Council Resolution 28-2019.

Appendices

None