

# County of Essex Policy and Procedures Manual

## Employment and Hiring Policy

<b>Policy Number:</b>	1991-001
<b>Policy Type:</b>	Corporate Policy
<b>Approval Authority:</b>	Essex County Council
<b>Office of Responsibility:</b>	Human Resources
<b>Issuance Date:</b>	2007-03-21
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<b>Scheduled Review Date:</b>	2029-09-17
<b>Replaces Policy:</b>	04-003; 06-002; 94-011

### 1.0 Introduction

The Corporation of the County of Essex, through the adoption of the County’s Strategic Plan, recognizes the importance of the three strategic goals: ‘Working as Team Essex County’, ‘Growing as Leaders in Public Service Excellence’, and ‘Building a Regional Powerhouse’. Further, the County operates with the principles of Accountability and Transparency in the decision-making process. This policy establishes a framework to guide fair and transparent hiring practices that reflect the County’s goals, meet legislative requirements, and promote a vibrant, inclusive workforce free from undue influence or conflict of interest.

### 2.0 Scope

2.1 This policy applies to all elected officials, departments and divisions within the County, including bargaining unit positions (“Union Positions”) under the collective agreements between the County and each of the following:

- Canadian Union of Public Employees (“CUPE”) Locals 860, 2974.1 and 2974.2;

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- Ontario Nurses' Association ("ONA"); and,
- Teamsters Local 879 ("Teamsters").

2.2 The operative collective agreements should be referenced for specifics pertaining to hiring practices in each bargaining unit.

### 3.0 Definitions

To provide context for this policy, a list commonly used terms is provided herein and shall be used in conjunction of the interpretation of this document.

**'Additional Position'** A position that is added to a compliment of existing like positions. Example: there are 5 clerks in a department, and the manager wants to add a 6th clerk position so there is now a total of 6 clerks.

**'Bona fide Operational Requirements (BFOR)'** is a specific employment qualification that is reasonably necessary to carry out the essential duties of a job. A BFOR must be directly related to the position and justified as essential for the safe, efficient, and effective performance of the work.

**'Child'** means any person under the legal age of majority who is in a parent-child relationship with the guardian - whether by birth, legal adoption, marriage or common-law partnership, foster placement, or by virtue of a close, ongoing familial relationship in which the guardian treats them as a child (i.e. shared residence, support, and parental care).

**'County of Essex'** means the Corporation of the County of Essex, and may be used interchangeably with the terms the 'County', the 'Corporation' or 'County of Essex'.

**'Direct Reporting Relationship'** A relationship in which an elected official or employee has authority to:

- Approve or deny wage/salary level, grid increments or overtime;
- Conduct performance appraisals and/or discipline; or
- Direct work assignments.

**'Family'** For the purposes of this policy, family includes an elected official or employee's Child, Guardian, Spouse, Parent, Sibling, Stepsibling, Grandparent, Grandchild, In-laws (parent, child, sibling), aunts, uncles,

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cousins, and any other person who resides in the same household or with whom the individual has a relationship of dependency or significant personal connection that could create a conflict of interest or perception of favouritism.

**'Guardian'** means any individual or entity—whether a biological parent, adoptive parent, full or step-parent, foster caregiver, de facto parent, or legally appointed person—who has legal authority and a settled intention to care for, support, make decisions for, and act in the best interests of a child.

**'New Classification'** A position that is being recruited for and is a new type of job at the County i.e. it has not been evaluated nor had pay levels assigned to it. Example: The County does not have any Millwrights on staff; if we hired one that would be a new classification.

**'No Net Addition'** is commonly used to describe when a position in one classification is not being replaced, and instead an additional position is being added in another classification. The approval process for “no net additions” will be administered in the same manner as for “additional positions”.

**'Placement Position'** A role specifically designed to provide meaningful work experience and skill development opportunities to individuals with intellectual or physical disabilities. These positions are generally created in collaboration with community organizations and are intended to support inclusion and integration into the workforce. Compensation for placement positions is typically wholly or partially subsidized by external agencies or support programs.

**'Replacement Position'** A position that is replaced with a like position. Example: when an employee leaves their position as one of 5 clerks in a department, and the manager replaces that employee with another clerk so there are 5 clerks in the department again.

**'Spouse'** For the purposes of this Policy, spouse includes those by legal marriage or common-law.

**'Student'** A person who is enrolled full-time in a secondary school, college or university during the academic year, has indicated their intention to return to school, and is applying for employment or co-op opportunity (paid or unpaid) with the County.

#### 4.0 Purpose

- 4.1 To establish a comprehensive policy and procedure pertaining to all phases of the employment process that recognizes the importance of fostering a vibrant and inclusive workforce that brings diverse perspectives, experiences and talents to our team.
- 4.2 To ensure uniform application of this policy and resulting procedures throughout the County while upholding the highest standards of professionalism and service delivery.
- 4.3 To ensure that employment-related decisions concerning existing or potential employees are free from any real or perceived improper influence or conflict of interest based on Family relationships and to maintain public confidence in the integrity of the County's hiring and employment practices.

#### 5.0 Policy

##### 5.1 General

- 5.1.1 The County is an equal opportunity employer and does not discriminate in the hiring process on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, marital status, family status, disability, or record of offences as defined in the Ontario Human Rights Code, as amended.
- 5.1.2 The County's objective is always to hire the most qualified applicant. The selection process will be based on qualifications, competence, skill, training, and the ability to perform the work, and where applicable; seniority.
- 5.1.3 The County prohibits employment situations where Family would:
  - 5.1.3.1 Be supervised by, or subordinate to, one another through a Direct Reporting Relationship;
  - 5.1.3.2 Be given preferential treatment in being recruited and/or selected for vacancies;

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5.1.3.3 Be appointed to positions where job responsibilities would be incompatible with positions occupied by Family.

Employees are required to report to their direct supervisor or Human Resources if they are, or may be, in one of the employment situations listed above. In that case, a review will be undertaken in accordance with subsection 5.1.4, below, to ensure that a solution is reached that is consistent with the purpose of this policy and governing legislation.

Elected officials and employees should be cognizant that broader family ties and other close personal relationships may give rise to the same concerns surrounding real or perceived conflicts as those specifically addressed by this policy and should be sensitive to these concerns and govern themselves in keeping with the spirit and intent of this policy, the County's Code of Conduct (#93-001), and, where applicable, the Code of Conduct for Council Members, and Members of Local Boards (#2023-11-15).

5.1.4 In the event that a conflict with this policy is created through either marriage, common-law union, or promotion of a staff member to a supervisory position, a review will be undertaken. Employment may continue, however, a solution that is consistent with the purpose of this policy and governing legislation will be implemented.

5.1.4.1 This conflict review will be conducted annually and amended where required, to ensure that the solution remains consistent with the purpose of this policy and governing legislation.

5.1.4.2 Employees will be required to disclose relationships by submitting a Relationship Disclosure and Acknowledgement Form (signed by all affected parties) and acknowledging that they have read and understood corresponding policies related to Hiring, Harassment and Code of Conduct. Human Resources will review this package and its contents directly with the employee.

5.1.4.3 Requests for an exemption to this policy must be approved by the Chief Administrative Officer

("CAO"), in consultation with the Department Head and Human Resources as required. Consideration for approval will not be given prior to the submission of a completed Relationship Disclosure package.

- 5.1.5 With the approval of the CAO or designate, the timelines and processes outlined in this policy may be adjusted or expedited when there is a valid operational reason to do so. For example, if an employee resigns within the first 90 days of filling a temporary vacancy, the recruitment process may be expedited to maintain operational continuity. Any modifications to the hiring process will not be made in a manner that conflicts with the provisions of an applicable collective agreement unless prior written agreement is obtained from the union.

## 5.2 Approval Processes

### 5.2.1 New Classification or Additional Position

- 5.2.1.1 These will be first presented to the CAO for review. Such presentation will include the Department Head's written business case for adding a New Classification or Additional Position, a detailed job description, and any other pertinent information substantiating the need for the classification or additional position. The Employee Requisition Form is the cover document for this request.
- 5.2.1.2 If approved, the CAO will provide the Director, Human Resources with details of the position(s) that are to be recommended to County Council for approval.
- 5.2.1.3 The Director, Human Resources will then present their recommendation to County Council for approval. Wherever possible, New Classifications and Additional Positions will be provided to County Council in advance of the budget deliberation process for approval in principle.

- 5.2.1.4 Once finally approved by County Council, the hiring manager and the Director, Human Resources or designate will establish a recruitment strategy.
- 5.2.1.5 For New Classifications, the Director, Human Resources or designate will have the position evaluated and/or convene the appropriate 'Joint Job Evaluation Committee', where applicable, for the determination of a provisional wage or salary rate. If the committee cannot be convened in a timely manner an interim pay range will be established (in consultation with the union, where applicable). Job postings will note that the rate is an interim rate.
- 5.2.1.6 After six (6) months experience the incumbent employee and their immediate supervisor will complete a 'Job Questionnaire' and submit same for re-evaluation in accordance with established procedures for such reconsideration.

#### 5.2.2 **Replacement Positions**

- 5.2.2.1 The immediate manager will present their written business case, along with a detailed job description, to the department head, for approval. The 'Employee Requisition Form' is the cover document for this request. Once approved, the manager will forward the duly signed Employee Requisition Form to Human Resources.
- 5.2.2.2 Once approval has been provided to fill a position, the hiring manger and the Director, Human Resources or designate will establish a recruitment strategy.
- 5.2.2.3 **Paramedic Replacement and Temporary Full-Time Positions:** Due to the high frequency and volume of postings and position/status changes within the Paramedic Services division, temporary full-time positions (backfill) and replacement full-time positions for paramedics will only require the approval of the Manager of Human Resources, EMS. These positions may be actioned in the normal course of business without the need for additional

approval from the Department Head or Human Resources Director, provided all other applicable policy requirements are met. An Employee Requisition Form will be submitted by the Scheduling Supervisor to the Manager of Human Resources, EMS for approval. A business case and/or job description will not be required and the hiring will be actioned in accordance with the applicable collective agreement.

#### 5.2.3 **Student Positions**

5.2.3.1 This policy applies to Student positions, except to the extent that the posting and selection process outlined in this policy may be condensed, with approval of the Director, Human Resources, where a Student is returning to a position they previously held or when a student leaves their position within the term and the position is to be filled with a new student for the remainder of the term.

#### 5.2.4 **Placement Positions**

5.2.4.1 The County is an equal opportunity employer and supports Placement Positions where fiscally and operationally feasible. Placement Positions must be approved in advance by the CAO and have budget or external funding support. Placement Positions will be filled in consultation with the relevant union and external agency/support program and will not follow the standard posting and selection process described herein. Employees in Placement Positions must complete onboarding and training as provided for by Human Resources before performing any work.

#### 5.2.5 **Department Head Positions (Management positions reporting to the CAO)**

5.2.5.1 New Classifications or Additional Positions will be presented by the CAO to County Council for approval, in advance of budget deliberations, wherever possible. Such presentation will include a business case for adding a New Classification or

Additional Position, a detailed job description, and any other pertinent information substantiating the need for the classification or additional position. Once approved, the CAO and the Director, Human Resources, will develop a recruitment strategy and will ensure the position is appropriately evaluated.

5.2.5.2 The CAO will keep Council apprised of all recruitment initiatives (Additional Position, Replacement Position, or New Classification) for positions at the level of Department Head.

### 5.3 Job Posting Process – Internal Search

- 5.3.1 Job postings will be initiated by Human Resources, who will post the positions at applicable locations and on County Connect. Postings for non-union positions will be posted for a minimum of six (6) business days.
- 5.3.2 Postings will include job requirements and notice of any required physical or skill testing or background checks. Certain positions may require a Police background check, physical ability testing, driver's abstract, and/or vaccination status because of physical job requirements, access to financial information, confidential material and/or working with vulnerable individuals (i.e. children and seniors). The Director, Human Resources or designate, in consultation with the applicable Department Head will determine whether certain positions require any of the foregoing.
- 5.3.3 Employees wishing to express an interest in the posted vacancy will do so by electronically submitting a cover letter and resume, referencing which job they are applying for. Unless otherwise stipulated in a collective agreement and in the case of postings at the Sun Parlor Home the applicant will forward their application directly to Human Resources.
- 5.3.4 As a courtesy, employees who are applying for a posted vacancy are encouraged to inform their current manager that they have applied.
- 5.3.5 Human Resources will review all posting applicants and develop a list of qualified candidates. Internal applicants that do not qualify because they do not meet the basic

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minimum posted requirements for the role, and/or cannot initially stand as a candidate because of their status outside of a bargaining unit will not be interviewed. They will be informed of this by Human Resources. An exception to this process is at Sun Parlor Home, where the hiring manager may be accountable for some or all of these steps, in consultation with Human Resources.

- 5.3.6 As a minimum, interviews will be conducted by the immediate manager/supervisor and a representative from the Human Resources Department.
- 5.3.7 An exception to this is when seniority and job specific qualifications/certificates are the only selection criteria (e.g. an interview to assess skills, competencies beyond job specific qualifications/certificates is not required). In these instances, a pre-offer meeting with the immediate manager and most senior qualified candidate is required.
  - 5.3.7.1 It is recognized and approved that for some unionized positions that are seniority driven and job specific (ex: paramedic TFT and FT postings), a department-specific awarding process in line with practice and the applicable collective agreement may take place. The immediate manager (or designate) will have authority and responsibility in carrying out this task.
- 5.3.8 Once a qualified candidate has been identified by the hiring manager, the Human Resources representative and/or the hiring manager/supervisor will confirm the start pay rate per the applicable policy or collective agreement. The hiring manager/supervisor or Human Resources will then advise the preferred candidate that they will be receiving an offer of employment which will outline the terms and conditions of employment for their review.
- 5.3.9 If the candidate expresses interest in proceeding, Human Resources or the hiring manager in the case of Sun Parlor Home will:
  - 5.3.9.1 Facilitate the transfer date with the current and hiring managers.

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- 5.3.9.2 Provide a written offer of employment to the candidate.
- 5.3.9.3 Inform the unsuccessful candidates.
- 5.3.9.4 In collaboration with the Communications Division, post a congratulatory notice.
- 5.3.10 Any employment terms that are outside of the norm must be approved in advance by the CAO (for example, a request for extended vacation time).
- 5.3.11 The hiring manager is accountable for ensuring any required equipment, collection of required certificates/qualifications, supplies, computers etc. are arranged for the new employee's arrival.
- 5.3.12 When a non-union employee moves into another non-union position, a trial period of 30 working days will apply. During this time, the employee will receive the necessary training and support to adjust to the new role. The trial period is expected to be completed in full unless there is a valid reason to end it early. If the trial is successful, the employee will be confirmed in the new position. If the arrangement does not work out—either due to performance issues or the employee's decision not to remain in the role—they will return to their previous position with the same pay and service credits. Any other employee who changed roles as a result of this move will also return to their former position and pay.
- 5.3.13 For **unionized employees**, trial periods will be carried out as per the applicable Collective Agreement.

### 5.4 External Search

- 5.4.1 Positions that cannot be filled as per [Section 5.3 Job Posting - Internal Search](#) are eligible for the County's external search procedures. Some positions depending on anticipated internal and external supply may be recruited for externally at the same time they are recruited for internally. This will not occur if such a practice is in violation of a collective agreement.

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- 5.4.2 The Director, Human Resources or designate and the hiring manager, or the recruiting firm, if applicable, will determine the composition of a suitable advertisement, the market to be pursued, and the external posting sites/locations. The Human Resources Department (or recruiting firm, where applicable) will place the advertisement.
- 5.4.3 The advertisement will include the job posting, including the job requirements and notice of any associated physical and/or skill testing, or background check requirements. Certain positions may require a Police background check, vulnerable sector check, and/or vaccination status, because of access to currency, confidential material, working with vulnerable individuals (e.g. children and seniors). The Director, Human Resources or designate, in consultation with the applicable Department Head will determine whether certain positions require a Police background check.
- 5.4.4 The Human Resources Department will screen all applicants and develop a short list of qualified candidates for the hiring manager's review. Only applicants meeting the position's qualifications will be placed on the short list. Managers may choose to review all candidates and if any candidates are deemed disqualified by the manager, the manager will provide comments to the Human Resources Department on the reason for the disqualification.
- 5.4.5 From the short list of applicants, the hiring department, together with Human Resources, will identify those candidates to be interviewed. Human Resources will schedule interviews with the selected candidates in consultation with the hiring department. In the case of Sun Parlor Home, candidate screening, selection and interviewing may be performed by the departmental hiring managers, in consultation with Human Resources.
- 5.4.6 As a minimum, interviews will be conducted by the immediate manager/supervisor and a representative from the Human Resources Department. In the case of Sun Parlor Home, a representative from the Human Resources Department may not participate in all interviews, but will be present at the request of the hiring manager.

5.4.7 Human Resources will contact the references of the preferred candidate and report the results to the hiring department before an offer of employment is made. In the case of Sun Parlor Home, reference checking may be done by the hiring manager. The report will become part of the applicant's hiring file.

#### 5.5 Offer of Employment (External)

5.5.1 Once a preferred candidate is selected, the hiring manager and Human Resources representative will establish the details of the offer of employment. If any resulting negotiations with the candidate are required, they will be conducted in consultation with the Director, Human Resources. Any employment terms that are outside of the norm must be approved in advance by the CAO (for example, a request for relocation costs).

5.5.2 The written offer of employment will be presented by the Human Resources Department (or the hiring manager in the case of Sun Parlor Home) prior to the candidate's start date and will include all pertinent data, including but not limited to position title, annual salary, start date, benefits entitlement, probation period, and, if necessary, a copy of the applicable Collective Agreement.

5.5.3 Applicants for some positions will be informed that a Police record search is a factor for consideration for employment/placement and will be provided with the appropriate information to assist them in obtaining the Police reference check. The candidate will obtain a form entitled Release and Discharge Relating to Consent and Disclosure of Police Record Information from the appropriate Police Department in the area that they live.

5.5.4 The County reserves the right to request updated Police Record Checks of employees during their employment with the County.

5.5.5 Once a final decision has been made regarding employment, Human Resources will ensure that the confidentiality of any candidate's Police Record Check is maintained and secured.

- 5.5.6 Many roles have measurable Bona fide Operational Requirements (BFOR). If additional testing is required to assess a candidate's ability to perform the BFOR of a particular role, they will be advised of this requirement, and the nature of the testing, in the job posting.
- 5.5.7 The hiring manager is accountable for ensuring any required equipment, collection of required certificates/qualifications, supplies, computers etc. are arranged for the new employee's arrival.
- 5.5.8 Human Resources will, in collaboration with the Communications Division, post a welcome notice regarding the new hire once they have started.

#### 5.6 **CAO Position**

- 5.6.1 The *Ontario Municipal Act, 2001*, as amended, provides for the establishment of a CAO position that is responsible for the efficient and effective operation of the municipality.
- 5.6.2 If the CAO position becomes vacant unexpectedly, County Council will appoint an acting or an interim CAO forthwith, to ensure that efficient and effective operations continue while a recruitment process takes place.
- 5.6.3 The recruitment and selection process for the CAO position is at the discretion of County Council. In order to ensure a process that is streamlined, equitable, and consistent with this policy, County Council may wish to delegate the recruitment and selection process to a smaller committee of Council, chaired by the Warden. County Council may also wish to engage an external executive search firm, CAO Consultant, and/or HR Consultant to assist with the recruitment and selection process.
- 5.6.4 The posting will include position requirements, including but not limited to minimum qualifications and experience, as well as the requirement to obtain a Police background check.
- 5.6.5 Barring any specific factors that warrant a different approach, the CAO position will be posted internally and externally simultaneously.

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- 5.6.6 Qualified candidates will be short-listed and interviewed in accordance with the process established by County Council, in consultation with any external firms or consultants, as applicable.
- 5.6.7 Reference checks and a Police background check will be completed prior to an offer of employment being extended to the successful candidate.

### **6.0 Responsibility**

- 6.1 The Warden or their designate is accountable for ensuring compliance with this policy as it relates to the CAO position.
- 6.2 The Human Resources department is responsible for assisting employees and elected officials with the interpretation of this policy and any resolutions to contraventions of the policy, as well as ensuring that the procedures set out in this policy are implemented and adhered to.
- 6.3 All department managers and supervisors are responsible for following the procedures contained in this policy.
- 6.4 Elected Officials and employees are responsible for immediately advising their Department Head if they are or expect to be in violation of this policy, and to fully participate in any review undertaken to ensure compliance with this policy. Failure on the part of an employee to comply with this policy may result in discipline, up to and including dismissal.

### **7.0 Related Documents/Legislation**

- Employee Requisition form
- Relationship Disclosure form
- Collective Agreements
- Municipal Act, 2001, SO 2001, Chapter 25, as amended
- Municipal Conflict of Interest Act, RSO 1990, c. M.50, as amended
- Human Rights Code, RSO 1990, c. H. 19, as amended

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- Employee Code of Conduct (#93-001)
- All other Corporate and Departmental policies and procedures related to hiring, conduct, health and safety, harassment and family members.

### 8.0 Summary of Amendments

Date	Amendments
March 21, 1992	Policy Adopted
March 21, 2007	Report 2007-R02-HR-0321-GPS updated policy.
September 17, 2025	<b>For Council Consideration</b> - Policy Revised to include updated processes and CAO position; combined with Hiring and Employment of Family Members Policy 04-003, Student Hiring Policy 06-002, and Probationary Periods for Non-Union Policy 94-011.