

	<h1>POLICY</h1>	Policy No: GOV-COU-XXX
<p><u>Policy Title:</u> Council Staff Relations</p> <p><u>Policy Type:</u> COUNCIL</p> <p><u>Category:</u> Governance</p> <p><u>Sub-Category:</u> Corporate</p> <p><u>Author:</u> City Clerk</p> <p><u>Dept/Div:</u> Legislated Services</p>		<p><u>Approval Date:</u> Click here to enter a date.</p> <p><u>Reviewed Date:</u> Click here to enter text.</p> <p><u>Next Review Date:</u> Click here to enter text.</p> <p><u>Reviewed Date:</u> Click here to enter text.</p> <p><u>Last Amended:</u> Click here to enter a date.</p> <p><u>Replaces:</u> Click here to enter text.</p> <p><u>Repealed:</u> Click here to enter a date.</p> <p><u>Replaced by:</u> Click here to enter text.</p>
<p><u>Related Policies, Procedures and/or Guidelines:</u> <i>Municipal Act, 2001</i> <i>Ontario Health and Safety Act, 1990</i> <i>Code of Conduct for Members of Council and Local Boards (GOV-COU-005)</i> <i>Employee Conflict of Interest Policy (HUM-WOR-045)</i> <i>Violence in the Workplace Policy (HUM-WOR-250)</i> <i>Respect in the Workplace Policy (HUM-WOR-140)</i> <i>Procedure By-law (Chapter 25 of the Municipal Code)</i></p>		

1. POLICY PURPOSE:

This policy provides guidance on how the City of Kitchener ensures a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the City, as required by section 270 of the Municipal Act.

2. DEFINITIONS:

“Act” means the Municipal Act, 2001 S.O. 2001, which for the purposes of this Policy, outlines the roles and responsibilities of Members of Council and officers and outlines the requirement for such a Policy.

“Chief Administrative Officer/CAO” means the Chief Administrative Officer appointed by the Kitchener Council, or their designate.

“City” means the City of Kitchener.

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“Member of Council” means any member of the legislative body of the City, including the Mayor, for the purposes of this Policy.

“Staff” means individuals employed by the City of Kitchener including the CAO, the officers of the municipality, the City Clerk and Treasurer as defined by the Act.

“Corporate Leadership Team” means the CAO, General Managers or their designates.

“Integrity Commissioner” means the independent key advisor to Council on a range of important issues, as defined in the Municipal Act, 2001. The Integrity Commissioner is responsible for providing education and advice to Members of Council, and presiding over Code of Conduct complaint investigations.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input checked="" type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

4. POLICY CONTENT:

The City of Kitchener promotes a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the City, guided by the Code of Conduct for Members of Council and Local Boards, Employee Conflict of Interest Policy, Violence in the Workplace Policy, Respect in the Workplace Policy, and the Procedure By-law.

The relationship between Members of Council and the officers and employees of the City is guided by the following policies:

1. Code of Conduct for Members of Council, Local Boards & Advisory Committees (*GOV-COU-005*)

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The Code of Conduct for Members of Council, Local Boards and Advisory Committees establishes the behaviour expected of Members of Council towards Staff including but not limited to, recognizing the requirements for staff to make recommendations that reflect their professional expertise and corporate perspective without undue influence from any individual member or group of members, and in return Council shall receive high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions. The Code also outlines that Members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, free from discrimination and harassment.

2. Special Powers and Duties of the Head of Council under the Municipal Act, 2001, as amended.

Notwithstanding the Code of Conduct's principles provide that Council as a whole has the authority to approve matters and individual members are not permitted to individual direct the action of staff, the Mayor may direct staff, in writing, in accordance with Part V1.1 of the Municipal Act, 2001, to

- a) undertake research and provide advice to the Mayor and the municipality on policies and programs of the municipality or of the Mayor as they relate to the powers and duties under Part VI.1 of the Act; and
 - b) carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the Mayor under Part VI.1 of the Act.
3. Employee Conflict of Interest Policy (*HUM-WOR-045*)

For a City to function effectively, the public must have confidence in the integrity of its employees and their dedication to the City's best interests. To this end, City staff must be independent, impartial and responsible to the public interest in carrying out their duties. The Employee Conflict of Interest Policy requires that City employees must not place their private interests above their public duties.

4. Violence in the Workplace Policy (*HUM-WOR-250*)

Members, staff and the public have a right to a safe and healthy workplace free from actual, attempted or threatened violence in accordance with the Violence in the Workplace Policy.

5. Respect in the Workplace Policy (*HUM-WOR-140*)

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The Respect in the Workplace Policy requires the Members, staff and public to create a healthy and safe work environment free of any forms of bullying, uncivil or disrespectful behaviour, and from discrimination and harassment, including sexual harassment.

6. The Procedure By-law (Chapter 25 of the City's Municipal Code)

The Procedure By-law governs the city's public meeting processes and requires the Members to follow a set of rules for conduct and debate, ensuring meetings are conducted fairly, and in an orderly fashion.

7. Responsibilities

Members of Council and Employees are required to adhere to this Policy and related policies.

8. Procedures

The City Clerk shall be responsible for receiving complaints and/or concerns related to this Policy. Upon receipt of a complaint and/or concern, the City Clerk shall notify:

- a. In the case of complaints against employees, the Manager, Director, or General Manager responsible for the employee and the Director, Human Resources; or
- b. In the case of complaints against Council, the Integrity Commissioner.

Where there is a discrepancy between the Council Staff Relations Policy and the Code of Conduct for Members of Council and Local Boards, Employee Conflict of Interest Policy, Violence in the Workplace Policy, Respect in the Workplace Policy, the language of the Code prevails.

5. HISTORY OF POLICY CHANGES

Administrative Updates

None.

Formal Amendments

None.