

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2014-1300

"Bargaining Unit Employment By-Law"

Being a by-law to replace Employment By-law No. 2004-558

WHEREAS the Municipal Council of the Corporation of the Township of Lanark Highlands deem it advisable to employ Bargaining Unit Township staff under and subject to the provisions of one by-law;

AND WHEREAS the Municipal Act S.O. 2001, c. 25, as amended, authorizes Council to pass such a by-law regulating the appointment, duties and remuneration of such staff;

THEREFORE the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

SECTION 1: HUMAN RESOURCE POLICIES AND PROCEDURES

1.01 The Human Resource policies and procedures for all Bargaining Unit Township officers and staff shall be as set out in the attached document and schedules entitled "POLICIES RELATING TO HUMAN RESOURCE MANAGEMENT FOR BARGAINING UNIT EMPLOYEES" dated September 30, 2014 (hereinafter referred to as "BU HR Policies and Procedures"), as may be amended from time to time by Council or by the CAO-Clerk within the scope of the CAO-Clerk's authority as set out herein.

SECTION 2: AUTHORITY TO IMPLEMENT AND ADMINISTER

2.01 The CAO-Clerk is authorized to implement and administer, and further delegate in writing as the CAO-Clerk deems advisable, the application of the Township's BU HR Policies and Procedures and Schedules, including the application of provisions contained in the Collective Agreement, with the following exceptions, for which Council retains authority:

- a) Matters or decisions requiring a change in the budget approved by Council for Human Resource related expenditures or proposed actions which may cause a future liability in excess of the then current approved budget;
- b) The number of and approval to fill regular full-time and regular part-time positions and vacancies;
- c) The termination or lay-off of regular full-time and regular part-time employees, which shall be brought before Council for information prior to the CAO-Clerk authorizing the termination or lay-off;
- d) The approval to hire a new employee at a pay rate beyond the second step of the salary range or the approval of a merit or promotional increase for an employee greater than one step, except where a promotional increase results in an employee being placed at the minimum of the salary range of the new classification. Such instances shall be brought before Council by the CAO-Clerk with a rationale for the proposed pay rate.
- e) Actions which are not in compliance with the BU HR Policies and Procedures, the Collective Agreement, legislation or accepted HR and business standards and practices.
- f) Actions and decisions which confer a greater benefit or right upon Bargaining Unit employees other than those contained in the Collective Agreement, legislation or the existing BU HR Policies and Procedures.
- g) Other exceptions to the authority delegated to the CAO-Clerk as may be specified by Council from time to time and so communicated to the CAO-Clerk in writing.

- 2.02 Where the CAO-Clerk or designate has acted in good faith outside the scope of authority as prescribed in 2.01, Council may, at its sole discretion, later confirm approval of the action to give it full effect at the time the action was taken or at such other time as Council may approve.

SECTION 3: AUTHORITY TO AMEND

- 3.01 The CAO-Clerk is authorized to amend (i.e. add to, delete or change) the Township's BU HR Policies and Procedures and Schedules with the following exceptions, for which Council retains authority:
- a) Amendments which significantly alter the duties and responsibilities of the CAO-Clerk or confer a benefit upon the CAO-Clerk;
 - b) Amendments requiring a change in the budget approved by Council for expenditures related to Human Resources or amendments which may cause a future liability in excess of the then current approved budget including, but not limited to, compensation, benefits, salary ranges, total budget for merit increases, and the pay equity system;
 - c) Amendments changing the frequency of written performance appraisals to a period greater than annually;
 - d) Amendments which are not in compliance with legislation, which conflict with the Collective Agreement or are not within the scope of accepted HR and business standards and practices;
 - e) Amendments which confer a greater benefit or right upon Bargaining Unit employees other than those contained in the Collective Agreement, legislation or the existing Township BU HR Policies and Procedures.
 - f) Other exceptions to the authority delegated to the CAO-Clerk as may be specified by Council from time to time and so communicated to the CAO-Clerk in writing.
- 3.02 Where the CAO-Clerk or designate has acted in good faith outside the scope of authority as prescribed in 3.01, Council may, at its sole discretion, later confirm approval of the action to give it full effect at the time the action was taken or at such other time as Council may approve.
- 3.03 The CAO-Clerk or designate shall keep a list of all changes made to the BU HR Policies and Procedures, including the section number, brief description of amendment, and authorizing party and shall bring the list before Council from time-to-time and at least annually, for the information of Council. The CAO-Clerk or designate shall append the list of amendments to the BU HR Policies and Procedures.
- 3.04 The CAO-Clerk or designate shall ensure that all new BU employees are required to read and sign off as having read the BU HR Policies and Procedures prior to appointment and shall post and/or notify all affected employees of any amendments to the BU HR Policies and Procedures.

SECTION 4: CHANGES TO THIS BY-LAW

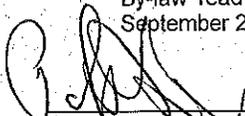
- 4.01 Council may amend or rescind this By-law at any time and shall ensure that the CAO-Clerk is informed of the amendment and so informs all affected employees.

SECTION 5: REPEAL OF FORMER BY-LAWS

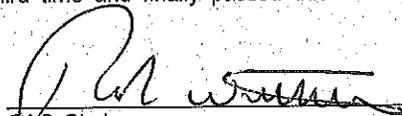
- 5.01 By-law No. 2004-558 and any other By-laws, schedules to By-laws, resolutions or actions of Council that are inconsistent with the provisions of this By-law and the BU HR Policies and Procedures are hereby repealed and rescinded.

This By-law shall be deemed to be effective as of the date of passage.

By-law read a first, second and third time and finally passed this 30 day of September 2014.



Mayor



CAO-Clerk



**CORPORATION OF THE TOWNSHIP OF
LANARK HIGHLANDS**

**POLICIES RELATING TO
HUMAN RESOURCE MANAGEMENT
FOR
BARGAINING UNIT EMPLOYEES**

**FINAL
SEPT 18, 2014**

**EFFECTIVE DATE
_____, 2014**

Table of Contents

1. Introduction:.....	4
2. Application of Policy.....	4
3. Definitions	5
4. Attendance at Work	5
5. Conflict of Interest.....	6
6. Confidentiality	7
7. Other Employment	7
8. Code of Ethics	7
9. Job Descriptions.....	8
10. Performance Review	8
11. Filling of Vacancies	8
12. Hiring	8
13. Employee Assistance Program	9
14. Alcohol and Substance Abuse.....	9
15. Occupational Health and Safety	10
16. Smoking in the Workplace	10
17. Use of Township Property and Vehicles.....	11
18. Private Vehicles	11
19. Family and Other Relationships within the Workplace.....	11
20. Discrimination	12
21. Health and Safety	12
22. Modified Work.....	13
23. Amendment of Policy and Schedules.....	13

Schedules

Schedule "A" Code of Ethics

Schedule "B" Conflict of Interest Declaration

Schedule "C" Non Supervisory Performance Appraisal Form

Schedule "D" Respect in the Workplace Policy and Procedures

Schedule "E" Occupational Health and Safety Policy

Schedule "F" Use and Operation of Township Vehicles

Schedule "G" Organizational Chart

1. Introduction:

- 1.1 This Human Resource Policy has been implemented by By-law by the Corporation of the Township of Lanark Highlands ("the Township") and supersedes any existing Human Resource Management or Personnel By-laws, policies or procedures previously in force and applicable to employees covered by the Collective Agreement.
- 1.2 The purpose of this policy is:
 - (a) to describe the terms and conditions of employment in force at the Township for employees covered by the Collective Agreement;
 - (b) to provide a sound basis on which Human Resource Management decisions will be made; and
 - (c) to ensure that the Human Resources practices of the Township are fair, equitable and transparent.
- 1.3 The Township is committed to providing the best possible municipal services to its citizens in the most efficient ways possible. In order to achieve this, the Township requires a committed, flexible work force to provide those services.

2. Application of Policy

- 2.1 This policy shall apply to all Township employees covered by the Collective Agreement, except where indicated otherwise in this policy or otherwise by the Township.
- 2.2 This policy shall not apply to Township employees not covered by the Collective Agreement, nor to volunteers or contractors of the Township except where required by law or indicated otherwise.
- 2.3 This policy is intended to cover Human Resource related matters not covered by the Collective Agreement. In the event that the provisions of this policy conflict with provisions in the Collective Agreement, the provisions of the Collective Agreement shall prevail.
- 2.4 It is the responsibility of every Township employee affected by this policy, including supervisory staff who are responsible for its implementation, to read it, be familiar with it, and be guided by it in his or her day to day work for the Township. Where Supervisors are not clear as to the meaning of the provisions of this policy or provisions of the Collective Agreement, they shall refer the matter to the CAO-Clerk or designate.
- 2.5 Any amendments to this policy shall be posted and/or distributed to all affected Township employees.

2.6 Schedules A to G, appended hereto, shall form part of this policy.

3. Definitions

3.1 In this policy “employee” means a person employed by the Township who falls within the Bargaining Unit covered by the Collective Agreement. i.e. a Bargaining Unit or BU employee. The term “employees” shall have a similar meaning.

3.2 In this policy “Township” means the Township of Lanark Highlands, and where the context requires it, Council, the Chief Administrative Officer (CAO), or any supervisor authorized to act on behalf of the Township.

4. Attendance at Work

4.1 Every employee is expected to attend at work on every normal work day, unless otherwise stipulated by agreement/contract or as directed by the employee’s immediate supervisor, unless a reasonable excuse for any absence exists. Employees are also expected to be on time for work each day and to work to the end of each work-day, unless a reasonable excuse, permission or direction of the immediate supervisor exists.

4.2 If an employee is going to be late for work or absent for any part of the work-day, the employee shall notify his or her immediate supervisor by telephone as soon as possible prior to the commencement of the work-day. In the usual case, that notification will be provided to the immediate supervisor before the commencement of the work-day. The employee shall provide sufficient information to his or her immediate supervisor to justify the intended absence or lateness, and the employee shall seek the approval of his or her immediate supervisor for such absence or lateness. Conditions may be imposed on any such approval (for example, the provision of a medical certificate).

4.3 If the employee is unable to reach his or her immediate supervisor by telephone, such notification and request for approval shall be directed to the next higher level of supervision.

4.4 All notification by an employee with the Township to report an absence and seek approval shall be as direct as possible, and not via alternate routes such as text messages, voice mail nor messages from co-workers or other third parties.

4.5 If an employee is having difficulty maintaining regular attendance at work, he or she shall:

(a) notify his or her supervisor as to the circumstances causing the absences (this does not require the provision of a diagnosis);

- (b) obtain medical or other appropriate treatment or counselling;
- (c) contact the Employee Assistance Program to obtain assistance;
- (d) advise the Township of any assistance that the employee requires;
- (e) take any other appropriate action in the circumstances in order to once again attend regularly at work.

5. Conflict of Interest

- 5.1 A conflict of interest is defined as any circumstance that interferes with, or potentially may interfere with the employee's first obligation, that being to provide loyal, impartial and devoted service to the Township. In considering whether a conflict of interest exists, the relationships of the employee and his or her relatives and friends with suppliers, contractors and other third parties who deal with the Township should be considered. In addition, the "conflict of interest" section in the Township Code of Ethics (see Schedule "A") should be reviewed in order to determine whether or not a conflict of interest exists. If the employee has any doubt about whether or not he or she is in a conflict of interest position, he or she should consult with his/her immediate supervisor or the CAO before taking any action that might put the employee into a position of conflict of interest.
- 5.2 On the acceptance of an offer of employment from the Township, new employees shall declare in writing (using the Conflict of Interest Declaration attached as Schedule "B") any personal or business interests which may directly or indirectly give rise to a conflict of interest. The new employee shall provide the CAO with a confidential report in writing describing the circumstances.
- 5.3 During the course of his or her employment, all employees shall immediately declare in writing to the Township any conflict of interest that has arisen affecting that employee.
- 5.4 If the employee is in doubt whether or not he or she is in a conflict of interest position, the employee shall declare the issue to the CAO, at which time the Township shall determine whether a conflict of interest exists.
- 5.5 In all cases where a conflict of interest may exist, the Township shall consider the matter and respond accordingly. The Township may or may not provide the affected employee the opportunity to remedy the conflict of interest.

6. Confidentiality

- 6.1 Every employee of the Township is expected to maintain confidentiality (both internally and externally to the Township) regarding the business and affairs of the Township. The section "confidential information" in the Code of Ethics should be reviewed in determining whether or not information is in fact confidential. If the employee has any doubt about the confidentiality of the information, he or she should consult with his immediate supervisor or the CAO.
- 6.2 If an employee receives a request for information that may be confidential, the employee should politely decline to respond, and should refer the request to his or her immediate supervisor or the CAO.
- 6.3 Confidential information obtained as a result of the employee's employment with the Township is not to be used by any employee for private purposes or to make personal gain.

7. Other Employment

- 7.1 The Township respects that some employees, particularly part-time employees, may hold outside employment at times other than when the employee is at work or on call with the Township.
- 7.2 Any such outside employment must not interfere with the employee's commitments to the Township nor place demands on an employee that negatively affects the employee's work performance, health, attendance, punctuality or productivity.
- 7.3 Outside employment shall not conflict with the employee's work with the Township nor be work that could be perceived by the public to be in conflict with the employee's duties and responsibilities with the Township. If a conflict exists or is foreseeable, the employee shall consult with his or her supervisor immediately or well in advance. The supervisor shall attempt to address the conflict, having regard to the business and operational needs of the Township. Where a conflict cannot be avoided, the employee will be required to choose between the outside employment or continued employment with the Township.

8. Code of Ethics

- 8.1 The Township's "Code of Ethics" is attached as Schedule "A" to this policy. It is the responsibility of all employees to read and abide by the Code of Ethics at all times.

9. Job Descriptions

- 9.1 Each position or class of positions shall be described in a written job description.
- 9.2 The job description shall be reviewed with the employee by the employee's supervisor. The job description shall be signed by both the supervisor and the employee to indicate that the job description has been reviewed, the employee understands the duties of the position, and the employee agrees to perform the duties of the position in accordance with the job description.
- 9.3 Job descriptions shall be reviewed at least annually with the employee to ensure continued accuracy and that the employee understands his or her duties as set out in the job description.

10. Performance Review

- 10.1 Performance reviews shall be conducted in accordance with a Performance Management Plan approved by the CAO using a performance appraisal form specified by the CAO as set out in Schedule "C" to this policy.
- 10.2 A written performance appraisal of each employee shall be conducted annually by the employee's supervisor and shall be placed on the employee file with a copy provided to the employee.
- 10.3 On acceptance of any position and commencement of employment, an employee shall be provided with a list of expectations and performance criteria against which the employee shall be measured.

11. Filling of Vacancies

- 11.1 The CAO or Council, at their sole discretion, shall determine if and when Bargaining Unit position vacancies shall be filled in the best interest of Township operations.
- 11.2 When the CAO or Council determines that a vacancy in a Bargaining Unit position is to be filled, it shall be filled in a manner that complies with the provisions of the Collective Agreement and in accordance with accepted HR standards and practices as determined by the CAO or authorized supervisor.

12. Hiring

- 12.1 The Township may offer employment to a successful applicant to a Bargaining Unit position subject to certain conditions, including, but not necessarily limited to, the following:
 - (a) provision of a satisfactory criminal reference check;

- (b) if applicable, satisfactory medical evidence as to the ability of the employee to perform the essential duties and functions of the position subject to accommodation considerations approved by the Township;
- (c) a signed "declaration of conflict of interest" form;
- (d) a document acknowledging that the employee has read and agrees to abide by applicable Township policies and provisions of the Collective Agreement.

12.2 The successful applicant shall be required to sign a copy of a letter of offer indicating his or her acceptance of the offer. This letter shall be placed on the employee's file.

13. Employee Assistance Program

13.1 If an employee experiences a personal crisis (for example, personal, emotional or related to drug or alcohol abuse) for which the employee needs assistance, an employee may make a confidential request to the CAO for employee assistance under this policy.

13.2 Alternatively, the Township may identify the need for an employee to obtain employee assistance, in which case the Township will approach the employee on a confidential basis.

13.3 Employee assistance will consist of appropriate measures approved by the CAO relating to the circumstances of the employee, which may include the following:

- (a) Provision of information to the employee concerning services that are available locally to assist the employee;
- (b) Provision of time off with or without pay to attend counselling or other sessions which are intended to assist the employee (leave credits such as vacation or lieu time will normally be used to cover any paid time off);
- (c) Other measures appropriate to the employee's circumstances.

13.4 Any records maintained in the employee's personnel file regarding employee assistance shall only indicate that a request for or suggestion of employee assistance was made or provided to the employee, and whether or not such assistance was obtained by the employee.

14. Alcohol and Substance Abuse

14.1 Job performance of employees must not be impaired by alcohol or drugs at any time during the work-day or while on Township business.

- 14.2 The unauthorized and/or illegal use, possession, sale or distribution of alcohol or illicit drugs at the Township's workplaces is prohibited.
- 14.3 Employees are expected to:
- (a) Check with their physician regarding the effects of any drugs prescribed to them. Employees are required to advise their supervisor of any job performance impairment which might be expected due to the use of a prescribed drug so that alternate work arrangements can be made if possible, or so that appropriate leave can be considered;
 - (b) Use over the counter drugs responsibly and be aware of any side effects their use may have on job performance.
- 14.4 There must be a willingness and commitment on the part of any employee affected by alcohol or drug abuse to resolve the issue, as the employee has an obligation to regularly be available for work in a timely and fit fashion.
- 14.5 Employees who have substance abuse problems are encouraged to seek treatment or counselling through the Employee Assistance Program or other appropriate means.
- 14.6 Employees are not to tolerate an alcohol or substance abuse problem of a co-worker that jeopardizes workplace safety. If an employee suspects that a co-worker's use and/or abuse of alcohol or drugs is jeopardizing workplace safety for anyone, that employee must report these concerns to their supervisor.
- 14.7 The Township will make reasonable efforts to support, assist, and if appropriate under the *Ontario Human Rights Code*, to accommodate any employee affected by alcohol or substance abuse. The co-operation of the employee, including but not limited to the provision of medical information satisfactory to the Township, is required in order to enable the Township to provide these measures.

15. Occupational Health and Safety

In accordance with its obligations under the *Occupational Health and Safety Act*, the Township is committed to providing and maintaining safe and healthy working conditions for all its employees. The Township requires all employees to comply with the provisions of its Occupational Health and Safety policy at Schedule "E".

16. Smoking in the Workplace

- 16.1 All work areas including inside vehicles and those areas open to the public are smoke free, and smoking is strictly prohibited.

17. Use of Township Property and Vehicles

- 17.1 Township premises, equipment and supplies are to be used exclusively for the purposes of conducting work related to the Township's business and activities.
- 17.2 Employees whose duties require them to drive or be in charge of Township vehicles and equipment shall:
- (a) Ensure that the vehicle or equipment is in satisfactory mechanical condition;
 - (b) Drive safely and responsibly and obey all highway traffic laws;
 - (c) Employ all measures recommended for the safe use of vehicles and equipment;
 - (d) Be personally responsible for the payment of all fines imposed for breaches of traffic regulations;
 - (e) Be in possession of the appropriate driver's licence;
 - (f) Advise the Township of any loss of driver privileges, however temporary;
 - (g) Not permit unauthorized persons to operate vehicles and equipment;
 - (h) Report immediately any accidents or damage to the vehicles or equipment.
- 17.3 Employees must also adhere to the provisions of Policy No. 2-2003 (Schedule "F"), governing the use and operation of Township Vehicles.

18. Private Vehicles

- 18.1 From time to time, employees may be authorized to use their personal vehicle for Township business. In such case, employees shall be reimbursed for approved business-related travel using their private vehicle at the rate approved by Council.
- 18.2 The Township shall not be responsible for any loss or damage which may arise as a result of the use of a private vehicle for Township business. The Township may require an employee to prove that there is sufficient insurance liability coverage on the vehicle as prescribed by the Township.

19. Family and Other Relationships within the Workplace

- 19.1 Employees shall not be in a direct reporting/supervision relationship with a family member, relative or a person with whom the employee is involved in a common-law or conjugal relationship.

- 19.2 Employees shall not serve on a selection panel where an applicant is a family member, relative or a person with whom the employee is involved in a common-law relationship.
- 19.3 If during the course of an employee's employment, the employee's family status changes such that the employee is placed in a relationship described under Section 19.1 the employee shall immediately report such change or anticipated change to the CAO.

The Township shall consider the employees' situation and shall decide what course of action it intends to follow, which may include but will not be limited to a reorganization of positions, or a change in reporting relationships, if operationally feasible, or other staffing action.

- 19.4 An employee who fails to report a relationship or a change in relationship as described in 19.1 or 19.3 may attract disciplinary action up to and including dismissal.
- 19.5 If an employee feels their relationship with a co-worker, though not a common-law or conjugal relationship, could impact on their ability to be impartial towards that co-worker, that employee should notify a supervisor of the relationship and the provisions of 19.1 and 19.2 may apply.

20. Discrimination

- 20.1 The Township and its employees shall abide by the provisions of the *Ontario Human Rights Code*.
- 20.2 All allegations of discrimination brought to the attention of the Township shall be investigated and the appropriate corrective action taken, if any.

21. Health and Safety

- 21.1 The Township expects all employees to abide by the "Respect in the Workplace Policy and Procedures (Harassment and Violence)", Schedule "D", as required by the *Occupational Health and Safety Act* and such related policies and procedures as may be established by the CAO.
- 21.2 The Township expects all employees to abide by the Joint Health and Safety Guidelines, Schedule "E" as required under the *Occupational Health and Safety Act* and such related policies and procedures as may be established by the CAO.

22. Modified Work

- 22.1 The Township is committed to the provision of modified work to its employees, where available and appropriate.
- 22.2 Modified work may be requested by the employee or may be offered by the Township. In either case, it is the responsibility of the employee to provide all necessary documentation and information respecting his or her medical condition and any other circumstances affecting his or her ability to perform the essential duties and functions of the position in question.
- 22.3 On receipt of a request from an employee for modified work or accommodation of some type, the Township shall:
- (a) Determine and request from the employee what further information is required in order to respond to the employee's request;
 - (b) Address the employee's request taking into account at minimum the employee's individual needs (medical or otherwise), the Township's legal obligations under any applicable legislation such as the **Ontario Human Rights Code**, the availability of work which is suitable to the employee's needs, and all other relevant circumstances.
- 22.4 If the Township determines that it is not able to accommodate the employee's needs, it shall so advise the employee in writing, with reasons.

23. Amendment of Policy and Schedules

- 23.1 This policy and its Schedules may be amended by Council or by the CAO in accordance with the authority delegated to the CAO by Council under By-law _____. Amendments to this policy shall be listed and recorded, brought to the attention of Council, as required, and shall be posted, distributed or made available on the intranet to all affected employees.

SCHEDULE “A”

CODE OF ETHICS

Employees of the Corporation of the Township of Lanark Highlands are expected to adhere to the highest standards of personal and professional competence, integrity and impartiality.

The purpose this Code of Ethics document is to establish a policy statement, adopted by Council, that outlines the high standards of practices expected of employees. The code will represent general standards that aim to be comprehensive but not exhaustive. By implication, the code will also recognize more stringent requirements by specific staff, according to the role they play.

POLICY

For purposes of this policy, “Family” and “Relative” shall include immediate family; i.e., spouse (includes common law or same sex), mother, father, sons, daughters, brothers, sisters and in-laws (i.e. spouses’s mother, father, sons, daughters, brothers and sisters.)

1. Confidential Information

Some municipal employees have access to confidential information; some more than others. Employees shall not make such information public unless it is deemed public information. Where there is uncertainty about the status of any information, he/she shall confirm with the CAO before any release.

Non- exclusive examples of confidential information for which care should be exercised are:

- Items under litigation;
- Personnel matters;
- Information about suppliers which might be useful to competitors;
- Information which infringes upon the right to privacy of others;
- Sources of complaints about a variety of matters where the identity of the complained is given in confidence;
- Items under negotiation;
- Information supplied in support of license applications, etc., where such information is not part of public documentation;
- Schedule of prices in contract tenders.

2. Media Relations

Only the CAO or his/her designate shall comment to the media on all matters concerning staff operations, actions and functions of the municipality. This policy is not intended to restrict the ability of employees to express an opinion, or give input to, non-municipal matters. However, where applicable, the employee shall make it clear that he/she is commenting as a private citizen and not in a capacity of a municipal employee.

3. Conflict of Interest

An employee will be considered to have a conflict of interest where he/she, or a family member, has a direct or indirect financial interest in matters, including contracts with the municipality, and where the employee could influence the decision of the Corporation with respect to those financial matters.

A conflict of interest exists where the employee could directly influence the decision made in the course of performing his/her job duties. This includes exerting influence over the decision-maker.

If a conflict exists because of an employee's personal or family interest in a property matter, a business dealing with the Corporation, or similar circumstance, the employee shall notify the CAO, and he/she will make appropriate alternative arrangements to handle the matter. Of course, if the employee is not sure of a conflict, the advice of the CAO shall be sought and a discretionary decision made by the CAO on the matter.

Employees shall not sell goods, materials or services to the Corporation. An exception, with the approval of the CAO, could be where an employee competes, outside of regular working hours, in competitive bidding on a fee for services basis, to supply goods, materials or services.

Employees shall not engage in private employment or render services for any person or corporation, which has, or may have, business dealings with the Corporation of the Township of Lanark Highlands. Where such action occurs, the CAO shall be notified and discretionary action pursued.

Employees shall recognize that they are seen to exert influence on public policy decisions, or, on the other hand, have positions requiring neutrality and trust in dealing with the public. If any employee wishes to exercise his/her rights as a private citizen in respect to decisions by Council and/or Administration, their intentions shall be made to the CAO (or Mayor) and appropriate measures taken to protect the integrity of the Corporation.

4. Use of Municipal Property

Municipal property shall not be used by employees for personal use unless through prior approval of the CAO.

No employee shall make financial gain from the use of or sale of Municipal property including computer programs, technological innovations or other patentable items either while an employee of the Corporation or thereafter. All such property shall remain in exclusive ownership of the Corporation.

5. Gifts and Benefits

In order to preserve the image and integrity of the Corporation, business gifts and invitations of hospitality shall be discouraged. However, the Corporation recognizes that moderate hospitality is an accepted courtesy in any business relationship. The key is to not reach the level where it becomes obvious that an influence on a business matter is sought or implied. All employees, when

in doubt regarding a gift or invitation, shall consult with the CAO before acceptance of the gift...

6. Political Involvement and Activity

No employee shall have an involvement in a partisan manner in municipal elections for Lanark Highlands. Employees may become involved in other municipalities' elections as well as Provincial and Federal elections, subject to the requirements of Section 4 ("Attendance at Work") of the HR Policy.

Where an employee wishes to run for Council of the Township of Lanark Highlands, he/she shall first seek a leave of absence to cover the campaign period, and, if elected, pursuant to Section 38(5) of the Municipal Act, he/she must resign from his/her position with the Corporation.

7. Hiring Relatives

No employee shall influence, in any way, the hiring or appointment of relatives to positions within the municipality.

8. Enforcement

It shall be the responsibility of all staff to ensure that this Code of Ethics is enforced. Where an employee has some reason to be concerned about a possible breach of this Code of Ethics, the CAO shall be consulted, in total confidence, immediately. The CAO is responsible for ensuring that the problem is appropriately addressed.

Conflict of interest matters concerning the CAO shall be referred to the Mayor or Council.

The observance of this Code of Ethics shall be a condition of employment with the Corporation. Breaches of the Code of Ethics will provide grounds for disciplinary action including, in serious cases, dismissal.

All employees shall read and subscribe to this Code of Ethics. A signed acknowledgement that each employee has read and understood this Human Resources policy document (including this Code of Ethics) shall be placed in each employee's personnel file.

9. Severability

The provisions of this Code of Ethics are severable and, if any provision, section or word is held invalid or illegal, such validity or illegality shall not affect or impair any of the remaining provisions, sections or words.

SCHEDULE "B"

CONFLICT OF INTEREST DECLARATION

This declaration is required for all employees of the Township of Lanark Highlands.

I have read Section 5 of the Human Resource Policy of the Township and agree to be bound by the same.

I hereby declare:

1. I am___/am not___ in a conflict of interest with the Township, and I am aware of no circumstances within the foreseeable future that may place me in a conflict of interest position with the Township.
2. I am___/or may be___ in a conflict of interest position with the Township by reason of the following circumstances: (attach extra sheets if required).

DATED at _____ this _____ day of _____

Signature

SCHEDULE "C"

The Township of Lanark Highlands

**PERFORMANCE APPRAISAL FORM
For Non-Supervisory Employees
CONFIDENTIAL TO EMPLOYEE FILE**

To be completed first in draft by the employee's supervisor and discussed with the employee prior to the supervisor completing the final Performance Appraisal.

Employee:	Position Title:
------------------	------------------------

Review Period: from _____ to _____	Length of Time in Position: _____
--	--

Employee's Supervisor:

Performance Appraisal - Rating Levels and Definitions	
<i>The supervisor and employee will review the following definitions to ensure that they have a complete understanding of the meaning of the rating levels. As required throughout the performance appraisal discussion, the Supervisor should provide specific examples to illustrate to the employee how expectations can be met and exceeded.</i>	
Rating	Definition
1. Unacceptable	The employee has not demonstrated the ability and/or desire to meet expectations.
2. Progressing	The employee has demonstrated the potential to meet or exceed all expectations during the upcoming review period(s).
3. Meets or Exceeds	The employee is meeting or exceeding all expectations.

Signatures	
<p>Employee's Supervisor</p> <p><input type="checkbox"/> I have reviewed/revised the job description for the employee's position to ensure that it is current and accurate.</p> <p><input type="checkbox"/> I have prepared this Appraisal in accordance with established policies and procedures.</p> <p><input type="checkbox"/> I have discussed this Appraisal with the employee and have given the employee an opportunity to add written comments.</p> <p style="text-align:center">_____</p> <p style="text-align:center">Supervisor's Signature _____ Date</p>	
<p>Employee</p> <p><input type="checkbox"/> I have had an opportunity to review my job description with my supervisor and to suggest any changes.</p> <p><input type="checkbox"/> I have had an opportunity to thoroughly discuss this Appraisal with my supervisor.</p> <p><input type="checkbox"/> I have been given the opportunity to add my written comments.</p> <p style="text-align:center">_____</p> <p style="text-align:center">Supervisor's Signature _____ Date</p>	
<p>CAO</p> <p><input type="checkbox"/> I have reviewed the final Appraisal to ensure that it conforms to established policies and procedures.</p> <p><input type="checkbox"/> I will ensure that the employee receives a copy of the signed Appraisal and that the original is placed on the employee's file.</p> <p style="text-align:center">_____</p> <p style="text-align:center">CAO's Signature _____ Date</p>	

Part 1: Achievement of Job Expectations
Supervisor's Assessment of Employee's Performance during the Review Period

Employee:	Review Period: from to
------------------	--------------------------------------

<p>1. Job Knowledge <i>Demonstrates possession of the knowledge required to perform all of the duties and responsibilities of the position. Proactively acquires additional knowledge to enhance performance or meet changing job requirements.</i></p> <p>Supervisor's Assessment & Comments: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Progressing <input type="checkbox"/> Meets or Exceeds</p>
<p>2. Technical Skills <i>Demonstrates the technical skills required to perform all of the duties and responsibilities of the position Proactively seeks ways to enhance existing skills and acquire new skills to meet changing job requirements.</i></p> <p>Supervisor's Assessment & Comments: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Progressing <input type="checkbox"/> Meets or Exceeds</p>
<p>3. Quality of Work <i>Consistently produces work of acceptable or exceptional quality. Complies with all relevant legislation, regulations and policies. Adheres to proper procedures, standards and practices. Is always ethical and honest.</i></p> <p>Supervisor's Assessment & Comments: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Progressing <input type="checkbox"/> Meets or Exceeds</p>
<p>4. Productivity <i>Consistently meets or exceeds acceptable level of productivity. Plans and organizes work effectively. Identifies the resources required to complete work. Sets appropriate deadlines/checkpoints and meets them. Identifies and recommends ways to improve the efficiency of own work and related operations.</i></p> <p>Supervisor's Assessment & Comments: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Progressing <input type="checkbox"/> Meets or Exceeds</p>
<p>5. Judgment, Problem Solving and Decision Making <i>Recognizes and analyzes work-related problems and issues; evaluates alternative solutions and selects the best course of action to resolve matters efficiently and effectively using available resources, logic and practical decision-making skills.</i></p> <p>Supervisor's Assessment & Comments: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Progressing <input type="checkbox"/> Meets or Exceeds</p>
<p>6. Initiative <i>Self-directed and resourceful within scope of position's responsibilities. Anticipates and prevents problems; recommends solutions to problems; offers to assist other workers; proposes improvements to work methods and procedures.</i></p> <p>Supervisor's Assessment & Comments: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Progressing <input type="checkbox"/> Meets or Exceeds</p>

7. Adaptability and Flexibility

Welcomes necessary or beneficial change. Accepts constructive criticism and suggestions and uses them to advantage. Deals with frustration or disappointment in a mature manner. Maintains objectivity in conflict situations.

Supervisor's Assessment & Comments: **Unacceptable** **Progressing** **Meets or Exceeds**

8. Customer Service

Meets or exceeds the service expectations of external and internal customers/clients in a positive, professional, pro-active and timely manner. Recommends ways to enhance customer service in own position and related operations. Participates consistently and fully in community events, meetings, conferences, etc. within scope and requirements of position.

Supervisor's Assessment & Comments: **Unacceptable** **Progressing** **Meets or Exceeds**

9. Interpersonal Skills

Demonstrates effective interpersonal skills with customers/clients, colleagues, supervisor, Council members and others. Identifies and responds to needs of others. Develops and promotes effective working relationships. Is appropriately assertive but also supportive, respectful, tactful and discreet in all interactions. Projects a positive and professional image of self, position, work unit and the Township.

Supervisor's Assessment & Comments: **Unacceptable** **Progressing** **Meets or Exceeds**

10. Communication Skills

Listens effectively to customers/clients, colleagues, supervisor and others. Seeks clarification if required. Makes oral and written communication easy to understand by adjusting style, content and terminology to suit the receiver or audience. Maintains effective communication with staff and the Mayor and Council. Effectively presents oral and written information in a professional manner to individuals and groups, as required.

Supervisor's Assessment & Comments: **Unacceptable** **Progressing** **Meets or Exceeds**

11. Health and Safety

Always adheres to relevant health and safety policies, procedures, standards, and legislation. Identifies unsafe conditions and looks out for the safety of staff and the public. Practices preventative maintenance and cares for Township property.

Supervisor's Assessment & Comments: **Unacceptable** **Progressing** **Meets or Exceeds**

Part 2: Employee's Comments on Performance Assessment

Part 3: Review of Job Description

1. Review the job description for the employee's position to ensure that it is current and accurate.
2. Ask the employee to provide suggestions for any changes to the job description to ensure its accuracy.
3. Revise the job description, if required, in accordance with the Township's job description approval process.

Supervisor: (check one)

- A new/revised job description has been/will be submitted to the CAO for approval and processing.
- The job description dated _____ is current and accurate as of _____.

Part 4(a): Training and Development - Achievements

Include training and development action plan items from the review period just completed.

Employee:	Review Period: from to
------------------	--

Training and Development Action Plan Item	Results	Supervisor's Comments: Include explanation and, if applicable, plan to address items not completed.
1)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
2)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
3)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
4)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
5)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
6)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	

Part 4(b): Key Objectives - Achievements

Include key objectives, projects and initiatives from the review period just completed.

Key Objective	Results	Supervisor's Comments: Include explanation and, if applicable, plan to address items not completed.
1)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
2)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
3)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
4)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
5)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
6)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
7)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	
8)	<input type="checkbox"/> Completed <input type="checkbox"/> Not Completed	

Employee's Comments on Training and Development and Key Objective Achievements

The Township of Lanark Highlands

Employee: _____ Position Title: _____ Date: _____

Part 5(a): Training & Development - Action Plan for Next Review Period

Include training and development which will occur during the upcoming review period.

Note: Proposed training and development may be subject to funding approval.

What is Planned	Start & End Date	Expected Results and/or Success Indicators (i.e. how we will know that this has been achieved)
1)		
2)		
3)		
4)		
5)		
6)		

Part 5(b): Key Objectives - Action Plan for Next Review Period

Include key objectives, projects and initiatives which will occur during the upcoming review period.

Key Objective	Start & End Date	Expected Results and/or Success Indicators (i.e. how we will know that this has been achieved)
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		

Employee's Comments on Training & Development & Key Objectives for Next Review Period

SCHEDULE "D"

THE TOWNSHIP OF LANARK HIGHLANDS

RESPECT IN THE WORKPLACE POLICY AND PROCEDURES (Harassment and Violence)

1: Purpose

The Township of Lanark Highlands is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is the Township's goal to provide a healthy and safe work environment that is free of any form of harassment or violence.

2: Scope

This policy applies to all employees, volunteers, contractors and consultants. It applies in any location in which you are engaged in work-related activities. This includes, but is not limited to:

- the workplace;
- during work-related travel;
- at restaurants, hotels or meeting facilities that are being used for business purposes;
- in company owned or leased facilities;
- during telephone, email or other communications; and
- at any work-related social event, whether or not it is Township sponsored.

This policy also applies to situations in which you are harassed or subjected to violence in the workplace from individuals who are not employees of the organization, such as customers and suppliers, although the available remedies may be constrained by the situation.

3: Definitions

In this policy, "CAO" means the Chief Administrative Officer-Clerk or designate and "supervisor" means the Non-Bargaining Unit employee or designate to whom an employee reports. The supervisor of the CAO is Council or the Mayor acting on behalf of Council.

3.1. Discrimination

Workplace discrimination includes any distinction, exclusion or preference based on the protected grounds in the Ontario Human Rights Code, which nullifies or impairs equality of opportunity in employment, or equality in the terms and conditions of employment.

The protected grounds of discrimination are:

- race, colour, ancestry, citizenship, ethnic origin or place of origin;

- creed, religion;
- age;
- sex (including pregnancy and gender identity);
- sexual orientation;
- gender identity, gender expression,
- family, marital (including same-sex partnership) status;
- disability or perceived disability; and
- a record of offences for which a pardon has been granted under the *Criminal Records Act* (Canada) and has not been revoked, or an offence in respect of any provincial enactment

3.2. Sexual Harassment

Sexual harassment includes conduct or comments of a sexual nature that the recipient does not welcome or that offend him or her. It also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of his or her gender.

Both men and women can be victims of sexual harassment, and someone of the same or opposite sex can harass someone else.

Some examples of sexual harassment are:

- sexual advances or demands that the recipient does not welcome or want;
- threats, punishment or denial of a benefit for refusing a sexual advance;
- offering a benefit in exchange for a sexual favour;
- leering (persistent sexual staring);
- displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material;
- distributing sexually explicit e-mail messages or attachments such as pictures or video files;
- sexually suggestive or obscene comments or gestures;
- unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing, sex or sexual orientation;
- persistent, unwanted attention after a consensual relationship ends;
- physical contact of a sexual nature, such as touching or caressing; and
- sexual assault.

3.3. Discriminatory Harassment

Discriminatory harassment includes comments or conduct based on the protected grounds in the *Ontario Human Rights Code*, which the recipient does not welcome or that offends him or her.

Some examples of discriminatory harassment include:

- offensive comments, jokes or behaviour that disparage or ridicule a person's membership in one of the protected grounds, such as race, religion, sex, or sexual orientation;
- imitating a person's accent, speech or mannerisms;
- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children; or
- inappropriate comments or jokes about an individual's age, sex, sexual orientation, personal appearance or weight.

Harassing comments or conduct can poison someone's working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. This is commonly referred to as a poisoned working environment and it is also a form of harassment.

Some examples of actions that can create a poisoned work environment include:

- displaying offensive or sexual materials such as posters, pictures, calendars, web sites or screen savers;
- distributing offensive e-mail messages, or attachments such as pictures or video files;
- practical jokes that embarrass or insult someone; or
- jokes or insults that are offensive, racist or discriminatory in nature.

3.4. Workplace Harassment and Bullying

Workplace harassment is a health and safety issue that is covered under the *Occupational Health and Safety Act*.

The *Occupational Health and Safety Act* defines workplace harassment as:

Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace harassment may have some or all of the following components:

- it is generally repetitive, although a single serious incident may constitute workplace harassment if it undermines the recipient's psychological or physical integrity and has a lasting harmful effect;
- it is hostile, abusive or inappropriate;
- it affects the person's dignity or psychological integrity; and
- it results in a poisoned work environment.

In addition, behaviour that intimidates, isolates or discriminates against the recipient may also be included.

Some examples of workplace harassment are:

- verbally abusive behaviour such as yelling, insults, ridicule and name calling including remarks, jokes or innuendos that demean, ridicule, intimidate or offend;

- workplace pranks, vandalism, bullying and hazing;
- gossiping or spreading malicious rumours;
- excluding or ignoring someone, including persistent exclusion of a particular person from workplace-related social gatherings;
- undermining someone else's efforts by setting impossible goals, with unrealistic deadlines and deliberately withholding information that should normally be provided and would enable a person to do their job;
- providing only demeaning or trivial tasks in place of normal job duties;
- humiliating someone;
- sabotaging someone else's work;
- displaying or circulating offensive pictures or materials;
- offensive or intimidating phone calls or emails;
- impeding an individual's efforts at promotions or transfers for reasons that are not legitimate; and
- making false allegations about someone in memos or other work related documents.

What Isn't Harassment

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:

- supervisory direction and feedback on performance,
- measures to correct performance deficiencies, such as placing someone on a performance improvement plan,
- measures to determine an employee's capability to perform job duties and responsibilities or to examine limitations,
- investigation of workplace incidents or complaints,
- inquiring into or imposing discipline for workplace infractions; or
- requesting medical documents in support of an absence from work.

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

The Test of Harassment

It does not matter whether you intended to offend someone. The test of harassment is whether you knew or should have known that the comments or conduct were unwelcome to the other person. For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case you must immediately stop that behaviour.

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim. Harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

3.5. Workplace and Domestic Violence

Workplace and domestic violence that may occur in the workplace are health and safety issues, which are covered under the *Occupational Health and Safety Act*.

Workplace Violence

Workplace violence is defined under the Occupational Health and Safety Act as:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal.

Workplace violence includes:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects;
- verbal or written threats to physically attack a worker;
- leaving threatening notes or sending threatening emails;
- wielding a weapon at work;
- stalking someone; and
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

Workplace violence may come from many different sources:

- strangers or people with no ties to the workplace;
- clients or customers; ;
- other employees; and
- intimate relationships outside of work (such as intimate partners, family, friends)

Domestic Violence

If you are experiencing domestic violence that would likely expose you, or other workers, to physical injury that may occur in the workplace, you should inform your supervisor or the CAO so that the Township can take every precaution reasonable to protect you and your co-workers in the circumstances. This may include some or all of the following:

- creating a safety plan;
- contacting the police;
- establishing enhanced security measures such as a panic button, code words, and door and access security measures;
- screening calls and blocking certain email addresses;
- setting up priority parking or providing escorts to your vehicle or to public transportation;
- adjusting your working hours and location so that they are not predictable; and
- facilitating your access to counselling through the Employee Assistance Program or other community programs.

Supervisory staff and the CAO appreciate the sensitivity of these issues and will do their best to assist you as discreetly as possible while maintaining your privacy.

4: Preventing Harassment and Violence

It is the responsibility of the Township and all staff to ensure that we create and maintain a harassment and violence-free workplace and address violence and/or the threat of violence from all possible sources (including customers, clients, employers, supervisors, workers, strangers and domestic/intimate partners).

4.1. Township's Commitment

The Township of Lanark Highlands will do its part by not tolerating or condoning discrimination, harassment or violence in the workplace. This includes making everyone in our organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints and imposing suitable corrective measures.

4.2. Duties of Supervisors

Supervisors are expected to assist in creating a harassment-free workplace and to immediately contact the Workplace Respect Committee if they receive a complaint of workplace harassment or violence or witness or are aware of harassing or violent behaviour.

Supervisors must also take every reasonable precaution to protect employees from workplace violence, including evaluating a person's history of violent behaviour to determine whether and to whom this employee poses a risk. In making this evaluation supervisors should consider:

- whether the person's history of violence was associated with the workplace or work;
- whether the history of violence was directed at a particular employee or employees in general; and
- how long ago the incident(s) of violence occurred.

In certain circumstances, supervisors may have a duty to provide information about a risk of workplace violence from a person with a history of violent behaviour (not necessarily an

employee) if an employee can be expected to encounter that person during the course of his or her work, and the risk of workplace violence is likely to expose the employee to physical injury. Supervisors will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect the employee from physical injury. Supervisors are required to consult with the Workplace Respect Committee prior to releasing information about a person with a history of violence.

4.3. Duties of All Employees and Others covered by this Policy

Individual employees and others must do their part by ensuring that their behaviour does not violate this policy and by fostering a work environment that is based on respect and is free of harassment.

They are also required to report to their supervisor the existence of any workplace violence or threat of workplace violence.

5: Procedure for Investigating and Resolving Harassment Complaints

Step 1: Informal Complaint

1.1 If an employee believes that they are being harassed, the first thing to do is to tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don't like their actions is often enough to stop the behaviour. In certain circumstances you may choose to proceed directly to Step 2.

Some of the things you can say that might stop the behaviour include:

“I don't want you to do that.”

“Please stop doing or saying...”

“It makes me uncomfortable when you ...”

“I don't find it funny when you ...”

1.2 If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop.

Provide details of the next steps you plan to take if the harassment does not stop e.g., filing a formal complaint at Step 2. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

1.3 If you believe that someone who is not a member of our organization, e.g., a customer, supplier, etc., has harassed or discriminated against you, please report the harassment to your supervisor.

Although the Township has limited control over third parties, the Township will do its best to address the issue and prevent further problems from arising.

Step 2: Formal Complaint

2.1 If the complaint cannot be resolved informally or if it is too serious or difficult for you to deal with as an informal process, you may bring a formal written complaint to the CAO who may designate a qualified investigator to look into your complaint. The investigator may be internal or external to the organization. The CAO and/or investigator may also seek specialist or legal advice and adjust the process for handling your complaint as per their advice.

2.2 The investigator will need as much written information as possible from the complainant, including the name of the person you believe is harassing you, the place, date and time of the incident(s), and the names of any possible witnesses. A copy of the Workplace Respect Complaint form is available from the CAO or can be obtained for you by your supervisor. Additional documents may be attached to the form. This form must be used unless it is not readily available in which case your complaint may be submitted in a memo to the CAO with the subject heading “Workplace Respect Complaint”

2.3 Your written complaint to the CAO must be kept strictly confidential. You may, of course, share it in confidence with an employee or legal representative who should be informed by you to keep the matter confidential. Do not discuss the matter with others, particularly potential witnesses,. This may interfere with the investigation.

It is important that the CAO receive your complaint as soon as possible so that the problem doesn’t escalate or happen again. Once the Township receives your complaint, the CAO will initiate a formal investigation, if it is necessary and appropriate to do so.

2.4 Your written complaint form must be dated and delivered in a sealed envelope addressed to the CAO and marked “Personal and Confidential – To be opened only by the CAO.” It must be delivered in a discreet manner.

2.5 Discrimination and harassment are serious matters. Therefore, if you decide not to make a formal complaint, the Township may still need to investigate the matter and take steps to prevent further harassment. For example, the Township may need to continue with an investigation if the allegations are serious or if there have been previous complaints or incidents involving the

respondent. Staff may also observe apparent harassment and bring the matter to the attention of the CAO which may require investigation.

2.6 Please note that it is Township policy not to investigate anonymous complaints unless there are extenuating circumstances.

NOTE: Where your complaint is against the CAO, your complaint and envelope must be addressed to the Mayor. The Mayor will follow a procedure similar to that outlined above for the CAO. The investigation, reporting and corrective action procedures will be altered accordingly.

Step 3: Investigation Procedure

3.1 The designated Investigator will commence an investigation as quickly as possible. The Township may choose to use either an internal or external investigator, depending on the nature of the complaint.

3.2 The investigation will include:

- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- interviewing witnesses, if any
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file

3.3 Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards. A breach of confidentiality can also impair an investigation. A flagrant or a repeated breach of confidentiality may in and of itself attract disciplinary action up to and including termination.

3.4 Once the investigation is complete, the Investigator will prepare a detailed report of the findings and submit it to the CAO for review. The CAO may consult with specialists and legal counsel. A summary of the findings will be provided to the complainant and respondent following the CAO's review.

3.5 It is the Township's goal to complete any investigation and communicate the results to the complainant and respondent within thirty days after we receive a complaint, where possible.

Step 4: Corrective Action

The CAO will determine what action should be taken as a result of the investigation. The CAO will also inform the complainant and respondent of the results of the investigation and whether (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, the Township will take appropriate corrective measures, regardless of the respondent's seniority or position in the Township.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination of employment
- referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- a demotion or denial of a promotion
- reassignment or transfer
- financial penalties such as the denial of a merit salary increase, and
- any other disciplinary or corrective action deemed appropriate under the circumstances

If there is not enough evidence to substantiate the complaint, corrective measures will not be taken.

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township will, however, discipline or terminate anyone who brings a false and malicious complaint.

6: Procedure for Resolving and Investigating Workplace Violence

6.1. Workplace Violence

You have the right to refuse work if workplace violence is likely to endanger you. In that instance, please immediately contact your supervisor at which point appropriate measures will be taken to protect you and investigate the situation. You will be moved to a safe place as near as reasonably possible to your normal work station and will need to be available for the purposes of investigating the incident. In some circumstances, you may be provided with reasonable alternative work during normal working hours.

In appropriate circumstances, we may contact the police or other emergency responders as appropriate, to assist, intervene or investigate workplace violence.

Details about the measures and procedures for summoning immediate assistance will be provided and may include:

- equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, phones, cell phones, etc.;
- emergency telephone numbers and/or email addresses; and
- emergency procedures

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

6.2. Investigation Procedure for Workplace Violence

Step 1: Reporting

1.1. Employees are required to report the existence of any workplace violence or threat of workplace violence to their supervisor and their supervisor shall immediately inform the CAO.

NOTE: Where the supervisor is the respondent, the employee shall report the matter to the CAO. Where the CAO is the respondent, the employee shall report the matter to their supervisor who shall immediately inform the Mayor. The procedures for investigating and taking corrective action will be altered accordingly.

Step 2: Investigation

2.1 The CAO will designate an investigator and shall ensure that an investigation is commenced as quickly as possible. The CAO may choose to use either an internal or external investigator, depending on the nature of the incident.

2.2 The investigation will include:

- conducting interviews of relevant individuals, including the complainant and respondent, to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations;
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file.

2.3. Once the investigation is complete, the Investigator will prepare a detailed report of the findings and submit it to the CAO for review. The CAO may consult with specialists and legal counsel. A summary of the findings will be provided to the complainant and respondent following the CAO's review and subject to advice received.

Step 3; Corrective Action

The CAO will determine what action should be taken as a result of the investigation.

If a finding of workplace violence is made, the Township will take appropriate corrective measures, regardless of the respondent's seniority or position in the Township.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect;

- a demotion or denial of a promotion;
- reassignment or transfer;
- financial penalties such as the denial of a bonus or performance related salary increase, and
- any other disciplinary action deemed appropriate under the circumstances.

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township may however, discipline or terminate anyone who brings a false and malicious complaint.

7: Procedures for Addressing Domestic Violence

If an employee is experiencing domestic violence that would expose you to physical injury in the workplace or you are experiencing workplace violence or believe that workplace violence is likely to occur, you may seek immediate assistance by contacting the CAO. The CAO will assist in preventing and responding to the situation.

8: Confidentiality of Complaints and Investigations

The Township recognizes the sensitive nature of harassment and violence complaints and will keep all complaints confidential, to the extent that we are able to do so. The Township will only release as much information as is necessary to investigate and respond to the complaint or situation or if required to do so by law.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards. A breach of confidentiality can also impair an investigation. A flagrant or a repeated breach of confidentiality may in and of itself attract disciplinary action up to and including termination.

9: Protection from Retaliation

The Township will not tolerate retaliations, taunts or threats against anyone who complains about harassment or violence or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a harassment or violence complaint may be disciplined or terminated.

10: Mediation of Harassment and Violence Matters

10.1. At any time, where appropriate and in situations that warrant, the parties to a complaint may, by mutual agreement, enter into a mediation process in an effort to resolve the matter. Mediation is a voluntary process.

10.2. Mediation will require the approval of the CAO since costs may be involved. Where the parties agree to mediation, the CAO shall appoint a mediator who may be internal or external to

the organization. The mediation process is confidential and shall be explained to the parties prior to their signing an agreement to mediate. At any time either party may withdraw from mediation without stating a reason.

10.3. Since mediated settlements may involve costs or obligations for the Township, a proposed mediated settlement must first be approved by the CAO and, if required, by Township Council prior to the parties entering in the settlement.

SCHEDULE “E”

OCCUPATIONAL HEALTH AND SAFETY POLICY

- 37.2 The Township and its employees equally share the responsibility for reducing accidents and absenteeism by performing their jobs in a safe and healthy manner. Injuries and property damage losses can be controlled through sound management systems and practises, combined with active employee involvement and co-operation.
- 37.3 Supervisors have the following responsibilities:
- (a) training of each employee in the safe performance of his or her duties through orientation and proper job instruction and keeping records of such training;
 - (b) ensuring that the equipment, materials, and protective devices as prescribed in the regulations are provided to employees, maintained in good condition and used as prescribed;
 - (c) enforcement of safe operating procedures;
 - (d) regular inspection and ensuring of good housekeeping of work areas to prevent hazards from developing;
 - (e) conducting accident investigations thoroughly and promptly;
 - (f) compliance with applicable safety and health regulations;
 - (g) reporting of any unsafe conditions that are beyond the control of the supervisor;
 - (h) ensuring chemicals have complete MSDS sheets accessible to all employees;
 - (i) maintenance of records regarding employees' health related problems or complaints, even if not work related.
- 37.4 Employees are responsible for their own safety and health in the workplace and the safety and health of their co-workers, which includes the following:
- (a) Performing their jobs within safety and health requirements. This includes wearing protective clothing and equipment if required, and using common sense and thinking safely when performing all duties;

- (b) Unsafe working conditions and practises must be reported to the employee's immediate supervisor and recommendations for corrective actions made. Hazards must be corrected immediately and reported to the supervisor;
- (c) In the event that an employee suffers a work related personal injury or illness he must report same to a supervisor as soon as practicable.

SCHEDULE "F"

USE AND OPERATION OF TOWNSHIP VEHICLES



Subject: *Use of Municipal Vehicles*

Policy No.: *TR-02-2003-use*

Approval Date: *November 18, 2003*

By-law No.: Res 03-11-295

Page No.: 1 of 2

Amendment:

1. POLICY STATEMENT

The purpose of this policy is to identify the parameters under which municipal vehicles shall be used by employees of the Corporation of the Township of Lanark Highlands. This policy shall apply to all non-management staff who operate municipal vehicles or management staff who operate municipal vehicles or supervise staff who operate municipal vehicles.

2. SCOPE

This policy applies to all vehicles owned/leased and operated by the Township of Lanark Highlands in use within the various departments of the municipality.

3. PROCEDURE

3.01 Personal use of municipally owned/leased vehicles is not permitted. Employees shall only use municipal vehicles when conducting municipal business unless otherwise authorized by Council. At the discretion of Council or the CAO, all or any part of this policy may be waived in the event of an emergency.

3.02 All municipal vehicles shall remain at the designated work locations of the Township of Lanark Highlands when not being used during regular work hours by employees. Under extenuating circumstances, the CAO, Fire Chief, or Superintendent of Public Works may authorize the use of municipal vehicles outside of regular work hours.

3.03 Employees required to operate personal vehicles occasionally or routinely while performing their duties will be compensated in accordance with Schedule "I" of the Human Resources Policy of the Township in effect from time to time.

3.04 Employees must have a valid Ontario Driver's Licence (complete with suitable endorsements if applicable) to operate any municipal vehicle.

TR-02-2003-use



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

Subject: *Use of Municipal Vehicles*

Policy No.: *TR-02-2003-use*

Approval Date: *November 18, 2003*

By-law No.: Res 03-11-295

Page No.: **2 of 2**

Amendment:

3. PROCEDURE (Cont'd)

3.05 Authorization to operate municipal vehicles may be revoked at any time at the discretion of Council. Such action shall be precipitated by the misuse of the vehicle, which includes, but is not limited to, the following:

- a) Driving under the influence of drugs/alcohol;
- b) Reckless operation of a municipal vehicle;
- c) Poor driving/accident record;
- d) Allowing an unauthorized person to operate the vehicle;
- e) Carrying passengers for hire;
- f) Carrying persons who are not municipal employees or authorized contractors of the municipality;
- g) Any illegal trade or transportation;
- h) Moving violations or at fault accidents;
- i) Driver's Licence suspension.

3.06 The employee to whom a municipal vehicle is assigned shall be responsible for the proper mechanical maintenance and appearance of the vehicle.

4. RESPONSIBILITY

Employees who operate municipal vehicles and/or supervise employees who operate municipal vehicles are responsible for ensuring compliance with this policy.

TR-02-2003-use

SCHEDULE " G "

Township of Lanark Highlands

Organizational Structure

Council

