

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 2004-228

A BY-LAW TO APPROVE A POLICY FOR THE CITY OF PETERBOROUGH ON THE HIRING OF RELATIVES OF COUNCIL AND SENIOR STAFF

WHEREAS the Municipal Act, S.O. 2001, c. 25, s. 270, provides that a municipality and a local board shall adopt policies with respect to the hiring of its employees, including policies with respect to,

- (a) the hiring of relatives of a member of council or local board, as the case may be;
- (b) the hiring of relatives of existing employees for the municipality or local board, as the case may be; and
- (c) any other prescribed matter;

AND WHEREAS the Council of The Corporation of the City of Peterborough deems it necessary and advisable to adopt a policy to clarify the procedures to be followed;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH ENACTS AS FOLLOWS:

THAT the City of Peterborough Policy on the Hiring of Relatives of Council and Senior Staff ,a copy of which is attached and marked as Schedule "A" to this by-law is hereby approved.

THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT IMMEDIATELY ON AND AFTER THE PASSING THEREOF.

By-law read a first and second time this 13th day of December, 2004

By-law read a third time and finally passed this 13th day of December, 2004

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

SCHEDULE "A"

Section:	Employment	Original Issue:	November 2004
Policy:	Hiring of Relatives of Council and Senior Staff	Last Revised:	

PURPOSE:

To provide rules with respect to hiring that are intended to avoid conflicts of interest due to immediate family relationships, in accordance with Section 24 (d) of the Ontario Human Rights Code and pursuant to The Municipal Act, 2001.

NOTE: This policy will not be retroactive and will not apply to any circumstances that existed prior to adoption by City Council of this policy.

APPLICATION:

This policy applies to all City departments. In addition, every local board of the City as defined in Section 269 of the Municipal Act, 2001, which is an employer, shall adopt a hiring policy consistent with this policy.

POLICY:

- .01 The immediate relatives of the City Administrator, the Director of Human Resources and Elected Officials shall not be hired by the City for any position.
- .02 The immediate relatives of Department Heads shall not be hired by the City for a position within the same Department.
- .03 The immediate relatives of Management personnel other than Department Heads shall not be hired by the City for a position, where the employee would report, directly or indirectly, to the Management personnel.

DEFINITIONS:

For purposes of this policy the following definitions shall apply:

- HIRE Includes promotion to a new position
- IMMEDIATE RELATIVE: A sibling, parent, spouse, or child.
- MANAGEMENT PERSONNEL: A non-union staff member exercising managerial/supervisory functions.
- SPOUSE: The person to whom a person is legally married, or with whom the person is living in a conjugal relationship outside marriage.

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PROCEDURES:

1. During the interview process, applicants for employment will be advised of the policy and required to identify immediate relative(s) currently employed by the City of Peterborough.
2. Failure to disclose an immediate relative currently employed by the City of Peterborough, and subsequent hiring in contravention of this policy, will result in immediate termination of the applicant's employment.

Note: *Where the proposed promotion of an existing staff person would contravene this policy, the Director, Human Resources will advise council and recommend a course of action .*

RELATED POLICIES

Limitations to Employment (P2.1.2)