

By-law 2019-17

**A By-law of the City of Greater Sudbury to Adopt a
Council-Staff Relations Policy**

Whereas pursuant to subsection 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires a municipality to adopt a policy regarding the relationship between members of council and the officers and employees of the municipality;

And Whereas Council wishes to adopt such a policy in compliance with the *Municipal Act, 2001*;

And Whereas section 5(3) of the *Municipal Act 2001*, as amended, provides that a municipal power shall be exercised by By-law;

Now therefore Council of City of Greater Sudbury hereby enacts as follows:


Adopt Policy

1. Council for the City of Greater Sudbury adopts the Council-Staff Relations Policy attached as Schedule "A" to this By-law and forming a part of this By-law.

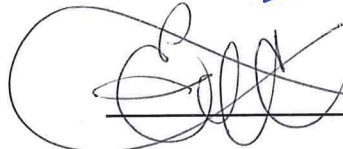
Effective

2. This By-law shall come into full force and effect on passage.

Read and Passed in Open Council this 19th day of February, 2019



Mayor



Clerk

City of Greater Sudbury Council-Staff Relations Policy

Background

One of the most significant factors in successful municipal government is the ongoing relationship between the members of a municipal council and municipal staff. That relationship must be clear (roles, accountabilities and authorities must be well understood and observed), positive and collaborative. Municipalities whose Council members and staff maintain such a relationship build trust and confidence and focus collective energy on delivering public value to citizens.

Policy Statement

The City of Greater Sudbury (the "City") will promote clarity, positivity and collaboration between members of Council and the officers and employees of the City, guided by the *Municipal Act, 2001* (herein after, the "Act") and various By-laws which establish roles and authorities, the Code of Conduct for Members of Council and Local Boards, the Employee Code of Conduct, the Workplace Violence, Harassment and Discrimination Prevention Policy and Program and the Procedure By-law.

Principles

In order to build and ensure a clear, positive and collaborative relationship, there is Council – Staff agreement on a number of principles. These principles underlie the various pieces of legislation, codes, policies and by-laws created to guide Council member and Staff behaviour in carrying out the work of government.

1. All interactions between staff and members of Council reflect the City of Greater Sudbury's belief that all are treated equally.
2. Members of Council are accountable for making decisions, ensuring the management system works properly and for deciding issues once staff, the public and fellow Council members have been heard. Staff are to provide viable policy options and make recommendations based on their best professional judgment and to accept and implement effectively whatever Council decides.
3. The Mayor and CAO will work to ensure a clear, positive and collaborative relationship is maintained.
4. All members of Council and all City staff operate under a "no surprises" expectation. Communication and professional courtesy leads both parties to take care that the other is not surprised by information or actions that could impact the public's trust and confidence.
5. All members of Council and City staff are respectful of each other's time. Staff are prepared, brief and concise and members of Council are making good use of staff time by being concise in direction, respectful of work volume for staff and consistent in performance feedback.

Schedule "A"
to By-law 2019-17 of the City of Greater Sudbury

6. All members of Council and the CAO will agree on a preferred process for communication with City staff and the systems put in place to communicate and raise issues to City staff for resolution.
7. Members of Council and City staff work together to provide valued services and achieve the longer term aspirations of the community. They recognize each other using respectful, positive terms of reference and celebrate successes.

Purpose

This policy provides guidance on how the City of Greater Sudbury works to maintain a clear, positive and collaborative relationship between members of Council and the officers and employees of the City.

Application

In accordance with Section 270 of the Act this policy applies to all members of Council and officers and employees of the City.

Policy Requirements and Authorities

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

1. The Act and Various By-laws

The Municipal Act and various municipal by-laws establish Council member, officer and employee roles and authorities. Representative examples under each category include:

The *Municipal Act*

Sections 224 - 229 of the Act address such matters as the role of each of: Council, the head of Council, the head of Council as CEO, officers and employees of the City, the Clerk, and the CAO.

City By-laws

- The Delegations By-law
- The CAO By-law
- The Appointments By-law
- The Auditor General By-law
- The Integrity Commissioner By-law

Schedule "A"
to By-law 2019-17 of the City of Greater Sudbury

2. Code of Conduct for Members of Council and Local Boards:

The Code of Conduct for Members of Council and Local Boards establishes the ethical behaviour expected of Members of Greater Sudbury City Council and Local Boards, as that term is defined in the Act for the purposes of the Code of Conduct.

Section 14 of the Code of Conduct for Members of Council, titled, "Conduct Respecting Staff" speaks specifically to the relationship of Members of Council towards Staff.

3. Employee Code of Conduct

The City's Employee Code of Conduct is founded on the notion of ensuring integrity in public service through the recognition and promotion of the fundamental principles of Accountability, Integrity, Respect and Transparency. Section D of the City's Employee Code of Conduct, headed "Employment Rules and Policies", summarizes rules and policies applicable to all employees of the City.

4. Workplace Violence, Harassment and Discrimination Prevention Policy and Program

This City Policy and Program outlines requirements pertaining to and establishes responsibilities regarding workplace violence, harassment, sexual harassment and discrimination in accordance with the *Occupational Health and Safety Act*. It applies to all City work places and all persons within a City work place.

5. Procedure By-law

The Procedure By-law establishes rules, procedure and conduct within Council and Standing Committee meetings and among other matters, addresses the roles and responsibilities of staff and members of Council in the organization and conduct of meetings.

Responsibilities

Compliance

Members of Council and officers and employees of the City are required to adhere to this Council-Staff Relations Policy and its component elements, including without limitation, the Act and various By-laws which establish roles and authorities, the Code of Conduct for Members of Council and Local Boards, the Employee Code of the Conduct, the Workplace Violence, Harassment and Discrimination Prevention Policy and Program and the Procedure By-law.

Schedule "A"
to By-law 2019-17 of the City of Greater Sudbury

Orientation Training

The City Solicitor / City Clerk is accountable to establish orientation training on this Council-Staff Relations Policy and the various documents listed above in the section headed: Policy Requirements and Authorities. This orientation training shall:

1. take place within the first full quarter of the year following a municipal election;
2. be led by the Chief Administrative Officer and the Mayor; and
3. allow for the delivery of relevant content and discussion amongst Council, officers and employees in attendance

Monitoring/Contraventions

The City Solicitor / 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 Solicitor / City Clerk shall notify:

1. In the case of officers and employees of the City, the Manager, Director or General Manager responsible for the employee or the Chief Administrative Officer and the Director, Human Resources and Organizational Development; and
2. In the case of members of 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 or the Employee Code of Conduct, the language of the applicable Code shall prevail.

Legislative and Administrative Authorities

Section 270 of the *Municipal Act, 2001*, requires City Council to adopt and maintain a policy with respect to the relationship between members of Council and the officers and employees of the City. The Council-Staff Relations Policy identifies the legislation, policies, procedures and practices that the City complies with in order to promote a clear, positive and collaborative relationship between members of Council and the officers and employees of the City of Greater Sudbury.

Enquiries

City Solicitor/ City Clerk
City of Greater Sudbury
Telephone: 3-1-1 (705-674-4455)