

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 5208-20

A BY-LAW TO ENACT POLICY P-CS-20-001 – HIRING -
FOR THE CORPORATION OF THE TOWN OF NIAGARA-
ON-THE-LAKE

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE as follows:

1. that Hiring Policy P-CS-20-001, be and the same is hereby approved; and
2. THAT the Lord Mayor and Town Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 24th DAY
OF FEBRUARY 2020**

LORD MAYOR BETTY DISERO

DEPUTY CLERK COLLEEN HUTT



The Town of Niagara-On-The-Lake

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POLICY

Policy No.: Draft

Approved on:

February 04, 2020

By-Law No.:

Effective on:

Supersedes:

Report To: Corporate Services Advisory Committee
Title/Subject: Hiring Policy

Purpose

The Town of Niagara-on-the-Lake is committed to attracting a talented diverse workforce which broadly reflects the community and citizens served and to selecting the best candidate for the position. The Town of Niagara-on-the-Lake supports and encourages employees to realize their career goals and reach their maximum potential.

This policy:

- Provides an overview of the guiding principles and standard practices that govern the recruitment process at the Town of Niagara-on-the-Lake, and;
- Outlines roles and responsibilities throughout the recruitment process to ensure all recruitment practices are consistently applied.

Legislative Requirements

This policy complies with the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the *Ontario Human Rights Code* and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). For additional information on MFIPPA, refer to Corporate Policy and Procedure – Records Management – Freedom of Information and Protection of Privacy.

The Town will comply with all requirements of Ontario Regulation 191/11 of the AODA, the Integrated Accessibility Standards Regulation (IASR), by:

- Taking into account the accessibility needs of all applicants with disabilities.
- Removal of unnecessary barriers that restrict employment.
- Notifying all applicants of the availability of accommodation throughout all steps

- of the recruitment process, and
- Providing individual accommodation plans (upon request)

Definitions

For the purposes of this policy:

- “Critical Hire” means a candidate for a hard to fill position where there is difficulty attracting suitable candidates in the labour market with the specific skill.
- “Internal Applicant” means an applicant who is a full-time permanent employee within the Town of Niagara-on-the-Lake.
- “External Applicant” means an applicant who is not a full-time employee of the Town of Niagara-on-the-Lake.
- “Hiring Manager” means the manager/supervisor who is responsible for filling a vacancy, including making the hiring decision.
- “Human Resources” means the Human Resources staff member responsible for supporting the Hiring Manager in the recruitment process, including coaching the Hiring Manager with respect to legislative, bargaining agreements and policy.
- “Temporary Transfer” means a transfer to:
 - a. An Acting Appointment – a position when there is a need to fill the position in the absence of the incumbent (e.g. maternity leave, leave of absence) or to fill a vacant position on an interim basis. The employee is expected to carry out the core responsibilities of the position and will assume the position title.
 - b. A position with a duration of one year or less that is not necessarily an Acting Assignment.

Responsibilities

Department Directors are responsible for:

- Ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions;
- Managing budgets associated with recruitment; and,
- Ensuring compliance with this policy.

Hiring Managers are responsible for:

- Identifying a vacancy within their division and initiates the recruitment process with Human Resources by completing the Hiring Approval Form;
- Partnering with HR to consider the departments current and future workforce needs and/or opportunities;
- Partnering with Human Resources throughout the recruitment process; and,
- Complying with all legislative requirements, this policy and bargaining agreements.

Human Resources is responsible for:

- Managing the recruitment process, including the following:
 - a. Create or update of job description with the assistance from the Hiring

- Manager;
- b. Creating and distributing job advertisements, both internal and external;
 - c. Screening of applicants;
 - d. Coordinating interviews, conducting reference checks (at least 2) and negotiating offers to successful candidates;
- Providing coaching, guidance and advice to Hiring Managers throughout the recruitment process as required; and,
 - Assisting Hiring Managers to ensure that the recruitment process is equitable and is in compliance with all legislative requirements, this policy and bargaining agreements.

Documentation and Records Retention

Human Resources is responsible for ensuring that applicable documentation for all steps in the recruitment process is retained in accordance with the Records Retention By-Law. All staff involved in the recruitment process are responsible to ensure the confidentiality of all documentation.

Confidentiality

We will guarantee the confidentiality of all personal data of applicants and will respect their privacy. All staff members involved in the recruitment process have an obligation to preserve each applicant's right to privacy and to the confidentiality of any information that may be revealed by the documentation, the interviews or discussions leading to the selection of the candidate. Each person involved in the recruitment process will sign a confidentiality agreement.

Recruitment Process

Once a vacancy is identified the following are the steps of the recruitment process:

- a) Identify and confirm details of the vacancy. Review the job requirements to determine there is a need or change for the position;
- b) Create or amend the job description;
- c) Complete of a Hiring Approval Form;
- d) Create the position advertisement, internal and/or external, and advertise. In accordance to the Employee Bargaining Group Agreement vacancies will be posted internally for a minimum of five (5) working days for positions covered in the Employee Bargaining Group.
- e) Human Resources screens the resumes and provides the Hiring Manager with the top candidates resumes who are qualified for the position. Human Resources and Hiring Manager collaboratively choose candidates to interview.
- f) Interviews are arranged with the applicants and interview questions are created.
- g) Once interviews are complete, the interview panel reviews the interview scores and chooses the best fit candidate who meets the requirements of the position.
- h) A reference check takes place and an offer is provided to the candidate.

All positions will be advertised internally through the Town email and posted on bulletin boards at all locations.

If a vacancy for the same job becomes available up to three (3) months from the date of the original job posting, the vacancy does not need to be re-posted. Candidates may be considered from the previous applications for the position.

The Town of Niagara-on-the-Lake does not accept unsolicited resumes.

Late applications may be accepted, in consultation with the Hiring Manager and the HR Recruiter.

Interview Panel

For positions being filled at the Manager level below, the interview panel will consist of the Hiring Manager, Human Resources and one other member.

For Director level positions, the interview panel will consist of the CAO, Human Resources and the Lord Mayor.

For the recruitment of a Chief Administrative Officer, a selection committee will be created by Members of Council consisting of the Lord Mayor and the three (3) other members of Council.

External Recruitment Firms

An external search firm may be used to fill the vacancy, and will generally be limited to the recruitment and selection of applicants for CAO and senior staff positions and/or job vacancies where a Critical Hire may be required. An external search firm or temporary agency may also be used to temporarily fill a vacancy during recruitment.

Request, Complete and Approve Hiring Approval Form

Written authorization in the form of the Hiring Approval Form must be completed for all staffing requirements

Note: Approval through the budget process may represent "prior written authorization" for part-time and temporary positions related to programs budgeted by hours or total dollars.

A vacancy may be filled on a permanent or temporary basis without a posting, considered in the order below, through:

- An employee has been identified through the Town's succession plan or has a documented, approved development plan.
- Temporary Transfer.

If the position has been filled without a posting this will be communicated to applicable staff, as determined by the Senior Management Team and Human Resources:

- All other vacancies are posted either through an internal and/or external posting.

Note: A Temporary Transfer that is in excess of one year must be reviewed after

completion of the original assignment and every six months thereafter to confirm it should continue as temporary or be considered for permanent status. At the end of the assignment, the employee may be placed in the position without posting, subject to acceptable performance and director approval, or the employee will return to his or her regular position.

Assess – Screen, Test, Interview/Reference Check Candidates to Ensure Right Fit

Screening

Human Resources conducts an initial screening of applications, based on the requirements for the position. Once the applications have been screened, a short list of qualified candidates to be interviewed is compiled in collaboration with the Hiring Manager.

Interview and Test Candidates

The Hiring Manager, in consultation with Human Resources, establishes interview questions related to the requirements of the vacancy in advance of the interviews.

The established interview panel conducts all interviews, which are based on job-related factors and conducted in a manner which is unbiased, fair and consistent for all candidates.

Tests and behavioural assessments must be pre-approved by Human Resources and the weighting for the selection test results, relative to the interview score, must be predetermined. All reasonable efforts will be made to validate tests and behavioural assessments to ensure they are bias free.

Reference Checks

References must be checked for all successful candidates to confirm suitability for employment:

- Human Resources conducts all references, with the exception of when the use of an external recruitment firm is used.
- A minimum of two employment references are required except for temporary full time or part-time entry-level positions (e.g. Parks Summer Student, Concessions Attendant, Summer Camp Counsellor), where one reference may be acceptable for candidates as determined by Human Resources, and
- At least one employment reference must be from the applicant's current or previous supervisor, who can comment directly on the applicant's performance.

Selection of Successful Candidate(s)

The successful candidate for the position is selected and a job offer is made in accordance with the following:

- The Hiring Manager selects the preferred candidate and provides their rationale for selection to Human Resources.
- Human Resources is responsible for making the job offer to the successful

candidate.

- All necessary documentation must be received and acceptable to the Town (e.g. Police Check, Driver's Abstract, Eligibility to Work in Canada, educational documents, etc.), and
- For Director positions, a selection committee made up of Lord Mayor, CAO and Human Resources will consider the CAO's recommendation of the successful candidate and make the final recommendation.

Potential Hiring Conflicts

Family Members

- The Town of Niagara-on-the-Lake shall accept applications from and consider a member of an employee's immediate family for employment if the candidate has all the requisite qualifications.
- A family member shall not be considered for employment if by doing so, it might create a direct or indirect managerial/subordinate relationship with the family member, or if his/her employment could create a conflict of interest either real or imagined.

Employee Relationships

- Employees engaging in romantic relationships and employees that become married or live in the same household may continue their employment with the Town provided that there is neither a direct or indirect managerial/subordinate relationship between the employees, or a conflict of interest, real or imagined, created as a result of the relationship.
- In the event that either a managerial/subordinate, or conflict of interest issue arise, The Town will work with the employees to accommodate them in a reasonable fashion. Possible resolution may require one of the employees to transfer to another position within the company. If this is not possible, one of the employees must resign.

Former Employees

- A former employee who left the Town on amicable terms may be eligible for re-employment.
- Former employees who left the Town without proper notice, or whose employment was terminated for disciplinary reasons, shall not be eligible for re-employment.

Hiring Process for a Chief Administrative Officer

At such time the CAO position becomes vacant, the Lord Mayor shall notify Human Resources to commence the recruitment process to fill the vacancy as per the Procedure for Hiring a CAO.

Options:

1. **Succession Management**
Where the Town has demonstrated a succession management program (i.e. where available 'high' potential candidates have been identified within the Town,

a well-established program exists where candidate skills/competencies are measured against those required for the CAO position, and where development plans are in place, regular reviews are conducted and assessments are made to determine a candidate's readiness for the CAO position), Council may opt to limit the CAO vacancy internally amongst only those identified 'high' potential candidates.

2. **Executive Search Firm**

Where Council has determined there are no internal candidates through a succession management program that are deemed to be 'ready' to assume the CAO role OR at any time should Council wish to evaluate internal candidates to the external job market, they may decide that the position may be filled utilizing the services of an external executive search firm. The firm would be selected following an RFP process. The position would be available to both internal and external candidates.

Selection

A Selection Committee shall be created and comprised of the Mayor and three other Members of Council. Due to the importance of this position to the Town of Niagara-on-the-Lake, consultation with the Senior Management Team, Town staff, and community stakeholders may be initiated and incorporated into the recruitment and selection process. A Terms of reference for the Selection Committee would be created once the Committee has been comprised.

Acting/Interim CAO

The CAO may appoint an Acting CAO for a period of less than one (1) month due to the absence of the CAO.

Authority to appoint an Interim CAO for a specified period of time, due to a vacancy in the CAO position, rests with Town Council.

ATTACHMENTS



Hiring Approval Form.pdf Confidentiality Agreement for Recruitment.pdf

WEB ATTACHMENTS

ATTACHMENTS FOR LINK



HIRING APPROVAL FORM

Date:	
Position Title:	
Department:	
Hiring Manager:	
Preferred Start Date:	

Full-time
 Contract
 Critical Hire

Reason for Recruitment *(Please check the reason for recruitment)*

New or updated job descriptions must be attached for all positions.

	Replacement Position <i>(updated job description attached)</i>	Name of person being replaced _____ Have the duties of this position changed? ___ Yes ___ No <i>(If yes, provide details in position information section.)</i> Pay grade/range _____
	Reallocated Position <i>(reallocation of vacant, budgeted position within department)</i>	Name of current vacant position _____ Current pay grade/range _____ Recommended pay grade/range _____
	Budgeted New Position <i>(job description attached)</i>	Budgeted pay grade/range _____
	Non-budgeted New Position <i>(job description attached)</i>	Recommended pay grade/range _____

Position Information/Justification

(Indicate what changes were made to job description or provide justification for new position.)

Special advertising/recruitment request: _____

Hiring Manager Approval _____ Date _____

Director Approval _____ Date _____

CAO Approval _____ Date _____

HR Approval _____ Date _____

Please return to Human Resources once completed

This section to be completed by HR only

Name of Candidate _____

Wage _____

Start Date _____

Approved _____

Human Resources

Date _____



CONFIDENTIALITY AGREEMENT FOR RECRUITMENT

To protect the privacy of candidates and to preserve the integrity of the recruitment process, all involved as part of the interview panel are required to maintain confidentiality throughout and after the conclusion of the recruitment process. Confidential information includes matters discovered or discussed during the recruitment process. All information relating to the search may only be discussed with other members of the interview panel and Human Resources.

Position Title: _____

Department: _____

The members of the interview panel agree to maintain all information and documents related to this search with complete confidentiality. Please complete this form and forward to Human Resources. Please use the back if there are not enough signature lines.

Signature, Interviewer

Date

Signature, Interviewer

Date

Signature, Interviewer

Date

Signature, Interviewer

Date