

CITY POLICY



POLICY NUMBER: C608

REFERENCE:

ADOPTED BY:

City Council, May 14, 2019

SUPERSEDES:

New

PREPARED BY: Office of the City Manager

DATE: March 29, 2019

TITLE: **Human Resources Management for Council Staff**

Policy Statement:

Councillors' staff represent a unique subgroup of City of Edmonton non-union employees. They are not considered "employees reporting to the City Manager" for the purposes of City of Edmonton Directives and Policies.

As the employer, the City has certain statutory requirements and corporate responsibilities, as do the Councillors who are responsible for the management of staff working in their offices.

A human resources management policy provides structure and clarity around those relationships, and formalizes historical and recommended best practices.

The purpose of this policy is to:

- Set out the roles and responsibilities of Councillors for managing the City employees under their authority, and to affirm applicable City human resources policy requirements for Councillors' staff.
- Delineate the general roles and responsibilities of Councillors' staff, the Office of the City Clerk and the City as the employer of record.

Application

- All personnel employed in the Councillors' individual offices, including permanent term, temporary part-time and temporary casual.
- This policy does not apply to volunteers.
- Staff in the Office of the Mayor have roles different from Councillors' staff. Those differences will be noted in relevant sections of this policy.

Principles

This policy is subject to any specific provisions of the Municipal Government Act or other relevant legislation.

The principles of integrity, accountability and respect are consistent with content in the Code of Conduct for Councillors and the Code of Conduct for City employees.

Integrity

- Councillors' staff will uphold high standards of ethical behaviour consistent with those applicable to Councillors.

Accountability

- Councillors are accountable for the management of their staff in compliance with applicable legislation and City policies.
- Councillors' staff are accountable to their Councillor for the performance of their duties and responsibilities.

Respect

- Councillors' staff will act with decorum and respect the Office the Councillor holds.
- Councillors' staff will treat every individual, including other City employees and each other with respect at all times.

Codes of Conduct

- Councillors' staff must be familiar with the Council Code of Conduct, to ensure that their actions on behalf of their Councillor are in compliance with the principles and requirements within that Code.
- Councillors are responsible for ensuring that their staff are not placed in positions where they would contravene the Council Code of Conduct.
- In situations where Councillors are uncertain about the application of the Council Code of Conduct to staff, they should consult with the Ethics Advisor.

Roles and Responsibilities

Councillors

- Councillors are responsible for managing their office and staff in accordance with this Policy, the Council Code of Conduct, and statutory obligations, including but not limited to the *Employment Standards Code*, *Occupational Health and Safety Act*, *Alberta Human Rights Act*, and the *Alberta Labour Code*.
- Councillors are responsible for ensuring that their staff abide by applicable City policies and directives, which are listed in Appendix A and which will be referenced in the Offer of Employment Letter, both of which may be amended from time to time. In the Mayor's Office, the Chief of Staff is delegated these responsibilities.

Councillors' Staff

- Each Councillor's staff is responsible for abiding by this Policy and the City policies and directives listed in Appendix A, which may be amended from time to time. They are responsible for abiding by the terms outlined in their Offer of Employment Letter.
- Councillors' staff must be familiar with additional City policies that apply directly to Members of Council, including but not limited to:
 - Councillors' Budget and Expenses Policy;
 - Records and Information Management for Elected Officials; and
 - Council Code of Conduct.

This policy is subject to any specific provisions of the Municipal Government Act or other relevant legislation.

Employment

Staff Recruitment and Hiring

- Councillors are responsible for staffing their offices. Councillors have full carriage of their offices' recruitment process and final decision-making responsibility for all aspects of hiring, including resume review, screening, testing, interviews, reference checks, selection and job offer terms. The Office of the City Clerk may provide assistance as requested by the Councillor.
- Two Councillors may share the services of an individual staff member, if the staff member is in the same job classification and is paid the same rate by both Councillors. In this case there is a requirement for a Terms of Reference to be drafted and signed by the staff member and the two Councillors, and all parties are required to abide by the Terms. The Terms of Reference for service sharing will be filed with the City Clerk along with the employment letters.
- Councillors are responsible for providing hiring information to the Office of the City Clerk, prior to staff starting work in their offices so that the employment documentation can be processed before staff members begin their employment.
- The Mayor's office may work directly with a Human Resources advisor.

Eligibility for Employment

- To be eligible to work in a Councillor's office, an individual must:
 - be legally entitled to work in Canada;
 - be 18 years of age or older; and
 - possess a valid social insurance number.
- An individual holding an elected public office is ineligible for hire as Councillors' staff.

Hiring of Relatives

To eliminate actual or perceived conflicts of interest or favoritism:

- Councillors cannot hire relatives to work in their offices. Relatives are defined as: spouse, including common-law and same-sex spouse; parent, including step-parent and legal guardian; child, including step-child; sibling; and any person who lives with the Councillor on a permanent basis. (Employed relatives as of date of this policy's approval by Council will be excepted from this provision and "grandfathered" into their positions.)

Classifications and Compensation

- Staff position classification specifications and salary ranges are approved by Council Services Committee. Councillors may develop individualized job titles and job descriptions for their internal office use.
- Compensation for each Councillor's staff will be adjusted annually if applicable as per the general economic increases provided to Civic Service Union 52 employees of the City. Staff may also be provided with a salary increase or adjustment from time to time as directed by the Councillor.
- Councillors decide on the position and determine the level of compensation for staff in their offices, as long as the salary for the staff is within the salary range for the job classification of the employee as adopted by Council Services Committee.
- Staff remuneration and benefits details are outlined in the *Reference Guide for Councillors: Administrative Services*, which is distributed at the beginning of the Council term and which may be amended from time to time.

- The Mayor's office may work directly with a Human Resources advisor to determine classifications and compensation for Mayor's office staff.

Terms and Conditions of Employment

- Councillors' staff are employed subject to fixed-term temporary employment agreements with the City, not to extend beyond the term of the elected official.
- The terms and conditions of their employment are standardized and stipulated in their Offer of Employment Letter.
- Staff shall not perform functions which are exclusive roles of Councillors, in particular their decision-making roles.
- Councillors are responsible for overseeing and approving hours of work, attendance, vacation, lieu time, leaves of absence and expense claims for their staff.
- The Office of the City Clerk will be responsible for submitting for payment the time recorded by staff in the City's payroll system.

Termination

- Councillors are responsible for termination decisions with respect to individuals working in their offices and can terminate the employment of staff at any time during the employment agreement period. Termination decisions must be carried out in accordance with the provisions of the employment agreement, statutory requirements and other legal considerations.
- Prior to a termination decision being made, a Councillor must convey that intention to the Office of the City Clerk, who will consult with Employee Services to ensure compliance with the statutory requirements and other obligations, before the termination is approved, in order to limit the City's liability as the employer.
- The Mayor's office may work directly with a Human Resources advisor.

APPENDIX A

Additional City Manager approved Administrative Directives and Procedures With Sections Applicable to Councillors' Staff

Acceptable Use of Communication Technology Directive

Drug and Alcohol Directive

Information Technology Hardware & Software Non Standard Requests Directive

Local Authorities Pension Plan - Participation Directive

Occupational Health and Safety Directive

Respectful Workplace Administrative Directive

Wearing of Corporate Identification Cards Directive

Duty To Accommodate Disabilities Administrative Directive