

Finance, Administration and Audit Committee

DATE: Monday, April 01, 2019

WARD(S): ALL

**TITLE: COUNCIL STAFF RELATIONS POLICY AND REVISED
RESPECTFUL WORKPLACE AND WORKPLACE VIOLENCE
POLICIES**

FROM:

Nick Spensieri, Deputy City Manager, Corporate Services

ACTION: DECISION

Purpose

The purpose of this report is to ensure compliance with new legislated requirements prescribing that as of March 1, 2019 all municipalities in Ontario must develop a Council Staff Relations Policy.

In addition, two existing policies have been reviewed and revised to ensure compliance with all relevant legislative requirements under the *Occupational Health and Safety Act*.

Report Highlights

- Ontario legislation requires municipalities to develop and implement a Council Staff Relations Policy as of March 1, 2019
- Staff have consulted with members of Council, Staff and have reviewed academic literature in the development of the Policy
- The Respectful Workplace Policy and Workplace Violence Policy have also been updated following consultations with Staff and review of the latest legislative changes that required updated definitions on workplace harassment.

Recommendations

1. That the attached Staff Council Relations Policy, as substantially set out in Attachment 1 be approved.
2. That the revised Respectful Workplace Policy, as substantially set out in Attachment 2 be approved.
3. That the revised Workplace Violence Policy, as substantially set out in Attachment 3 be approved.

Background

Council Staff Relations Policy

As of March 1, 2019, municipalities are required to adopt a policy on the relationship between members of council and municipal staff. Municipalities have the flexibility to determine the content of these policies.

The relationship between council and staff is a vital component of an effective municipal government. Staff and council rely on one another to move the municipality forward. Both staff and council provide leadership; council provides political leadership, while staff provide leadership in implementing council decisions.

The relationship between staff and council is intertwined and it is important for council members and staff to respect one another's roles so that they can serve the public in an effective and efficient manner.

Earlier this year Staff retained the services of an independent consultant to solicit input from each member of Council on the development of this policy. In addition, this topic was discussed with council as part of the agenda at the February 2019, Council Education session.

The attached draft policy has been developed based on all feedback gathered from individual members of council, feedback from the Council Education Session, input from senior administrative staff and leading practice based on academic research. The specific principles outlined in the policy were identified in an academic research paper by Political Science Professor David Siegel and former Chief Administrative Officer Michael Fenn.

Staff will consult with council members and with senior leaders of the administration to develop a comprehensive guide that will support the implementation of this policy including training of staff and orienting new members of council.

Revised Respectful Workplace and Workplace Violence Policies

The City of Vaughan has had an established Respectful Workplace and Workplace Violence Program for several years. The purpose of this program is to prevent Workplace Violence, Harassment and Discrimination through proactive measures, and to ensure that the City effectively addresses and responds to Reports of Violence, Discrimination and Harassment in accordance with the Occupational Health and Safety Act and the Human Rights Code. The program includes, detailed policies, procedures for implementation, training for all staff including a pre-approved roster of investigators that can be retained when required to assist our staff in the investigation of complex cases.

Staff have reviewed the existing program and consulted with staff, members of Council, the workplace joint health and safety committees and have updated the attached policies and all procedures to reflect the input received as well as all applicable legislation. The revisions to the policies and procedures are not substantive in nature but reflect the input from stakeholders and comply with Ontario's *Occupational Health and Safety Act* (OHSA)] that sets out the rights and duties for occupational health and safety of all parties in the workplace and the latest legislative updates with regard to defining workplace sexual harassment and clarifying that workplace harassment includes sexual harassment.

The updated sections of the policies have been highlighted for ease of reference.

Financial Impact

There is no financial impact associated with the approval and implementation of these policies outside the existing approved operating budget.

Broader Regional Impacts/Considerations

There are no regional impacts associated with these policies.

Conclusion

Following a consultation with members of Council and with Staff the attached Council Staff Relations policy was developed to address the legislative requirements and provide a standard by which the Council and Staff will continue to work collaboratively to serve Vaughan citizens. This principled based policy identifies how complaints can be addressed to ensure adherence to the standard.

The revised Respectful Workplace and Workplace Violence Policies address the latest legislative updates with respect to defining workplace sexual harassment and clarifying that workplace harassment includes sexual harassment.

Attachments

1. Council Staff Relations Policy, April 1, 2019
2. Respectful Workplace Policy, April 1, 2019
3. Workplace Violence Policy, April 1, 2019

Prepared by

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