

Corporate Policy and Procedure



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| Policy | <u>Recruitment, Hiring and Involuntary Departure Procedures for Municipal Officers</u> |
| Category | Corporate |
| Authority | City Clerk's Office |
| Related Policies | Recruitment, Appointment and Contract Administration <u>Policy for Municipal Officers Reporting Directly to the Mayor or City Council</u> ; Chief Administrative Officer Recruitment, Selection and Performance Sub-Committee Terms of Reference |
| Approved By | City Council |
| Effective Date | March 22, 2021 |
| Revision Date | Tuesday, June 27, 2023 |

Policy Statement

The City of Guelph is committed to open and transparent practices for the recruitment, hiring and involuntary departure of municipal officers that report directly to City Council or are appointed by City Council in accordance with the Municipal Act or other relevant legislation.

Purpose

These procedures are designed to guide the recruitment, ~~and~~ hiring and involuntary departure of municipal officers in an efficient and transparent manner~~the Integrity Commissioner and Chief Administrative Officer.~~

Definitions

'Municipal officer' means ~~officers appointed specific positions under the Municipal Act, that who~~ report directly to City Council or are appointed and removed by City Council in accordance with the Municipal Act or other relevant legislation, including the Chief Administrative Officer and Integrity Commissioner. This includes statutory municipal officers as well as discretionary municipal officers such as the Chief Administrative Officer (CAO).

'Statutory municipal officer' means specific positions which City Council is required to appoint in accordance with the Municipal Act or other relevant legislation. This includes, but is not limited to, the Integrity Commissioner, City Treasurer, City Clerk, Chief Building Official and Fire Chief.

Recruitment, ~~and Hiring~~ and Involuntary Departure Procedures

Chief Administrative Officer

1. ~~The Chief Administrative Officer (CAO)~~ recruitment shall be undertaken as follows:

- a. The CAO Recruitment, Selection and Performance Sub-committee (the CAO Sub-committee) may be asked by the Mayor for input into the desired qualifications and job description of the ~~Chief Administrative Officer (CAO)~~.
- b. The CAO Sub-committee may engage an external search firm or direct Human Resources staff to assist in the recruitment of the CAO.
- c. The CAO Sub-committee, as well as a representative of an external search firm or Human Resources staff, shall form the interview panel for CAO recruitment.
- d. The CAO Sub-committee shall report through a confidential resolution to the Mayor or City Council, pursuant to Section 284.13 of the Municipal Act and any related Mayoral Decisions ~~through a confidential resolution~~, with a recommended CAO candidate for ~~City Council's~~ approval.

~~2. City Council may meet to discuss the CAO Sub-committee's recommended candidate in a closed session, however, an open resolution of City Council is required to appoint the CAO. The involuntary departure of the CAO shall be undertaken as follows:~~

- a. Pursuant to Section 284.13 of the Municipal Act and any related Mayoral Decisions, City Council may meet to discuss and approve the involuntary departure of the CAO, in accordance with the City's Procedure By-law, and shall include in that discussion the Deputy Chief Administrative Officer (DCAO), Corporate Services and the General Manager, City Clerk's Office/City Clerk.
- e.b. Pursuant to Section 284.13 of the Municipal Act and any related Mayoral Decisions, the Mayor may approve the involuntary departure of the CAO.

Integrity Commissioner

~~2.3.~~ The Integrity Commissioner Recruitment shall be undertaken as follows:

- a. The CAO, having been granted delegated authority by City Council, will undertake the recruitment of an Integrity Commissioner whenever a vacancy in the position arises.
- b. The CAO will conduct the recruitment of an Integrity Commissioner through a request for proposal which includes an interview component.
- c. The CAO and City Clerk shall form the interview panel for Integrity Commissioner recruitment.

d. Following the recruitment and appointment of the Integrity Commissioner by the CAO, a formal appointment by-law will be brought forward for City Council approval.

e. The CAO shall report on the exercise of their delegated authority via an information report as soon as possible after an agreement with a successful candidate has been finalized.

4. The involuntary departure of the Integrity Commissioner shall be undertaken as follows:

a. City Council may meet to discuss and approve the involuntary departure of the Integrity Commissioner, in accordance with the City's Procedure By-law, and shall include in that discussion the CAO and the General Manager, City Clerk's Office/City Clerk.

Statutory Municipal Officers Appointed and Removed by City Council

5. The Municipal Act, and other relevant pieces of legislation, require that City Council appoint specific statutory municipal officers by by-law. In accordance with Section 23.3 and 284.6 (3) of the Municipal Act, the appointment and removal of these officers may not be delegated by City Council to City staff and is not included in the Mayor's powers regarding organizational structure.

6. The recruitment of statutory municipal officers shall be undertaken as follows:

a. In general accordance with the recruitment and hiring practices for Non-Union Municipal Employees as set by the CAO and DCAO, Corporate Services, with the following exceptions:

i. An employment agreement with an individual selected to hold the position of a statutory municipal officer must be conditional upon the approval by City Council of a by-law appointing the individual as a municipal officer.

ii. The appointing by-law referenced above shall be brought before City Council at the earliest opportunity following the signing of an employment agreement.

7. The involuntary departure of statutory municipal officers shall be undertaken as follows:

a. In general accordance with the involuntary departure practices for Non-Union Municipal Employees as set by the CAO and DCAO, Corporate Services, with the following exceptions:

i. A by-law to approve the involuntary departure of a statutory municipal officer shall be brought before City Council at the earliest opportunity following the involuntary departure.

ii. The CAO and DCAO, Corporate Services, may bring forward to City Council appointing by-laws for interim positions as necessary and in compliance with the Municipal Act and other relevant legislation.