


<b>Policy Title:</b> Hiring Policy			<b>Policy Number</b> HUR 040
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<b>Approval: Chief Administrative Officer</b> 		<b>Point of Contact :</b> Director, Human Resources	

### Policy Objective

The objective of this Policy is to:

1.     Establish fair and consistent employment practices.
2.     Ensure that vacant positions are filled in a fair and consistent manner, recognizing the bona fide requirements and characteristics of the position being filled.
3.     Ensure compliance with governing legislation, policy and conditions specified by the City's collective agreement(s) with its unionized employee group(s).
4.     Ensure that an adequate range of qualified individuals are attracted for all vacancies.

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### 01 Definitions

- 01.01 Accessible Formats – include but are not limited to large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities.
- 01.02 Applicant – An external individual submitting a job application for employment with the City.
- 01.03 Candidate – An existing employee submitting a job application for a posted vacancy.
- 01.04 Children - From birth to 18 years of age.
- 01.05 Common-Law Spouse - An adult who cohabits with a member of the same or opposite sex in a conjugal relationship outside of marriage.
- 01.06 Communication Supports – Includes but is not limited to captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.
- 01.07 Criminal Reference Check - A check undertaken through the police department on individuals to determine whether they have a record of offences.
- 01.08 Direct Reporting Relationship - A reporting relationship where an individual has the authority to directly control the activities or work assignments of another employee (as in a supervisor/subordinate relationship).
- 01.09 Disability
  - a) Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or in a wheelchair or other remedial appliance or device.
  - b) A condition of mental impairment or a developmental disability.
  - c) A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.

- d) A mental disorder.
  - e) An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”).
- 01.10 Employment Reference - Telephone contact with company officials who have supervised the applicant and who have direct knowledge of the applicant’s work record and job performance.
- 01.11 Immediate Family - A husband, wife, including common-law spouse, children, including foster or step children, of an employee.
- 01.12 Immediate Relative - The parents, brothers, sisters, including foster or step, parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, grandparents, grandchildren, or any other relative living with an employee.
- 01.13 Moving Expenses - The reasonable costs of packing, unpacking, cartage and freight of an employee’s household effects to the City of Pickering. It will be incumbent upon the prospective employee to provide to the employer three estimates on moving costs prior to authorizing final arrangements.
- 01.14 MTO Signing Authority – The individual(s) authorized by the Ministry of Transportation Ontario to conduct Driver Abstract searches.
- 01.15 Nepotism - Employment preference or other favouritism shown to immediate family or immediate relatives.
- 01.16 Non-Resident Employee - For the purpose of determining relocation assistance under this Policy, a non-resident employee is a new employee who has been appointed to a position with the City of Pickering and who does not reside in the City of Pickering, the surrounding area or within commuting distance of the City.
- 01.17 Probationary/Trial Period - A set amount of time during which a new employee appointed to a position must demonstrate the ability to effectively discharge the full range of duties of the position and during which the employer may assess the employee’s competence and suitability for the position.
- 01.18 Relocation Expenses
- a) The cost of public transportation (air, rail, bus) of an employee and immediate family to the City of Pickering.
  - b) Includes the cost of gas, meals and hotel accommodation for the employee and immediate family if traveling is completed by automobile to the City of Pickering.
  - c) Accommodation and meals at a local hotel for a period of not more than fourteen (14) days to allow the employee to make accommodation arrangements.
- 01.19 Supervisor – Immediate Non-Union Supervisor.

- 01.20 Trial Period - A set amount of time during which an existing employee appointed to a new position must demonstrate the ability to effectively discharge the full range of duties of the position and during which the employer may assess the employee's competence and suitability for the position.
- 01.21 Vacancy – When the City declares a position open and ready to be filled by advertising the position by a job posting.
- 01.22 Vulnerable Sector – Persons who, because of their age, a disability or other circumstances, whether temporary or permanent are:
- a) in a position of dependence on others; and
  - b) otherwise at greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.
- 01.23 Vulnerable Sector Screening – A check undertaken through the police department on individuals to determine whether they have a record of offences involving the vulnerable sector.
- 01.24 Interview Panel – Consists of Human Resources representative, representative(s) from the hiring department (typically the immediate non-union Supervisor).

## **02 Responsibilities**

- 02.01 Chief Administrative Officer (CAO) to:
- a) approve the filling of all permanent vacancies; and
  - b) authorize negotiated entitlements related to compensation and vacation for non-union employees.
- 02.02 Director to:
- a) identify staffing requirements and work with the Human Resources Department to provide staffing within their department;
  - b) review duties and qualifications of vacant positions and prepare up-to-date and accurate job descriptions;
  - c) review and authorize all staffing actions initiated within their jurisdiction; and
  - d) participate in the individual selection process as appropriate.
- 02.03 Division Head/Supervisor to:
- a) initiate Employment Requisitions (see Appendix 1) for staffing within their area of responsibility;
  - b) participate in the development of interview packages;
  - c) participate in the individual selection process; and
  - d) arrange for employee and position orientation on employee's first day on the job.

02.04 Human Resources Department to:

- a) prepare Internal Job Postings and external advertisements for job competitions;
- b) receive and review all resumes and job applications (see Appendix 2 and 3) in relation to selection criteria;
- c) assist client department in the development of interview questions;
- d) coordinate and participate in the individual selection process.
- e) ensure that interviews and hiring decisions are undertaken in a fair and consistent manner and in compliance with governing legislation, policy and terms and conditions in collective agreement(s);
- f) arrange relocation assistance where appropriate; and
- g) provide new employee with benefit orientation and enrolment.

**03 Procedures/General Provisions**

- 3.01 The Director initiates employment requisition and forwards to Human Resources with appropriate approvals.
- 3.02 Posting and filling of jobs falling within the scope of a collective agreement will be carried out in accordance with the requirements of the respective collective agreement. The posting shall summarize typical duties of the position, minimum entry qualifications, salary range or pay grade and application deadline.
- 3.03 All non-union job postings may be advertised internally and externally at the same time in the interests of expediting the filling of a vacancy.
- 3.04 Human Resources reviews applications received according to standards identified in the job description. For union positions, Human Resources will also verify the candidate's seniority date.
- 3.05 Testing of required knowledge, skills and abilities may form an integral part of the screening process. Accommodation needs of an individual due to a disability will be addressed.
- 3.06 Interviews take place and applicants are rated against selection criteria.
- 3.07 The Interview Panel recommends a suitable individual to the Director and, if applicable, the CAO.
- 3.08 Once final approvals are obtained, Human Resources makes a conditional offer of employment to the successful individual and subject to a satisfactory pre-employment medical and/or a satisfactory criminal reference check/vulnerable sector screening.
- 3.09 Upon acceptance by the individual, Human Resources will notify the hiring department of the employee's commencement date. If an internal candidate has

been selected to fill a position, the employee's start date in the new position is established through mutual agreement by the two Directors involved.

- 3.10 Human Resources will notify all unsuccessful internal candidates and external applicants interviewed that the vacancy has been filled.
- 3.11 Human Resources will prepare an individual accommodation plan in consultation with the employee, where applicable a union steward (at the employee's request) and an outside medical or other expert at the City's expense.
- 3.12 Human Resources will arrange for the employee's benefit enrolment.
- 3.13 The immediate non-union Supervisor will schedule the employee for the first available orientation session.

#### **04 Non-Discrimination**

In accordance with the *Ontario Human Rights Code*, the City will provide equal opportunity for employment to all qualified individuals without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identity, gender expression, sexual orientation, age, record of offences, marital status, family status or disability.

#### **05 Accessible Employment Standards**

In accordance with the Employment Standard set forth under the *Accessibility for Ontarians with Disabilities Act, 2005*, the City shall follow the principles of dignity, independence, integration and equal opportunity by addressing the following:

##### **5.01 Recruitment, Assessment and Selection**

The City will notify employees and the public about the availability of accommodations during the recruitment process. Suitable accommodations will take into account the applicant's accessibility needs due to a disability. Employees will be notified upon hire of the City's policy to accommodate employees with disabilities and will be provided with updated information whenever there is a change to accessibility policies.

##### **5.02 Accessible Formats and Communication Supports for Employees**

Where an employee with a disability so requests it, the City must provide or arrange for the provision of accessible formats and communication supports for the following:

- a) information needed in order to perform their job; and
- b) information that is generally available to all employees in the workplace.

##### **5.03 Workplace Emergency Response Information**

The City shall provide individualized workplace emergency response information to employees who have a disability, if the disability is such that the individualized information is necessary and the employer is aware of the need for accommodation due to the employee's disability. The individualized workplace emergency response information must be provided **as soon as practicable** after the employer becomes aware of the need for accommodation due to the employee's disability.

The City shall provide the workplace emergency response information to the person designated by the employer to provide assistance to the employee.

This information shall be reviewed:

- a) when the employee moves to a different location;
- b) when the employee's overall accommodations needs or plans are reviewed; and
- c) when the employer reviews its general emergency response policies.

#### 5.04 Individual Accommodation Plans

The City of Pickering is committed to accommodating people with disabilities and will use the following process to identify and meet employee accommodation needs.

##### a) Recognize the need for accommodation

Accommodation can be:

- requested by the employee
- identified by the employee's manager or hiring manager

##### b) Gather relevant information and assess individual needs

The employee is an active participant in this step

- Information will be collected on the employee's functional abilities, not the nature of the employee's disability
  - The employee's personal information, including medical information, is kept secure and dealt with in a confidential manner. It will only be disclosed to individuals who need it to perform the accommodation process.
- The employee and their manager will work together to find the most appropriate accommodation
  - A medical or other expert may be engaged (at the company's expense) to help determine if/how the employee's needs can be accommodated
  - The employee may ask a bargaining agent or other workplace representative to participate in the process

##### c) Write an individual accommodation plan

After identifying the most appropriate accommodation(s), the details will be documented in a written plan, including:

- What accommodation(s) will be provided
- How to make information accessible to the employee, including accessible formats and communication supports
- Employee emergency information and/or emergency response plan (if applicable)
- When the plan will be reviewed and updated

The manager will give the employee in an accessible format (if required), a copy of the individual accommodation plan, or written reasons for denying accommodation.

d) Implement, monitor and update the plan

After implementing the accommodation plan, the employee and their manager will monitor and review the plan to ensure that it is effective. Formal reviews and updates will take place on the mutually agreed upon, predetermined schedule in the employee's accommodation plan. If the accommodation is no longer appropriate, the employee and the manager will reassess the situation (step b) and update the plan.

The accommodation plan will also be reviewed and updated if:

- the employee's work location or position changes
- the nature of the employee's disability changes

5.05 Return to Work and Performance Management

- a) The return to work process set out in Attendance Management Procedure HUR 130-025 outlines the steps the employer will take to facilitate the return to work of employees who were absent because their disability required them to be away from work. **Individual accommodation plans will be used as part of this process.**
- b) The accessibility needs of employees must be respected when utilizing performance management tools.
- c) When providing career development and advancement to employees, the City shall take into account the accessibility needs of its employees with disabilities as well as any individual accommodation plans.

## 06 Job-Related Medical Examination

The objective of a job-related medical examination is to ensure that individuals are medically and physically capable of performing the essential duties of the position for which they have been given a written conditional offer of employment. The medical examination shall relate to the individual's physical and/or mental ability to carry out the



essential duties of the job and may be required upon appointment to permanent positions or positions which demand a greater degree of physical effort or fitness.

## **07 Verification of Credentials**

Successful individuals will be required to submit originals of all degrees, diplomas or other relevant documents which they claim to hold, to Human Resources. Copies will be maintained in the employee's personnel file for future reference.

## **08 Reference Verification**

Employment references must be completed and documented prior to issuing an offer of employment. Human Resources conduct all external reference checks using a Telephone Reference Check form. Typically this will involve contact with at least three (3) previous supervisors of an external applicant.

The Human Resources Department will obtain written authorization from the applicant prior to conducting a reference check. (Refer to Appendix 4 – Employment Reference Consent Form) Only the references provided by the applicant on the Employment Reference Consent Form will be contacted.

## **09 Unsolicited Applications**

Unsolicited applications for employment will be retained in the Human Resources Department for a period of six months. Unsolicited applications received by supervisors and elected officials should be forwarded to Human Resources in all instances immediately upon receipt.

## **10 Documentation**

In accordance with the administrative requirements set out in the *Municipal Freedom of Information and Protection of Privacy 1990 Act* (MFIPPA), all recruitment and selection related data is to be retained in the Human Resources Department, or under custody and control of the City Clerk.

Upon completion of the interview process, interview panel members are required to return all documentation contained within the interview package to Human Resources for central filing. Documentation related to the interview and selection process will be retained within Human Resources for a period of four years.

## **11 Nepotism**

The City of Pickering recognizes that all qualified individuals should be provided with the opportunity to be considered for employment and that family relationships should not unduly or unfairly restrict an individual's right to seek employment opportunities. The fact

that a potential employee is related to an existing employee should neither prejudice nor advance that person's hiring opportunities.

- 11.01 Any attempts at interference, undue influence or coercion relating to employment shall be reported immediately to the CAO for investigation.
- 11.02 The hiring of immediate family or immediate relatives of employees is not appropriate in situations where the related employees would be in a direct reporting relationship.
- 11.03 Members of immediate family or immediate relatives shall not participate in the recruitment, promotion or selection process where a candidate is an immediate family or immediate relative.

## **12 Driver's Licence**

Where a position requires a valid driver's licence, the following guidelines will apply.

- 12.01 The City will determine all jobs within the City where the ability to drive is an essential requirement of the position. This requirement will be identified in the job description.
- 12.02 Individuals in positions that require the ability to drive a City vehicle will be required to sign a Driver's Abstract Consent Form (see Vehicle Use Policy ADM 020 Appendix 1) and provide a copy of their valid Ontario Driver's Licence of the correct class for the vehicle to be driven, after a conditional offer of employment has been made.
- 12.03 The City's MTO Signing Authority will arrange to have a semi-annual driver abstract search undertaken for all employees who operate City vehicles and equipment.
- 12.04 Individuals in positions that require the ability to drive a personal vehicle shall complete a Contract for Personal Vehicle Use form and Confirmation of Liability Insurance Coverage form (see Vehicle Use Policy ADM 020 Appendix 2 and 4), only after a conditional offer of employment has been made.

## **13 Contract Staff**

- 13.01 Guidelines
  - a) Individuals may be hired on an employment contract basis to perform specific functions for a specified period of time. Establishment of such contracts shall not violate the provisions of the City's collective agreement(s).

- b) Benefits will be provided to contract individuals in accordance with governing legislation. Additional benefits may be provided as negotiated between the respective parties.
- c) Contracting of individuals shall be undertaken within the constraints of departmental budgets or other approved funding and will be subject to the approval of the CAO.
- d) Each contract is subject to such terms and conditions as may be negotiated between the City and the individual contractor.
- e) Contracts will be prepared by the Human Resources Department in accordance with established format and procedures.

#### 13.02 Recruitment Consultants

- a) The City recognizes that it may be necessary to rely on the services of outside management consultants to assist in the identification and referral of applicants for certain positions. Outside consultants may be retained by the City for:
  - i. senior managerial positions, including the CAO, where it has been determined that a consultant may be better able to attract well-qualified applicants; and
  - ii. professional or specialized technical positions where it has been determined that suitably qualified applicants with specialized skills cannot be attracted by more conventional and traditional approaches to recruitment.
- b) Use of consultants will be subject to review and approval of the CAO and Purchasing Policy PUR 010. If recruiting is for the position of CAO, Council or its designated representatives will be responsible for coordinating the selection and retention of outside consultants and for liaison during the recruitment and selection process.

### 14 Relocation Assistance

- 14.01 Relocation assistance ensures that a qualified applicant will not be prevented from accepting employment with the City because of the expense of relocation when (see Relocation Expense Service Agreement form HUR 040 Appendix 5):
  - a) the position is a key position for which there is no suitably qualified individual available within the City of Pickering or in the immediate vicinity;
  - b) it is mandatory that the position be filled as quickly as possible; and

- c) the Director recommends, and the CAO concurs, that such recruitment incentive is appropriate in the specific circumstances.

14.02 The City may assist newly appointed non-resident employees with relocation assistance upon written acceptance of an offer of employment.

14.03 The City will recover on a pro-rata basis, any relocation assistance paid to an employee who resigns or is terminated from employment for just cause within twenty-four (24) months of commencement of employment. Relocation assistance may include both moving expenses and relocation expenses.

## **15 Probationary/Trial Periods**

15.01 The City of Pickering recognizes the importance of a period of evaluation for employees appointed to positions as a result of competition, promotion or transfer. Permanent appointments to all positions within the City shall be subject to satisfactory performance during the probationary/trial period.

- a) Unionized employees will serve a probationary/trial period in accordance with the provisions of the City's collective agreement(s) with its unionized employee group(s).
- b) The standard probationary/trial period for non-union employees of the City shall be six working months. Any single period of absence during the probationary period in excess of 5 working days, for any reason, shall be added to the probationary period.

## **16 Criminal Reference Check/Vulnerable Sector Screening**

16.01 The City recognizes the importance of ensuring the personal safety and well-being of its employees and the safety and well-being of those members of the community who are receiving services. The City will undertake a Criminal Reference Check for all full-time and part-time volunteers, existing employees who have applied successfully and external applicants who will, as a result of their positions, meet one or a combination of the following criteria:

- a) employees who occupy a position of trust, financial or otherwise. Otherwise is defined as the level of authority, importance of contacts, impact on the City's image/reputation, and access to confidential/privileged information with the ability to control or manipulate data;
- b) employees who are required to enter private residences on a regular basis;
- c) all levels of management; and

- d) employees who as part of their job requirements, work directly and interact with the vulnerable sector will form the basis for a Vulnerable Sector Screening.

#### 16.02 Guidelines

Criminal Reference Checks/Vulnerable Sector Screenings shall be carried out in accordance with the Ontario Human Rights Code. The Code prohibits discrimination on the basis of a person's record of offenses which is defined as:

- a) an offense in respect of which a pardon has been granted under the *Criminal Records Act* and has not been revoked; and
- b) An offense in respect of any provincial enactment.

A record of offenses does not include a conviction under the Criminal Code, *Narcotics Control Act*, *Food and Drug Act* or Federal Criminal Enactment for which a pardon has not been granted or for which a pardon has been granted and revoked.

### Appendices

- Appendix 1      Employment Requisition
- Appendix 2      Internal Application Form
- Appendix 3      Employment Application Form
- Appendix 4      Employment Reference Consent Form
- Appendix 5      Relocation Expense Service Agreement

This policy will be supported with a detailed operating procedure which will address the actionable items of those directly involved in recruitment and their respective responsibilities.