

1. APPLICATION

1.1 This policy applies for both existing and new non-unionized positions in the organizational structure and to all managers and supervisors having responsibility / a role in regard to recruiting and selecting personnel to fill a non-unionized vacancy in the Municipality of the County of Annapolis (hereafter referred to as “the County”).

2. AUTHORITY

2.1 Sections 31, 32, 46, 48 and 65 *Municipal Government Act*

3. DEFINITIONS

3.1 **Employee** – For the purposes of this policy, an employee is any person who has agreed to perform specified services for the County in exchange for compensation.

3.2 **Temporary Employee** – For the purposes of this policy, a Temporary Employee is any person who has agreed to perform specified services for the Municipality in a Temporary Position in exchange for compensation.

3.3 **Temporary Position** – A temporary position is any employment position which is offered for a limited time period of one year or less. A temporary position is not a permanent employment position. Once the limited time period for a temporary position comes to an end, that temporary position will cease to exist.

3.4 **Councillor** – A member of Municipal Council.

3.5 **Relative** – A relative includes any person who is a spouse, child, grandchild, sibling, parent, grandparent, or fiancée of an employee or councillor. This definition shall also include a person with whom an employee or councillor resides, or a relative (as above) of a person with whom an employee or councillor resides.

3.6 **Conflict of Interest** - Any situation in which an employee or councillor, either for himself / herself or some other person(s), attempts to promote a private or personal interest which results in the following:

- a) An interference with the objective exercise of his or her duties;
- b) A gain or advantage by virtue of his or her position.

3.7 **Vacancy** – A vacancy occurs when a new position is created or a staff person resigns from a position which the CAO determines will need to be filled.

4. POLICY INTENT

4.1 To ensure a process that is transparent, consistent and complies with all legislative requirements.

5. SPECIFIC REQUIREMENTS

Public Competition for Vacancies

5.1 An open, publicly-advertised employment competition is a mandatory part of the selection process.

- 5.2 Notwithstanding the foregoing, when Municipal Council has approved a substantial administrative restructuring, the Chief Administrative Officer may re-assign, transfer, second, or promote current employees to new or re-developed positions (*temporary or permanent*).
- 5.3 When a vacancy occurs or a new position is created, the County shall post notice of the position on all bulletin boards for a minimum of one week.

Executive Search and Placement Consultants

- 5.4 The municipality recognizes that it may be necessary to rely on the services of outside management consultants to assist in the identification and referral of candidates for certain positions. Outside consultants may be retained by the municipality for:
- a) senior managerial positions, including the Chief Administrative Officer, where it has been determined that a consultant may be better able to attract well-qualified candidates;
 - b) professional or specialized technical positions where it has been determined that suitably qualified candidates with specialized skills cannot be attracted by more conventional and traditional approaches to recruitment.
- 5.5 Use of consultants will be subject to review and approval of the Chief Administrative Officer.
- 5.6 If recruiting is for the position of Chief Administrative Officer, Municipal Council with the support and advice of the Director of Human Resources, will be responsible for the selection and retention of outside consultants for the selection process. The consultant may be hired to conduct the recruitment, short list and pre-interview process and to make appropriate recommendations.
- 5.7 Municipal Council will conduct final interviews for the position of Chief Administrative Officer. Any offer of employment shall be provided in writing and approved by the Municipal Council.

Hiring of Relatives

- 5.8 Relatives may be employed only where:
- a) they will not be working directly for or supervising a relative; and
 - b) there are no other circumstances which might lead to potential conflict among the parties or conflict between the interests of one or both parties and the best interests of the municipality.
- 5.9 Employees shall not be transferred into a reporting relationship described in the paragraphs above. Exceptions will be made for situations which were in effect at the time of initial issuance of this policy.

- 5.10 An employee or councillor who is related to a candidate for employment must declare an interest and shall not be involved in any aspect of the recruiting process so as to avoid any conflicts of interest or allegations of preferential treatment.
- 5.11 In circumstances where a conflict of interest or potential for conflict arises, even if there is no supervisory or familial relationship involved, the parties may be separated by reassignment, if possible, at the sole discretion of the CAO.

Interview Process

- 5.12 Interview panel members are required to disqualify themselves as participants in the selection process when:
- a) their objectivity would be compromised, or is likely to be perceived to be compromised;
 - b) a candidate is a relative of the employee.
- 5.13 Any misrepresentations, falsifications, or material omissions in any data requested on the Employment Application or data requested during the hiring documentation process shall result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment for cause, without notice or compensation in lieu of notice. This includes agreeing to and providing information necessary to complete a current criminal background check which shall be mandatory for all new employees. Additionally, any employee working with children shall be required to provide a current child abuse registry check.
- 5.14 The County checks the employment references of all final candidates for employment. Offers of employment are contingent upon obtaining satisfactory reference checks. In order to protect an applicant's privacy and so as not to jeopardize his or her current employment, reference checks with a candidate's current employer are not made unless the candidate's permission is obtained.
- 5.15 Employees whose work requires operation of a motor vehicle must present and maintain a valid driver's license and a driving record acceptable to the County's insurer.

Temporary Positions

- 5.16 The Municipality, under the discretion and authority of the CAO, may create temporary positions and hire temporary employees. Temporary positions are to be used for a specific need or purpose of the Municipality and must have a pre-determined end date. Temporary positions shall not exceed twelve (12) months in length.
- 5.17 The creation of a temporary position or the hiring of a temporary employee are exempt from subsections 5.1 and 5.3.

6. RESPONSIBILITIES

6.1 Chief Administrative Officer - In accordance with the *Municipal Government Act*, the CAO is the head of the administrative branch and is responsible to the council for the proper administration of the affairs of the municipality in accordance with the County's by-laws and policies. He / she has the authority to appoint, suspend and remove all employees of the municipality, with power to further delegate this authority. It is the function of the Chief Administrative Officer to maintain order, discipline and efficiency, and to hire, promote, transfer, classify and reclassify employees. This includes the right to discipline, suspend, lay-off, demote, or discharge any employee. Further, the Chief Administrative Officer has the authority to adopt a system of classification and to determine salaries and wages for municipal officers and employees.

Director of Human Resources - The Director of Human Resources must review and approve / initial all job descriptions, hiring plans, and offers of employment prior to being given to the Chief Administrative Officer for final approval.

6.2 Other staff responsibilities are in accordance with Standard Operating Procedures as approved by the Chief Administrative Officer.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice.....	<i>November 12, 2020</i>
Council Approval	<i>November 19, 2020</i>
<u><i>Carolyn Young</i></u>	<u>November 19, 2020</u>
Municipal Clerk	Date
<i>At Annapolis Royal Nova Scotia</i>	

Effective 96/06/18, Amended 97/05/20 Amended 2009/03/17
97/05/20 Amendment - Section 6.6 added, former Section 6.6 renumbered as 6.7 and Section 2 updated
09/03/17 Amendment to unify hiring processes for both new and vacant positions, all positions will be open to public competition
Repealed and Replaced 2012/08/21
2014/12/16 Amended to add the following section:
Notwithstanding the foregoing, when Municipal Council has approved a substantial administrative restructuring, the Chief Administrative Officer may re-assign, transfer, second, or promote current employees to new or re-developed positions (temporary or permanent).
2015/05/19 Amended to add the word “non-unionized” in Sub-section 1.1
2017/05/16 Amended as follows:
Added Sub-sections 3.2 and 3.3 (Re-numbered subsequent sections accordingly);
Added Sub-sections 5.16 and 5.17.
2020/11/17 Amended as follows:
Deleted Sub-sections 5.8 b) and c)
“b) they will not be working directly above or for the relative's immediate superior; and
c) they will not be working directly for the relative's immediate subordinate; and”
Added header before Sub-section 5.12 “*Interview Process*”