

2022-06-13 Special COTW Agenda Package

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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

SPECIAL COMMITTEE OF THE WHOLE

AGENDA

Monday, June 13, 2022

10:00 a.m.

Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS



- 10:00 a.m.**
- 1. ROLL CALL**
 - 2. DISCLOSURE OF INTEREST**
 - 3. APPROVAL of the AGENDA (Order of the Day)**
THAT the Order of the Day be approved as circulated.
 - 4. NEW BUSINESS**
 - 4.1 Recommendation Report AM-1.2.0 Committees of Council and Council Meetings - Procedures Policy NEW**
THAT municipal council repeal *AM-1.2.0 Council Meetings and Procedures Policy* and *AM-1.3.5 Committees of Council Policy*, and approve *AM-1.2.0 Committees of council and Council Meetings – Procedures Policy* as circulated.
 - 4.2 Recommendation Report AM-2.1.1 Personnel Policy NEW**
That Municipal Council approve *AM – 2.1.1 Personnel Policy* as circulated.
 - 5. ADJOURNMENT**
THAT the Special Committee of the Whole adjourn its meeting.



COUNTY of ANNAPOLIS
NATURALLY ROUTED

RECOMMENDATION REPORT

To: Committee of the Whole
Submitted by: Carolyn Young, Municipal Clerk
Date: April 12, 2022
Subject: AM – 1.2.0 Committees of Council and Council Meetings – Procedures Policy New

RECOMMENDATION

That Municipal Council repeal AM-1.2.0 Council Meetings and Procedures Policy and AM-1.3.5 Committees of Council Policy, and approve AM-1.2.0 Committees of Council and Council Meetings - Procedures Policy as circulated (seven-day notice).

LEGISLATIVE AUTHORITY

Sub-section 19 of *Municipal Government Act*, as amended (Bill 98 April 2021)

BACKGROUND

Pursuant to a routine review of the AM-1.2.0 Council Meetings and Procedures Policy and the AM-1.3.5 Committees of Council Policy, it was deemed by staff to be more prudent to combine and clarify the contents of the two and present a new, more concise policy.

FINANCIAL IMPLICATIONS

None anticipated

POLICY IMPLICATIONS

N/A

ALTERNATIVES / OPTIONS

No other options recommended.

NEXT STEPS

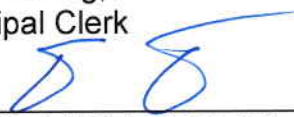
In accordance with Sub-section 48 (1) of the *Municipal Government Act*, seven-day notice to Municipal Council is required before a policy is passed, amended or repealed.

ATTACHMENTS

AM – 1.2.0 Committees of Council and Council Meetings Procedures Policy

Report Prepared by: Wanda Atwell,
RM Coordinator / Deputy Municipal Clerk

Report Reviewed by: Carolyn Young,
Municipal Clerk

Report Approved by: 

CAO David Dick, CPA CA

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GENERAL

The procedural requirements in the Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation.

In this Policy, unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.

- a) "business day(s)" means a day when the administrative offices of the Municipality of the County of Annapolis are open for business;
- b) "CAO" means Chief Administrative Officer of the Municipality of the County of Annapolis;
- c) "Chair" means the presiding officer;
- d) "Clerk" means the Clerk of the Municipality of the County of Annapolis;
- e) "Council" means the Municipal Council of the Municipality of the County of Annapolis;
- f) "Councillor(s)" include(s) the Warden and Deputy Warden;
- g) "majority" means more than one half of those present;

This policy shall be applicable for Committees of Council and Council meetings of Municipal Council, and include periods of adjournment to "in camera". The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern all cases to which they are applicable and in which they are not inconsistent with provincial legislation or the bylaws, policies or procedures of the municipality.

MEETINGS

Committees of Council and Council meetings shall be held in person in the Council chambers of the Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS; however, Council and Special Council meetings can be conducted by video conference under certain circumstances as outlined in the *Council Videoconferencing Policy, AM-1.2.0.1*.

- 1) **INAUGURAL MEETING** - the Inaugural meeting of Council shall take place on the first Monday following the 10-day appeal period of a municipal election. The Clerk shall preside as Chair of the meeting until such time as the Warden is elected.
- 2) **REGULAR MEETINGS OF COMMITTEE OF THE WHOLE** - meetings of the Committee of the Whole shall be held on the **second Tuesday of each month at 10:00 AM** with Notice of Meeting to the public at least five (5) business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

There shall be no regular meeting during the month of August.

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- 3) **REGULAR MEETINGS OF COUNCIL** - meetings of Council shall be held on the **fourth Tuesday of each month at 10:00 AM** with Notice of Meeting to the public at least five (5) business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.
- 4) **SPECIAL MEETINGS OF COMMITTEE OF THE WHOLE OR COUNCIL**
A special meeting may be convened by resolution or consensus at a previous meeting three or more days in advance of the special meeting, or by the CAO or Clerk on behalf of the Warden, owing to unforeseen circumstances, provided the Warden believes that the majority of councillors would support such a step.
- 5) **COMMITTEES OF COUNCIL MEETINGS**
Committee(s) shall meet at such time and place which it sets at a preceeding meeting or at such other time and place as municipal council, the committee's Chair, or a quorum of committee councillors may set by providing notice of meeting to all committee councillors at least five (5) business days in advance.
- 6) **IN-CAMERA**
All meetings of Committees of Council and Council, regular or special, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.

Such meetings may be closed to the public when the subject matter under consideration involves the following matters under Section 22(2) of the *Municipal Government Act*:

- a) acquisition, sale, lease and security of municipal property;
- b) setting a minimum price to be accepted by the municipality at a tax sale;
- c) personnel matters;
- d) labour relations;
- e) contract negotiations;
- f) litigation or potential litigation;
- g) legal advice eligible for solicitor-client privilege; and
- h) public security.

When In-Camera matters are listed on the Committee of the Whole agenda, such matters will follow Presentations as the third order of business.

When In-Camera matters are listed on the Council agenda, such matters will follow Roll Call as the second order of business.

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Direction may be given to staff In-Camera; however, any motions forthcoming from In-Camera discussions must be added to the agenda under New Business and adopted during the open portion of the meeting.

Minutes of a closed meeting will be recorded, circulated physically by the Clerk, and approved at the next meeting. Approved minutes are signed by the Warden and Clerk and kept in the Clerk's office. Councillors may peruse the physical minutes at any time.

7) MEETINGS BY VIDEOCONFERENCE – a meeting may be conducted by videoconference if, at least two (2) days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted, or if the Warden determines that there is an emergency whereby the meeting may be conducted without notice or with such notice as is possible in the circumstances, and as further outlined in the *Council Videoconferencing Policy, AM-1.2.0.1*.

8) WARDEN'S ABSENCE

In the case of the absence of the Warden from the Municipality, or if absent through illness, or by refusing to act or the office is vacant, the Deputy Warden shall act in the place and stead of the Warden, and shall have all the rights, powers, and authority of the Warden, while so acting.

9) CALLING THE MEETING TO ORDER AND QUORUM

As soon after the hour fixed for the holding of the meeting, and quorum is present, the Warden shall take the Chair and call the meeting to order.

10) QUORUM

A Quorum shall be a majority of the councillors.

11) NO QUORUM

If no Quorum is present 15 minutes after the time appointed for a meeting, the Clerk or recording secretary shall record the names of the councillors present and the meeting shall stand adjourned until the date of the next regular meeting.

12) THE CONDUCT OF PROCEEDINGS AT A MEETING

It shall be the duty of the Warden or other presiding officer:

- a) to open the meeting by taking the Chair and calling the councillors to order;
- b) to announce the business before the meeting in the order in which it is to be acted upon;
- c) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- d) to decline to put to vote motions which infringe the rules of procedure;
- e) to restrain the councillors, within the rules of order, when engaged in debate;
- f) to call by name any councillor persisting in breach of the rules of order of Municipal Council, thereby ordering them to vacate the Council chambers;

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- g) to inform the Council, when necessary or when referred to, on a point of order;
- h) to permit the CAO or Clerk to speak on any point upon request;
- i) to permit proper questions to be asked through the Chair of any official or employee of the County, or any member of the public in attendance, to provide information to assist in debate;
- j) to authenticate by their signature when necessary, the minutes of Committee of the Whole and Council; and
- k) to adjourn the meeting when business is concluded.

The presiding officer may state their position on any matter before the meeting without leaving the Chair, but only after all other councillor comments have been heard. It shall not be permissible for the presiding officer to debate the question without first leaving the Chair and after having appointed the Deputy Warden to preside in their place during their remarks.

13) AGENDA

- a) any councillor, no later than six (6) business days prior to the meeting, may file in writing, an item for inclusion in the agenda under New Business. Items are to include background information and proposed motion.
- b) the business of the meeting shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the councillors, and the Order of the Day amended.
- c) an item of business not listed on the agenda cannot be introduced at a meeting without the approval of the councillors **by unanimous consent**.
- d) the Clerk shall have prepared and provided electronically for the use of the councillors at the regular meetings of Committee of the Whole an agenda under the following headings:

AGENDA

**for the Municipality of the County of Annapolis
Committee of the Whole Meeting**

to be held on Tuesday, _____, 20__, 10:00 AM

Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal

Roll Call

Presentations

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

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Correspondence

Staff Reports

Recommendations and Reports from Boards and Committees

Business Arising from the Minutes

New Business

Adjournment

- e) The Clerk shall have prepared and provided electronically for the use of the councillors at the regular meetings of Council an agenda under the following headings:

AGENDA
for the Municipality of the County of Annapolis
Council Meeting

to be held on Tuesday, _____, 20 __, 10:00 AM

Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal

Roll Call

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

COTW Consent

Business Arising from the Minutes

New Business

Councillor's Comments (Good of the Order)

Media Question Period

Adjournment

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[Definitions / Processes of Agenda Items \(in alphabetical order\):](#)

Adjournment – the Warden or Chair shall declare the meeting adjourned.

Approval of the Agenda – the agenda, once approved by motion, confirms the Order of the Day.

Approval of the Minutes – Minutes shall record:

- a) the place, date and time of meeting;
- b) attendance of councillors, present or absent; and
- c) all other proceedings of the meeting without note or comment.

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special meetings held more than five (5) days prior to a regular meeting, together with the agenda are provided electronically to each councillor not less than 48 hours before the hour appointed for the holding of such regular meeting.

Business Arising from the Minutes – the items listed in the order of the topics set out in the agenda of prior Committee of the Whole / Council meetings which have not been disposed of and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of, unless removed from the agenda by motion.

Committee of the Whole Consent – all recommendations discussed and debated at Committee of the Whole will be brought to Council under Committee of the Whole Consent. These recommendations are considered to be routine and will be enacted by one motion. Should a councillor wish an alternative action from a proposed recommendation contained therein, the councillor shall request that the particular recommendation be moved to “separate” same from the consent motion, to allow for consideration of a new action.

Correspondence – all correspondence shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person, giving his or her address, and filed with the Clerk who shall deal with them as follows:

- a) where, in the opinion of the CAO and the Clerk, the subject matter of any correspondence is properly within the jurisdiction of the Council, such correspondence shall be placed on the agenda for the next meeting of Committee of the Whole.
- b) where, in the opinion of the CAO and the Clerk, the subject matter of any correspondence is properly within the jurisdiction of another committee of Council, such correspondence shall be placed on the agenda for the next meeting of Committee of the Whole for referral to the appropriate committee. Correspondence of a routine nature shall be referred by the Clerk directly to the CAO or to file without prior reference to the Committee of the Whole, Council, or any committee.

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- c) any letter intended to be presented to Committee of the Whole shall be filed with the Clerk not later than six (6) business days prior to the Committee of the Whole meeting.

Councillor's Comments (Good of the Order) – comments of councillors will relate to special items of interest in the districts they represent, or in the municipality as a whole. These comments are not the business of Council and are not captured in the minutes.

Disclosure of Interest – any councillor shall disclose any conflict of interest dealing either with any item on the agenda or with a matter discussed at a previous meeting from which the councillor was absent. Every councillor who is present when a question is put, shall vote thereon unless personally interested in a pecuniary sense, and shall before the question is put, leave the room.

Media Question Period – the media present at the Council meeting are allowed to ask questions of Council, but only in relation to items on the meeting's agenda. All questions will be directed to the Warden or through the Chair.

New Business – items of new business, in writing and including background information and a proposed motion, received by the Clerk eight (8) business days prior to the Committee of the Whole meeting will be included in the agenda.

Presentations – will take place at Committee of the Whole, following Roll Call. Presenters must register with the Clerk eight (8) business days prior to the Committee of the Whole meeting they wish to address.

Presenters will be allowed a maximum of 10 minutes to address Committee of the Whole. The 10-minute allotment includes time for questions from councillors, unless extended by the Chair.

Councillors shall not ask any questions until the spokesperson has completed the presentation, and will not make a decision(s) at that time.

Recommendations and Reports from Boards and Committees – includes:

- **recommendations** from ad hoc and standing committees of Council, listed in Sections 48 and 49 this policy;
- **recommendations** from Advisory Boards and Committees (*Policies AM-1.3.6.1 to AM-1.3.6.16*); and
- **reports** from Joint, Regional and Community Organizations (*Policy AM-1.3.7*)

Recommendations and reports will be submitted to the Clerk by 4:30 PM eight (8) business days prior to the Committee of the Whole meeting and will be included with the agenda and circulated to councillors of Council.

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Roll Call – the Warden or presiding officer shall call the roll of councillors to verify attendance and to provide an opportunity to excuse, by motion, meeting attendance requirements of those councillors who wish to be excused. It is the duty of each councillor to advise the Chair of their absence and whether they wish to be excused in advance of the meeting.

Staff Reports – staff reports will be numbered by the Clerk, starting with the number “1” as the first report in each calendar year, with the prefix designating the year of the Committee of the Whole meeting, [i.e. SR2022-1 NAME OF REPORT]. Report numbers will re-start annually.

Reports will be submitted to the Clerk by 4:30 PM eight (8) business days prior to the Committee of the Whole meeting.

Reports will be prepared pursuant to directions and a template as determined from time to time.

Urgent Business – a matter deemed to be urgent by the Warden, CAO, and the Clerk may be considered without notice at any time by a simple majority vote of Council.

MOTIONS

14) WITHDRAWAL

- a) after a motion is moved and seconded it shall be deemed to be in possession of the Council but may, with the permission of the Council, be withdrawn at any time by the mover before decision or amendment.

15) AMENDMENTS – a motion to amend

- a) shall receive disposition of Council before a previous amendment or the question,
- b) shall not be further amended more than once, and
- c) shall be put in the reverse order to that in which it is moved.

16) PRIVILEGE

- a) privileged motions take precedence over any or all of the motions listed before it. These motions include, in descending order of rank: Fix the Time to Which to Adjourn (highest ranking); Adjourn; Recess; Question of Privilege (noise, ventilation, introduction of a controversial subject in the presence of guests); Call for the Orders of the Day. When settled, the question so interrupted shall be resumed from the point where it was suspended.

17) LAY ON THE TABLE OR “TABLE”

- a) is the highest ranking of subsidiary motions. It is used to temporarily set aside an issue to take up something more urgent. This motion has no time reference; requires a mover and seconder; requires a majority vote; cannot be amended; and is not debatable.

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- b) A question that has been “tabled” can be lifted from the table during the same session or until the end of the next regular business session if same is held before a quarterly time interval has elapsed. If not lifted within these time limits, the question dies, although it can be reintroduced later as a new question.

18) POSTPONE TO A DEFINITE TIME OR “DEFER”

- a) a subsidiary motion. It is used to set aside an issue to a specific date and time; requires a mover and seconder; requires a majority vote; may be amended and debated but only as to the time; cannot be interrupted.

19) COMMIT OR “REFER”

- a) a subsidiary motion. It is used to refer an issue to a committee or staff; requires a mover and seconder; requires a majority vote; may be debated.

20) POSTPONE INDEFINITELY

- a) the lowest ranking of subsidiary motions. It is used when Council declines to take a position on the main question. Its adoption kills the main motion for the duration of the session and avoids direct vote on the question.

21) RECONSIDER

- a) if a motion has been either adopted or defeated during a meeting, and announced from the Chair, a notice of an intention to move reconsideration can be made only on the same day on which the vote sought to be reconsidered was taken. If the motion was adopted, the motion to *Reconsider* can be made only by a councillor who voted in favour of the motion, or if the motion was defeated, then only by a councillor who voted against it. This motion can be seconded by any councillor no matter how they voted, and requires a majority vote.

22) RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

- a) if it is too late to move to reconsider a motion, councillors can make either a motion to rescind or amend something previously adopted regardless of how they voted on the original motion. There is no time limit on making these motions. If previous notice is given, a majority vote is all that is required for adoption. However, if previous notice is not given of an intent to make one of these motions, so that councillors are not alerted ahead of time to the fact that the motion will be made, adoption of the motion requires either a two-thirds vote, or the vote of the a majority of the entire Council.

Voting on Motions

23) Questions Stated

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- a) immediately preceeding the taking of the vote, the Chair may state the question in the form introduced and shall do so if required by a councillor. The Chair shall state the question in the precise form in which it will be recorded in the minutes.

24) No Interruption After Question

- a) after a question is finally put by the Chair, no councillor shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

25) Recorded Vote

- a) the manner of determining the decision of the Council on a motion shall be by recorded vote. The Chair will call the vote by order of District, councillors shall respond by saying "Yes" or "No", and the Clerk shall record each vote.

Rules of Debate

- 26) Every councillor, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more councillors raise their hands to speak, the Chair shall designate the councillor who, in the opinion of the Chair, first raised a hand.

- 27) When a councillor is speaking no other councillor shall interrupt him/her except to raise a Point of Order.

- 28) Any councillor may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a councillor while speaking.

- 29) No councillor shall speak more than twice to the same question, without the leave of Council, except to explain a misconception of their remarks, but the mover of the motion shall have the right to reply and sum up in closing debate.

- 30) When a councillor has been recognized as the next speaker, then immediately before speaking such councillor may ask a question of the Chair or an official of the Municipality on the matter under discussion but only for the purpose of obtaining information, following which the councillor shall speak.

- 31) The following motions may be introduced without written notice and without leave:

- a) a point of order or personal privilege;
- b) to lay on the table (Table);
- c) to postpone to a definite time (Defer);
- d) to commit (Refer);
- e) to postpone indefinitely;
- f) to call the question;
- g) to adjourn; and

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h) to amend.

POINTS OF ORDER AND PRIVILEGE

- 32) The Chair shall preserve order and decide questions of order.
- 33) It shall be the duty of the Chair, and the privilege of any councillor, to call any councillor to order, who violates any established rule of order. A point of order must be decided before the subject under consideration is proceeded with.
- 34) When a councillor is called to order, the councillor shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
- 35) A point of order is not debateable amongst other councillors, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion on a point of order, no councillor shall speak more than twice.
- 36) Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council chambers pursuant to Subsections 39 and 40 are not debatable but are appealable to Council by any councillor. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
- 37) If a councillor resists the rules of Council, wilfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the councillor may be ordered by the Chair to leave their seat provided that a majority vote of Council shall be required to sustain the expulsion.
- 38) If the councillor refuses to leave their seat, the Chair may order the councillor to be expelled and excluded from the Council chambers.
- 39) Such councillor may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council chambers and to resume participation in Council's business with or without conditions.
- 40) Persons who are not councillors or employees of the County of Annapolis shall observe silence and order in the Council chambers, unless given permission to speak by motion. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled and excluded from the Council chambers, provided that a majority vote of Council shall be required to sustain the expulsion.

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- 41) Such member of the public may, by vote of Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council chambers with or without conditions.
- 42) An order of the Chair to expel a person from the Council chambers pursuant to Subsections 40 and 42 of this policy constitutes a direction from the County of Annapolis to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.

CONDUCT OF COUNCILLORS

- 43) No councillor shall:
- a) use offensive or unparliamentary language in or against the Council, any councillor, or any staff;
 - b) speak on any subject other than the subject in debate;
 - c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - d) disobey the rules of the Council or a decision of the Chair or the Council on questions of order or practice or upon the interpretation of the rules of the Council
- 44) When the Chair is putting the question, no councillor shall leave or make a disturbance.

SEATING OF COUNCILLORS

- 45) The order of seating of the councillors shall be determined each term by the councillors drawing lots at, or prior to, the first meeting of a new Council.

COMMITTEES OF COUNCIL

- 46) **TERM OF APPOINTMENT** – except to the extent that the term of appointment is otherwise determined by statute, bylaw, or policy, councillors shall be appointed for two (2) years, or the balance thereof, with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided, no appointment shall cease until such time as a successor is appointed.
- 47) **PROVISIONS** – the following provisions shall apply to all Committees of Council, except where the policy specifically provides otherwise:
- a) municipal council may replace at any time councillors who resign or who, in Council's opinion, are unable or unwilling to discharge their duties.
 - b) if not appointed to a committee, the Warden shall be an *ex officio* councillor of the committee, with a voice but no vote. When attending as *ex officio* the Warden shall not be counted to establish quorum.
 - c) a councillor is not entitled to additional remuneration for serving on the committee but may be reimbursed for reasonable expenses for attending committee meetings, and mileage /

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kilometrage shall be paid at such rate as may be prescribed by municipal council in *Travel and Expenses Policy AM-1.8.1*.

- d) except to the extent that the Chair is otherwise determined by statute, bylaw, or policy, municipal council may appoint a person to serve as Chair of the committee, after seeking the advice of the Nominating Committee; but if municipal council does not appoint a Chair, the committee shall elect a Chair from one of its councillors.
- e) an *ex-officio* councillor of a committee shall not be eligible for election as Chair.
- f) the Chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the Chair shall have the same powers and responsibilities at committee meetings that are conferred upon the Chair at Council meetings.
- g) votes shall be recorded by a show of hands.
- h) the Clerk (or designate) shall call the first meeting of any committee after its appointment, upon the request of municipal council or a majority of the councillors of the committee. The CAO or Clerk or their designate shall Chair the meeting until a Chair has been chosen.
- i) the committee shall choose a scribe from one of its councillors, in which event the scribe shall be a full voting councillor of the committee. The scribe shall keep notes of the committee's meetings and ensure that the Clerk is provided with a copy of all approved minutes, which have been signed by the Chair.
- j) no order or authority to do any matter or thing shall be recognized as emanating from any committee, and all committee recommendations shall be referred to the Clerk in writing to be included with the Committee of the Whole agenda under Reports from Boards and Committees.

48) **AD HOC COMMITTEES OF COUNCIL** - may be established by Council as deemed necessary and advisable to provide input on matters of timely consideration. Such a committee shall be for a limited time period as per its mandate determined by Council, and ceases to exist as soon as Council, through Committee of the Whole, receives and accepts a final report. Committees include:

- a) **Cornwallis Park & Area Asset Review Committee** – established to consider and make recommendations to Council pertaining to potential possibilities for current and future assets of Cornwallis Park and area (*MOTION 180717.28*);
- b) **Glyphosate Advisory Committee** – established to "... invite stakeholders to present to the committee in order to bring a recommendation to June 2021 Committee of the Whole ..." (*MOTION 201020.04*); and
- c) **Physician Recruitment & Retention Committee** – established "with a mandate of physician recruitment and retention" (*MOTION 191119.09*); adopted descriptive mandate: To assist, as appropriate, in all aspects of recruiting and retention of medical personnel: physicians, physician assistants, nurse practitioners, and like medical professionals" (*MOTION 200218.07*).

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49) **STANDING COMMITTEES OF COUNCIL** – may be established pursuant to Section 24 of the *Municipal Government Act*, or as otherwise determined by statute, bylaw or policy. Standing committees work on a continuous basis, and consist of councillors appointed by the Council. The committees include:

- a) **Committee of the Whole** – acts in an advisory capacity to Council, and meets to receive reports/recommendations from staff, and boards and committees.

It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County's bylaws and policies, or by Council resolution, including but not restricted to:

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County; and
- 2) exercising any authority pursuant to Part XV-Dangerous or Unsightly Premises of the Municipal Government Act that is not delegated to the Administrator.

The Chair of the Committee of the Whole is the Warden, and the Secretary is the Clerk (or designate).

- b) **Nominating Committee** –

- 1) at the Inaugural meeting, Council shall appoint three (3) councillors to serve as members. The procedure for selecting councillors shall be the same as that used for selection of a Warden.
- 2) the Warden shall automatically be a regular, voting councillor of the committee.
- 3) the mandate of the committee is to discuss, consider, advise and make recommendations to Council through Committee of the Whole concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the Nominating committee is not necessary or advisable.
- 4) Council may, by resolution, accept, reject, or vary a report of the Nominating committee in whole or in part.
- 5) it shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.

- c) **CAO Review Committee** – shall oversee the performance review process for the CAO after consultation with Council.

- 1) consists of the Warden, Deputy Warden, and two other councillors.
- 2) the Warden shall be the Chair of the committee.
- 3) to the extent practicable, selection of the remaining committee councillors (in addition to the Warden and Deputy Warden) should reflect the gender diversity of Council's composition. Accordingly, the remaining committee councillors shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.

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- 4) in accordance with sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend the CAO Review Committee and council meetings where their performance is discussed; no other staff persons shall attend.
 - 5) the CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Council.
- d) **Economic Development Committee** – shall consider such matters as are referred to the committee by Council.
- 1) consists of three councillors and the Warden.
 - 2) the mandate of the committee is to advise and make recommendations to Council through Committee of the Whole concerning the drafting, implementation, amendment, and facilitation of an Annapolis County Economic Development Strategy.
- e) **Fire Services Committee** – shall consider such matters as are referred to the committee by Council.
- 1) consists of two councillors as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
 - 2) the mandate of the committee is to advise and make recommendations through Committee of the Whole to Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.
 - 3) meetings shall be held at the discretion of the Chair.
- f) **Fences Arbitration Committee** – committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
- 1) consists of one councillor from the municipality appointed by the Nova Scotia Federation of Agriculture and one councillor appointed by the Council of the municipality.
 - 2) the councillor appointed by the Council may be an employee of the municipality and shall be the Chair of the committee.
 - 3) the Nova Scotia Federation of Agriculture and the Council shall each appoint an alternate councillor to serve on the committee when requested to do so by the councillor appointed by the Council or the Nova Scotia Federation of Agriculture, as the case may be.
 - 4) the councillors of the committee hold office for a term of not more than four years.
 - 5) the annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
 - 6) all committee councillors and alternate councillors shall be residents of the municipality.
 - 7) except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

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- g) **Forestry Advisory Committee** – shall exist as an advisory committee of Council.
- 1) consists of not more than four (4) councillors.
 - 2) its purpose is to consider and make recommendations regarding forestry matters as referred to the committee by Council.

Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
Seven (7) Day Notice.....	April 12, 2022
Council Approval.....	April ??, 2022
<u>Carolyn Young</u> Clerk At Annapolis Royal, Nova Scotia	<u>April ??, 2022</u> Date

AMENDMENTS:

DRAFT

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1.0 GENERAL

1.1 The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation.

1.2 In this Policy, unless the context otherwise requires,

- (a) “business day(s)” means a day when the administrative offices of the Municipality of the County of Annapolis are open for business;
- (b) “Chair” means the presiding officer;
- (c) “Council” means the Municipal Council of the Municipality of the County of Annapolis;
- (d) “Council Member(s)” include(s) the Warden and Deputy Warden;
- (e) “majority” means more than one half of those present.

2. TIME, PLACE, DATE AND NOTICE OF MEETINGS

2.1 Unless otherwise specified pursuant to Subsections 2.2 or 2.3, regular meetings of Council shall be held

- (a) at the Council Chambers in the Municipal Administration Building, 752 St. George Street, Annapolis Royal;
- (b) on the third Tuesday of every month;
- (c) commencing at 10:00 a.m.

2.2 Regular meetings of Council may be rescheduled, relocated or cancelled

- (a) by resolution or consensus, including a contingent resolution or consensus, of Council at a previous meeting three or more days in advance of the meeting;
- (b) by resolution or consensus, including a contingent resolution or consensus, of the Committee of the Whole at a meeting three or more days in advance of the meeting; or
- (c) by the CAO or Municipal Clerk on behalf of the Warden, owing to unforeseen circumstances, provided the Warden believes that the majority of Council Members would support such a step.

2.3 Additional or special meetings of Council may be convened

- (a) by resolution or consensus, including a contingent resolution or consensus, of Council at a previous meeting three or more days in advance of the additional or special meeting;
- (b) by resolution or consensus, including a contingent resolution or consensus, of the Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
- (c) by the CAO or Municipal Clerk on behalf of the Warden, owing to unforeseen circumstances, provided the Warden believes that the majority of Council Members would support such a step.

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2.4 Specific notice to Council Members and to the public need not be provided of

- (a) meetings held pursuant to Subsection 2.1; or
- (b) meetings held pursuant to Subsection 2.2 (a) and (b) or Subsection 2.3 (a) and (b);

but, subject to any statutory relaxation of notice requirements, five (5) days notice shall be specifically provided for other meetings to Council Members in the manner described in Subsections 2.5 and 2.6 and to the public in the manner described in Subsection 2.7.

2.5 Subject to Subsection 2.4, notice of meetings shall be provided verbally (by telephone or telephone answering machine / voicemail) or in writing (including electronic mail or facsimile messages) to each Council Member.

2.6 Within thirty (30) days following the first meeting of Municipal Council after a municipal election or by-election, each elected Council Member shall provide to the Municipal Clerk

- (a) a telephone number at which the Council Member has and will maintain, access to a telephone answering machine / voicemail which the Council Member will check at least once per day; or
- (b) an electronic mail address or facsimile telephone number at which the Council Member has and will maintain, access to electronic mail or facsimile messages, as the case may be, and which the Council Member will check at least once per day;

failing which the Council Member shall be responsible for checking at least once per business day a mailbox assigned to the Council Member and marked with the Council Member's name located at the Administration Office in Annapolis Royal and shall be deemed to have chosen this method of notification. The Council Member shall be deemed to have received any notice within one business day of its being sent or left by the method of the Council Member's choice pursuant to this section.

2.7 Subject to Subsection 2.4, notice of meetings shall be provided to the public by posting at the Administration Offices in Annapolis Royal and Bridgetown, and the Planning Office in Lawrencetown a "Notice of Council Meeting" containing the time, date and place of the meeting. Additional notice shall be provided on the County of Annapolis web site.

3. CONDUCT OF MEETINGS: GENERAL

3.1 Except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the minutes of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book by the Municipal Clerk and such entry shall conclusively constitute the minutes of Municipal Council.

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3.2 The minutes shall be kept by the Municipal Clerk and shall:

- (a) record the time when any Council Member joins or leaves a meeting which is in progress;
- (b) contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders, and shall record the outcome of each vote;
- (c) mention reports, petitions, correspondence, presentations and other papers submitted to Municipal Council only by their respective titles, or a brief description of their contents.

3.3 It shall be the duty of the Chairman to:

- (a) open the meeting of Municipal Council by taking the chair and calling the Council Members to order;
- (b) ask the Municipal Council whether there is a consensus on an item of procedure or business, and if no Council Member indicates dissent, may treat the item as resolved to the same extent as if a motion had been duly moved, seconded and passed by vote;
- (c) receive and submit to Municipal Council motions properly presented by a Council Member;
- (d) put to a vote a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote;
- (e) decline to put to a vote, a motion which infringes upon the rules of procedure;
- (f) restrain the Council Members, when engaged in debate, within the rules of conduct of debate;
- (g) enforce on all occasions, the observance of order and decorum;
- (h) call by name any Council Member persisting in a breach of the rules of order of Municipal Council thereby ordering him or her to vacate the Council Chambers;
- (i) inform the Municipal Council when necessary, or when referred to, on a point of order;
- (j) permit the Chief Administrative Officer or Municipal Clerk to speak on any point upon request;
- (k) permit proper questions to be asked through the Chairman of any official or employee of the County, or any member of the public in attendance, to provide information to assist any debate;
- (l) declare a meeting dissolved if no quorum has been achieved within 15 minutes of the scheduled meeting time; and
- (m) adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or consensus, when the adjournment time has been reached, except when it is extended by unanimous consent.

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3.4 At Municipal Council Meetings, unless a majority consents to a different order for that meeting, Municipal Council shall conduct business in the following order;

- (a) roll call
- (b) approval of agenda, including additions or deletions;
- (c) approval of minutes from the previous meeting;
- (d) presentations;
- (e) business arising from minutes;
- (f) Municipal Solicitor's Report
- (g) councillor comments
- (h) public hearings (usually @ 11:00 a.m.);
- (i) new or other business;
- (j) other motions;
- (k) reading of reports of committees and of officers;
- (l) consideration of correspondence;
- (m) notices of motions;
- (n) late additions;
- (o) adjournment.

3.5 The Municipal Clerk must receive correspondence to be included in the agenda no later than six (6) business days prior to the Council Meeting.

3.6 Council Members wishing to add or delete items from the agenda shall identify them at the time the agenda is approved. Except in a circumstance of urgency or a request for routine information, motions or decisions on late additions may be deferred until the next regular meeting.

3.7 Every Council Member, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chairman. When two or more Council Members raise their hands to speak, the Chairman shall designate the Council Member who, in the opinion of the Chair, first raised a hand.

3.8 No Council Member may speak more than twice, without the leave of Council, on any motion except to explain a misconception of his remarks, but the mover of a motion shall have the right to reply and sum up in closing the debate.

3.9 When a Council Member wishes to explain, the Council Member shall raise a hand and ask leave of the Chairman, without further comment, and if permitted by the Chairman, shall explain only an actual misunderstanding of language.

3.10 No Council Member, staff member or presenter shall speak more than ten minutes upon any matter at one time, without the leave of Municipal Council.

3.11 This policy shall be applicable for all meetings of Municipal Council, including periods of adjournment to "in camera".

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4. CONDUCT OF MEETINGS: MOTIONS AND VOTING

- 4.1 The Chairman shall state every question properly presented to Municipal Council and before putting it to a vote, shall ask "Is Council ready for the question" and if no Council Member offers to speak, the Chairman shall put the question, after which no Council Member shall be permitted to speak upon it.
- 4.2 The usual form of voting on any question shall be by the Chairman calling for "yeas" and "nays", but any Council Member, before or after a voice vote can call for, and obtain through the Chairman, a show of hands, and any two Council Members can call for, and obtain through the Chairman, a recorded vote with each Council Member's vote entered into the minutes.
- 4.3 A motion must be seconded and then repeated by the Chairman or read aloud by the Municipal Clerk before it is debated.
- 4.4 After reading of a motion by the Chairman or Municipal Clerk, it shall be open for discussion.
- 4.5 A motion may at any time before the Municipal Council has voted on it be withdrawn or modified by the mover.
- 4.6 When any question is before the Municipal Council, the only motions in order shall be:
 - (a) a motion in amendment of the original motion;
 - (b) a motion to refer the question, including the motion and amendment if one is moved, to any committee;
 - (c) a motion to defer the consideration of the question either indefinitely or to a specified time;
 - (d) a motion to close the debate at a specified time;
 - (e) a motion that the question be put to a vote;
 - (f) a motion to adjourn.
- 4.7 When any one of the motions mentioned in the next preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment except to the original motion or to the amendment, except the following:
 - (a) to refer to a committee;
 - (b) to defer the consideration of the question;
 - (c) to close the debate at a specified time;
 - (d) that the question be put to a vote;
 - (e) to adjourn;

any of which may be moved either to the original motion or to the amendment of the original motion.

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- 4.8 A motion to adjourn shall always be in order except in the following cases:
- (a) when a Council Member is in possession of the floor;
 - (b) when the “yeas” and “nays” are being called;
 - (c) while the Council Members are voting; or
 - (d) when the adjournment was the last preceding motion.
- 4.9 The following questions shall be decided without debate:
- (a) a motion to reconsider;
 - (b) all motions as to priority of business or as to the suspension of the order of the day;
 - (c) application to speak more than the prescribed number of times;
 - (d) a motion to allow any person other than the Council Members to address the Council;
 - (e) a motion to postpone to a specified time or day;
 - (f) a motion to lay on the table when claiming a privilege over another person; and
 - (g) a motion to adjourn.
- 4.10 Amendments shall be put in the reverse order to that in which they are moved. Every amendment submitted shall be decided or withdrawn before the main question is put to vote. Only one amendment shall be allowed to an amendment and any further amendment must be to the main question.
- 4.11 Except for matters arising from correspondence, committee or other reports, agenda items, or notices of motion or other material circulated to Council Members on or before the day before the meeting, and except for matters arising from an in camera meeting, no motion committing the County of Annapolis to the expenditure of funds shall be accepted by the Chairman for the consideration of Council except with the unanimous consent of Council Members present.
- 4.12 Any notice of motion given by a Council Member for a subsequent meeting may, in the absence of the Council Member giving such notice, be taken up by any other Council Member.
- 4.13 After any question has been decided either in the affirmative or negative, any two (2) Council Members may, after the decision has been announced from the Chairman, but before adjournment of the meeting give notice of an intention to move reconsideration at the next meeting of the Municipal Council. The giving of such a notice operates as a stay or suspension of Municipal Council’s decision.
- 4.14 Unless reconsideration is moved at the next meeting the right of reconsideration shall be lost.
- 4.15 No discussion of the main question shall be allowed on the motion for reconsideration.

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4.16 The following matters are not eligible for reconsideration:

- (a) a motion approving the first or second reading of a bylaw enactment, amendment or repeal;
- (b) a motion to decide upon a matter which was the subject of a statutory hearing by Municipal Council;
- (c) a motion which is or was considered by the Committee of the Whole in substantially the same form in which it is being or will be considered by Municipal Council, irrespective of whether Municipal Council has adopted or rejected, or may adopt or reject, the recommendation of the Committee of the Whole;
- (d) a matter which has been reconsidered once; and
- (e) a vote to reconsider.

5. CONDUCT OF MEETINGS: POINTS OF ORDER

- 5.1 It shall be the duty of the Chairman, and the privilege of any Council Member, to call any Council Member to order, who violates any established rule or order. A point of order must be decided before the subject under consideration is proceeded with.
- 5.2 When a Council Member is called to order, the Council Member shall remain seated and silent until the point is determined, until called upon by the Chairman to be heard on the point of order.
- 5.3 A point of order is not debatable amongst other Council Members, unless the Chairman invites discussion in an effort to assist in making a ruling. Where the Chairman permits discussion of a point of order, no Council Member shall speak more than once.
- 5.4 Decisions of the Chairman on points of order or procedure, including an order expelling and excluding a person from the Council Chambers pursuant to Subsections 5.6 and 5.7, are not debatable but are appealable to Municipal Council by any Council Member. When an appeal is made from the decision of the Chairman, the Chairman shall simply put the question, "Shall the decision of the Chairman be sustained?"
- 5.5 No Council Member shall use offensive or unparliamentary language or speak disrespectfully to or about anyone while in Municipal Council, or speak outside the parameters of the question in debate.
- 5.6 If a Council Member resists the rules of Municipal Council, wilfully obstructs the business of Municipal Council or disobeys the decision of the Chairman, or of Municipal Council on appeal, on any question of order or practice or upon the interpretation of the rules of Municipal Council after being called to order by the Chairman, or otherwise disrupts the proceedings of Municipal Council, the Council Member may be ordered by the Chairman to leave the Council Member's seat provided that a majority vote of Municipal Council shall be required to sustain the expulsion.
- 5.7 If the Council Member refuses to leave the Council Member's seat, the Chairman may order the Council Member to be expelled and excluded from the Council Chambers.

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- 5.8 Such Council Member may, *by vote of Municipal Council*, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Municipal Council's business with or without conditions.
- 5.9 Persons who are not Council Members or officers or employees of the County of Annapolis shall observe silence and order in the Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Municipal Council shall be called to order by the Chairman and, if they fail to comply, shall be ordered, by the Chairman to be expelled and excluded from the Council Chambers, provided that a majority vote of Municipal Council shall be required to sustain the expulsion.
- 5.10 Such member of the public may, by vote of Municipal Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers with or without conditions.
- 5.11 An order of the Chairman to expel a person from the Council Chambers pursuant to Subsections 5.7 and 5.9 of this policy constitutes a direction from the County of Annapolis to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.
- 5.12 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern in all cases to which they are applicable and in which they are not inconsistent with provincial legislation or the bylaws, policies or procedures of the municipality.
- 5.13 Any of the rules of order may be suspended in its operation by the unanimous consent of the Council Members present.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
<i>Seven (7) Day Notice</i>	<i>September 16, 2019</i>
<i>Council Approval</i>	<i>September 23, 2019</i>
<u><i>Carolyn Young</i></u>	<u><i>September 23, 2019</i></u>
Municipal Clerk	Date
At <u><i>Annapolis Royal</i></u> <i>Nova Scotia</i>	

Amendments:

Approved November 16, 2010

June 17, 2014:

- Corrected references to other subsections in Subsections 2.1 and 5.4;
- Replaced and clarified wording of Subsection 3.5;
- In Subsection 3.6 deleted the words "*as the Council Member who has the floor*".
- Deleted Subsection 2.8 "*The regular meeting held on the third Tuesday of May shall be the annual meeting of Municipal Council.*"

January 20, 2015:

- Inserted new Subsection 3.5 "*The Municipal Clerk must receive correspondence to be included in the agenda no later than six (6) business days prior to the Council Meeting.*" (and re-numbered subsequent sections accordingly).

February 21, 2017:

- added the Bridgetown Office in Sub-section 2.7

September 23, 2019:

- amended Section 3.4 to move Presentations to immediately follow Approval of Agenda; by adding Roll Call before the Approval of Minutes; and by adding Councillor's Comments immediately following the Municipal Solicitor's Report.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.5
Section Procedure & Organization of Council	Subject Committees of Council Policy	

GENERAL

1. This policy is entitled “Committees of Council Policy” and applies to committees in respect of which all of the voting members are council members.

AUTHORITY FOR POLICY

2. Sections 22, 23, 24, 25, 26, 44, 200 and 345 *Municipal Government Act*, as amended

DEFINITIONS

3. Unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

PROVISIONS

4. The following provisions shall apply to all committees established by this policy, except where the policy specifically provides otherwise:
 - (a) Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
 - (b) The Warden shall be an *ex officio* member of any committee of council to which he / she is not appointed, with a voice but no vote. When attending as ex officio the warden shall not be counted to establish quorum.
 - (c) A councillor is not entitled to additional remuneration for serving on the committee but may be reimbursed for reasonable expenses for attending committee meetings, and mileage / kilometrage shall be paid at such rate as may be prescribed by municipal council in *AM-1.8.1 Travel and Expenses Policy*.
 - (d) Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee; but if Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
 - (e) The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
 - (f) An ex-officio member of a committee shall not be eligible for election as chair.

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Section Procedure & Organization of Council	Subject Committees of Council Policy	

- (g) The Municipal Clerk (or designate) shall call the first meeting of any committee after its appointment, upon the request of Municipal Council or a majority of the members of the committee. The Chief Administrative Officer or Municipal Clerk or their designates shall chair the meeting until a chair has been chosen.
- (h) Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his/her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a copy of all approved minutes which are signed by the chairperson and recording secretary.
- (i) The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee's Secretary, the Committee's Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance. The Secretary shall provide notice of meetings to the public by posting a "Notice of Committee Meeting" containing the time, date and place at the Administration Office in Annapolis Royal, the Administration Building in Bridgetown, and the Planning Office in Lawrencetown.
- (j) Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
- (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (2) use of the county's facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (3) such other resources as may reasonably be required, by arrangement through the CAO.
- (k) All meetings, minutes, and records of the committee shall be open to the public except as expressly authorized by law.
- (l) Any committee may meet in closed session to discuss matters relating to:
- acquisition, sale, lease and security of municipal property;
 - setting a minimum price to be accepted by the municipality at a tax sale;
 - personnel matters;
 - labour relations;
 - contract negotiations;
 - litigation or potential litigation;
 - legal advice eligible for solicitor-client privilege; and
 - public security.
- However, no decision shall be made in closed session except a decision concerning procedural matters.

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- (m) A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context. The Warden, when attending as an ex officio member of any committee to which he / she is not appointed, shall not be counted to establish quorum.
- (n) A councillor appointed as a member of a committee pursuant to this policy or any other Act of the Legislature who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), MGA). The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
- (o) A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (Sub-section 23 (c) MGA).
- (p) Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to AM-1.2.0 Council Meetings and Proceedings Policy apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.
- (q) In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, Municipal Council may proceed with a decision regarding a matter within the committee's mandate without awaiting the committee report or recommendation.
- (r) *AM-1.2.2 Standing, Special & Advisory Committees Policy* is hereby repealed.

Provisions Regarding the Committee of the Whole

- 5. Council hereby establishes the Committee of the Whole as a standing committee of Municipal Council.
- 6. The Committee of the Whole consists of all council members, and membership on the committee automatically extends to council members, without the necessity of formal appointment by Municipal Council, and automatically terminates upon the termination of a person's status as a council member.
- 7. Regular meetings of the Committee of the Whole shall be held
 - (a) at the Council Chambers in the Municipal Administration Building, 752 St. George Street, Annapolis Royal;
 - (b) on the second Tuesday of every month;
 - (c) commencing at 9:00 a.m. and adjourning by 5:00 p.m.
except that there shall be no regular meeting during the month of August.
- 8. Regular meetings of the Committee of the Whole may be rescheduled, relocated or cancelled, and additional or special meetings convened, in the same manner and with the same notice to council members and the public as applies to meetings of municipal council, with any necessary changes for the context.

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- (d) acting as a steering committee in the review or preparation of environmental studies, major tree removal programs, recreation studies / development plans, land ownership and municipal infrastructure rehabilitation / development plans;
 - (e) acting as a steering committee during the budget process by approving the budget schedule, identifying budget goals and targets, and reviewing proposed service levels and new initiatives;
 - (f) examining and approving the work plan, monitor progress, and conduct the annual performance appraisal of the chief administrative officer; and
 - (g) making recommendations to Municipal Council for the revision of the municipality's communications strategy and plan.
12. The Chair of the Committee of the Whole is the Warden and the Secretary is the Municipal Clerk (or designate).

Provisions Regarding the Nominating Committee

13. Council hereby establishes the Nominating Committee as a standing committee of municipal council.
14. At the first meeting of municipal council following a municipal general election, municipal council shall appoint three (3) councillors to serve as members of the Nominating Committee. The membership of the committee may be reviewed by at any time, but, except to the extent of any changes made by municipal council or by resignation, membership shall normally continue for two (2) years. The procedure for selecting members of the committee shall be the same as that used for selection of a warden.
15. The Warden shall automatically be a regular, voting member of the committee.
16. The mandate of the Nominating Committee is to discuss, consider, advise and make recommendations to municipal council concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the committee is unnecessary or inadvisable. Council may, by resolution accept, reject, or vary a report of the nominating committee in whole or in part.
17. The Nominating Committee shall meet as often as necessary to nominate persons for appointment to new committees or to fill vacancies as they arise.
18. The Nominating Committee shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.

Provisions Regarding the Fences Arbitration Committee

19. The fences arbitration committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
20. The committee shall be comprised of one member for the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality.
21. The member appointed by the council of the municipality may be an employee of the municipality and shall be the chair of the committee.

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22. The Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be.
23. Two members of the committee constitute a quorum.
24. The members of the committee hold office for a term of not more than four years.
25. The annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
26. All committee members and alternate committee members shall be residents of the municipality.
27. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

Provision for Ad Hoc Committees

28. From time to time Municipal Council may establish an ad hoc committee of council as deemed necessary and advisable to provide input on matters of timely consideration.

Provisions Regarding the Economic Development Committee

29. Council hereby establishes the Economic Development Committee as a standing committee of Municipal Council.
30. The Economic Development Committee consists of three council members and the Warden.
31. The Economic Development Committee shall consider such matters as are referred to the Committee by Municipal Council.
32. It will be the mandate of the Economic Development Committee to advise and make recommendations to Municipal Council concerning the drafting, implementation, amendment and facilitation of an Annapolis County economic development strategy.

Provisions Regarding the Fire Services Committee

33. Council hereby establishes the Fire Services Committee as a standing committee of Municipal Council.
34. The Fire Services Committee consists of two council members as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
35. Meetings of the Fire Services Committee shall be held at the discretion of the chairperson.
36. The Fire Services Committee shall consider such matters as are referred to the Committee by Municipal Council.
37. It will be the mandate of the Fire Services Committee to advise and make recommendations to Municipal Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.

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Provisions Regarding the Forestry Advisory Committee

38. The Forestry Advisory Committee is established pursuant to the Section 24 of the *Municipal Government Act*.
39. The committee shall exist as an advisory committee of Municipal Council.
40. The committee shall exist for the purpose of considering and making recommendations regarding forestry matters as referred to the Committee by Municipal Council.
41. The committee shall be comprised of not more than four (4) councillors.

Provisions Regarding the CAO Review Committee

42. Council hereby establishes the CAO Review Committee as a standing committee of Municipal Council.
43. The CAO Review Committee shall oversee the performance review process for the Chief Administrative Officer after consultation with Municipal Council.
44. The CAO Review Committee consists of the Warden, the Deputy Warden and two other council members.
45. The Warden shall be the chairperson of the CAO Review Committee.
46. To the extent practicable selection of the remaining committee members (in addition to Warden and Deputy Warden) should reflect the gender diversity of Council's composition. Accordingly, the remaining committee members shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.
47. In accordance with Sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend CAO Review Committee and Municipal Council Meetings where their performance is discussed; no other staff persons shall attend.
48. The CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Municipal Council.

Municipal Clerk's Annotation for Official Policy Book I certify that this policy was adopted by Municipal Council as indicated below: <i>Seven (7) Day Notice</i> November 9, 2021 <i>Council Approval</i> November 17, 2021 <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <u><i>Carolyn Young</i></u> Municipal Clerk At <u>Annapolis Royal</u> Nova Scotia </div> <div style="text-align: center;"> <u>November 17, 2021</u> Date </div> </div>	
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Amendments

Approved Dec. 21, 2010

Amended Apr. 19, 2011 – Add the word “attended” as follows:

The annual honorarium for the citizen members or designated representatives of advisory committees shall be \$200 (up to 4 meetings attended per annum), \$300 (up to 6 meetings attended per annum), \$400 (up to 8 meetings attended per annum); \$500 (up to 10 meetings attended per annum) or \$600 (11 or more meetings attended per year. A non-council member chair or secretary may be paid an additional honorarium of \$200 (up to 5 meetings attended per annum), \$400 (up to 10 meetings attended per annum), or \$500 (11 or more meetings attended per annum).

Amended Feb. 21, 2012 - Changed policy to:

- clarify limitations on terms of committee membership
- create “fairness” for honorariums
- clarify that appointments do not expire until successors are appointed

Amended Feb. 19, 2013

- Reduce minimum honorarium amounts to \$50 per year
- Establish a Priorities and Plans Committee
- Provide for Ad Hoc Committees of Council

Amended May 19, 2013

- substituted the word “citizen” in place of “committee” in Sub-section 3 (g); and
- deleted the sentence “Ad hoc committees shall be reimbursed for travel expenses in accordance with AM-1.8.1 Travel and Expenses Policy.” in Section 33.

Amended June 18, 2013

- added mandate for Economic Development Committee

Amended July 16, 2013

- Added “The Nominating Committee shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.”

Amended June 17, 2014

- Reduced number of councillors on Economic Development Committee from four to three

Amended September 16, 2014

- Deleted Priorities and Plans Committee

Amended December 16, 2014

- Added Fire Services Committee

Amended October 18, 2016

- Removed all references to Audit Committee (new policy AM-1.3.5.1 Audit Committee Policy)
- Added definition section
- In Sub-section 4 (g) deleted “citizen” and replaced with “committee”
- In Sub-section 4 (k) added “the Administration Building in Bridgetown”

Amended October 18, 2016

- In Section 19 replaced “each” with “the”
- In Section 20 replaced “a” with “the”

Amended September 15, 2020:

- Added “Term of Appointment” and Forestry Advisory Committee; removed all provisions and references related to citizen members on committees

Amended November 20201

- Added CAO Review Committee



RECOMMENDATION REPORT

To: Special Committee of the Whole
Prepared by: Dawn Campbell, Director of Legislative Services
Date: June 13, 2022
Subject: AM – 2.1.1 Personnel Policy (Approve - NEW)

RECOMMENDATION

That Municipal Council approve *AM – 2.1.1 Personnel Policy* as circulated.

LEGISLATIVE AUTHORITY

Section 47, *Municipal Government Act*, as amended

BACKGROUND

It is timely for the County to do a general review and update of its HR / personnel policies. Following the best practices of other municipalities who have recently undertaken such updates, one consolidated policy has been prepared which covers most human resources matters. Accordingly, approval of this policy will simultaneously repeal the previous policies which have been incorporated in the new, consolidated policy.

FINANCIAL IMPLICATIONS

None anticipated

POLICY IMPLICATIONS

The Personnel Policy repeals and replaces the following policies:

- *AM-2.1.1 Daily Work Schedule Policy*
- *AM-2.1.2 Bereavement Leave Policy*
- *AM-2.1.3 Statutory Holidays and Paid Holidays Policy*
- *AM-2.1.4 Vacation Leave Policy*
- *AM-2.1.5 Sick Leave Policy*
- *AM-2.1.22 Inclement Weather / Unsafe Travel Conditions Policy*
- *AM-2.1.23 Office Worksite Closures Policy*
- *AM-2.2.3 Overtime Policy*
- *AM-2 5 2 Employee Training and Development Policy*
- *AM-3.2.1 Hiring Policy*

Additionally, review and updates have been started on the following policies with recommendations to be brought forward as soon as possible:

AM-2.4.2 Managing Unsatisfactory Performance Policy

AM-2.4.3 Whistleblower Policy

AM-2.8.9 Respectful Workplace Policy

ALTERNATIVES / OPTIONS

No other options recommended

NEXT STEPS

In accordance with Sub-section 48 (1) of the *Municipal Government Act*, seven (7) day notice to Municipal Council is required before a policy is passed, amended or repealed.

ATTACHMENTS

AM – 2.1.1 Personnel Policy (consideration to approve)

AM-2.1.1 Daily Work Schedule Policy (for repeal)

AM-2.1.2 Bereavement Leave Policy (for repeal)

AM-2.1.3 Statutory Holidays and Paid Holidays Policy (for repeal)

AM-2.1.4 Vacation Leave Policy (for repeal)

AM-2.1.5 Sick Leave Policy (for repeal)

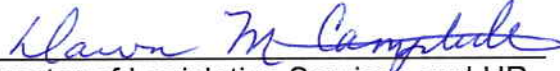
AM-2.1.22 Inclement Weather / Unsafe Travel Conditions Policy (for repeal)

AM-2.1.23 Office Worksite Closures Policy (for repeal)

AM-2.2.3 Overtime Policy (for repeal)

AM-2.5.2 Employee Training and Development Policy (for repeal)

AM-3.2.1 Hiring Policy (for repeal)

Report Prepared by: 
Director of Legislative Services and HR

Report Approved by: _____
CAO David Dick, CPA CA

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS Policy and Administration Manual	AM – 2.1.1
Section Human Resources	Subject Personnel Policy

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General

This policy applies to all non-bargaining employees of the Municipality of the County of Annapolis. The purpose of this Policy is to document the personnel practices and policies of the Municipality of the County of Annapolis and to ensure that there is a clear understanding of the terms, conditions and requirements governing employment with the Municipality. It is the intent of the Municipality to provide fair and equitable work practices and benefits for its employees.

1. The requirements in this policy are intended to complement, supplement and be consistent with the requirements of the *Municipal Government Act* and applicable labour legislation.
2. In this Policy, unless the context otherwise requires:
 - a. "Career Track" means a plan developed by the employer and employee, and approved by the employer in writing, that sets out a plan for the employee's future with the Municipality including possible future positions and responsibilities and training, educational and certification goals.
 - b. "CAO" means the Chief Administrative Officer of the Municipality of the County of Annapolis;
 - c. "Council" means the Municipal Council of the Municipality of the County of Annapolis;
 - d. "Human Resources Administrator" means the person designated by the Chief Administrator to carry out the responsibilities described in this policy;
 - e. "Management" means the CAO, Directors, Managers and Assistant Managers of the Municipality;
 - f. "Overtime" means hours worked in excess of normal work hours for which some employees (based on classification and job description) may be entitled to compensation in the form of pay or "time off in lieu";
 - g. Relative – A relative includes any person who is a spouse, child, grandchild, sibling, parent, grandparent, or fiancée of an employee. This definition shall also include a person with whom an employee resides.
 - h. "Supervisor" and "Supervisory Staff" mean the person to whom the employee directly reports, as set out in the employee's job description and the Municipality's Organizational Chart.

Management Rights and Responsibilities

3. Management is responsible for the implementation, administration, and interpretation of this policy. Every effort shall be made to ensure that the policy is applied in a timely, consistent, fair and equitable manner.

Hiring Authority

4. Council has the responsibility and authority to hire the Chief Administrative Officer (CAO) and to negotiate their terms of employment. Council may engage third parties to assist in this hiring process.
5. The CAO (or designate) shall be responsible for directing and managing all of the employees of the Municipality including authority to:
 - a) establish and change employment procedures, programs, rules and guidelines as deemed necessary for the safe, efficient, economic and effective operation;

- b) hire, appoint, suspend, remove, layoff, or terminate any employee;
- c) set the terms of employment for all employees of the Municipality;
- d) establish departments of the municipal administration;
- e) adopt a system of classification of positions of municipal officers and employees;
- f) determine the salaries, wages and emoluments to be paid to municipal employees, including payment pursuant to a classification system and approved budgets.

Hiring Practices

- 6. It is and shall be a continuing practice of the Municipality to recruit and select employees in accordance with the Nova Scotia Human Rights Act.
- 7. Persons with disabilities will be considered for employment on the basis of their ability to perform the responsibilities of the position.
- 8. The Municipality will provide the opportunity for employee advancement for qualified and capable existing employees as determined by the Chief Administrative Officer.
- 9. Vacancies that are not filled by existing employees shall be open to all qualified applicants. The selection of a successful applicant shall be based on education, training, experience, ability, competence, attitude and character.
- 10. Internal competitions will only be held when it is determined that an appropriate pool of qualified internal candidates exists. The Municipality will not be obligated to provide training to current employees to meet the needs of any newly available position.
- 11. Relatives and friends of Council members and employees who apply for employment with the Municipality will not be favoured or discriminated against.
- 12. Relatives may be employed only where they will not be working directly for or supervising a relative.
- 13. Employees shall not be transferred into a reporting relationship described above.
- 14. Council members and existing employees shall not contact members of a selection committee or the Chief Administrative Officer in regard to a particular applicant.
- 15. Councillors and staff that have friends or relatives submitting an application for a position are not permitted to participate in the hiring process.
- 16. In the event that an applicant provides the name of a councillor or existing employee as a reference, that applicant will be requested to provide an alternate reference.
- 17. Council members and employees directly involved in the hiring process must be knowledgeable of and abide by the provisions of the *Municipal Conflict of Interest Act*.

Hours of Work

- 18. The Municipality expects its employees to devote efforts during working hours to employment responsibilities.
- 19. Employees' regular working hours are from 8:00 / 9:00 a.m. to 4:00 / 5:00 p.m., Monday to Friday, inclusive. These hours may be varied due to operational requirements or by express agreement between the employee and their supervisor.
- 20. The CAO or Department Manager may determine that certain positions and their duties permit an alternate working arrangement that differs from a traditional work arrangement. Alternate work arrangements, whether on a periodic, temporary, or

permanent basis, may consist of compressed work weeks, flexible hours or flex-time schedules, job sharing, or off-site work locations. In making this determination, the CAO or Department Manager shall consider all relevant circumstances and the requirements of the Municipality's business.

21. Alternate work arrangements will be considered on a case-by-case basis, must be approved in advance, documented in writing, and must meet the following criteria, as relevant:
 - a) Any absence from the office shall have no or minimal impact on the workplace;
 - b) Clear, defined outcomes must be established to monitor performance;
 - c) If working from home, the employee must have the necessary equipment or software and proper security in place to work from home.
22. Working hours may also be varied based on family and medical reasons or as otherwise provided in the Nova Scotia Labour Standards Code.
23. Employees are entitled to all breaks as provided under the Nova Scotia Labour Standards Code.
24. Management has the authority to schedule lunch and breaks for individual employees as may be required to maintain service levels.

Managing Unsatisfactory Performance / Corrective Actions

25. "Corrective Actions" are measures which are designed to address unsatisfactory conduct or performance. These actions may be taken in instances where the employee:
 - a) should already be aware of the performance and conduct expected of them but fails to provide satisfactory performance or conduct themselves appropriately, or
 - b) is not aware of the performance or conduct standard, which may reflect a lack of communication, which may accordingly be considered a mitigating circumstance in the implementation of corrective action.
26. Corrective Action is dependent on the specific circumstances, but may range from counseling to verbal or written warnings, which are within the authority of Management; or suspension or dismissal, which are within the authority of the CAO.
27. *AM-2.4.2 Managing Unsatisfactory Performance Policy* applies to all employees of the Municipality.

Professional Development

28. The Municipality is committed to continuous employee performance management and professional development. This process is intended to enhance the effectiveness and efficiency of the organization and its employees, to focus resources on strategic priorities, to align organizational objectives within the organization, to provide a forum to discuss position responsibilities and training and career opportunities, and to build strong, positive relationships between management, supervisors and staff.
29. It is the objective of the Municipality to have competent, knowledgeable, and highly trained staff in its employ to ensure that the Municipality's mandate and objectives are met.

30. The Municipality will endeavor to place capable, competent, and motivated employees on specific career tracks. These career tracks will form part of a strategic succession plan of the Municipality. Employees will be informed, and must accept, that career tracks and succession plans are subject to change by Management due to internal and/or external factors.
31. The Municipality will encourage, promote, and provide funding for training and professional development opportunities and programs that increase the efficiency and effectiveness of employees.
32. The Municipality shall provide, in its annual budget, funds for professional development, such as courses and seminars.
33. The Municipality requires employees to be members of relevant professional development agencies or associations and maintain professional requirements. The Municipality will pay the costs of such memberships.
34. At the discretion of the applicable supervisor, employees that attend or complete any professional development session or program may be required to prepare and present a report to other staff or Council.

Employee Classification, Salary Scales, Wage Rates

35. The Municipality's employee classification system includes the approved organization chart, a listing and number of approved positions, salary scales, and hourly wage rate schedules(s).
36. Council has the responsibility and authority to approve the classification system.
37. The authority to approve changes to position descriptions rests solely with the CAO. The Human Resources Administrator has the responsibility for maintaining and drafting revisions to the position descriptions.
38. A salary scale and responsibility review and comparison to other rural municipalities will be conducted every five (5) years commencing in the 2022/2023 fiscal year.
39. Salary scale increments for individual employees are based on the performance management and development process results, years of service, successful completion of training, motivation, initiative, a commitment to the strategies and objectives of the Municipality, and a demonstrated commitment to quality public service.
40. Council has the responsibility and authority to approve salary scale increments for the CAO position.
41. The CAO has the responsibility and authority to approve salary scale increments for all other employees of the Municipality.
42. The CAO, in consultation with the Human Resources Administrator, has the responsibility and authority for initial placement of that new employee at the appropriate level on the salary scale. This placement will be based on the following factors:
 - a) the academic qualifications, training, and skill achievements of the new employee compared to those set out in the position description; and
 - b) market conditions and market demands for candidates.
43. Council will consider changing the approved classification system upon recommendation from the CAO.

44. In some cases Council may agree in advance that attainment of specific career track goals will result in a specified salary scale change.
45. The Municipality's current practice is to annually adjust (January) all non-bargaining employee salary scales to match the approved increases for bargaining employees at the beginning of the fiscal year (previous April).

Overtime

(For non-union employees other than Managers and Directors)

46. It is the objective of the Municipality to maintain appropriate staffing levels for the management, administration and operations of the Municipality so as to minimize overtime.
47. Management and employees should be mindful of the need to reduce and contain costs while striving to maintain and improve the quality and effectiveness of services. Accordingly, it is incumbent upon all staff to first question the necessity of overtime, while exercising critical judgement concerning the issues of productivity, cost and customer service.
48. Supervisors have the authority to approve all overtime and time off in lieu in accordance with the provisions of this Policy.
49. Time off in lieu of overtime pay shall be used to the greatest extent possible.

(For Managers and Directors)

50. It is the expectation of the Municipality that managers and directors will work a reasonable number of hours outside normal office hours if required to ensure the responsibilities of those positions are performed, without additional compensation.
51. Directors and managers will be compensated on a straight time basis (normally time off in lieu) for attending evening and weekend meetings.
52. Directors and managers may be compensated on a straight time basis for other work activities outside regular hours not specifically addressed in this section, at the discretion of the CAO.

Paid Holidays

53. The following are recognized as paid holidays:
 - a) New Year's Day (statutory holiday)
 - b) Nova Scotia Heritage Day (statutory holiday)
 - c) Good Friday (statutory holiday)
 - d) Easter Monday
 - e) Victoria Day
 - f) Canada Day (statutory holiday)
 - g) Civic Holiday / Natal Day (statutory holiday)
 - h) Labour Day (statutory holiday)
 - i) National Day for Truth and Reconciliation
 - j) Thanksgiving Day
 - k) Remembrance Day

- l) Christmas Eve (per below)
- m) Christmas Day (statutory holiday)
- n) Boxing Day

and any other day declared or proclaimed as a holiday by the Federal or Provincial government or by the Employer.

- 54. When Christmas Day falls on a Wednesday, Thursday, Friday or Saturday, the Municipality shall grant each employee one-half day holiday with pay on Christmas Eve. When Christmas Day falls on a Tuesday, the Municipality shall grant each employee a full day holiday with pay on Christmas Eve.
- 55. An employee shall be paid for a statutory holiday in accordance with the Labour Standards Code.
- 56. An employee shall be paid for a non-statutory holiday if the employee has received or is entitled to receive pay for at least 15 days during the 30 calendar days immediately preceding the non-statutory holiday and the employee has worked on the employees' scheduled day immediately preceding and immediately following the non-statutory holiday(s).
- 57. Municipal Offices will be closed to the public from the last working day before Christmas Day to New Year's Day without the requirement for employees to take this time from banked overtime or vacation time (as approved in May 2010).

Paid Vacations

- 58. All vacation entitlements shall be calculated based on the Municipality's fiscal year (April 1 to March 31), and shall be prorated in accordance with commencement, anniversary and end of employment dates.
- 59. Temporary or casual employees shall receive vacation time or pay in accordance with the Labour Standards Code.
- 60. Term employees shall receive vacation time or pay in lieu in accordance with the Labour Standards Code unless they have been provided additional benefits in an employment agreement with the Municipality.
- 61. Employees on leave of absence without pay do not accumulate vacation entitlement.
- 62. Effective April 1, 2022, permanent full time employees and probationary employees hired after 1992 shall be entitled to vacation in accordance with the following schedule:
 - a) 1.25 days per month up to and including the sixth year of employment calculated from the employee's commencement date,
 - b) 1.67 days per month from the commencement of the seventh year of employment and up to and including the thirteenth year, and
 - c) 2.083 days per month from the commencement of the fourteenth year of employment up to and including the twentieth year, and
 - d) 2.5 days per month from the commencement of the twenty-first year and henceforth.
- 63. Employees hired in 1992 or before will continue to be entitled to one additional day per year of service to a maximum ten additional days (i.e., seven (7) weeks after 35 years, eight (8) weeks after 40 years).

64. Permanent part-time employees are eligible for vacation with pay on a pro-rata basis in accordance with the schedule above.
65. Paid holidays that occur during an employee's vacation leave are not deducted from an employee's vacation leave entitlement.
66. Any employee who leaves the employ of the Municipality during the fiscal year shall have their vacation entitlement prorated, and in the event vacation in excess of the prorated entitlement has been taken, the salary received for the excess shall be repaid to the Municipality.
67. Upon separation of employment for any reason, unused, earned vacation leave owing to an employee is to be paid at the regular rate of pay the employee received immediately prior to separation.
68. The Chief Administrative Officer, or someone designated or delegated to act on their behalf, has discretionary authority to recognize acceptable equivalent service in determining the accumulation of vacation leave entitlement of to be offered to new employees and such determination shall be explicitly stated in the employment agreement.

Pension and Group Insurance Plans

69. Any employee who has successfully completed the probationary period (if any) and has obtained a permanent position is eligible to participate in the Municipality's registered pension plan, subject to the requirements of that plan.
70. Any employee who has successfully completed the probationary period (if any) and has obtained a permanent position is eligible to participate in the Municipality's extended health, dental, life insurance, accidental death and dismemberment, and long term disability plans (subject to the requirements of those plans). Eligible employees are required to participate in the life insurance, accidental death and dismemberment, health and long term disability plans, unless at the time of the adoption of this Policy the employee was not participating in those plans and they agree to sign a waiver with respect to their participation.

Bereavement Leave

71. Employees bereaved by the death of a family member will be granted time off from work, without loss of pay, in accordance with the following schedule and conditions:
 - a) In the event of a regular full-time or part-time employee's spouse or partner, parent, brother, sister, grandchild, child (including those acquired through legal adoption) and the mother, father, brother, sister, grandchild or child of the employee's spouse or partner, including current step relations, or any other person who at the time of their death resided with the Employee, the Employee shall be entitled to be absent from work for a period not to exceed five (5) consecutive working days, when such absence is necessary to make arrangements for and to attend the funeral.
 - b) In the event of a regular full-time or part-time Employee's grandparent, the grandparent of the Employee's spouse, aunt, uncle, the aunt or uncle of the Employee's spouse or partner, including current step relations, niece, nephew, the niece or nephew of the Employee's spouse or partner, the Employee shall be entitled to be absent from work for a period not to exceed two (2) consecutive working days, when such absence is necessary to make arrangements for and to attend the funeral.

72. All bereavement leave is subject to the approval of the supervisor to whom the employee reports.
73. When the funeral is held at considerable distance a maximum of two additional days may be granted for travel at the discretion of the supervisor.
74. In the event additional time is necessary for compassionate purposes, an employee may request additional days of unpaid leave and such days may be granted at the discretion of the supervisor.

Sick Leave

75. The Municipality allows employees to earn and accumulate sick leave benefits ("sick leave") In order to provide some protection against loss of pay:
 - a) in the case of long term incapacity, during the period between cessation of work and commencement of other benefits, plans or insurance; and
 - b) in the case of short term inability to work due to illness, injury or the need to obtain medical treatment.
76. It is expected that not all sick leave earned will be used in short term situations, and that with the passage of time employees will accumulate the maximum allowable in order to give them protection in the event of serious and extended health problems.
77. Employees shall earn sick leave at the rate of one and one-half days per month worked. Unused sick leave can be accumulated to a maximum of one hundred twenty (120) days [short term sick leave bank].
78. Permanent part-time employees shall earn sick leave credits on a pro-rated basis of twelve (12) hours per 173 hours worked. The maximum accumulation will be one hundred twenty (120) days (hours pro-rated to 120 working days) [short term sick leave bank].
79. An employee may take no more than one hundred twenty (120) consecutive paid sick days.
80. In the case where an employee is considered to be using an habitual, unusual or excessive amount of sick time, the municipality reserves the right to require written reports from the employee and a physician / medical professional.
81. If requested by their supervisor, director, Human Resources Administrator or Director of Human Resources, an employee claiming an entitlement to sick leave in excess of three consecutive working days must provide a medical certificate from a qualified medical practitioner. Failure to provide the certificate will be grounds for denial of the claim.
82. It shall be the responsibility of the employee to make arrangements for the needs during illness or injury of a person dependent on the employee for care. When no one other than the employee can provide these needs an employee shall be granted up to five (5) days leave with pay in any one fiscal year for such purposes. Such leave shall be charged against and only used to the extent of available earned or accumulated sick leave. The employee also has the option to use vacation leave for such purposes.
83. Abuse of sick leave benefits is subject to corrective action up to and including dismissal.
84. No payment shall be made for accumulated sick leave upon retirement or if an employee separates for any reason.

Maternity / Parental Leave

- 85. The Municipality shall grant such maternity / paternity leave as is prescribed by federal / provincial regulations.
- 86. The municipality shall continue to cost-share on benefits for any employee that is on maternity / paternity leave.

Leave Without Pay

- 87. Requests for leave without pay will be considered on a case-by-case basis and may be granted or refused at the sole discretion of the CAO.
- 88. The maximum cumulative amount of leave without pay that may be granted to an employee is six (6) months over three (3) years.

Compassionate / Critical Care Leave

- 89. The Labour Standards Code requires an employer to provide unpaid leave for employees to provide care and support to an injured or critically ill family members under certain circumstances.
- 90. Employees must give their employer as much notice as possible before taking the leave.
- 91. Depending on the employee's job description and length of leave, a temporary employee may need to be hired to cover their tasks or another employee designated to temporarily cover their duties.

Emergency Service Volunteers Leave

- 92. The Municipality supports local volunteer emergency service providers and recognizes the contributions these organizations and their members make to the health, safety, and wellbeing of the public.
- 93. Volunteer Fire Departments, Ground Search and Rescue, Canadian Red Cross, St. John's Ambulance, Medical First Responders, EMO Responders, (including radio operators) and any other volunteer emergency response organizations approved in writing by the CAO are approved organizations for the purpose of Emergency Service Provider Leave.
- 94. Employees wishing to be eligible for Emergency Service Provider Leave must inform the Municipality in writing of their membership in an organization, and in advance of any such leave being taken pursuant to this Policy.
- 95. Employees who are members of approved organizations, and who do not receive any remuneration relative to emergency response activities, will be permitted to respond to emergency situations as a member of the organization without loss of regular pay and benefits.
- 96. The Municipality reserves the right to require that an employee return to regular duties, notwithstanding that the emergency response may be ongoing.
- 97. Use of County-owned vehicles should be only for the purpose for which they are issued and they should not be deployed as emergency service vehicles.
- 98. The Municipality will grant up to ½ day leave from 8:30 a.m. to 12:00 p.m. with pay to an employee who is a volunteer emergency responder and who has been out on a call between the hours of 12:00 a.m. and 6:00 a.m. the night before. Leave must be approved by the Department Manager.

Paid Volunteer Work Day

99. The Municipality supports and encourages employees to be members of registered charitable and not for profit organizations that provide services to the residents of the County of Annapolis.
100. The County will provide one (1) full day per fiscal year with pay for its employees to participate in such activities.
101. An employee's supervisor has the authority to approve this paid volunteer work day.
102. Employees must give their supervisor as much notice as possible before taking the leave.

Alcohol and Substance Use

Definitions

103. **Appearance of Impairment** – odor of alcohol or drugs, glassy or red eyes, unsteady gait, slurring, and/or poor coordination.
104. **Safety Sensitive Position** – one which if not performed in a safe manner can cause direct and significant damage to property, and/or injury to the employee, others around them, the public and/or the immediate environment. (Canadian Human Rights Commission)
105. **Risk of Impairment** – consuming substances such as alcohol, prescription or recreational drugs puts an employee at risk of impairment.
106. **Secure Area** – an area away from the public behind a locked door.

General

107. The Municipality requires all employees to report to work fit for duty and remain fit for duty for their entire shift. The employer may prohibit any employee from the workplace where it is apparent to the employer that the employee is in an impaired state, or is taking any drug in a manner which may cause impairment.
108. The successful implementation and application of this Policy is a shared responsibility of all employees.
109. All employees are expected to perform their duties in a safe manner and shall:
 - Know, understand, follow and comply with this Policy and complete education provided by the workplace;
 - Report to work fit for work, up to standard, and remain fit for work for the duration of their shift or work hours;
 - Take responsibility to ensure their personal safety and the safety of others;
 - Use medications responsibly, be aware of potential unsafe side effects and risks of impairment;
 - Not use or possess any substance that may cause impairment while on duty, including but not limited to alcohol, cannabis, or narcotics;
 - Notify the employer if medications are causing side effects that may make it unsafe to work;

- Not distribute, transfer or offer sale of alcohol, drugs or drug paraphernalia while on municipal property or while working in any capacity for the Municipality;
- Only possess medications that have been prescribed for you by a medical professional and are needed during your work day. Over-the-counter medications are permissible. Any medications in your possession must be stored in a secure area;
- Bring forward to a supervisor or manager any concerns regarding employees who may be unsafe to work due to the use of drugs and / or alcohol;
- Not operate a motor vehicle owned by the Municipality or use their vehicle for work purposes if taking medication that may impair their ability to drive safely;
- Be aware of employer support through Staff Health and Wellness or Employee and Family Assistance, if concerned regarding dependency.

110. As part of the shared responsibility for health and safety, the Municipality shall:

- Ensure awareness of this policy;
- Provide education to employees on the specifics of this policy, as well as the health and safety risks of substance abuse, with a focus on prevention and awareness;
- As possible and practical, provide awareness of the indications of alcohol and drug use;
- Take action on reported or suspected drug and alcohol use, appearance of impairment in the workplace;
- Respect the employee's confidentiality (except as required by law to report);
- Offer support to any employee who asks for help due to a drug or alcohol dependency / addiction;
- Require proof of any prescription for the use of Medical Cannabis if used while at work.

Building or Facility Closures / Delayed Openings

Definitions

111. **Designated Services** – Services determined by the Chief Administrative Officer to be essential or necessary in their nature (e.g., snow removal; operation of water / wastewater treatment facilities; emergency management operations during periods of activation or declared emergency).

General

112. Employees are expected to make every effort to report for work and continue to work during their scheduled working hours. With the exception of those employees who provide designated services as defined in this policy, employees should assess their own ability to get to and from work safely and consult with their supervisor / manager. Employees may make alternate arrangements with the approval of their immediate supervisor / manager including approval to take paid time off (lieu time or vacation).

113. In the event that offices or worksites are closed due to extreme storm or hazardous conditions, employees who provide designated services are required to report to or remain at work, or be able to work from home or another safe location.

114. The decision to close municipal buildings or facilities will be the responsibility of the CAO (or designate). In recognition that weather and other conditions will differ from one location to another, it may be appropriate for worksites or facilities in one or more locations to close while others remain open. Factors that may contribute to the closure include: weather conditions or forecasts, pandemics, school or government office closures, road conditions, declared state of emergency and issuance of police / public health warnings.
115. In the event a building or facility is closed pursuant to the preceding section there will be no loss of pay or other benefits.
116. All employees shall be paid for their regularly scheduled hours of work during periods of office closures.
117. Those employees that choose to remain at work during such building closures or that may be required to work at home are not eligible to receive incremental pay or accumulate overtime during regular work hours.

Expense Reimbursement / Travel Allowances

118. The Municipality shall reimburse employees for allowable expenses incurred that are associated with employees carrying out the responsibilities of their positions. All requests for reimbursement of expenses must be submitted on the prescribed form.
119. Employees will be reimbursed for the cost of highway tolls, bridge tolls, airport parking fees, airport security fees, taxi fares, and public transportation fares while attending approved meetings, conferences, workshops, professional development sessions, or performing other required work activities. Receipts must be provided (except for tolls).
120. The Municipality will pay directly the costs of overnight accommodations for employees attending approved meetings, conferences, workshops, and other professional development sessions when the timing of these sessions requires overnight accommodations.
121. The spouse or one guest may accompany a municipal employee receiving an award, certificate or diploma at the annual conference of a municipal association and the employee will be reimbursed for additional conference registration fees, meal allowances and additional accommodation costs, if any. Similarly, the spouse may accompany an employee authorized to attend an employer sponsored pre-retirement seminar (1 occasion only). The employee will be reimbursed for additional seminar fees, meal allowances and additional accommodation costs, if any.
122. Employees who register for conferences, courses, seminars or municipally related activities that result in fees / costs and do not attend shall be responsible for any and all costs incurred by the municipality except if attendance was not possible / practical for the following reasons:
 - illness (personal or immediate family);
 - weather conditions;
 - travel emergencies;
 - municipal emergencies / urgencies.
123. The Municipality will pay a "mileage" rate (per kilometer) to employees that use their personal vehicles in carrying out their employment responsibilities.

124. The rate paid pursuant to the preceding section will be in accordance with the rate provided to councillors.
125. The amount paid pursuant to the two preceding sections is intended to reimburse employees for all costs associated with the use of their vehicle for employment purposes.
126. The reimbursement for meal expenses will be the lesser of either the amount identified on the meal receipt or the per diem allowance identified in the Employee Travel & Expense Claim Form.
127. The amount of the meal allowance shall be equal to the amount provided to Council members.
128. Employees will have the option to pay any costs directly as provided in a purchase card policy (and as may be amended from time to time).

Problem Resolution and Complaint Process

129. *AM-2.8.9 Respectful Workplace Policy* applies to all employees of the Municipality. Any employee who believes they have been subjected to harassment in the workplace is encouraged to use the procedure set out herein to resolve such problem and can do so without fear of recrimination.
130. *AM- 2.4.3 Whistleblower Policy* applies to all employees of the Municipality. Any employee who believes any situation affecting them in the workplace is unjust or inequitable is encouraged to use the procedure set out herein to resolve such problem and can do so without fear of recrimination.

Performance Review

131. The Municipality is committed to supporting employees to perform and grow in their current and future roles through effective performance management. A key element of performance management is the alignment of individual and team goals with department business planning to support government priorities.
132. Employee performance must be formally reviewed in relation to the employee's goals and expected results.
133. Each employee will have a performance planning and development review conducted annually, or on a change of position or appointment, or more frequently as required.
134. A performance planning and development review must be documented using the Performance Planning and Development Form developed by Human Resources. This form establishes goals jointly by the supervisor and employee to provide a clear understanding of goals and expected results.
135. Individual employee goals must be linked to department business plans and must include measurable goals.
136. Employees must be given the opportunity in the formal review to discuss, comment, and sign the form according to this policy and applicable collective agreements.
137. Once the Performance Planning and Development Form is finalized, employees will be provided with a signed copy of the form. Managers / supervisors must file the original signed Performance Planning and Development Forms in the employee personnel record at the end of the performance cycle.

Repeal of Previous Policies

138. This policy repeals and replaces the following municipal policies:

- *AM-2.1.1 Daily Work Schedule Policy*
- *AM-2.1.2 Bereavement Leave Policy*
- *AM-2.1.3 Statutory Holidays and Paid Holidays Policy*
- *AM-2.1.4 Vacation Leave Policy*
- *AM-2.1.5 Sick Leave Policy*
- *AM-2.1.22 Inclement Weather / Unsafe Travel Conditions Policy*
- *AM-2.1.23 Office Worksite Closures Policy*
- *AM-2.2.3 Overtime Policy*
- *AM-2 5 2 Employee Training and Development Policy*
- *AM-3.2.1 Hiring Policy*

Effective Date

139. This Policy is effective upon adoption.

Municipal Clerk’s Annotation for Official Policy Book

I certify that this policy was approved by Municipal Council as indicated below:

Seven (7) Day Notice **PENDING June 13, 2022**

Council Approval **PENDING June 21, 2022**

Municipal Clerk

Date

PENDING

At **Annapolis Royal** Nova Scotia

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.1.1
Section Hours of Work and Leave	Subject Daily Work Schedule	

1. APPLICATION

This policy applies to employees in the Administration, Social Services, Recreation and Public Works Departments.

2. AUTHORITY

Municipal Act Section 74. Municipal Council Approval 95/02/21.

3. BASIC POLICY

Municipal Council determines the hours within which service to the public is to be provided. The Chief Administrative Officer and Department Heads are responsible for maintaining daily work schedules that:

- conform to requirements for hours of service as approved by Council;
- are most effective in ensuring the provision of services and programs; and
- conform to requirements included in other human resource management policies, applicable collective agreements, and this policy.

4. HOURS OF WORK

Subject to approval by the Chief Administrative Officer, Department Heads may organize their staff to work hours for each work day commencing as early as 7:00 a.m. and ending as early as 4:00 p.m. providing that:

- arrangements are made to ensure continuous service to the public from 8:30 a.m. to 4:30 p.m. each working day; and
- each employee works his/her prescribed hours each week.

Department Heads should ensure that arrangements are established that:

- cause the least disruption;
- provide for the delivery of service in the most efficient manner;
- do not increase the cost of administration and delivery; and
- do not require employees to constantly change their pattern of hours worked.

Full-time employees are expected to work a minimum of 35 hours per week (40 hours per week for Public Works employees). An employee may be required to work in excess of this amount, depending upon the nature of the employee's work.

5. LUNCH PERIOD

Each employee is to be provided with a lunch period not to exceed 60 minutes and not less than 30 minutes.

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.1.1
Section Hours of Work and Leave	Subject Daily Work Schedule	

6. REST PERIODS

Each employee is to be provided with a 15 minute rest period each morning and afternoon.

7. RESPONSIBILITIES

Municipal Council decides the hours during which service to the public is to be provided.

Department Heads prescribe the hours of work and lunch period for employees, as well as the timing and duration of rest periods, within the above guidelines and subject to the approval of the Chief Administrative Officer for department-wide changes.

Employees are responsible for adhering to the daily work schedule which applies to them. For absences without prior authorization, employees must communicate the reason for the absence to the Department Head.

Proposed for Repeal

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM-2.1.2
Section Hours of Work and Leave	Subject Bereavement Leave

1. APPLICATION

This policy applies to all non-unionized employees of the Municipality of the County of Annapolis.

2. AUTHORITY

Section 48, *Municipal Government Act*, as amended
Section 60A, *Labour Standards Code*, as amended

3. PURPOSE

The purpose of this policy is to recognize and provide for paid and unpaid leave for employees in the event of the death of a family member.

4. INTERPRETATION

For the purpose of this policy, the following definitions apply:

- 4.1 **Immediate Family** – The employee's spouse or partner, parent, step-parent, brother, sister, grandchild, child (including those acquired through legal adoption); and the parent, step-parent, brother, sister, grandchild or child of the employee's spouse or partner; or any other person who at the time of their death resided with the employee.
- 4.2 **Other Family** – The employee's grandparent, aunt, uncle, niece, nephew, and the grandparent, aunt, uncle, niece, nephew, of the employee's spouse or partner.
- 4.3 **Extended Family** – Other relatives of the employee or employee's spouse / partner not stated in Sections 4.1 and 4.2.

5. BEREAVEMENT LEAVE

- 5.1 **Immediate Family** – Paid leave of up to five (5) consecutive working days may be granted to an employee upon the death of an immediate family member.
- 5.2 **Other Family Members** – Paid leave of up to three (3) consecutive working days may be granted to an employee upon the death of other family members.
- 5.3 **Extended Family Members** – At the discretion of the Chief Administrative Officer, paid leave of up to one (1) working day shall be granted to an employee upon the death of extended family members.

6. DISCRETIONARY LEAVE

- 6.1 **Discretionary Purposes** – The Chief Administrative Officer may authorize an additional two (2) days paid leave to address additional circumstances (such as attending funerals out of Province).
- 6.2 **Unpaid Leave** – In addition to paid leave pursuant to this policy, an employee may receive unpaid leave upon the recommendation of the Director or Manager and approval of the Chief Administrative Officer.

7. AUTHORITY AND RESPONSIBILITIES

7.1 The Chief Administrative Officer is responsible for overall implementation of policy and making decisions regarding discretionary leave.

7.2 Managers and Directors are responsible for ensuring that employees receive a copy of this policy and an explanation of the contents is provided to Supervisors and employees. Managers and Directors are also responsible for making recommendations regarding unpaid leave.

7.3 Supervisors shall apply this policy in a fair and equitable manner.

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.....	December 12, 2017
Council Approval	December 19, 2017
 <u>Carolyn Young</u>	 <u>December 19, 2017</u>
Municipal Clerk	Date
At <u>Annapolis Royal</u> Nova Scotia	

Effective Jan. 16, 2007

Amended Dec. 19, 2017

In Section 1 added "*non-unionized*"

In Section 2 replaced "*Sections 65*" with "*Section 48*"

In Subsection 4.1 **Immediate Family:**

Replaced "*mother, father*" with "*parent*"

After child added "*(including those acquired through legal adoption)*"

Added "*step-parent,*" "*grandchild,*" and "*or any other person who at the time of their death resided with the employee*"

Deleted Sub-section 4.2 *Equivalent Status* (and re-numbered subsequent sub-sections accordingly)

In Sub-section 4.2 **Other Family:**

Deleted "*grandchild,*" "*step-parent,*" "*brother-in-law or sister-in-law;*" "*grandchild,*" and "*step-parent, brother-in-law or sister-in-law*"

In Sub-section 5.1 deleted "*or Equivalent Status*" and "*or a relationship of equivalent status*"

In Sub-section 5.3 added "*At the discretion of the Chief Administrative Officer*"

In Sub-section 6.2 replaced "*manager or designate*" with "*Director or Manager*"

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM – 2.1.3
Section Hours of Work and Leave	Subject Statutory Holidays & Paid Holidays	

1. APPLICATION

This policy applies to all non-union employees of the Municipality of the County of Annapolis.

2. AUTHORITY FOR POLICY

Section 65 *Municipal Government Act*, as amended.
Sections 37 - 42 *Labour Standards Code*, as amended.

3. STATUTORY HOLIDAYS

3.1 The following holidays are defined in the *Labour Standards Code*:

- New Year's Day
- Nova Scotia Heritage Day
- Good Friday
- Canada Day
- Labour Day
- Christmas Day

3.2 Except as otherwise provided in this policy or any Act of the Legislature, the Municipality shall grant each employee a holiday with pay on each statutory holiday falling within any period of employment.

3.3 Except as otherwise provided in this policy or any Act of the Legislature, when a statutory holiday falls on a day that is a non-working day for an employee, the Municipality shall grant the employee a holiday with pay on the working day immediately following the statutory holiday.

3.4 When the CAO, director, manager or coordinator requires an employee to work on a statutory holiday, the Municipality shall pay that employee an amount equal to the amount that would have otherwise been paid for that work day. In addition, the employee shall be paid one and one-half times the regular rate of wages for the actual time worked on that day.

3.5 An employee shall be paid for a statutory holiday in accordance with the *Labour Standards Code*.

4. PAID HOLIDAYS

4.1 In this section, “paid holidays” means:

- Easter Monday
- Victoria Day
- Natal Day
- National Day for Truth and Reconciliation

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM – 2.1.3
Section	Subject	
Hours of Work and Leave	Statutory Holidays & Paid Holidays	

- Thanksgiving
- Remembrance Day
- Christmas Eve
- Boxing Day

- 4.2 Except as otherwise provided in this policy, the Municipality shall grant each employee a holiday with pay on each paid holiday falling within any period of employment.
- 4.3 When Remembrance Day falls on a day that is a non-working day for an employee, the Municipality shall grant the employee a day off from work with pay on the next working day immediately following Remembrance Day.
- 4.4 When Boxing Day falls on a day that is a non-working day for an employee, the Municipality shall grant the employee a holiday with pay on the working day immediately following the day granted for Christmas Day under Section 3.
- 4.5 When Christmas Day falls on a Wednesday, Thursday, Friday or Saturday, the Municipality shall grant each employee one-half day holiday with pay on Christmas Eve. When Christmas Day falls on a Tuesday, the Municipality shall grant each employee a full day holiday with pay on Christmas Eve.
- 4.6 When the CAO, director, manager or coordinator requires an employee to work on a paid holiday, the Municipality shall pay that employee an amount equal to the amount that would have otherwise been paid for that holiday. In addition, the employee shall be paid one and one half times the regular rate of wages for the actual time worked on that day.
- 4.7 An employee shall be paid for a holiday provided under Section 4 if the employee has received or is entitled to receive pay for at least 15 days during the 30 calendar days immediately preceding the holiday provided under this Section and the employee has worked on the employees scheduled day immediately preceding and immediately following the holiday(s).

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.....	August 17, 2021
Council Approval	September 21, 2021
<u>Carolyn Young</u>	<u>September 21, 2021</u>
Municipal Clerk	Date
At <u>Annapolis Royal</u> Nova Scotia	

Amendments:

Effective 2000/11/01;

Amended Dec. 21, 2010;

January 20, 2015:

- Added "*Nova Scotia Heritage Day*" to the list of paid holidays in Subsection 4.1

November 21, 2017:

- In Section 3 replaced "*General*" with "*Statutory*" in all places that it appeared;
- In Sub-section 3.5 deleted "*if the employee has received or is entitled to receive pay for at least 15 days during the 30 calendar days immediately preceding the general holiday and the employee has worked on the employees scheduled day immediately preceding and immediately following the holiday*" and replaced with "*in accordance with the Labour Standards Code.*"
- In Sub-section 4.3 deleted "*The Municipality shall grant each employee a holiday with pay only when Remembrance Day falls on a day that is a working day for employees.*" and replaced with "*When Remembrance Day falls on a day that is a non-working day for an employee, the Municipality shall grant the employee a day off from work with pay on the next working day immediately following Remembrance Day.*"

September 21, 2021:

- In Section 1 replaced "*direct*" with "*non-union*"
- Added "*National Day for Truth and Reconciliation*" to the list of paid holidays in Subsection 4.1

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 2.1.4
Section Hours of Work and Leave	Subject Vacation Leave	

1. APPLICATION

1.1 This policy governs vacation leave for non-bargaining employees of the Municipality of the County of Annapolis.

2. AUTHORITY

2.1 The *Municipal Government Act*, as it is amended.

3. DEFINITIONS

3.1 Permanent Full-Time Employee - A permanent full-time employee is hired for an indefinite period of time and is normally scheduled to work thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.2 Permanent Part-Time Employee - A permanent part-time employee is hired for an indefinite period of time and is scheduled to work (on average) less than thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.3 Term / Temporary / Seasonal Employee - A term, temporary or seasonal employee is hired (full-time or part-time) into a position that is designated to run for a defined period of time (generally six (6) months or less).

3.4 Casual Employee - A casual employee is hired on an as needed basis for casual employment.

4. INTENT OF VACATION LEAVE

4.1 The intent of vacation leave is to provide a reasonable annual period of rest from work for personnel and is intended to be taken during the year in which it is earned.

5. ELIGIBILITY FOR VACATION LEAVE

5.1 Permanent Full-Time Employees earn paid vacation leave in accordance with service (per Section 6). Permanent full-time employees must take vacation leave. In the case of a newly-hired permanent full-time employee in the first year of employment, this entitlement is calculated on a pro-rata basis from the employee's start date to the last day of the fiscal year.

5.2 Permanent Part-time Employees are eligible for paid vacation leave pro-rated according to their hours worked and in accordance with their years of service (per Section 6). In the case of a newly-hired permanent part-time employee in the first year of employment, this entitlement is calculated on a pro-rata basis from the employee's start date to the last day of the fiscal year.

5.3 Term / Temporary / Seasonal Employees are only entitled to vacation leave and vacation pay as provided by the *Labour Standards Code* and its Regulations *unless specifically stated otherwise in his / her employment agreement*.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 2.1.4
Section Hours of Work and Leave	Subject Vacation Leave	

5.4 Casual Employees are only entitled to vacation pay in lieu of paid vacation leave, in the amount as provided by the *Labour Standards Code* and its Regulations.

6. VACATION ENTITLEMENTS

6.1 The municipality's vacation year begins April 1st and ends March 31st of the following year.

6.2 Full-time Employees shall earn vacation with pay at the following rates:

Years 0 – 10 years' service	one and one-quarter days per month to a maximum of three (3) weeks
After 10 years' service	one and two-thirds days per month to a maximum of four (4) weeks
After 20 years' service	one additional day per year of service to a maximum of ten (10) additional days (ie., five (5) weeks after 25 years, six (6) weeks after 30 years)
After 30 years' service	one additional day per year of service to a maximum ten additional days (i.e., seven (7) weeks after 35 years, eight (8) weeks after 40 years)

6.3 When an employee has exhausted his / her earned vacation entitlement for a fiscal year, additional vacation may only be scheduled anytime following the last day of the fiscal year in which the required service anniversary falls.

6.4 Permanent part-time employees are eligible for vacation with pay on a pro-rata basis in accordance with the schedule above. To clarify, vacation entitlements for permanent part-time employees are to be calculated using the following formula:

Actual number of hours paid in the year \times vacation entitlement according to years of service

Number of full-time hours in a year (i.e. 1820)

6.5 Probationary employees may not take vacation until the successful completion of the probationary period.

7. VACATION ACCRUAL DURING LEAVES OF ABSENCE

7.1 Vacation leave shall not accrue during unpaid leaves of absences, including leaves of absence where an employee receives workers' compensation and/or disability benefits.

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8. GRANTING OF LEAVE

- 8.1 Vacation leave of **3 days or more** must be requested and approved by the employee's supervisor **at least 5 working days in advance** and should be scheduled in such a way that the work routine is disrupted as little as possible. However, an employee's preference for vacation time is important and should be taken into account as much as operational requirements permit subject to approval by both the supervisor and service group manager.
- 8.2 Employees should directly communicate vacation dates to co-workers to ensure customer needs are met and job duties and responsibilities are adequately covered during vacations.
- 8.3 Vacation of two (2) days or less may be granted on short notice at the discretion of the supervisor or service group manager.

9. CARRY OVER / ADVANCE OF VACATION

- 9.1 Vacation leave must be taken during the fiscal year in which it is earned, unless carry over had been approved as provided in this Policy.
- 9.2 At the discretion of the Chief Administrative Officer, approval may be given in extraordinary circumstances for carry-over of up to five vacation days or to advance up to five vacation days from the next fiscal year.

10. OVERDRAWN VACATION LEAVE

- 10.1 Employees who receive paid vacation leave prior to earning their vacation leave entitlement, and who subsequently separate from their employment with the Municipality for any reason, are required to repay any overdrawn leave. The amount owing for overdrawn leave is calculated at the employee's regular rate of pay received immediately prior to separation and is recovered from the amount owing to the employee on his / her final paycheck.

11. UNUSED VACATION LEAVE

- 11.1 Upon separation of employment for any reason, unused, earned vacation leave owing to an employee is to be paid at the regular rate of pay the employee received immediately prior to separation.

12. ILLNESS OR BEREAVEMENT

- 12.1 Illness during the period an employee is on approved vacation leave may be charged to sick leave. However, the employee must provide the notices and proof of illness as required in the Municipality's sick leave policy.
- 12.2 Bereavement during the period an employee is on approved vacation leave may be charged to bereavement leave. However, the employee must provide

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the notices and proof of bereavement as specified in the Municipality's bereavement leave policy.

13. STATUTORY AND PAID HOLIDAYS

- 13.1 Statutory and paid holidays that occur during an employee's vacation leave are not deducted from an employee's vacation leave entitlement.

14. RESPONSIBILITIES

- 14.1 Employees must complete appropriate on-line, electronic vacation leave requests in advance to ensure an up-to-date record of all vacation leave used.
- 14.2 Directors shall ensure adherence to all relevant policies and standard operating procedures.
- 14.3 Service Group Managers shall be aware of all vacation leave requests and ensure adherence to all relevant policies and standard operating procedures.
- 14.4 Supervisors must approve all on-line, electronic requests and ensure compliance with this Policy. They are responsible for ensuring that adequate vacation leave exists, that the leave requested will not unduly interfere with work schedules, and that internal department notification procedures are followed.
- 14.5 The Chief Administrative Officer, or someone designated or delegated to act on her / his behalf, has discretionary authority to:
- determine the time that vacation leave will be granted;
 - approve carry over of vacation leave entitlements (no more than five days); and
 - recognize acceptable equivalent service in determining the accumulation of vacation leave entitlement of directors and managers and such determination shall be explicitly stated in the employment agreement.

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 **June 9, 2020**
Council Approval **June 16, 2020**

Carolyn Young

June 16, 2020

Municipal Clerk Date

At **Annapolis Royal** Nova Scotia

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 2.1.4
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Approved Dec. 20/11-Effective Apr. 1/12

Amendments:

June 20, 2017

In sub-sections 3.3 and 5.3 added the words “*unless specifically stated otherwise in his / her employment agreement*”

June 19, 2018

Summary of Amendments:

- “Cleaned up” wording for clearer intent
- No changes to vacation entitlements
- New section clarified that vacation leave shall not accrue during unpaid leaves of absences
- New wording clarified classification of employees (e.g., permanent part-time, casual)

June 16, 2020

Summary of Amendments:

- Increased vacation rates to provide an additional day of vacation each year for employees who have attained 30 years or more of service

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.1.5
Section Hours of Work and Leave	Subject Sick Leave	

1. APPLICATION

This policy governs sick leave for all non-unionized employees of the Municipality of the County of Annapolis.

2. AUTHORITY

Section 30, *Municipal Government Act* as amended

3. DEFINITIONS

3.1 Permanent Full-Time Employee - A permanent full-time employee is hired for an indefinite period of time and is normally scheduled to work thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.2 Permanent Part-Time Employee - A permanent part-time employee is hired for an indefinite period of time and is scheduled to work (on annual average) less than thirty-five (35) hours per week. Appointment is continuous, subject to satisfactory performance and availability of funding.

3.3 Term / Temporary / Seasonal Employee - A term, temporary or seasonal employee is hired (full-time or part-time) into a position that is designated to run for a defined period of time (generally six (6) months or less). Term / temporary / seasonal employees are entitled to only those benefits as provided by the *Labour Standards Code* and Regulations.

3.4 Casual Employee - A casual employee is hired on an as needed basis. Casual temporary employees are entitled to only those benefits as provided by the *Labour Standards Code* and Regulations.

4. POLICY INTENT

4.1 The intent of sick leave is to provide permanent employees with some protection against loss of earnings during short-term periods when, due to illness, they cannot perform their assigned duties. Participation in the long-term disability program is a condition of employment for permanent employees. However, there is a 119 day waiting period for receiving long-term disability benefits. Accumulated sick leave is intended to bridge this waiting period. Typically, a full-time employee using only 1 sick day per year will only reach the maximum sick leave accumulation (120 days) after about 7 years of continuous employment.

5. EARNING SICK LEAVE

5.1 Permanent Full-Time Employees shall earn sick leave credits at the rate of one and one-half days per month of service to a maximum accumulation of one hundred twenty (120) days (840 hours for employees working a 35 hour work week / 960 hours for employees working a 40 hour work week).

5.2 Permanent Part-Time Employees shall earn sick leave credits on a pro rated basis of twelve (12) hours per 173 hours worked (or ten and one-half [10.5] hours per 151.66 hours worked). The maximum accumulation will be one hundred twenty (120) days (hours pro-rated to 120 working days).

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Section	Hours of Work and Leave	Subject Sick Leave

- 5.3 Term / Temporary / Seasonal / Casual Employees** shall be entitled to three (3) paid sick days per year.
- 5.4** There shall be no accumulation of sick time for standby or overtime hours.
- 5.5** Employees shall not earn sick leave credits while on any form of leave without pay or during a period of unpaid suspension.
- 5.6** Earned sick leave shall be reduced by the amount of sick leave taken by the employee. If earned credits for the current fiscal year are insufficient to cover the period of leave, the additional time shall be deducted from the employee's accumulated sick leave of previous years.
- 5.7** At the end of each fiscal year, an employee's unused earned sick time shall be credited to the carry-forward accumulation to the 120 day maximum.
- 5.8** The employer shall notify an employee of his / her total accumulated sick leave credits as of March 31st in any year by June 1st of each year.

6. GRANTING OF LEAVE

- 6.1 Sick leave may be used and accumulated in half (1/2) hour increments.**
- 6.2** Employees shall inform their supervisor as soon as possible when using sick leave. The supervisor shall designate the manner in which such notification is to be provided.
- 6.3** Employees who are ill shall endeavour to notify their supervisor of the expected duration of the illness as early as possible and shall endeavour to provide as much notice as possible of the anticipated date of return to work.
- 6.4** If an employee is sick on a statutory holiday, the employee shall be paid for the holiday and no sick leave shall be deducted.
- 6.5** The employer shall permit an employee to re-schedule vacations if an employee is seriously ill prior to or during her / his scheduled vacation and submits a claim for sick leave in place of vacation entitlement.
- 6.6** In order to be entitled to paid sick leave, an employee may be required to sign a statement or produce a certificate from a medical practitioner for any illness in excess of five (5) working days, certifying that he / she was unable to carry out his / her duties due to illness. Any costs associated with such certification requirements are the responsibility of the employee.
- 6.7** In the case where an employee is considered to be using an habitual, unusual or excessive amount of sick time, the municipality reserves the right to require written reports from the employee and a physician.
- 6.8** An employee shall be granted up to three (3) days leave with pay in any one year to attend routine dental or medical appointments. Such leave shall be charged against and only used to the extent of available earned or accumulated sick leave.

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.1.5
Section Hours of Work and Leave	Subject Sick Leave	

- 6.9** If a permanent employee has a dental or medical appointment required for treatment of an on-going or serious illness or condition, the employee shall be entitled to use earned or accumulated sick time to attend such appointments. However, an employee may be required to sign a statement or produce a certificate from a medical practitioner for such absences. At the employee's option, this information may be disclosed only to the Director of Human Resources or Chief Administrative Officer. At the request of the employee, written information shall be placed in a sealed envelope in the employee's personnel file.
- 6.10** It shall be the responsibility of the employee to make arrangements for the needs during illness or injury of a person dependent on the employee for care. When no one other than the employee can provide these needs an employee shall be granted up to five (5) days leave with pay in any one fiscal year for such purposes. Such leave shall be charged against and only used to the extent of available earned or accumulated sick leave. The employee also has the option to use vacation leave for such purposes.
- 6.11** A permanent employee shall be granted up to three (3) days leave without pay in any one year where the leave is required due to illness, the illness of an immediate family member or for medical, dental or other similar appointments during working hours.
- 6.12** Sick leave will not be granted in any of the following circumstances:
- illness or injury resulting from paid employment with the Municipality where Workers' Compensation or other benefits apply;
 - illness or injury resulting from paid employment of any kind other than employment with the Municipality; and
 - intentionally self-inflicted injury.
- 6.13** No payment shall be made for accumulated sick leave upon retirement or if an employee separates for any reason.
- 6.14** Abuse of sick leave benefits shall be considered serious misconduct entitling the employer to take appropriate action, up to and including termination.

7. OTHER MATTERS

- 7.1 Advance of Sick Leave:** At the discretion of the Chief Administrative Officer, special sick leave may be granted up to a maximum of 15 working days if an employee has insufficient accumulated sick leave to cover the period of illness, but can reasonably be expected to be able to return to work within a short time. Sick leave advanced in this manner must be deducted from credits earned subsequently by the employee upon return to work, before any further accumulation can take place.
- 7.2 Overdrawn Sick Leave:** Overdrawn leave must be recovered if an employee separates for any reason. The value of overdrawn sick leave is to be calculated at the employee's rate of pay in effect immediately prior to separation and is to be deducted from sums owed to the employee. If overdrawn leave exceeds the amount owed to the employee, such excess may be repaid in instalments over a period of not more than six months.

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.1.5
Section Hours of Work and Leave	Subject Sick Leave	

7.3 Leave Without Pay: In circumstances where an employee has insufficient accumulated sick leave credits to cover the period of illness, leave without pay may be granted at the discretion of the Chief Administrative Officer.

8. RESPONSIBILITIES

8.1 Supervisors ensure conformance with this policy, determine that adequate accumulated sick leave exists, obtain medical certificates as required, and decide on each application for sick leave within the scope of authority delegated to them. They are also responsible to ensure sick leave is appropriately documented and such documentation is placed in the employee's personnel file.

8.2 The Employee (or someone on the employee's behalf) notifies the supervisor immediately of the need for sick leave and the reason for the absence. The employee must also provide any proof of illness required by this policy or otherwise requested by the person authorized to grant sick leave within five (5) working days or upon return to work whichever comes first.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
<i>Seven (7) Day Notice.....</i>	June 13, 2017
<i>Council Approval</i>	June 20, 2017
 <u>Wanda Attwell</u> Acting Municipal Clerk	 <u>June 20, 2017</u> Date
<i>At <u>Annapolis Royal</u> Nova Scotia</i>	

Amendments

December 20, 2011

Amended by:

- Correcting statutory references
- Adding definitions for classifications of employees
- Extending sick leave benefits to all permanent employees (full time and part time)
- Allowing up to 3 cumulative days of sick leave for routine medical or dental appointments
- Allowing up to 5 cumulative days of sick leave to care for a person dependent on the employee for care
- Providing (*Labour Standards Code*) up to 3 days of unpaid sick leave for all employees

June 20, 2017

Amended by adding three (3) paid sick days per year for Term / Temporary / Seasonal / Casual Employees

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 2.1.22
Section Hours of Work and Leave	Subject Inclement Weather / Unsafe Travel Conditions

1. APPLICATION

This policy applies to all unionized (in accordance with collective agreement) and non-union personnel who are directly employed by the Municipality of the County of Annapolis.

2. AUTHORITY

Section 65, *Municipal Government Act*, as amended.

3. PURPOSE

This policy establishes procedures to be followed by the County in a circumstance of hazardous travel conditions.

4. DEFINITIONS

Unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.

- 4.1 **Designated Services** – Services determined by the Chief Administrative Officer to be essential or necessary in their nature (e.g., snow removal; operation of water / wastewater treatment facilities; emergency management operations during periods of activation or declared emergency).

5. PROVISIONS

- 5.1 Employees are expected to make every effort to report for work and continue to work during their scheduled working hours. With the exception of those employees who provide designated services as defined in this policy, employees should assess their own ability to get to and from work safely and consult with their supervisor / manager. Employees may make alternate arrangements with the approval of their immediate supervisor / manager including approval to take paid time off (lieu time or vacation).
- 5.2 In exceptional circumstances, a decision may be made by the Chief Administrative Officer to close some or all offices or worksites due to extreme storm or hazardous conditions. Only in these situations and at the discretion of the Chief Administrative Officer will employees be granted leave with pay for their regularly scheduled work hours.
- 5.3 In the event that offices or worksites are closed due to extreme storm or hazardous conditions, employees who provide designated services are required to report to or remain at work, or be able to work from home or another safe location.

Municipal Clerk's Annotation for Official Policy Book

I certify that this policy was approved by Municipal Council as indicated below:
 Seven (7) Day Notice **March 8, 2022**
 Council Approval **March 15, 2022**

Carolyn Young

Municipal Clerk

March 15, 2022

Date

At **Annapolis Royal** Nova Scotia

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 2.1.23
Section Hours of Work and Leave	Subject Office / Worksite Closures

1. APPLICATION

This policy applies to all non-union personnel who are directly employed by the Municipality of the County of Annapolis.

2. AUTHORITY

Sections 65, *Municipal Government Act*, as amended.

3. PURPOSE

It is the County's intent to ensure municipal services are provided wherever and whenever reasonably possible without jeopardizing the safety of employees.

4. CLOSURE OF BUILDINGS

4.1 In exceptional circumstances, a decision may be made to close some or all county offices or worksites, due to:

- storms (such as heavy snowfall, hurricane or blizzard conditions)
- hazardous and other unsafe conditions (such as floods, fires, power outages, advisories from the Department of Transportation and Infrastructure Renewal on the use of public highways, and/or advisories from police, Emergency Management Office or other agencies)
- exceptional circumstances (such as funeral of a current or former councillor / employee, or a declared state of emergency or conditions deemed by the employer to be sufficiently dangerous or disruptive to require the closure of offices or discontinuance of normal business)

4.2 The decision to close municipal buildings will be the responsibility of the CAO (or designate). In recognition that weather and other conditions will differ from one location to another, it may be appropriate for offices or worksites in one or more locations to close while others remain open. Factors that may contribute to the closure include: weather forecasts, operation of transit buses, school/government office closure, road conditions, and issuance of RCMP / police warnings.

5. DELAYED OPENING

5.1 The decision to delay the opening of municipal buildings due to extreme storm or hazardous conditions will be the responsibility of the CAO (or designate). If the CAO (or designate) has delayed the opening of offices and the storm subsides, the CAO (or designate) can make a decision to open the offices. It is the responsibility of the employee to check the front desk voice message or the county's web site for status reports. If a decision is made to open the office(s), employees shall either report to work or notify their supervisor immediately for approval of alternate arrangements.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 2.1.23
Section Hours of Work and Leave	Subject Office / Worksite Closures

6. CLOSURE / DELAY NOTIFICATION

- 6.1** When a decision is made to close or delay the opening of offices, notification may be provided as follows:

Before Normal Working Hours (by 7:15 a.m.)

Notification will be provided via:

- radio stations (AVR 97.7 FM, Magic 94.9 FM, K-Rock 89.3 FM, CBC 106.5 FM, CBC 101.5 FM St. John NB, 97.3 The WAVE / 94.1 Country St. John NB);
- television (Breakfast Television Halifax);
- County of Annapolis web site (www.annapoliscounty.ns.ca);
- recorded voicemail messages at county offices.

The announcement will indicate if the closure is for the whole day or whether it is just a delay of opening. If a delay of opening, it shall also indicate by what time a further decision will be made as to whether the offices will be opened.

During Normal Working Hours (8:30 a.m. to 4:30 p.m.)

If office closures occur during normal work hours, employees will be notified by their manager / supervisor. Notification will also be provided to the public via:

- radio stations (AVR 97.7 FM, Magic 94.9 FM, K-Rock 89.3 FM, CBC 106.5 FM);
- County of Annapolis web site (www.annapoliscounty.ns.ca);
- recorded voicemail messages at county offices.

5. ACCOUNTABILITY

- 5.1 Supervisors / managers are responsible for ensuring that employees are informed of this policy and for ensuring its fair and consistent application.
- 5.2 All employees shall be paid for their regularly scheduled hours of work during periods of office closures.
- 5.3 Leave of absence banks will be unaffected by periods of office closures.

Municipal Clerk's Annotation for Official Policy Book I certify that this policy was adopted by Municipal Council as indicated below: <i>Seven (7) Day Notice</i> February 8, 2011 <i>Council Approval</i> February 15, 2011	
<u>Carolyn A. Young</u> Municipal Clerk At <u>Annapolis Royal</u> Nova Scotia	<u>February 15, 2011</u> Date

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.2.3
Section Pay Administration	Subject Overtime Policy	

1. APPLICATION

This policy shall apply to all non-unionized employees of the County of Annapolis.

2. AUTHORITY

Section 30, *Municipal Government Act* as amended

3. POLICY

The scheduling and assignment of work by supervisors shall, in so far as is possible, be during the regular work hours. When it is necessary to schedule overtime work, it shall be assigned in a manner which ensures the work is completed as economically and efficiently as possible. Time off in lieu of overtime pay shall be used to the greatest extent possible.

4. GUIDELINES

General

Management and employees should be mindful of the need to reduce and contain costs while striving to maintain and improve the quality and effectiveness of services. Accordingly, it is incumbent upon all staff to first question the necessity of overtime, while exercising critical judgement concerning the issues of productivity, cost and customer service.

An employee is required to complete the work he or she is required to do each day whether or not, on occasion, his or her work hours extend a reasonable period beyond the regular time of leaving. However, for overtime in excess of this reasonable period, employees in classifications eligible for overtime are to be granted time off in lieu of overtime pay at the rate of one hour off for each hour worked.

Overtime hours shall be accumulated and granted in ½ day or full day increments at the discretion of the Chief Administrative Officer or someone delegated to act on his behalf. Time off shall be granted within sixty days from when the overtime was incurred and shall not be for more than three days at one time.

An employee in a classification eligible for overtime may under extraordinary circumstances apply to the Chief Administrative Officer to take compensation for overtime at the employee's hourly rate rather than time off. The Chief Administrative Officer shall have discretionary authority of approval.

MUNICIPALITY OF ANNAPOLIS COUNTY POLICY AND ADMINISTRATION MANUAL		AM - 2.2.3
Section Pay Administration	Subject Overtime Policy	

5. RESPONSIBILITIES

The employee obtains approval for overtime from his or her supervisor prior to the performance of that service, completes and signs a statement indicating the date on which the overtime was worked, the reason for it and the amount of time involved, and forwards this together with a request for time off or payment, as may be applicable, to the supervisor.

The Supervisor has discretionary authority to give prior approval to the performance of overtime service and subsequently approves time off or payment for the overtime worked pursuant to this policy.

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.....	May 14, 2019
Council Approval	May 21, 2019
 <i><u>Carolyn Young</u></i> Municipal Clerk	 <u>May 21, 2019</u> Date
At <u>Annapolis Royal</u> Nova Scotia	

May 21, 2019

Amended by:

- Changed the title of the policy from "Overtime Pay Policy" to "Overtime Policy;"
- Under APPLICATION deleted "This policy applies to employees in the Administration, Social Services, Recreation and Public Works Departments." and replace with "This policy shall apply to all non-unionized employees of the County of Annapolis.";
- Under AUTHORITY updated to "Section 30, Municipal Government Act as amended;"
- Under POLICY deleted "department heads and;"
- Under GUIDELINES deleted second heading "Administration, Social Services and Recreation;"
- Deleted section entitled "Public Works;"
- Under RESPONSIBILITIES, in first paragraph deleted the words "department head or unit;"
- Under RESPONSIBILITIES, in second paragraph deleted the words "Department Head or;"
- Under RESPONSIBILITIES, deleted paragraphs three and four.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 2.5.2
Section Human Resources Development	Subject Employee Training and Development Policy

1. APPLICATION

This policy applies to all employees of the Municipality of the County of Annapolis.

2. AUTHORITY

Sections 65A, 65B, 65C and 65D, *Municipal Government Act*, as amended

3. PURPOSE

The County of Annapolis wishes to promote an environment which recognizes the importance of staff training and professional development for all employees. This development, including both formal and informal learning opportunities, should be ongoing for the duration of employment with the Municipality.

4. DEFINITIONS

In this Policy words and phrases have the same meaning as in the *Municipal Government Act* or as provided below:

- (1) *Council* - means the Council for the Municipality of the County of Annapolis;
- (2) *Employee* – means any employee of the Municipality of the County of Annapolis;
- (3) *Municipality* - means the Municipality of the County of Annapolis;
- (4) *Training* – includes courses, seminars, workshops and conferences.

5. OBJECTIVES

- (1) The objectives of this policy are to:
 - (a) ensure continuous growth in the skills and abilities of Municipal employees so that employees are capable of initiating and utilizing the most appropriate best practices and techniques to improve corporate productivity, efficiency and effectiveness;
 - (b) provide a consistent and equitable method of meeting the training, development, and professional needs of employees in accordance with current and anticipated Municipal requirements.

6. RESPONSIBILITIES

- (1) The Council will:
 - (a) approve the Employee Training and Development Policy;
 - (b) determine the preferred or required qualifications for the CAO's position.
- (2) The Management Committee will review and recommend changes to the Employee Training and Development Policy for adoption by Council.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 2.5.2
Section Human Resources Development	Subject Employee Training and Development Policy

- (3) The Director of Human Resources will:
- (a) ensure that proper records are established and kept up to date with respect to participation in training / education activities;
 - (b) monitor the effectiveness of training, education, and professional development programs and make recommendations for consideration by the Management Committee;
 - (c) administer the budget for any cross-organizational training initiatives undertaken by the Municipality;
 - (d) assist Directors in the development and implementation of a planned approach to their departmental training activities.
- (4) Directors will:
- (a) ensure that the training is linked to Council's strategic plans and directives, core and service group business competencies, succession planning needs, and performance development plans;
 - (b) ensure that employees who participate in training or educational related programs which will benefit the Municipality;
 - (c) ensure that employees are provided with appropriate recognition for training undertaken and completed.
- (5) Managers will:
- (a) be responsible for ensuring the procedures established by this policies and / or standard operational procedures are followed;
 - (b) plan for sufficient funds to be included in the budget so as to ensure that Municipal employees within their respective departments can take advantage of various training opportunities which will benefit the Municipal organization;
 - (c) ensure that programs provide employees with the necessary skills to meet current and future job demands and schedule training for any deficiencies noted;
 - (d) assist the Directors in monitoring the effectiveness of the training, education, and professional development programs;
 - (e) ensure that all courses of training and professional development taken are recorded on the appropriate employees' personnel files;
 - (f) emphasize the need for the ongoing development of staff and ensure that staff development is undertaken in a planned and comprehensive fashion;
 - (g) ensure that employees in their departments are made aware of training and development opportunities;
 - (h) create a positive environment that promotes training and development of the employees.
- (6) Employees will:
- (a) make productive use of the staff training and development opportunities available;

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 2.5.2
Section Human Resources Development	Subject Employee Training and Development Policy

- (b) take personal responsibility and initiative for their professional development in order to maximize their contributions to present and future job assignments;
- (c) as appropriate or required, complete an evaluation report on any training / development activity and forward it to the department head;
- (d) bring to the attention of their manager their long-term career training and development interests.

7. PROCEDURES

- (1) Employees must receive prior approval in writing from their manager / director to participate in training and development courses where funding by the Municipality and / or where time off from the workplace is required.
- (2) Decisions as to whether training should be provided should be based on considerations such as the following:
 - (a) a thorough and realistic assessment of the requirements for training;
 - (b) an analysis of expected costs and benefits, including the possible consequences of not providing the training;
 - (c) the cost effectiveness of training as a solution by comparison with other options;
 - (d) identification of municipal and individual needs;
 - (e) whether candidates possess the necessary prerequisites.
- (3) When considering training and development that involves a long-term course of study that will result in the employee obtaining a degree, license or credential, two factors must be considered:
 - What is the gap, if any, between the employee education and training and the minimum required for the position; and
 - an assessment of the need and the eventual benefit to the municipality of upgrading the employee through the proposed training and development.
- (5) It is recognized that courses leading to professional designations, Bachelor Degrees, Master's Degree or other similar designations are expensive and while they should enhance our employee performance, the measurement of such improvement may be difficult to quantify. As such, approval for these courses of study must be approved in advance by the CAO in consultation with Service Group Director and Director of Human Resource. Particular attention should be paid to the anticipated benefit to the municipality and budget limitations.
- (6) It is also recognized that a lengthy work record demonstrating superior performance and good decisions should be considered equivalent to a degree or professional designation.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM – 2.5.2
Section Human Resources Development	Subject Employee Training and Development Policy

- (7) On an annual basis, each Director should evaluate their staff complement and determine the staff strengths and weaknesses for their departments and develop a plan to address current and future staff requirements. It should be determined if the requirements can be met through staff development or if it will be necessary to hire from outside of the organization. If it is determined that existing staff are suitable and are interested in development, then consideration should be given to the type of training required.
- (8) Consideration should be given to both internal and external training opportunities. Internal training could include, but is not limited to, on the job training and course development by County staff.
- (9) The overall cost of training will be determined by budget as approved by Council. If the requests for funding exceed the overall budget, then the CAO will determine the priorities and determine which amounts will be funded.
- (10) When an employee commences a long-term training program such as a Bachelor's Degree or a Masters' program, funding or cost sharing will be offered for no longer than twelve months at a time. An annual review will be required for further funding or cost sharing. The annual review will take into consideration the employee's progress in the program, the continued expected value to the County, current budget demands and other urgent priorities.
- (11) Approval for tuition funding must be received prior to registration and commencement of the course.
- (12) An employee who fails to complete OR attain a passing grade in a course that has been previously funded by the Municipality will be granted twelve (12) months to complete the course at their own expense. If the employee fails to successfully complete the course at that time, the employee will be required to refund the total cost of tuition via payroll deduction.
- (13) Based upon the determination of the CAO, where proposed training activities are based primarily on an employee's request and there is no requirement for the training, financial support will not be provided. In such cases, the employee may wish to request leave without pay.
- (14) Educational leave and assistance is not a reward for service or a benefit to which every employee is automatically entitled.
- (15) If leave and/or financial assistance is granted, the amount(s) will be specified and will be based upon management's assessment of the relative costs and benefits to the individual and the organization. The amount may range from unpaid leave and no cost sharing of expenses to fully paid leave and full cost sharing of expenses.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 2.5.2
Section Human Resource Development	Subject Educational Leave & Assistance	

- (16) Granting of educational leave and assistance to any employee is at the discretion of the Municipality. The fact that an individual may comply with the eligibility requirements and qualify for the program does not mean that any leave or assistance will be granted to any given employee at any given time and the Municipality reserves the right to use its absolute discretion in awarding such leave.
- (17) Based upon the decision of the employee's service group director, enrollment, registration and course fees may be paid in advance by the Municipality or reimbursed subject to providing receipts for all expenses incurred and upon proof of successful completion of the course (if applicable).
- (18) Travel, meals, accommodation, and other miscellaneous related costs for courses, workshops, seminars and conferences will be reimbursed at 100% in accordance with the County's applicable travel policies.
- (19) Employees will be required to sign a Return of Service Agreement Form Agreement, when financial assistance including travel expenses in excess of \$1,499.00 is provided by the Municipality. Return of Service will be as follows:
- 12 months financial assistance provided of \$1,499+
 - 18 months financial assistance provided of \$2,999+
 - 24 months financial assistance provided of \$4,999+
- (20) A Return of Service Commitment will not be required for mandatory training (training employees require to fulfill their daily job).

8. REPEAL

- (1) *AM-2.5.2 Education Leave & Assistance Policy* (1995) is hereby repealed upon coming into force of this policy.

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	April 13, 2021
Council Approval	April 20, 2021
 <i>Carolyn Young</i> Municipal Clerk	 <u>April 20, 2021</u> Date
At <u>Annapolis Royal</u> Nova Scotia	

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 3.2.1
Section Employment Competitions & Hiring	Subject Hiring Policy

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.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 3.2.1
Section Employment Competitions & Hiring	Subject Hiring Policy

- 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.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 3.2.1
Section Employment Competitions & Hiring	Subject Hiring 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.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 3.2.1
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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.

<p>Municipal Clerk's Annotation for Official Policy Book</p> <p>I certify that this policy was adopted by Municipal Council as indicated below:</p> <p>Seven (7) Day Notice November 12, 2020</p> <p>Council Approval November 19, 2020</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p><u>Carolyn Young</u></p> <p>Municipal Clerk</p> <p><i>At Annapolis Royal Nova Scotia</i></p> </div> <div style="text-align: center;"> <p><u>November 19, 2020</u></p> <p>Date</p> </div> </div>	
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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"