



THE CORPORATION OF THE TOWN OF COBALT

BY-LAW NO. 2025-10

Being a By-Law to Adopt a Recruitment, Selection and Hiring Policy for the Town of Cobalt

WHEREAS Section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, ("*Municipal Act*") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by By-Law unless the municipality is specifically authorized to do otherwise.

AND WHEREAS Section 227 of the *Municipal Act* provides it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

AND WHEREAS Section 270 of the *Municipal Act* requires the council of a municipality to adopt and maintain policies with respect to, among other things, its hiring of employees and the relationship between members of Council and the officers and employees of the municipality;

AND WHEREAS Section 281 and 282 of the *Municipal Act* provide that the council of a municipality may establish a sick leave and benefit program for the municipality.

AND WHEREAS Municipalities must comply with the *Employment Standards Act* R.S.O. 1990 (the "*Employment Standards Act*"), as amended and the *Occupational Health and Safety Act* R.S.O. 1990 (the "*OHSA*") as amended.

AND WHEREAS Council of the Corporation of the Town of Cobalt decides it in the best interest of the Corporation to establish certain policies related to the recruitment and management of Officers and Employees of the Municipality.

NOW THEREFORE the Council of the Corporation of the Town of Cobalt hereby enacts as follows:

1. That Council adopt a Recruitment, Selection and Hiring Policy for the Town of Cobalt identified as Schedule "A" attached hereto and forming part of this By-Law.
2. That the Town Manager be responsible to keep up to date on changes in law affecting the guidelines and that changes in law which require amendments to the guidelines and/or this By-Law be delivered to Council in a report within thirty (30) days of becoming aware of the changes.
3. That By-Law 2017-009 is hereby repealed.
4. That the Clerk of the Town of Cobalt is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-Law and Schedule as may be deemed necessary after the passage of this By-Law, where such modifications or corrections do not alter the intent of the By-Law.
5. That this By-Law shall come into force and take effect on the date of its final passing.
6. And further that the said By-Law be signed and sealed by the Mayor and Clerk.

TAKEN AS READ a first, and second time this 1st day of April 2025.



Angela Adshead, Mayor



Steven Dalley, Clerk

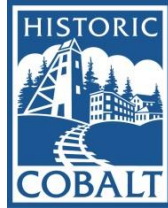
TAKEN AS READ a third and final time and finally passed this 29th day of April 2025



Angela Adshead, Mayor



Steven Dalley, Clerk



**THE CORPORATION OF THE
TOWN OF COBALT**

SCHEDULE "A" TO BY-LAW NO. 2025-10

**TO ADOPT A RECRUITMENT, SELECTION AND HIRING POLICY
FOR THE TOWN OF COBALT**

Part 1 General Provisions

1.1 Preamble

Council acknowledges that a successful public service requires individuals with the appropriate skillset and personal/professional attributes to provide services and achieve the vision/mission/goals/priorities of Council. Council also recognizes that to attract and retain these individuals they must ensure that they support a workplace culture where Officers and Employees feel valued and respected; are included and consistently engaged; and can perform at their best and be successful as a public servant.

The Town of Cobalt is an equal opportunity employer that provides equality of opportunity for employment without discrimination, consistent with The Ontario Human Rights Code and the candidate's ability to successfully perform the duties of the job.

The process for filling job vacancies will be fair, equitable, open and transparent. Collective agreements, legal requirements of employment and Town of Cobalt policies, procedures and guidelines will be followed in all steps of the hiring process. Hiring and promotion will be based on required skills, abilities, qualifications and seniority as applicable.

All things being equal, preference will be given to resident who reside within the Municipal boundaries of the Corporation of the Town of Cobalt.

Council will not tolerate acts of favoritism or discrimination in the selection process. Elected officials, appointed officers or employees shall not attempt to influence the hiring of any applicants.

Council is committed to fostering inclusive employment and employee management practices. Council is also committed to a workplace culture that is focused on continuous and proactive improvement to ensure employee success in the workplace as well as within role professional development.

1.2 Related Municipal Policy and Other Applicable Legislation

- Workplace Violence & Harassment
- Media Policy
- Code of Conduct
- CUPE Local 127 Collective Agreement
- Employment Standards Act
- Ontario Human Rights Act
- Accessibility for Ontarians with Disabilities

1.3 Diversity, Equity and Inclusions

The Town of Cobalt will aim to foster, cultivate, and preserve a culture of diversity, equity and inclusion.

Council recognizes that human capital is the most valuable asset the Town of Cobalt has. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our Officers and Employees invest in their work represents a significant part of not only the workplace culture, but also effective and efficient delivery of Municipal services.

Council will support a workplace that embraces and encourages differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make Officers and Employees unique.

All Officers and Employees have a responsibility to always treat others with dignity and respect and are expected to conduct themselves in a manner that reflects inclusions in the workplace and at work-related functions.

The Town Manager will promote a positive working environment where Officers and Employees collaborates to achieve the Town of Cobalt's goals while cultivating a culture of diversity, equity, and inclusion.

1.5 Scope

This Recruitment, Selection and Hiring Policy applies to union and non-union permanent, temporary, part-time and student hiring for which there is a job competition.

Part 2 Responsibilities

Town Manager shall:

- Develop staffing policies and guidelines, establish the hiring process and monitor that all hiring activity is fair, equitable and complies with the Collective Agreement, Town policies and procedures.
- Approve the appointment, suspension and dismissal of all employees.
- Coordinate the following functional areas:
 - Employee and labour relations,
 - Recruitment and selection
 - Compensation
 - Pension and benefit administration
 - Human resources information management
 - Occupational health and safety
 - Education and training development
- Be responsible for employee files.
- Maintain privacy and confidentiality of information.
- Provide Council with recommendations for approval to create new positions.

Part 3 Hiring of Relatives

Relative means, in conformity with the Ontario Human Rights Code, includes the spouse, child or parent of an employee.

No employee or member of Council will participate in the hiring or discipline of an employee to whom they are a relative. It is the responsibility of employees and members of Council and/or candidates for employment with the Town of Cobalt to declare whether other Town employees are their relatives.

No employee or member of Council may be in the position for the handling of confidential material related to the performance or evaluation of a relative.

A relative of an existing employee, who is identified as being the best candidate, may be hired if there is no direct reporting relationship between the relatives. In cases of promotion or transfers from within or in situations where related employees may, for any reason, come into supervisory relationship, the Town may consider alternatives to avoid that relationship.

Part 4

Hiring of Town Manager

1. When a vacancy occurs, as the result of resignation, promotion, transfer or dismissal of a Department Manager, or a creation of a new position, Council shall conduct a position needs assessment. At a minimum, the position needs assessment will consider:
 - a. The job profile / job description to determine if it is adequate and still meets the needs of the municipality;
 - b. The communication and other internal relationships impacted by the position within the organizational structure and propose changes to the overall organizational structure if necessary;
 - c. If there is still a need for the position or if the position needs to be modified or realigned or changed completely; and
 - d. The most appropriate recruitment strategy to fill the position expediently and with an individual that is the best fit for the organisation.
2. Council will authorize the position to be posted both internally and externally.
3. A hiring committee shall be comprised of all members of Council. Council may wish to have an outside resource to assist in the recruitment and hiring process.
4. Applications received from qualified candidates will normally be reviewed by the hiring committee within one week following the due date advertised in the posting. The hiring committee will arrange for all interviews to be conducted. Candidates for interview will be evaluated and ranked based on the information presented in the applications.
5. Following the completion of the interviews, the hiring committee will complete a scored evaluation of each candidate interviewed. The Mayor, or a representative, will conduct a reference check as indicated in Part 7 for the two highest ranked candidates. Once all reference checks have been completed, the Mayor, or the representative, will present the findings to the hiring committee and a recommendation will be presented in closed session as per the Municipal Act, Section 239.
6. The Mayor will prepare a written offer of employment to the approved candidate. A successful candidate will be given a letter of offer that gives them a minimum of five (5) calendar days to consider the offer of employment and any terms and conditions set out in the letter of offer. The candidate's signature on the letter offering employment shall indicate acceptance of the conditions of employment.
7. The Mayor shall notify the interviewed candidates that were not successful in being selected for the position.

Part 5
Hiring of Management / Non-Union Positions

1. When a vacancy occurs, as the result of resignation, promotion, transfer or dismissal of a Department Manager, or a creation of a new position, the Town Manager shall conduct a position needs assessment and report to Council. At a minimum, the position needs assessment will consider:
 - a. The job profile/job description to determine if it is adequate and still meets the needs of the municipality;
 - b. The communication and other internal relationships impacted by the position within the organizational structure and propose changes to the overall organizational structure if necessary;
 - c. If there is still a need for the position or if the position needs to be modified or realigned or changed completely; and
 - d. The most appropriate recruitment strategy to fill the position expediently and with an individual that is the best fit for the organisation.
2. The Town Manager will authorize the position to be posted both internally and externally.
3. The Town Manager will form a hiring committee. For clarity, Council will not be part of a hiring committee for employees who do not report directly to Council unless requested by the Town Manager and approved by resolution of Council. The hiring committee will comprise of the following:

Public Works Superintendent / Deputy Clerk-Treasurer	Town Manager and an outside representative with experience in the respective field.
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4. Applications received from qualified candidates will normally be reviewed by the Town Manager and the hiring committee within one week following the due date advertised in the posting. The Town Manager will arrange for all interviews to be conducted by the hiring committee. Candidates for interview will be evaluated and ranked based on the information presented in the applications.
5. Following the completion of the interviews, the hiring committee will complete a scored evaluation of each candidate interviewed and present a recommendation to the Town Manager. The Town Manager will conduct a reference check as indicated in Part 7 for the two highest ranked candidates and will present the findings to the hiring committee.
6. The Town Manager shall approve a candidate to fill the vacancy and will prepare a written offer of employment to the approved candidate. A successful candidate will be given a letter of offer that gives them a minimum of five (5) calendar days to consider the offer of employment and any terms and conditions set out in the letter of offer. The candidate's signature on the letter offering employment shall indicate acceptance of the conditions of employment.
7. The Town Manager shall notify the interviewed candidates that were not successful in being selected for the position.

Part 6
Hiring of Union (CUPE) Employees

1. Hiring of Union (CUPE) employees will be in accordance with the CUPE Local 127 Collective Agreement.
2. When a vacancy occurs, as the result of resignation, promotion, transfer or dismissal or a creation of a new position, the Town Manager shall conduct a position needs assessment and report to Council. At a minimum, the position needs assessment will consider:
 - a. The job profile / job description to determine if it is adequate and still meets the needs of the municipality;
 - b. The communication and other internal relationships impacted by the position within the organizational structure and propose changes to the overall organizational structure if necessary;
 - c. If there is still a need for the position or if the position needs to be modified or realigned or changed completely; and
 - d. The most appropriate recruitment strategy to fill the position expediently and with an individual that is the best fit for the organisation.
3. The Town Manager will authorize the position to be posted both internally and externally.
4. The Town Manager will form a hiring committee. For clarity, Council will not be part of a hiring committee for employees who do not report directly to Council unless requested by the Town Manager and approved by resolution of Council. The hiring committee will comprise of the following:

Public Works Staff	Town Manager and Public Works Superintendent
Administrative Staff	Town Manager and Deputy Clerk-Treasurer

5. Applications received from qualified candidates will normally be reviewed by the Town Manager and the hiring committee within one week following the due date advertised in the posting. The Town Manager will arrange for all interviews to be conducted by the hiring committee. Candidates for interview will be evaluated and ranked based on the information presented in the applications.
6. Following the completion of the interviews, the hiring committee will complete a scored evaluation of each candidate interviewed and present a recommendation to the Town Manager. The Town Manager will conduct a reference check as indicated in Part 7 for the two highest ranked candidates and will present the findings to the hiring committee.
7. The Town Manager shall approve a candidate to fill the vacancy and will prepare a written offer of employment to the approved candidate. A successful candidate will be given a letter of offer that gives them a minimum of five (5) calendar days to consider the offer of employment and any terms and conditions set out in the letter of offer. The candidate's signature on the letter offering employment shall indicate acceptance of the conditions of employment.
8. The Town Manager shall notify the interviewed candidates that were not successful in being selected for the position.

Part 7

Offer of Employment – Terms and Conditions

Reference Check

All candidates will be subject to reference and internet checks. Candidates are required to provide a minimum of three (3) employment related references and sign a form acknowledging that their listed references may be contacted along with other individuals who they have not listed and that they will be subject to an internet search that will include social media sites.

Reference and internet checks will be conducted prior to any offer being made to a candidate. The Town Manager will ensure that all reference checks conducted internally are done by two (2) individuals. A minimum of two (2) past employers will be contacted.

Criminal Records Check

Many positions at the Town of Cobalt are safety or security sensitive or are otherwise assumed by the Town of Cobalt by placing a high degree of trust in the integrity of its employees. As a provider of a public service, it is incumbent on the Town of Cobalt to exercise its due diligence by ensuring, to the extent reasonably possible, that employees who provide such service do not pose a risk to vulnerable individuals or the Municipality's interest.

To minimize risk to the Town of Cobalt, Council directs the Town Manager to ensure that police background checks are conducted as a condition of hiring of an employee. Dependent upon the nature of the position and identified risks associated with the position the employee will be required to provide either a criminal record check or vulnerable sector screening check before commencement of employment or being permitted to volunteer for the Municipality.

Employees may be required to provide a renewed police background check if required by law at designated intervals. Additionally, any individual being assigned or promoted into a position requiring vulnerable sector screening check where it was not required or submitted at the start of their employment will be required to provide such prior to starting their new position.

Driver's Abstract

An employee requiring a driver's licence in good standing as identified in their job description will be required to provide a driver's abstract check within thirty (30) days of a conditional offer of employment and will be required to have a valid driver's licence in good standing for employment purposes.

If an employee does not maintain their driver's licence in good standing, progressive discipline up to and including termination of employment could result.

Pre-Employment Health Examination

Where necessary, a pre-employment health examination will be required to determine physical fitness for employment.

The cost of providing the required documentation(s) will be borne by the applicant.

Part 8 Separation

Council is committed to the retention of valued employees until their retirement. However, Council recognises that from time-to-time employees choose to leave the workplace or may be involuntarily required to leave. Of utmost importance is that any time there is a departure of an employee from the workplace that the focus should be on helping the employee to depart with as much grace, pride and confidence as possible. This is of the utmost importance when the individual is not an optimal fit for the position or within the workplace culture.

Voluntary Departure

Any employee will be considered to have voluntarily left the employment of the Town of Cobalt if they:

- Have given notice two (2) weeks that they are leaving their employment with the Town of Cobalt (unless more is required in their employment contract);
- Have given notice eight (8) weeks that they are retiring from their employment with the Town of Cobalt (unless more or less notice is provided for in their employment contract);
- Have failed to attend work without notice or approved leave for a period of more than three (3) consecutive days (with legal advice);
- Have failed to attend work without notice or approved leave for a period of more than three (3) consecutive days after a statutory or non-statutory leave (with legal advice).

Involuntary Departure

Temporary Layoffs

The Town Manager may need to layoff some or all employees without notice. The Town Manager will give as much notice as possible or practical that such a layoff will occur and will advise the potential length of the layoff and the reason for the layoff.

Termination

The Town of Cobalt may need to end the employment relationship with an employee with or without cause. Every effort will be made to alleviate the negative experience of such an action by helping the individual take the next steps of their employment career. The Town Manager, if possible, will notify Council prior to any employee termination. The Town Manager will adopt procedures for with cause and without cause termination which at a minimum will include:

- Letters of termination will be given to the employee in person.
- The individual will be treated with respect when they are advised on the ending of the employment relationship;
- Upon termination of employment, an employee shall promptly deliver to the Town of Cobalt any and all property, technology, data, manuals, notes, records, plans, or other documents, including any such documents stored on any video or software related medium, held by the employee concerning the Municipality's services and programs, developments, and equipment. This includes intellectual or other property made or prepared by the employee. An employee may with written permission, retain samples of their work if such work is already in the public domain; and
- These considerations may be included in all employment contracts if agreed to by the employment lawyer drafting or reviewing the employment contract.