

Rescinded by  
83-12

THE VILLAGE OF COBDEN

BY-LAW NUMBER 75-21

Being a by-law to rescind by-law number 1413, and all previous employment by-laws, and establish an employment policy for the Corporation of the Village of Cobden.

Therefore the Council of the Village of Cobden enacts the following

DEFINITIONS

The words "casual labourer" shall mean and include all employees hired on a part-time, casual, or temporary basis, for a phase of work which there is no permanent establishment provided. This shall exclude student employees, school crossing guards and Park attendants.

PURPOSE OF POLICY

- (a) This by-law will define: employee status, rates of pay, holidays and vacations, sick and compassionate leave, fringe benefits, hours of work, duties and responsibilities, severance of employment, and general enforcement procedures.
- (b) This by-law will establish a complaint and grievance procedure.

ARTICLE I

EMPLOYEE STATUS

- (a) Men employed up to six months are deemed to be casual labourers.
- (b) Men employed for a period of six months or more consecutive, are deemed to be permanent employees, provided their work is satisfactorily approved by the foreman.
- (c) At the end of six months consecutive employment an employee will not be subject to summary discharge (2B).

ARTICLE II

- (a)
 

Casual labourer	\$3.00 per hour
Foreman	\$4.50 per hour
First Assistant	\$4.20 per hour
Second Assistant	\$3.95 per hour

 Above rates will be subject to review at the beginning of each calendar year.
- (b) Regular overtime will be paid at the rate of time and one half.  
Overtime on holidays will be paid at the rate of time and one half over and above their regular pay.
- (c) Tradesmen may be hired when necessary at their prevailing rates.

ARTICLE III

- (a) The following statutory holidays with pay may be taken subject to article 3C.
 

New Years	Good Friday	Labour Day
Victoria Day	Christmas Day	Thanksgiving Day
Dominion Day	Boxing Day	Civic Holiday

 Also one floating holiday to be designated by Council at the beginning of each year, and any special holidays proclaimed by the Reeve.

- (b) "Vacation with pay and hours of work act" will apply to those in their first year of employment.

Permanent employees after one year will receive three weeks vacation with pay.

Permanent employees after ~~fifteen~~ years will receive four ~~years~~ <sup>WEEKS</sup> vacation with pay.

- (c) Foreman and employee cannot have the same time off for vacation or holidays, foreman will therefore have first choice. When work is performed on any of the aforementioned Statutory holidays, the employee must receive a premium rate of one and one half times over and above their regular rate for all work performed.

#### ARTICLE IV

##### SICK AND COMPASSIONATE LEAVE

###### (a) SICK LEAVE

- (i) A plan of sick leave credit gratuities for employees shall be established at the rate of one and one half days for each calendar month employed as a permanent employee.  
After two days a medical certificate is required.  
After six days has accumulated a certificate from a doctor is required for any six leave.
- (ii) On termination of his employment, no employee shall be entitled to more than an equal amount of his salary wages or other remuneration for one-half the number of days standing to his credit, and in any event, not in excess of the amount of one-half year's earning at the rate received by him immediately prior to the termination of employment.

###### (b) COMPASSIONATE LEAVE

- (i) Death in family - three days absence may be allowed, probationary and permanent employees without loss of wages, or penalty upon the death of father, mother, brother, sister, wife, husband, son, daughter, father-in-law, mother-in-law, or any blood relative living as part of the employee's household.
- (ii) No leave with pay will be granted for this purpose after day of funeral unless under special circumstances when further leave may be arranged with permission. Upon the death of any other person, time off may be granted without pay.

#### ARTICLE V

##### FRINGE BENEFITS

- (i) Permanent employees - 50% of the cost of the following shall be paid by the Municipality.  
O.H.I.P.

#### ARTICLE VI

##### HOURS OF WORK

- (a) The office shall be open to the general public each weekday from Monday to Friday inclusive between the hours of 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m. From May 1 to October 31 each year the office will open at 8:00 a.m. and close at 4:30 p.m. Further office hours shall be arranged from time to time to expedite Corporation business.
- (b) All other employees will work a five and a half day week of eight (8) hours each, or forty-four hours per week, subject to renewal at the beginning of each calendar year

ARTICLE VII

DUTIES AND RESPONSIBILITIES

- (a) All outside employees will be subject to the orders of the Foreman regarding his work, and will take their instructions from him, but if in his best judgement, he feels he is being unfairly treated, he has recourse to the grievance procedure below.
- (b) Their duties will consist of any work appertaining to the efficient operation of the Corporation of the Village of Cobden, including the maintenance of streets and sidewalks, the operation of the water and sewer systems, reading of hydro meters, and for construction and repair work where necessary.

ARTICLE VIII

GRIEVANCE PROCEDURE

- (a) There will be a grievance committee of the Council set up each year, composed of at least two councillors.
- (b) The members of this committee may be approached at any reasonable time with any problem that an employee may have. The members of the committee will attempt to find a solution.
- (c) Failing this (b), the committee will then bring the matter to the next regular Council meeting.
- (d) If the decision of Council is unsatisfactory to the employee, he may notify the Reeve of this fact, and the Reeve will call a special meeting of Council, at which the employee may come and present his case.

ARTICLE IX

SEVERANCE OF EMPLOYMENT

- (a) TERMINATION BY DISMISSAL

Thirty days notice or its equivalent in pay will be given when a permanent employee is dismissed, with just cause but no

- (b) VOLUNTARY TERMINATION, RETIREMENT, OR DEATH -art. 4 (a) (ii)

Thirty days notice shall be given by employees upon voluntary termination, in order to qualify for:

- (i) payment of sick leave credits as outlined in Article 4(a)
- (ii)

ARTICLE X

GENERAL AND ENFORCEMENT

- (a) RETIREMENT

The retiring age for employees shall generally be considered as 65 notwithstanding however, annual extensions may be given providing he or she is capable of performing his or her work satisfactorily, and providing he or she can produce proof that they are medically fit.

- (b) CAR ALLOWANCE

For occasional use of cars as authorized on Municipal business, the rate will be 15¢ per mile.

- (c) ENFORCEMENT

- (i) This by-law will be retroactive to August 5, 1975 for Village employees.

- (ii) Provisions of this by-law cannot be changed except by way of an amending by-law in Council.
- (iii) This by-law shall not be interpreted to contradict or violate any statute or regulation of the Province of Ontario.
- (iv) The clerk shall set up the necessary systems, maintain the proper records, and be responsible for the administration of this bylaw, and will be accountable to the Council for its enforcement.

READ A FIRST TIME THIS 2ND DAY OF SEPT 1975.  
READ A SECOND TIME THIS 2ND DAY OF SEPT 1975.  
READ A THIRD TIME SHORT AND PASSED THIS 2ND DAY OF SEPT. 1975

Harold S Robinson  
REEVE

R. Schilling  
CLERK-TREASURER