

Corporation of the Village of Cobden

By-Law Number 1987-25

Being a by-law to rescind By-law number 83-12, and all 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 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) Persons employed up to six months are deemed to be casual labourers.
- b) Persons employed for a period of six months or more consecutive, are deemed to be permanent employees, provided their work is satisfactorily approved by the council.
- c) At the end of six months consecutive employment an employee will not be subject to summary discharge. (2B)
- d) Full-time employees are those who normally work more than 30 hours per week.

ARTICLE II

- a) Rates of pay will be subject to review at the beginning of each calendar year and will be established by by-law.
- b) Regular overtime will be paid at the rate of time and one half. Overtime on designated statutory 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.
- d) Time-off may be taken in lieu of overtime pay.
- e) The following list deems the status for municipal employees employed for a period of six or more consecutive months:

Clerk-Treasurer

Full-Time
Permanent

| | | |
|----|-----------------------------------|------------------------|
| e) | Deputy-Clerk | Full-time Permanent |
| | Secretary/Receptionist | Part-time Permanent |
| | Roads Superintendent | Full-time Permanent |
| | Roads Workers | Full-time Permanent |
| | Water Treatment Plant Operator | Full-time Permanent |
| | Municipal Hall Janitor | Part-time Permanent |

ARTICLE III

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

| | | |
|--------------|------------------|-----------------|
| New Years | Christmas Day | Remembrance Day |
| Victoria Day | Boxing Day | |
| Canada Day | Labour Day | |
| Good Friday | Thanksgiving Day | |

Also one floating holiday to be authorized 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, after ten years will receive four weeks vacation with pay, and after twenty years will receive five weeks vacation with pay.

- c) Foreman and employee nor Clerk and employee can have the same time off for vacation time, foreman and Clerk therefore have first choice.

ARTICLE IV

SICK AND COMPASSIONATE LEAVE

- a) SICK LEAVE

i) A plan of sick leave credit gratuities for full-time employees shall be established at the rate of one and one half days for each calendar month employed as a full-time permanent employee. After two days a medical certificate is required.

After six days has accumulated a certificate from a doctor is required for any sick leave.

ii) On termination of his employment, an employee shall not 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.

b) COMPASSIONATE LEAVE

- 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) Full-time permanent employees - 100% of the cost of the following shall be paid by the municipality:
 - . O.H.I.P.
 - Dental Plan and Extended Health Plan

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 8:30 A.M. to 4:30 P.M.
- b) All other employees will work a five day week of eight (8) hours, each or forty 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/she feels they are being unfairly treated, he/she has recourse to the grievance procedure below.
- b) The duties of outside employees 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 maintenance of the water and sewer systems, reading of hydro meters, and for construction and repair work where necessary.
- c) The operation of the Water Treatment Plant and Sewage Disposal Plant will be the responsibility of the Plant Operator or personnel authorized by him or Village Council.

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.

b) VOLUNTARY TERMINATION, RETIREMENT, OR DEATH

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 4a) 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.

ENFORCEMENT

- i) This by-law shall come into effect on the day which it is passed.
- 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 by-law and will be accountable to the council for its enforcement.

Read a first, second and passed on the third reading this 17 day of August, 1987.


REEVE


CLERK-TREASURER