

Human Resources Policies and Management

Policy Number: **HR-01**

Initial Policy Approval Date: **Feb. 2020**

Review/Revision Dates: **Feb. 2021, Mar. 2022, Mar. 2023, Mar. 2024, Mar. 2025**

Year of Next Review: **2026**

The library board, as the employer of all library staff, seeks to create and maintain a work environment that is conducive to attaining its vision and mission.

Section 1: Legislation

In accordance with the Public Libraries Act, R.S.O. 1990, c. P44, s. 15(1): “A Board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties.”

In all employment practices, the board subscribes to the provisions of the current Employment Standards Act of Ontario and the current Ontario Human Rights Code. Under the Municipal Act, Section 270(2), the Library Board, as a local board, is required to adopt and maintain policies on the hiring of employees.

Section 2: Policy Objectives

1. Appropriate staffing is in place to provide services to the community.

This means that there is a sufficient number of employees who receive ongoing training and skill updating, and that there is always someone who can step in to run the library on an emergency basis in the absence of the Chief Executive Officer (CEO).

2. Employees are treated fairly and professionally.

This means that there exist Human Resources policies and procedures that, at a minimum, respect and adhere to provincial legislation related to employment and where possible, go beyond minimum standards. These policies will be applied consistently to all employees. Employees will be made aware of all policies and procedures and must have a vehicle for expressing an ethical dissent, or for reporting that Human Resources policies have not been followed.

3. Employees receive fair compensation.

This means that rates of pay and benefits do not deviate materially from the geographic and professional market for the skills employed, and that compensation adheres to the principles of pay and internal equity.

4. The personal information of all employees is kept confidential.

Personnel records may be accessed only by the CEO or the City of Port Colborne's Human Resources professionals, all of whom must protect the privacy of employees.

Section 3: Responsibility

Part 1: The library board is the employer of all staff and ultimately responsible for all Human Resources decisions.

1. The board develops and approves all policies that are in support of its vision for human resources management including any clauses or practices originating from the municipality.
2. The board, as a collective whole, appoints and manages the Library CEO.
3. Where the board adopts the policies of the municipality, the board shall confirm such acceptance in writing through a motion and copy the motion into the policy documents. (See Section 4: Adoption of Municipal Policies).
4. The municipality may assist with payroll processing and provide support and guidance in a number of human resources areas, such as recruitment.
5. The board may establish a committee to undertake specific HR work on behalf of the board, in which case terms of reference for the committee will be established.

Part 2: The CEO is responsible for overall Human Resources management within the Library.

1. The CEO develops human resources policies that support the board's vision, for library board approval.

2. The CEO keeps abreast of legislative and social changes that have an impact on the Board's human resources policies and procedures.
3. The CEO hires and manages all library employees and oversees the day-to-day work of Library employees.

Section 4: Employee Records

The library maintains current, confidential information for each employee to meet statutory requirements such as income tax, pension, and employment insurance benefits. Information is kept so that it provides documentation to substantiate decisions on hiring, promotion, compensation, benefits, disciplinary action, and termination.

1. Employee records are kept in a locked filing cabinet in a secure location. All electronic records are password-protected.
2. An employee may request, and will be granted, access to his or her records.
3. An employee is not permitted to remove or add anything to the content of the employee files.
4. Where a board member seeks access to an employee's personal information the board member may only obtain the personal information:
 - a) in compelling circumstances affecting the health or safety of an employee
 - b) in compassionate circumstances, to facilitate contact with the next of kin or a friend of an employee who is injured, ill, or deceased
5. Each record contains basic administrative information including emergency contact numbers; benefits; salary and tax-related information; letter of employment; performance appraisals; and professional development information.
6. A record of emergency contact information for each employee is also maintained and employees should advise the employer promptly of any change to their personal information held at the library.
7. Records that are no longer required are destroyed in a secure manner.
8. Any breach of privacy must be reported to the CEO.

Section 5: Adoption of Municipal Policies

1. The Port Colborne Public Library Board adopts the current Human Resources policies of the Corporation of the City of Port Colborne.
2. Human Resources policies include, but are not limited to:
 - a) administration
 - b) staff selection and employment
 - c) hours of work
 - d) vacation, public holidays, and leave
 - e) inclement weather and unscheduled closings due to emergencies
 - f) pay and performance
 - g) pay equity
 - h) benefits
 - i) payment of job-related expenses
 - j) time away from work
 - k) employee relations
 - l) professional development
 - m) performance and discipline
 - n) payroll, attendance, and seniority
 - o) fitness for duty
 - p) disconnecting from work
 - q) electronic monitoring
3. The Board adopts the policies of the municipality with the understanding that these policies must apply to and satisfy the specific legal obligations of the Board in terms of its governance structure, its duties and responsibilities to its employees, library operations, and the public library building.
4. The Board reserves the right to establish additional policies and to modify the City's Human Resources policies in order to satisfy the Board's specific legal duties and responsibilities.
5. Additions, modifications, or exclusions to any policy adopted from the municipality will be stated in the Board policy and communicated to the City's Human Resources department.
6. The Board shall be notified of any amendments to the City's Human Resources policies that may occur in the future.

7. The City shall ensure that policies are reviewed and amended according to legislative requirements.
8. This policy and Appendix A will be reviewed annually, or more frequently as deemed necessary by the Board, to ensure compliance with legislation and to accurately reflect current practice.

Related Documents:

- Public Libraries Act, R.S.O. 1990, c. P44, s. 15(1)
- Corporation of the City of Port Colborne. Human Resources Policies.
- Port Colborne Public Library. HR-04: Employee Conduct.
- Port Colborne Public Library. HR-10: Disconnecting from Work.
- Port Colborne Public Library. HR-11: Electronic Monitoring.
- Municipal Act, Section 270(2)
- Occupational Health and Safety Act, R.S.O. 1990, c 0.1 (OHSA) and its Regulations
- Human Rights Code, R.S.O. 1990, chapter H.19, section 5 (1)
- Employment Standards Act, S.O. 2000
- Accessibility for Ontarians with Disabilities Act, 2005. S.O. c.11
- Ontario Regulation 165/16 made under the Accessibility for Ontarians with Disabilities Act, 2005. S.O. c.11 and amending O Reg. 191/11 (Integrated Accessibility Standards)
- Collective Agreement between the Port Colborne Public Library Board and the Canadian Union of Public Employees and its Local 155, 2021-2025.

Appendix A: Additions, Modifications and Exclusions

1. Reporting Structure: Applies to all Human Resources Policies

1. All Library staff report to the Chief Executive Officer (CEO) and to the Library Services Manager as designated by the CEO
2. The Library Services Manager reports to the CEO
3. The CEO reports to the Port Colborne Public Library Board

2. Recruitment Process: Clarification to the City's Policy

To facilitate effective recruitment and selection, hiring may be coordinated through the Human Resources Department of the Corporation of the City of Port Colborne on behalf of the Board. The Human Resources Department, in coordination with the CEO and the Library Services Manager, will assemble the most qualified and experienced candidates available. The Human Resources Department will provide professional assistance and counsel to the CEO during the recruitment process. The CEO is responsible for final hiring decisions.

3. Salary and Benefits Processing: Clarification to the City's Policy

The City will assist with salary and benefits processing.

4. Staff Development and Training: Clarification to the City's Policy

In most respects, the Library adheres to the City's Human Resources Policy Manual and uses the training programs of the City, subject to any additional specialized procedures and training needs relating to library services. The Library will be responsible for budgeting and administering any costs associated to library services training, conferences, and memberships.

The Library may be included in all Corporate training opportunities typically offered at the City's expense. The Library will continue to obtain this service from the City for so long as the City is prepared to provide it.

5. Employee-Employer Communications: Clarification to the City's Policy

- a) The Board believes that well-informed employees contribute to stronger organizational decision-making and better represent the Library to the public,

and, as such, will circulate reports, long-term plans, and operational information will be circulated to Library employees.

- b) The CEO and Library Services Manager will meet regularly with employees to facilitate strong staff participation in the workplace.
- c) Within its communication framework, the CEO will adhere to the conditions and circumstances described in HR-10: Disconnecting from Work policy.

6. Employment Standards: Clarification to the City's Policy

- a) The Library shall follow the Ontario Employment Standards Act, S.O. 2000 (the ESA) and all subsequent versions of the ESA except in circumstances described in section C below.
- b) All new employees will be provided with a print copy of the Employee Standards poster within 30 days of the date that the person becomes an employee, as required under the ESA.
- c) The ESA does not apply to certain employees or volunteers including:
 - A secondary school student who performs work under a work experience program authorized by the school Board that operates the school in which the student is enrolled
 - An individual who performs work under a program approved by a college of applied arts and technology or a university
 - A participant in community participation under the Ontario Works Act, 1997
 - An individual who performs work under an order or sentence of a court or as part of an extrajudicial measure under the Youth Criminal Justice Act (Canada)
 - An individual who performs work in a simulated job or working environment if the primary purpose in placing the individual in the job or environment is his or her rehabilitation
 - Any prescribed individuals listed in 2000, c. 41, s. 3 (5); 2006, c. 19, Sched. D, s. 7; 2017, c. 22, Sched. 1, s. 2 (2); 2020, c. 3, s. 1.

For employees within those exempt categories, the Library shall follow the employment standards as prescribed by the appropriate governing bodies (e.g.,

secondary school, college, Ontario Works program, etc.) and not the ESA. However, these individuals will be bound by the policies of the Library including all Human Resources and Health & Safety policies and all employees, including this exempted class, are required to sign the Library's Policy Acknowledgement Statement and Confidentiality Statement. (See HR-04: Employee Conduct.)

7. Employee Conduct: The Board adopts its own policy

See: Policy HR-04: Employee Conduct

8. Accessibility and Staff: The Board adopts its own policy

See: Policy HR-05: Accessibility and Staff

9. Employee Recognition of Service: The Board adopts its own policy

See: Policy HR-06: Employee Recognition of Service

10. Electronic Monitoring

See: Policy HR-11: Electronic Monitoring

The Library has the capability to monitor library staff but will only access such data under specific circumstances as outlined in HR-11: Electronic Monitoring.

The Board acknowledges that the City of Port Colborne assists the Library with information technology support including staff emails, website, networking, video cameras, and other electronic software and hardware. The Board has used the City's AP-73 Electronic Monitoring policy as the basis for its policy HR-11: Electronic Monitoring.