

**Policies & Priorities Committee Meeting
AGENDA**

Tuesday, October 22, 2019, 5:00 pm
Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

	Pages
1. Call to Order	
2. Roll Call	
3. Disclosure of Pecuniary Interest	
4. Delegations	
a. Municipal Freedom of Information and Protection of Privacy Act and Councillors' Records	2 - 6
b. iCitizen - Resident Access to Tax Information via the Town's Website	
5. Communications	
6. Reports	
a. CS-2019-30 Customer Service Policy	7 - 16
b. CS-2019-31 Public Complaints Policy	17 - 26
c. CS-2019-32 Health and Safety Policy No. 7 Annual Review	27 - 32
d. CS-2019-33 Violence and Harassment in the Workplace Policy No. 68	33 - 53
e. CS-2019-35 Fire Alarm By-Law	54 - 61
f. CS-2019-36 Urban Hen Licensing Pilot Program	62 - 78
g. CS-2019-37 Alley Closing Policy	79 - 87
h. CS-2019-38 Professional Appearance Policy	88 - 96
i. CS-2019-39 Employee Service Recognition	97 - 104
7. Unfinished Business	
8. New Business	
9. Next Meeting	
10. Adjournment	



The *Municipal Freedom of Information and Protection of Privacy Act* and Councillors' records

April 2016

INTRODUCTION

The Information and Privacy Commissioner of Ontario (IPC) sometimes decides appeals relating to requests for access to records created or held by municipal councillors. The *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* does not expressly refer to records of municipal councillors and, therefore, before a determination can be made on access to those records, the IPC must decide whether *MFIPPA* applies. In making this decision, the IPC examines the specific facts of each case in light of a number of principles.

The IPC has been calling for amendments to *MFIPPA* to clarify when it applies to these records, including in August 2015, when the IPC wrote to the Minister of Municipal Affairs and Housing setting out proposed amendments (this letter is available on the IPC's [website](#)).

In the absence of amendments, however, the IPC is issuing this fact sheet, which explains when and how councillors' records are subject to *MFIPPA*.

WHEN ARE COUNCILLORS' RECORDS SUBJECT TO *MFIPPA*?

Councillors' records are subject to *MFIPPA* where:

1. a councillor is acting as an officer or employee of the municipality, or performs a duty assigned by council, such that they might be considered part of the institution, or
2. the records are in the custody or control of the municipality.

WHEN IS A COUNCILLOR AN OFFICER OR EMPLOYEE OF A MUNICIPALITY?

A councillor is likely to have several roles, such as an individual constituent representative, a politician, or a head or member of a municipal committee or board, such as a transit corporation. Some of these roles may entail the councillor acting as an officer or employee, while others do not.

The term “officer” refers to a “high ranking individual within the municipal civic service, who exercises management and administrative functions, and who derives his or her authority either from statute or from council” (IPC Order M-813).

The courts have found that elected members of a municipal council are not agents or employees of the municipal corporation in all circumstances. This is consistent with the treatment of Members of Provincial Parliament under the *Freedom of Information and Protection of Privacy Act (FIPPA)*.

In applying these principles, the IPC has found in many cases that municipal councillors are not officers or employees of a municipal institution. For example, in Order MO-2821, the IPC found that communications between municipal councillors about cycling issues were not created in their capacity as officers or employees of the city. This office decided that although the councillors were members of a city committee, the records did not relate to the discharge of any special authority to act on behalf of the city. In Order MO-2824, the IPC determined that the analysis of whether or not a councillor is an officer did not turn on who the councillor communicated with, but rather in what capacity the councillor was acting.

In other situations, the IPC has found that a councillor is an officer or employee of a municipal corporation. For example, a mayor is an officer of a municipality, as he or she is its chief executive officer (IPC Order MO-1403). Therefore, records created or received in connection with his or her duties as a mayor are covered by *MFIPPA*, in the same manner as the records of city employees or other officials of the city.

DOES THE MUNICIPALITY HAVE CUSTODY OR CONTROL OF THE RECORDS?

Even where a councillor is not an officer or employee of a municipal corporation, the IPC may still find that the councillor’s records are subject to *MFIPPA* because they are in the custody or control of the institution. These findings are based on section 4(1) of *MFIPPA* that states “every person has a right of access to a record or part of a record **in the custody or under the control** of an institution” unless specific exemptions apply.

A record does not need to be both in the custody and under the control of an institution, but rather one or the other (IPC Order P-239).

The IPC has interpreted “in the custody or under the control” broadly, and considers a number of factors in making a determination under section 4. These factors go beyond the physical location of a record, and involve factors such as the purposes of the record, its originator, and whether the record pertains to the institution’s mandate or functions. For example, bare possession of municipal councillors’ records by itself may not establish that a municipality has “custody or control” of those records. (*City of Ottawa v. Ontario*, 2010 ONSC 6835 (Div. Ct.)). For a list of some of the factors, please see Appendix A.

In cases where the record is not held by an institution, such as where it is solely held by a councillor, the IPC looks at the factors set out in Appendix A within the framework of the following two-part test from *Canada (Information Commissioner) v. Canada (Minister of National Defence)*, 2011 SCC 25 (CanLII):

1. Do the contents of the record relate to the institution's business?
2. Could the institution reasonably expect to obtain a copy of the record upon request?

On the second question, the Supreme Court of Canada stated:

...all relevant factors must be considered in order to determine whether the government institution could reasonably expect to obtain a copy upon request. These factors include the substantive content of the record, the circumstances in which it was created, and the legal relationship between the government institution and the record holder... The reasonable expectation test is objective. If a senior official of the government institution, based on all relevant factors, reasonably *should* be able to obtain a copy of the record, the test is made out and the record must be disclosed, unless it is subject to any specific statutory exemption. In applying the test, the word "could" is to be understood accordingly (*National Defence*).

If you answer **yes** to each part of the two-part test above, then the records are in the control of the municipality, *MFIPPA* applies, and the institution must issue an access decision.

RECENT IPC ORDERS

In finding that the City of Vaughan had control of toll road invoices held by councillors in Order MO-2750, the IPC considered that:

- the city reimbursed the councillors for expenses incurred using the toll road because the councillors incurred them in the conduct of city business. The city made the reimbursements in accordance with city policy, and
- the city's policy required the councillors to retain supporting invoices and entitled the city to obtain copies of them on request

In Order MO-3281, the IPC found that an email sent from a councillor to an outside party was under the control of the City of Oshawa because:

- the email's content related to a city matter, namely the hiring of an investigator to review allegations made by the city's auditor general, and
- the email played a crucial role in the negotiations, which led to the hiring of the investigator, it related directly to the city's mandate and functions, and the city could reasonably expect to obtain the email upon request

In Privacy Complaint MC10-75 and MC11-18, the IPC found that emails received by the chair of the Toronto Transit Commission (TTC) in his capacity as the chair were in the custody or control of the TTC and the City of Toronto. The investigator's findings were based on the following:

- the city had enacted a code of conduct governing the conduct of members of council sitting on boards which addressed confidentiality concerns
- the record was held by the city on a server maintained by the city, and
- the record related to a matter that fell within the city's mandate and functions, and was sent to the councillor as the chair of the TTC, who then passed the record on to TTC staff for processing as a service complaint

In contrast, the IPC found in Order MO-2842 that a councillor's communications with a third party in relation to bringing a National Football League (NFL) team to the City of Toronto were not in the city's custody or control. In coming to this finding, the order noted:

- the records related to the councillor's role as an individual constituent representative and were in their nature "political" rather than "city" records
- the councillor had no express authority to act for the city in regards to this matter
- the records (if they existed) related to a matter that was speculative or hypothetical, and
- an agreement to bring an NFL team to the city was not discussed or reviewed by the city and no agreement ever materialized

CONCLUSION

Determining whether councillors' records are subject to *MFIPPA* very much depends on the context. It involves a consideration of a number of factors and circumstances to determine first whether the councillor is either an officer or employee of a municipality and, if not, whether his or her records are in the custody or under the control of the municipality.

Municipalities need to take steps to ensure the transparency of their business activities and the privacy of personal information entrusted to them. To address the unique role of municipal councillors, municipalities should develop comprehensive policies and procedures regarding the appropriate management of records relating to the conduct of municipal business and the protection of privacy. These policies and procedures should inform councillors that, on occasion, they will be required to provide city staff with records to respond to an FOI request. To ensure that the policies and procedures are followed, municipalities should provide training on them during orientation of councillors and on a regular basis throughout their tenure.

APPENDIX A

The IPC has developed a list of factors to consider in determining whether a record is in the custody or control of an institution. The list is not intended to be exhaustive. Some of the listed factors may not apply in a specific case, while other unlisted factors may apply.

- Was the record created by an officer or employee of the institution?
- What use did the creator intend to make of the record?
- Does the institution have a statutory power or duty to carry out the activity that resulted in the creation of the record?
- Is the activity in question a “core”, “central” or “basic” function of the institution?
- Does the content of the record relate to the institution’s mandate and functions?
- Does the institution have physical possession of the record, either because it has been voluntarily provided by the creator or pursuant to a mandatory statutory or employment requirement?
- If the institution does have possession of the record, is it more than “bare possession”?
- If the institution does not have possession of the record, is it being held by an officer or employee of the institution for the purposes of his or her duties as an officer or employee?
- Does the institution have a right to possession of the record?
- Does the institution have the authority to regulate the record’s content, use and disposal?
- Are there any limits on the use to which the institution may put the record, what are those limits, and why do they apply to the record?
- To what extent has the institution relied upon the record?
- How closely is the record integrated with other records held by the institution?
- What is the customary practice of the institution and other similar institutions in relation to possession or control of records of this nature, in similar circumstances?



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee
From: Laura Moy, Director Corporate Services & Clerk
Date to Council: October 22, 2019
Report Number: CS-2019-30
Subject: Customer Service Policy

Recommendations

It is recommended:

That Report No. CS-2019-30 Customer Service Policy **be received**;

And that the Customer Service Policy as appended to CS-2019-30 **be adopted**.

Background

At the November 13, 2018 Regular Council Meeting, a request was made for a Customer Service Policy.

Currently, the Town does not have such a policy. However, the Town maintains a high level of standards in municipal service delivery. In 2017, the Town conducted a Citizen Satisfaction Survey with 400 respondents. The results indicate that 97% of respondents are very satisfied with the level of municipal services and programs. The Town would like to continue this trend of high customer satisfaction by implementing a policy that will provide a consistent and accountable approach for customer service.

Comments

Legislation

Section 270(1) 5 of the *Municipal Act, 2001, as amended*, states that “a municipality shall adopt and maintain policies with respect to the manner in which the municipality will try to

ensure that it is accountable to the public for its actions, and the municipality will try to ensure that its actions are transparent to the public.”

Customer Service Policy

A Customer Service Policy (Policy) would formalize the Town’s level of expectation for customer service in regards to communicating with the public in a transparent and accountable manner by all Town employees. It would also address all forms of communication, including telephone, email, mail, through the Town’s website and social media platform, and establish reasonable timelines for responses to inquiries. In addition, a policy would emphasize professionalism at municipal sector meetings outside of the workplace.

To assist in communicating these expectations corporate-wide, during Customer Service Week from October 7 to 11, 2019, a draft Policy, as well as a draft Public Complaints Policy, was made available for all staff to review. Staff were encouraged to provide their feedback on both policies through submitting their comments to Corporate Services Department. The comments and recommendations submitted were reviewed and considered in preparing the proposed Policy appended to this report as [Attachment 1](#).

In conjunction with this Policy, staff attended a workshop titled “Managing Challenging Customer Service and Resolving Conflict,” offered through the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and facilitated by Andrea Moffat. The workshop discussed tools and provided knowledge to help staff to excel at maintaining the Town’s high customer service standards.

This Policy supports the Town’s Strategic Initiatives to deliver high quality customer service and communicate in a transparent and collaborative way.

Consultations

All Departments

Financial Implications

There are no financial considerations to the implementation of this Policy.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
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- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
- Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
- Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Jennifer Alexander, MPA
Deputy Clerk & Manager Legislative Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Customer Service Policy



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: [Keywords]
Effective Date: Click here to enter a date.
Supersedes: Click or tap here to enter text.
Approval: Click or tap here to enter text.

Subject: **Customer Service Policy**

1.0 Purpose

- 1.1 The Customer Service Policy (Policy) provides a level of expectation in communicating with citizens and customers, both internally and externally, through a transparent and accountable approach.
- 1.2 Through this Policy, Employees will be empowered to provide clear, concise and accurate information and deliver services in a professional, timely and helpful manner in a variety of ways: in person, by telephone, mail, email and through the Town's website, and social media platforms.

2.0 Scope

- 2.1 This Policy applies to all Town Employees.

3.0 Definitions

- 3.1 A **Complaint** is defined as an expression of dissatisfaction related to a municipal program, service, facility or staff member, where a citizen believes that the Corporation has not provided a service experience to their satisfaction at the point of service delivery and a response or resolution is expected.
- 3.2 **Corporation** means The Corporation of the Town of Tecumseh.

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- 3.3 **Customer** means residents, citizens, property owners, visitors, community groups, or businesses that are contacting any Town department requesting information or a service from the Corporation.
- 3.4 **Employee** means any person employed by the Corporation on a full time, part time, seasonal, student and/or casual basis. Also included are volunteers, contract workers and Committee members who communicate with the public and/or represent the Corporation.

4.0 Policy

- 4.1 The Corporation delivers a variety of communications to inform and raise awareness for its Customers and, as a result, encourages open dialogue and feedback. In collaboration with the Public Complaint Policy, the Corporation encourages customer service feedback and will work to address comments, suggestions, and concerns. Anonymous Complaints, with no assessed risk to life or safety, will not be followed-up on for response.
- 4.2 Employees are not expected to tolerate abusive behaviour. Employees are to report severely negative/abusive interactions or complex situations that have a potential to influence the reputation of the Corporation to their Manager/Director with the pertinent details of what transpired.
- 4.3 When an inquiry requires the attention of another department, Employees can generate a service request in Cityworks. When using Cityworks, gather all information required regarding the nature of the inquiry. All Customers should have a clear understanding of the process and who will be handling their inquiry.
- 4.4 If a general Complaint is received about a customer service experience that involves a particular Employee, the Complaint will not be generated in Cityworks, rather the Complaint will be directed to the appropriate department Director. The Complaint will be investigated within three (3) business days with a resolution provided within (15) fifteen business days, subject to legislative requirements. If an Employee has made a mistake, the Customer will receive a written apology along with the action taken to rectify the issue.
- 4.5 When providing a response, Employees will ensure it is completed in a professional manner. Employees are encouraged, where feasible and reasonable, to look for ways to meet or exceed Customers' expectations and to enhance the delivery of service. When service gaps are observed they should be communicated to the appropriate department Employee or Manager/Director.
- 4.6 The following customer service procedures shall assist Employees in maintaining high levels of customer satisfaction as well as demonstrate the Corporation's efforts in continuing to foster good governance.

5.0 In Person/Telephone Communication

- 5.1 Employees are to greet Customers immediately in a polite and friendly manner. All Customers will be treated with equality, dignity, and respect.
- 5.2 All telephone calls must be responded to within one (1) business day. If an Employee does not know the information that is being requested, a call back is required to acknowledge the Customer's inquiry and identify the Employee and department that the inquiry will be directed to.
- 5.3 Personal voicemail greetings should be up to date, courteous, provide as much information as possible, request callers to leave a detailed message and include an alternate contact should the Employee not be available or out of the office.
- 5.4 Employees should use their "Out of Office Assistant" if they are going to be away for more than one (1) business day. The message should be brief, indicate your return date into the office and include an alternate contact.
- 5.5 When taking a message for another Employee, record as much information as possible about the nature of the request, the time, full name of the caller and contact number. If an Employee is certain that the message or nature of the call will be redirected, advise the Customer of the Employee's name, position and contact information. Customers will feel empowered if they have this information and reassured that their inquiry is being addressed. All Customers should have a clear understanding of who will be handling their inquiry.

Note: All information collected and recorded is confidential and messages/notes are to be disposed of in the confidential Shred-It bins.

- 5.6 If a call needs to be transferred, Employees are to inform the caller the Employee and department name the call is being referred to. Employees should strive to transfer calls to the correct Employee/department the first time. If the Employee receiving the transfer is not available, Employees are directed to take a detailed message and provide this to the alternate contact in the designated Employee's absence.
- 5.7 Employees are requested to communicate with all Customers using plain language, speaking clearly and slowly. If the caller is challenging to understand, ask questions and repeat the issue to ensure your comprehension of the request and to be able to provide the proper information.
- 5.8 A Customer calling can be experiencing a variety of emotions: anger, frustration, anxiety, fear, etc.; it is with these Customers that an Employee should use their problem solving skills and listen. In the conversation, acknowledge the issue and person, but remain objective. Ask questions to clarify the situation and ensure the

information recorded is correct. If the caller continues to be difficult, advise them that you can forward the call to the Manager.

- 5.9 If the caller persists in being difficult, communicate to the caller that you will hang up because they are using abusive, threatening or discriminatory language. Once you have advised this, hang up the call if they do not stop the inappropriate behaviour and relay the details to your Manager/Director.

6.0 Email

- 6.1 All email correspondence should be replied to within three (3) business days upon receipt. Depending on the nature of the correspondence, an initial email response may be required to acknowledge the inquiry, and outline the expectation as to the duration of time to complete or formally answer the inquiry. If a formal decision of Council is required, the Employee will advise the Customer of this, provide the date of the Council meeting and outline that an official response will be provided within five (5) business days of the Council decision.
- 6.2 If an Employee is out of the office for more than one (1) business day, they will activate their Microsoft Outlook automatic replies (Out of Office) email notification outlining their return to the office date and provide an alternate contact for their inquiry.
- 6.3 An email that is received by an Employee that has abusive, threatening or discriminatory language, does not require a response, and will be forwarded to your Manager/Director.

7.0 Formal Written Correspondence

- 7.1 All written correspondence should be responded to within five (5) business days, subject to legislative requirements, either through a phone call or through a written letter using the contact information provided in the correspondence.
- 7.2 Written correspondence that has been received for information purposes and does not require a response, may be filed and destroyed as per the Corporation's Records Retention By-law 2018-39.
- 7.3 Any written correspondence that is received that has abusive, threatening or discriminatory language, does not require a response, and will be forwarded to your Manager/Director.

8.0 Website/Social Media

- 8.1 The Corporation's website and social media sites are used as an additional channel of communication to share information and public engagement. Policy

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- No. 80 regarding Social Media outlines the standards and protocols for official responses.
- 8.2 The designated Employee must respond to internet messaging from the public in a timely manner during regular business hours or within one (1) business day. Responses will be friendly, professional and informative to strengthen community engagement. Should the request require additional research and information, the Employee will advise the poster that this is being undertaken and a response will be provided as soon as this information is known.
- 8.3 Any applications and forms submitted through the e-forms portal on the Town's website must be responded to within two (2) business days. This will provide the Customer some reassurance that the application form was received and inform them on the next steps in the process.

9.0 Meetings

- 9.1 Internal meetings are meetings organized by Employees, but may include other Employees and/or Customers, and occur within municipal facilities or off site locations. Where possible, using Microsoft Outlook, Employees are responsible for pre-booking meeting rooms, and sending an electronic meeting invitation to all attendees to confirm or decline attendance.
- 9.2 External meetings are those not hosted by the Corporation. When Employees are representing the Town at external meetings, Employees will represent the Corporation in a positive, respectful manner and provide the same levels of Customer service as they would when they are performing their regular duties in the office.

10.0 Responsibilities

- 10.1 All Directors shall be responsible for administering the Customer Service Policy. This Policy will be reviewed as required based on revisions to corporate practices.
- 10.2 This policy will be posted on the Corporation's Website.

11.0 Training

- 11.1 Customer Service training is provided to Employees within new Employee orientation sessions. When available, additional Customer service training will be offered both departmentally and corporately.

12.0 Related Documents

- 12.1 Policy No. 68 Violence and Harassment in the Workplace
- 12.2 Policy No. 66 Accessible Customer Service
- 12.3 Policy No. 80 Social Media Policy
- 12.4 Policy No. 57 Confidentiality of Information
- 12.5 Policy No. XX Public Complaints Policy



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-31

Subject: Public Complaints Policy

Recommendations

It is recommended:

That Report CS-2019-31 Public Complaints Policy **be received;**

And that the Public Complaints Policy as appended to Report CS-2019-31 **be adopted.**

Background

Section 270(1) 5 of the *Municipal Act, 2001*, as amended, states “a municipality shall adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the municipality will try to ensure that its actions are transparent to the public.”

In 2014, *Bill 8, Public Sector and MMP Accountability and Transparency Act, 2014*, was enacted to promote public sector accountability and transparency. Specifically, Schedule 5 broadens the Ontario Ombudsman’s office scope of authority from outside the provincial sector to handle public complains about municipal governments. If a person is not satisfied with how a municipality responded to their complaint, they now have the option to contact the Ombudsman’s office and file a complaint. As a result, many municipalities have bolstered their internal public complaints processes in light of this legislation.

Comments

A draft Public Complaints Policy (Policy) was circulated for review by all Town staff during the Customer Service Week held on October 7 to 11, 2019. Staff were encouraged to review the

Policy and submit any feedback or recommendations to the Corporate Services Department. All recommendations were reviewed and considered in the attached proposed Policy appended to this report as Attachment 1.

The purpose of the Policy is to provide a consistent and uniform process to respond to complaints received from members of the public regarding their dissatisfaction with programs, facilities, services, employees and/or operational procedures of The Corporation of the Town of Tecumseh (Town).

Through introducing guidelines and standards, the process of managing and resolving complaints will become more efficient, allowing staff to respond to complaints in a timely manner and provide an opportunity to improve the Town's programs and services.

In an effort to steward the Town's continuous improvement approach in municipal service delivery to residents and businesses, this Policy sets the Town's standards and guidelines for processing and communicating responses to formal public complaints. Staff are encouraged to resolve any issues at the point of service delivery, before the issue becomes a formal complaint. If unsuccessful, a formal complaint is generated and tracked through the Cityworks software.

The public complaint process has four stages:

1. Acknowledgement,
2. Assign,
3. Investigate, and
4. Resolve/Decision.

This process is designed to achieve open communications between the Town and the complainant, while fostering accountability throughout the process. Town staff will acknowledge a formal complaint within three (3) days and provide information on the next steps of the complaint process. They will also clarify, when needed, the nature of the complaint. This adopts a transparent approach with the complainant, as well as provides awareness on municipal practices and policies for greater understanding. The complaint will be assigned to an appropriate responsible staff member and responsible department to investigate and resolve. A final decision on a formal complaint will be issued within thirty (30) days, understanding that complex issues may require additional time, which the complainant will be notified of along with the reasons for the delay.

The proposed Policy assists with the Town's strategic priorities of leadership and good governance, specifically with communicating in a transparent and collaborative way while using tools to help inform continuous improvement on Town services.

Consultations

All Departments

Financial Implications

There are no financial considerations to the implementation of this policy.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Jennifer Alexander, MPA
Deputy Clerk & Manager Legislative Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Public Complaints Policy



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: [Keywords]
Effective Date: Click here to enter a date.
Supersedes: Click or tap here to enter text.
Approval: Click or tap here to enter text.

Subject: **Public Complaint Policy**

1.0 Purpose

- 1.1 The purpose of this policy is to provide a consistent and uniform process to respond to complaints received from members of the public regarding their dissatisfaction with programs, facilities, services, employees and/or operational procedures of The Corporation of the Town of Tecumseh (Corporation).
- 1.2 Through introducing guidelines and standards, the process of managing and resolving complaints will become more efficient, allowing staff to respond to complaints in a timely manner and provide an opportunity to improve the Corporation's programs and services.

2.0 Legislative Authority

- 2.1 Section 270(1) 5 of the *Municipal Act, 2001*, as amended, and the *Public Sector and MPP Accountability and Transparency Act, 2014* requires a municipality to be accountable to the public for its actions. This policy supports the commitment to the accountability and transparency of its operations of the Corporation.

3.0 Policy Scope

3.1 This policy does not apply to:

- a) A decision of Council or a committee of Council;
- b) Internal employee complaints;
- c) Matters addressed by legislation or an existing municipal by-law;
- d) Matters that are handled by tribunals, courts of law, quasi-judicial boards, etc.

3.2 This policy does not apply to Closed Meeting Investigations, complaints made by employees, volunteers working on behalf of the Corporation or complaints about members of Council.

3.3 This policy does not address:

- a) Inquiries;
- b) Requests for Service;
- c) Feedback;
- d) Compliments;
- e) Requests for accommodation;
- f) Criticisms or anonymous complaints.

4.0 Definitions

4.1 A **complaint** is defined as an expression of dissatisfaction related to a municipal program, service, facility or staff member, where a citizen believes that the Corporation has not provided a service experience to their satisfaction at the point of service delivery and a response or resolution is expected.

4.1.1 A complaint is distinct from the following:

- a) A request for service made on behalf of a citizen for a specific municipal service, or to notify the Corporation that a scheduled service was not provided on time;
- b) A general inquiry or specific request for information regarding a municipal service;

- c) An expression of approval or compliment for a municipal staff member, program, product or process; or
 - d) A suggestion or idea submitted by a customer with the aim of improving services, programs, products, or processes.
- 4.2 **Complainant** is the person who is dissatisfied and is filing the complaint. Complainants may include residents, people who work in or visit the Town, local businesses, or community groups.
- 4.3 **Frontline Staff** is a Corporation staff member who is the first person in contact with the public.
- 4.4 **Responsible Staff Member** is the Manager or Director selected to investigate and issue a decision on the complaint.

5.0 Procedure

- 5.1 When an informal resolution cannot be achieved either by a frontline staff member or a Manager/Director, a complaint may be submitted in a number of ways:
- a) Online through the Town of Tecumseh website using the Report an Issue form or Cityworks;
 - b) In person, voicemail or telephone calls, recorded in Cityworks;
 - c) In writing, through a hand delivered letter, mail or email directly to staff or Member of Council.
- 5.2 A formal complaint shall be submitted into Cityworks and include the following components:
- a) Contact details of the complainant; and
 - b) Type of complaint;
 - c) Summary of the complaint (details, location, Town employee involved, resolution requested, and any supporting documents);
 - d) Date.
- 5.3 All complaints should be filed as soon as possible.

5.4 Informal Complaint

- 5.5 It is the responsibility of employees to attempt to resolve issues or concerns before they become formal complaints, and identify opportunities to improve municipal services.
- 5.6 For cases where informal resolution is successful, complaint logging is not required.

5.7 Formal Complaint

- 5.8 A formal complaint is generated when an informal resolution could not be successfully achieved. Formal complaints shall be submitted to the Town and entered into Cityworks. The complaint will be acknowledged within three (3) business days upon receipt.

6.0 Public Complaint Process

- 6.1 All complaints shall be entered into Cityworks for reporting and follow-up. The complaint must be tracked from its initial receipt to its resolution.

6.2 Acknowledgement

- 6.3 Complaints shall receive an acknowledgement within three (3) business days. Depending on the nature of the complaint, an initial email or written response may be required to acknowledge the inquiry. The initial acknowledgement should include the contact person conducting the investigation, a timeline estimate for further follow-up and the next steps in the process. If a formal decision of Council is required, staff will advise the complainant, provide the date to Council and outline that an official response will be provided within five (5) business days of the Council decision.

6.4 Assess

- 6.5 Contact the complainant to clarify the complaint, if needed. The complaint may be terminated at this point if a resolution is possible, if it is a duplicate or if it does not fit the definition of a complaint.

6.6 Assign

- 6.7 Once the complaint is created in Cityworks, the complaint will be assigned to the appropriate responsible staff member and responsible department.

6.8 Investigate

6.9 The responsible staff member will:

- a) Document all notes on the nature of complaint in Cityworks, and add any supporting documentation into the file;
- b) Contact the complainant where a quick resolution is possible;
- c) Notify the complainant in writing of an approximate length of time if it is determined that the issue may result in a lengthy investigation process;
- d) Review the issues identified by the complainant and in doing so may:
 - i) Review relevant municipal and provincial legislation;
 - ii) Review the municipality's relevant policies and procedures;
 - iii) Interview employees;
 - iv) Identify actions taken to address the complaint or improve municipal operations.

6.10 Resolve

6.11 The responsible staff member will provide a resolution in writing to the complainant within thirty (30) days upon receipt of the complaint. If a resolution cannot be provided within thirty (30) days upon receipt of the complaint, staff shall contact the complainant about the delay and provide an estimation of time for the decision.

6.12 The decision will consist of information such as:

6.13 Overview of complaint;

- e) Details of how the investigation was conducted;
- f) Summary of the facts;
- g) Outline of the findings;
- h) Identification of next steps;
- i) Suggestions for appropriate resolution along with the rationale supporting the proposed resolution.

6.14 The Director of the appropriate department and/or Chief Administrative Officer will get involved where necessary to assist staff, where matters require discretion, or when other corporate policies are involved.

6.15 Tracking and Reporting

6.16 The complaint must be tracked from its initial receipt to its resolution. Complaint records will be needed for regular review and analysis to identify recurring issues and to improve customer service and satisfaction. Annually, the number of complaints, type of complaints, and number of resolved complaints shall undergo review by the Chief Administrative Office and Clerk's Department, with an annual presentation to the Senior Management Team. All personal information collected in carrying out this Policy will be dealt with in a confidential manner in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

6.17 Records Management

6.18 All records relating to the complaint shall be uploaded and maintained in Cityworks in accordance with the Town's Records Retention Schedule.

7.0 Related Policies

- a) Policy No. 57 Confidentiality of Information
- b) Policy No. XX Customer Service Policy



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-32

Subject: Health and Safety Policy No. 7 Annual Review

Recommendations

It is recommended:

That Health and Safety Policy No. 7, as reviewed for the year 2019, in accordance with Section 25(2)(j) of the *Occupational Health and Safety Act*, be approved;

And that Health and Safety Policy No. 7 be posted in all Municipal Buildings.

Background

Section 25(2)(j) of the *Occupational Health and Safety Act, R.S.O. 1990, c.0.1. (Act)*, states an employer shall “prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy.”

Comments

Health and Safety Policy No. 7

The Health and Safety Policy states: The Corporation of the Town of Tecumseh (Corporation) is committed to health and safety and recognizes it must form an essential part of the Corporation’s operations. A major ongoing objective is to protect employees from workplace injury or illness. The Corporation must make every effort to provide a healthy and safe work environment for all of its employees. All Directors, Managers and workers must be dedicated to the objective of reducing the risk of injury and illness.

As the employer, the Corporation is ultimately responsible for the health and safety of all of its workers.

The Chief Administrative Officer and Members of Council are committed to taking every reasonable precaution to protect workers from harm.

Directors and Managers are accountable for the health and safety of workers under their supervision and are responsible for ensuring that machinery and equipment are safe, and that workers follow established safe work practices and procedures.

All employees must receive adequate training in their specific work tasks to protect their health and safety. All employees have received the training necessary for their respective positions within the Corporation.

Every employee, sub-contractor and employee of a sub-contractor must also protect his/her own health and safety by following the law, and the Corporation's safe work practices and procedures. Additionally, they must report all hazards immediately to a Director and/or Manager.

In accordance with the Act, the Health and Safety Policy has been reviewed by the Joint Health & Safety Committee. The Policy has also been examined by the Corporation's Health & Safety Consultant, Dunk & Associates.

There have been no recommended changes to the Policy for 2019.

A copy of the Health and Safety Policy is attached as [Appendix 1](#).

Consultations

Joint Health and Safety Advisory Committee
Dunk & Associates, Health and Safety Consultant

Financial Implications

There are no direct cost implications associated with these Policies. Good health and safety practices/procedures, as well as employee training, all help to prevent workplace injuries. Workplace injuries can create financial implications as a result of loss of work and employee health care.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Sue White
Administrative Assistant to Director Corporate
Services & Clerk

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Policy No. 7 – Health and Safety Policy



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: 7
Effective Date: October 22, 2019
Supersedes: RCM 292/07 - August 28, 2007
RCM 285/09 - August 11, 2009
RCM 91/11 - March 8, 2011
RCM 338/12 - October 9, 2012
RCM 189/13 - June 25, 2013
RCM 290/14 – July 8, 2014
RCM 90/15 – March 24, 2015
RCM 230/16 – June 28, 2016
PPC 04/17 – August 8, 2017
PPC 09/18 – October 9, 2018

Approval: PPC xx/19 – October 22, 2019

Subject: **Health and Safety Policy**

1.0 Purpose

1.1 The Corporation of the Town of Tecumseh is vitally interested in the health and safety of its employees. A major ongoing objective is to protect employees from workplace injury or illness. The Corporation of the Town of Tecumseh makes every effort to provide a healthy and safe work environment. All supervisors and workers must be dedicated to the objective of reducing the risk of injury and illness.

2.0 Scope

2.1 As an employer, The Corporation of the Town of Tecumseh is ultimately responsible for worker health and safety. As Chief Administrative Officer and Members of Council, we are committed to taking every reasonable precaution to protect workers from harm. Legislative requirements will serve as minimum acceptable standards for the Town of Tecumseh.

2.2 Supervisors are accountable for the health and safety of workers under their supervision. Supervisors are responsible to ensure that machinery and equipment are safe and that workers follow established safe work practices and

- procedures. Workers must receive adequate training in their specific work tasks to protect their health and safety.
- 2.3 Every employee, sub-contractor and employee of a sub-contractor must protect his/her own health and safety by following the law, and The Corporation of the Town of Tecumseh's safe work practices and procedures. All hazards must be immediately reported to a supervisor.
- 2.4 All parties are expected to consider health and safety in every activity. Commitment to health and safety must form an essential part of this organization from the Chief Administrative Officer to the workers.

Margaret Misek-Evans
Chief Administrative Officer

Gary McNamara
Mayor



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-33

Subject: Violence and Harassment in the Workplace Policy No. 68
Annual Review

Recommendations

It is recommended:

That the Violence and Harassment in the Workplace Policy No. 68, as revised and appended to Report No. CS-2018-17, **be approved;**

And that the approved Violence and Harassment in the Workplace Policy No. 68 **be posted** in all Municipal Buildings.

Background

Section 32.0.1(1) of the *Occupational Health and Safety Act, R.S.O. 1990, c.0.1. (Act)* states an employer shall “prepare a policy with respect to workplace violence and review the policy as often as is necessary, but at least annually.”

Section 32.0.6(1) of the Act requires an employer, in consultation with the Joint Health and Safety Committee, to develop and maintain a written program to implement the policy with respect to workplace harassment required under Section 32.0.1(b).

Comments

Violence and Harassment in the Workplace Policy No. 68

The Violence and Harassment in the Workplace Policy (Policy) was adopted and developed in accordance with the Act. The Policy states: The Corporation of the Town of Tecumseh (Corporation) is committed to early identification and prevention of workplace violence and workplace harassment and to taking all reasonable precautions to protect workers from the same.

All allegations of workplace violence will be investigated immediately. Any form or manner of workplace violence and/or workplace harassment will not be tolerated. Employees who are found to have engaged in such conduct will be subject to disciplinary action up to and including termination of their employment.

In the event the Corporation becomes aware of a domestic violence situation that may or would likely expose a worker to physical injury in the workplace, every precaution reasonable in the circumstances for the protection of the worker shall be taken.

A worker has the right to refuse work where the worker has reason to believe that workplace violence is likely to endanger the worker.

Summary

In accordance with the Act, the Violence and Harassment in the Workplace Policy No. 68 is reviewed at least annually. The review is undertaken in consultation with the Joint Health and Safety Advisory Committee (JHSC) and the Corporation's Health & Safety Consultant, Dunk & Associates (Consultant).

As result of the 2018 review, in consultation with the JHSC, Consultant and Legal Counsel, the following recommended changes to the Policy were approved by Council, including:

1. Highlighting the definitions contained in the Policy are the definitions contained in Act;
2. Amending Compliance and Reporting, in compliance with a Ministry of Labour Order, and to provide greater clarity as to when it is determined that an unbiased investigation cannot be conducted internally and a qualified, experienced third party will be contracted to conduct the investigation;
3. Including a paragraph to recognize the Employer will at all times comply with the no reprisal provision contained in Section 50(1) of the Act;
4. Incorporating the obligation to inform any Complainant and Respondent, if he or she is a worker of the employer, in writing, of the results of an investigation and of any corrective action that has been taken, or will be taken, as a result of the investigation within ten (10) days, if possible; and
5. Other minor housekeeping amendments.

The Policy has been reviewed for 2019 in accordance with the Act, and in consultation with the JHSC and the Consultant. The only recommendation from the consultation is to add the following paragraph under “Scope” on Appendix A – Violence and Harassment in the Workplace Procedures:

- 3.1 The Corporation is committed to providing and maintaining a working environment that is based on respect for the dignity and right of its workers. It is the Corporation’s goal to provide a healthy and safe work environment and the Corporation is committed to fostering an environment that is free from any of the forms of harassment and/or violence which are prohibited under the Occupational Health and Safety Act, harassment and/or violence are unacceptable within the Corporation in any form and at any level.

[Attachment 1](#) is a copy of the Policy with the above recommended paragraph added, followed by numerical changes to the subsequent paragraphs.

Consultations

Joint Health and Safety Advisory Committee
Dunk & Associates, Health & Safety Consultant

Financial Implications

There are no direct cost implications associated with these Policies. Good health and safety practices/procedures, as well as employee training, all help to prevent workplace injuries. Workplace injuries can create financial implications as a result of loss of work and employee health care.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Policy No. 68 – Violence and Harassment in the Workplace



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: 68
Effective Date: October 22, 2019
Supersedes: RCM 163/10 – May 11, 2010
RCM 189/13 – June 25, 2013
RCM 290/14 – July 8, 2014
RCM 90/15 – March 24, 2015
PC 14/16 – November 8, 2016
PPC 10/18 - October 9, 2018
Approval: PPC XX/19 - October 22, 2019

Subject: **Violence and Harassment in the Workplace**

Definitions

As defined in the Occupational Health & Safety Act of Ontario (OHSA):

- 1.0 The term "worker" when used in this Policy shall mean all employees of The Corporation of the Town of Tecumseh (Corporation) including all supervisory and managerial personnel, members of Council and employees of consultants or contractors.
- 2.0 The term "employer" when used in this Policy shall mean a person who employs one or more workers or contracts for the services of one or more workers and includes an owner, constructor, contractor or subcontractor to perform work or supply services.
- 3.0 The term "supervisor" when used in this Policy shall mean a person who has charge of a workplace or authority over a worker.
- 4.0 The term "workplace" when used in this Policy shall mean any land, premises, location or thing at, upon, in or near which a worker works.
- 5.0 The term "workplace harassment" when used in this Policy, shall mean:
 - 5.1 engaging in a course of vexatious, comment or conduct against a worker in the workplace that is known or ought reasonably be known to be unwelcome, and include

- 5.2 workplace sexual harassment.
- 6.0 “Workplace harassment” – a reasonable action taken by an employer or a supervisor relating to the management and direction of workers or the workplace is not workplace harassment.
- 7.0 The term "workplace sexual harassment" when used in this Policy shall mean,
 - 7.1 engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
 - 7.2 making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
- 8.0 The term "workplace violence" when used in this Policy, shall mean:
 - 8.1 the exercise of physical force by a person against a worker, in the workplace, that causes or could cause physical injury to the worker,
 - 8.2 an attempt to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker,
 - 8.3 a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in the workplace, that could cause physical injury to the worker.

Statement of Policy

- 9.0 The Corporation is committed to the early identification of and prevention of workplace violence and workplace harassment and to taking all reasonable precautions to protect workers from same.
- 10.0 All allegations of workplace violence and workplace harassment will be investigated.
- 11.0 Any form or manner of workplace violence and workplace harassment will not be tolerated. Employees who are found to have engaged in such conduct will be subject to disciplinary action up to and including the termination of their employment.
- 12.0 In the event the Corporation becomes aware that domestic violence that would likely expose a worker to physical injury may occur in the workplace, every precaution reasonable in the circumstances for the protection of the worker shall be taken.

13.0 In the event the Corporation becomes aware of information:

13.1 that is related to a risk of workplace violence from a person with a history of violent behaviour, and

13.2 a worker can be expected to encounter the person in the course of his or her work, and

13.3 the risk of workplace violence is likely to expose the worker to physical injury,

information with respect to the risk shall be given to the worker, including such personal information as is reasonably necessary to protect the worker from physical injury.

14.0 A worker has the right to refuse to work where the worker has reason to believe that workplace violence is likely to endanger the worker.

Coordinator

15.0 The Director Corporate Services & Clerk is hereby designated as the Corporation's Workplace Co-ordinator (Co-ordinator) with respect to workplace violence and harassment. The Co-ordinator's duties shall include:

15.1 the preparation of an initial assessment of the risks of workplace violence and re-assessment of the risks of workplace violence as often as is necessary to ensure the continued protection of workers from workplace violence;

15.2 the development and maintenance of the Corporation's Workplace Violence and Harassment Program;

15.3 the provision of information to workers and instruction of workers on both the Policy and Program; and

15.4 carrying out those duties specifically assigned to the Co-ordinator in the Program.

General Duties – Compliance and Reporting

16.0 All workers have a duty to act at all times in compliance with the Policy and Program.

17.0 All workers shall immediately report all acts of workplace violence and workplace harassment to the Co-ordinator and/or Supervisor.

18.0 If the Co-ordinator is the alleged harasser, the employee may report the incident to the Chief Administrative Officer (CAO).

- 19.0 If the alleged harasser is a Member of Council, the Coordinator shall direct the complaint to the Integrity Commissioner for investigation, in accordance with the Code of Conduct Policy No. 63 for Members of Council.
- 20.0 If the CAO is identified as the alleged harasser, then the Coordinator shall engage a third party who is qualified because of knowledge training and experience to conduct the investigation.
- 21.0 If both the CAO and Coordinator are the alleged harassers, the employee shall report the incident to Dunk & Associates by email to professionalsupport@systems24-7.com or by phone 1-866-754-8839, who shall in turn on behalf of The Corporation of the Town of Tecumseh contract a third party who is qualified because of knowledge training and experience to conduct the investigation.
- 22.0 In the event that the allegation is made against the CAO by the Co-ordinator, the Co-ordinator shall report the incident to Dunk & Associates by email to professionalsupport@systems24-7.com or by phone 1-866-754-8839, who shall in turn on behalf of The Corporation of the Town of Tecumseh contract a third party who is qualified because of knowledge training and experience to conduct the investigation.
- 23.0 In the event the Co-ordinator alleges harassment by an employee, the Co-ordinator shall report the incident to the CAO.
- 24.0 All workers shall immediately report information in their possession that domestic violence that would likely expose a worker to physical injury may occur in the workplace.
- 25.0 All workers shall immediately report risks of workplace violence from a person with a history of violent behaviour where a worker can be expected to encounter the person in the course of their work and the risk of workplace violence is likely to expose a worker to physical injury.

Review and Posting of Policy

- 26.0 This Policy shall be reviewed, in consultation with the Joint Occupational Health & Safety Committee (JHSC), as often as is deemed necessary, but at least yearly, and shall remain posted in a conspicuous place at all times.

Margaret Misek-Evans
Chief Administrative Officer

October 22, 2018
Date

Appendix A – Violence and Harassment in the Workplace Procedures

Scope

- 1.0 This Violence and Harassment in the Workplace Procedure supports The Corporation of the Town of Tecumseh's (Corporation) Violence and Harassment in the Workplace Policy by outlining specific preventative actions to discourage and prevent acts of violence in the workplace before they occur. The procedure further outlines corrective measures to be taken in the event acts of violence or harassment occur in spite of all reasonable effort to prevent them and the measures that can be taken to support employees who are affected by such violence.
- 2.0 For definitions see the Violence and Harassment in the Workplace Policy.

Purpose:

- 3.0 The Corporation is committed to providing a safe and healthy work environment. Integral parts of achieving this goal are the design of work practices, operational procedures and staff training programs to prevent workplace violence and harassment.
- 3.1 The Corporation is committed to providing and maintaining a working environment that is based on respect for the dignity and right of its workers. It is the Corporation's goal to provide a healthy and safe work environment and the Corporation is committed to fostering an environment that is free from any of the forms of harassment and/or violence which are prohibited under the Occupational Health and Safety Act, harassment and/or violence are unacceptable within the Corporation in any form and at any level.

Responsibility:

- 4.0 Everyone is responsible for creating and maintaining a safe workplace to the extent of each person's authority and ability to do so. It is the responsibility of every employee of the Corporation to assist and cooperate in making the workplace as safe and secure as possible.
- 5.0 This policy applies to all employees of the Corporation, including but not limited to regular, temporary and contract employees, students, volunteers and interns.
- 6.0 Members of the general public, visitors to the Corporation's facilities, or individuals conducting business with the Corporation, are expected to refrain from any form of violence and harassment. The Corporation will take any necessary steps to ensure a workplace free from violence and harassment.

- 7.0 Since all employees have the right to work in an environment free from violence and harassment, all employees share the responsibility to support a violence and harassment free workplace.

Specific Responsibilities:

Workplace Safety Section (Corporation & JHSC)

- 8.0 Will actively monitor industry standards and available current information on "Violence and Harassment in the Workplace Prevention" issues and provide information to and consult with department management to allow for the most effective implementation of Violence and Harassment in the Workplace Prevention programs;
- 9.0 Will participate in the investigation of reported violence and harassment incidents in the workplace, as requested, and will assist department management and the JHSC in implementing proper programs/controls in response to such incidents;
- 10.0 Will review, analyze and track all reported incidents of violence and harassment in the Corporation's facilities and operational activities; and
- 11.0 Will review and provide input on all work practices, operational controls and training programs as many are developed by departments to address specific department needs.

Departments

- 12.0 Departments are responsible for implementing this procedure and for establishing specific program modules and controls to prevent incidents of violence and harassment in their workplace(s). All violence and harassment prevention controls must be developed in consultation with the respective Joint Health and Safety Advisory Committee and be reviewed and approved by the Workplace Safety Section prior to implementation.

Workplace Threats:

- 13.0 The Corporation asserts that all threats should be taken seriously. This includes any verbal or physical behaviour or other communication that could be reasonably interpreted as conveying intent to cause physical harm to a person, including self, or toward the Corporation's assets, including threats made through electronic means.
- 14.0 Any internal or external person who is knowledgeable about a threat, should respond according to the Corporation's threat assessment procedures, as outlined below.
- 15.0 Threats may not involve imminent danger of physical harm being inflicted. In the event that a threat is made which contains strong emotional content conveying

- anger toward a person, group or toward the Corporation's assets, but does not communicate intent to cause physical harm, an individual who is aware of the threat should assume the threat could escalate without immediate supportive intervention and de-escalation strategies.
- 16.0 Threats that involve any communication that could be reasonably interpreted as conveying intent to cause physical harm toward a person or toward other Corporate assets. This includes threats made through electronic means. Threats could be communicated through spoken or written words and through various types of electronic mediums. They could also involve the tone, volume and cadence of spoken words or the manner and style of written words; body language or the intrusion of personal space; and offensive visuals or sounds.
- 17.0 All threats should be taken seriously and follow the Corporation's Violence and Harassment in the Workplace Procedures, as outlined below.
- 18.0 Threats involving weapons, refer to the Physically Aggressive/Violent Situations section.
- 19.0 All internal and external persons have the inherent right to feel safe at all times. In any situation where physical safety is in danger of being compromised, call for help.
- 20.0 All threats, shall be factually documented according to the Documentation section.

Physically Aggressive/Violent Situations:

- 21.0 The Corporation recognizes that every incident of physical aggression and violence cannot be predicted. Aggression and violence may also not be preceded by any type of threat.
- 22.0 The following priorities shall be invoked in any aggressive and violent situation:
- 22.1 **Keep yourself safe.** Attend to any immediate safety concerns, remember we cannot help others if we are hurt or in danger ourselves. Our employees need to keep themselves as safe as possible so that they are in a better position to help others.
- 22.2 **Assess the situation.** Take a step back and try to remain as calm as possible. Attempt to quickly evaluate the circumstances. Consider the number of people involved, their physical size and the type and number of possible weapons. Keep in mind that many common objects are potential weapons. Determine the immediacy of any dangerous factors involved in this situation. Make a quick determination of severity level.
- 22.3 **Summon assistance.** Summon appropriate assistance to get help on the scene quickly and efficiently. Call for help if you witness an act of workplace violence in progress or if an individual becomes violent and

your safety is at risk, leave the area immediately and call 911 or the emergency medical service number in your area.

- 22.4 **Make the environment as safe as possible.** As much as possible, direct onlookers away. Try to remove or reduce accessibility to potential weapons. Isolate the area so nobody wanders into the situation inadvertently. If warranted, practical and safe, evacuate the building or area closest to the incident.
- 23.0 If a weapon is involved in an aggressive incident or if an emergent threat involves actual, potential, or perceived weapons, consider the following examples:
- 23.1 **Avoid reaching for the weapon.** Attempting to disarm a person with a weapon is extremely dangerous.
- 23.2 **Focus on the individual.** When threatened, we tend to focus on the weapon. Shifting your focus to the individual will remind you that the real danger is not in the weapon itself, but in the aggressor's behaviour.
- 23.3 **Negotiate.** Communicate simple, clear and reasonable requests in an attempt to solicit affirmative responses (e.g., "May I sit down?" or "Do you mind if I take a deep breath?") The more the aggressor responds affirmatively, the less likely she/he is to engage the weapon.
- 23.4 **Step back.** Try to negotiate permission to take at least three steps away from the individual. If allowed, the increased distance can reduce both anxiety and weapon accuracy if it is engaged.
- 23.5 **Buy time.** Time is an asset. The longer you can talk to an aggressive individual, the less likely she/he is to engage the weapon.

Domestic Violence:

- 24.0 The Corporation seeks to provide a respectful, service-oriented and safe workplace at all times and under all circumstances for internal and external customers. We recognize that domestic violence can impact our work directly and indirectly. While staying sensitive to the privacy and confidentiality of personal relationships, we further recognize that there are times when assault, violence and threats of violence may occur related to personal relationships.
- 25.0 The Corporation is committed to heightening awareness of domestic violence and providing guidance for employees and management to address the occurrence of domestic violence and its effects on the workplace. The Corporation intends to publish, maintain and post in locations of high visibility, a list of resources for targets and perpetrators of domestic violence.
- 25.1 All internal and external persons are expected to follow the Corporation's policies, procedures, codes of conduct, applicable law and other expectations related to their behaviour in any work areas or context

related to our work. This includes internal or external persons that share a close relationship with an individual employed by the Corporation.

- 25.2 Assaults, violence and threats, shall be managed according to the Corporation's Violence and Harassment in the Workplace Policy. This includes situations involving an abuser in a past or present actual, perceived or potential close relationship with an employee.
- 25.3 Any individual who obtains legal protection which lists organization locations or contexts as being protected areas must provide to the designated management representative(s) a copy of the official document stating such protection. The Corporation will honour the provisions as specified in the protection documents and offer other types of support and assistance to the employee as warranted by the circumstances.
- 25.4 The Corporation intends to make assistance available to employees involved in domestic violence. This assistance may include: confidential means for coming forward for help, resource and referral information, special considerations at the workplace for employee safety, work schedule adjustments, or leave necessary to obtain medical, counselling, or legal assistance and workplace relocation (if available). In responding to domestic violence, the Corporation will maintain appropriate confidentiality and respect for the rights of the employee involved. If an employee needs to be absent from work due to threats of violence, the length of the absence will be determined by the individual's situation through collaboration with the employee and organization management.
- 25.5 The Corporation will not deny job benefits or other programs to employees based solely on domestic violence related problems. When employees confide that a job performance or conduct problem is related to domestic violence, in addition to appropriate corrective or disciplinary action consistent with company policy and procedure, a referral for appropriate assistance should be made to the employee.

Procedure for Resolving and Investigating Violence & Harassment Complaints:

Documentation

- 26.0 All threats, shall be factually documented according to the procedures outlined in this Policy.
- 27.0 Documenting incidents involving assault, aggression and threats of violence and harassment helps the Corporation monitor ongoing efforts, establish patterns, determine if our violence prevention and response program is as effective as possible and identify any necessary improvement. Incident documentation should be objective, factual, truthful and thorough.

28.0 At minimum, incident documentation will include:

- The complainant's name, role and contact information;
- The name and role of the alleged offender(s);
- The name and role of involved targets, victims and witnesses;
- Factual details about the incident in chronological order by date and time;
- Description of any actual or perceived weapons seen, threatened or engaged during the incident;
- Description of any physical injuries or damage to personal or Corporation assets.
- Location and context of the incident;
- The names, roles and contact information of witnesses, attaching any written witness statements obtained;
- Type of assistance summoned;
- Final outcome of the incident.

Investigation - Harassment

29.0 Once a formal complaint is made, the Co-ordinator will commence an investigation as quickly as possible.

30.0 Any investigation will include:

- 30.1 An interview with the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates, times and locations;
- 30.2 Ask the employee (Complainant) to detail, in writing, the nature of the harassment including where, possible places, dates and times;
- 30.3 Ask the employee for names of witnesses, if any;
- 30.4 Meet as soon as possible with the person(s) (Respondent) who is alleged to have been the source of the harassment or violence, if that person is an employee of the Corporation. The Respondent will be advised of the complaint and given an opportunity to provide his/her side of the story. This process may take several meetings;
- 30.5 Ask the Respondent to provide his/her response in writing, along with names of witnesses;

- 30.6 Determine, in consultation with the Complainant and the Respondent, if an informal resolution of the complaint is possible. This might take the form of a face-to-face meeting, an apology, or some other information resolution.
- 31.0 If the complaint can be informally resolved, the Corporate Services & Clerks department will retain a copy of the written complaint, together with a memo outlining the resolutions in a separate file.
- 32.0 If an informal resolution is not possible, the Co-ordinator will:
 - 32.1 Interview the witnesses and any other individuals who may have information which might assist in the investigation;
 - 32.2 Meet with the Complainant and the Respondent individually to share the results of the investigation, providing a final opportunity for input from each one before a final decision is reached.
- 33.0 If it is determined that harassment has occurred, the Co-ordinator will:
 - 33.1 Meet with the Respondent's Supervisor/Manager to determine what action is appropriate in the circumstances. This might include counselling, separation of the Complainant from the Respondent, and/or discipline up to and including dismissal.
 - 33.2 The Co-ordinator or Supervisor/Manager will meet with the Complainant to advise them of the nature of the action taken.
- 34.0 If it is determined that no harassment took place:
 - 34.1 The Co-ordinator will so advise the Complainant and the Respondent.
- 35.0 The Employer will at all times comply with the no reprisal provision contained in Section 50(1) of the OHSA.
- 36.0 If the Co-ordinator concludes that the complaint is frivolous, vexatious or made in bad faith, the Coordinator may:
 - 36.1 Consult the matter with another Director, and/or the Complainant's Supervisor/Manager to consider appropriate action.
- 37.0 Management will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is necessary to investigate the complaint or take corrective action and/or required by law.
- 38.0 A record of the complaint together with the results of the investigation will be kept in a separate file in the Human Resources Department.

- 39.0 If it is determined that an unbiased investigation cannot be conducted internally (ie. Complaint against Coordinator or CAO), the Coordinator will contract a third party who is qualified because of knowledge, training and experience, to conduct the investigation.
- 40.0 All information gathered in the investigation process will be documented.
- 41.0 It is the Corporation's goal to complete any investigation within 30 days upon the receipt of the complaint, if possible.
- 42.0 The Complainant and the Respondent, if he or she is a worker of the employer, shall be informed, in writing, of the results of the investigation and of any corrective action that has been taken, or will be taken, as a result of the investigation within ten (10) days, if possible.

Investigation - Violence

- 43.0 When a Supervisor or Manager receives a report of violence they will:
 - 43.1 Ensure any persons involved have received appropriate first aid or medical treatment;
 - 43.2 Ensure persons are in a safe place;
 - 43.3 Call the police, based on the nature of the violence and concerns of the employees or others involved in the situation;

NOTE: Any physical assault in our workplace will be reported to the police. If the Supervisor or Manager is unsure, they should contact the police and the police will then decide whether the incident is a matter for them to handle. If the employees or other parties involved request to have the police notified, the Supervisor or Manager will do so.

- 43.4 Secure the scene;
 - 43.5 Notify Senior Management, the Co-ordinator and any potentially affected employees or others about the situation;
 - 43.6 Begin the investigation process immediately.
- 44.0 Members of the investigation team will be made up of competent persons who can be impartial and have knowledge, training and experience regarding workplace violence issues and understand relevant legislation. The team will include the Co-ordinator and may also include Senior Management, other Supervisors/Managers, and a designated safety committee member or safety representative. These team members must maintain confidentiality throughout the process. The identities of the people involved will not be disclosed outside the team, unless the disclosure is necessary for the purposes of the investigation or as required by law.

- 45.0 In completing the investigation they will:
 - 45.1 Sensitively interview the victim(s);
 - 45.2 Take witness names, contact information and statements;
 - 45.3 Attempt to address and resolve the complaint between the parties involved;
 - 45.4 Take special considerations for privacy and sensitivity for the victim in the situation;
 - 45.5 Determine actions required to prevent re-occurrences and implement controls;
 - 45.6 Record all information on the Violent Incident Reporting Form;
 - 45.7 Meet with the victim and perpetrator to disclose the results of the investigation.
 - 45.8 Make changes to the Hazard Assessment and this procedure, as needed.
 - 45.9 Only communicate changes to the Hazard Assessment and this procedure through the Safety Committee minutes. All other information collected through the investigation is considered confidential.

Confidentiality, Complaints and Investigations

- 46.0 All documentation related to complaints made under this Policy shall be filed in one centralized location, separate from any personnel files, with the Workplace Co-ordinator, to ensure confidentiality.
- 47.0 The Corporation recognizes the sensitive nature of harassment, discrimination and violence and will take measures to keep all complaints confidential, unless it is necessary for the investigation or required by law.
- 48.0 Records will be destroyed in accordance with the record retention requirements of the Corporation's Record Retention By-Law and the Municipal Freedom of Information and Protection of Privacy Act.

Post Incident Follow-Up:

- 49.0 Post-incident response and evaluation are vital elements of the Corporation's violence and prevention response program. This process contains four distinct phases:
 - 49.1 **Assessment** – During the assessment phase, management will work with response agencies and support services to evaluate human welfare and decide if there are immediate medical needs. We will also consider the

emotional welfare of internal and external persons and arrange relevant professional services and support as warranted by the situation.

- 49.2 **Documentation** – For many reasons, factual incident documentation is a vital phase of the Corporation’s post-incident response plan. Documentation provides a detailed account of an incident so that appropriate follow-up action can be taken, patterns and trends can be identified, policies and procedure can be assessed and steps can be implemented to improve the safety of everyone in our work setting. Please see the “Documentation section” regarding documentation requirements. Documentation will take place as soon as possible and reasonable following an incident and should be submitted per policies, procedures and time frames identified in the “Documentation section”.
- 49.3 **Debriefing** – During a crisis situation, involved employees face many decisions that must be made in a matter of seconds. Post-incident debriefing will take place as soon as possible and practical once the immediate incident concludes and involved parties have regained some sense of physical and emotional control. Depending on the nature and severity of the incident, this may include a specific meeting to review the situation or it may be less formal. It will focus on objective review of the factual basis of the incident with as many involved employees as possible. Employees may wish to make recommendations on changes to work environment or context. It is important for employees to express trust and confidence in one another and acknowledge efforts in coping with unusual and stressful circumstances.
- 49.4 **Identification of further needs** - During or soon after employee debriefing, the Corporation will provide information and resources to all employees relative to incident follow up and resources. This may include the Corporation's plans for further action and identification of resources for employees in obtaining additional support and assistance. The Corporation will also consider employee needs in engaging further professional debriefing services through properly qualified professionals.

Training:

- 50.0 The Corporation asserts that a comprehensive employee training program is essential to preventing and responding to any type of assault, aggression and threat of violence under the definitions adopted. This will be foremost and ongoing training for all employees at all levels.
- 51.0 The Corporation will work with properly qualified and credentialed training consultants, organizations and professionals in assessing training needs related to our specific work environment and any associated locations and contexts.
- 52.0 Specific training components will include but not be limited to:

- 52.1 Employee rights, expectations and responsibilities under the Corporation's policies and procedures.
- 52.2 Employer responsibilities to internal and external customers under the Corporation's policies and procedures.
- 52.3 Any related Corporation policies and procedures, applicable requirements under the laws in specific jurisdictions, other regulations, standards, best practices, or mandates regarding assault, aggression and threats of violence.
- 52.4 Training will be relevant to the range of behaviours occurring along a workplace violence continuum that, due to their nature and severity, significantly affect any Corporation asset; generate a concern for physical or emotional safety or both; or result in significant emotional or psychological trauma, physical injury or death.
- 52.5 Specific training topics for all employees shall include but not be limited to:
 - i) Information, skills and practice in safe, respectful and service-oriented behaviours applicable to everyday workplace situations;
 - ii) Behaviour escalation levels and early warning signs;
 - iii) Verbal and nonverbal de-escalation strategies;
 - iv) The role of personal space and body language during crisis moments;
 - v) The use of tone, volume and rate of speech during crisis moments;
 - vi) Effective listening skills;
 - vii) Specific human factors that influence our behaviour during crisis moments.
 - viii) Specific staff debriefing strategies.
- 52.6 Refresher training will be required for all staff and will incorporate earlier response strategies and protocols while also furthering and advancing staff skills in related topic areas. These may include specific training relative to other behaviours from the workplace violence continuum such as discourtesy and disrespect, intimidation, harassment, retaliation, assault and physical aggression.
- 52.7 Specialized training strategies will be provided relative to specific employee roles during a crisis where specifically authorized by Corporation policies and procedures and any applicable laws, industry and professional standards, licensing or accreditation processes or other

regulations, standards, best practices or mandates specifically related to specialized staff roles. These topics and skills may include:

- i) Safe and non-harmful evasion and escape strategies generally applicable to a wide variety of physically aggressive behaviours;
- ii) Safe and non-harmful physical intervention strategies that may be implemented by specifically designated employees during physically violent emergencies.

Evaluation:

53.0 In accordance with of the OHSA, this policy shall be reviewed (in consultation with the JHSC) as often as necessary, but at least annually, and the Policy shall be posted at an inconspicuous place in the workplace.



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-35

Subject: Fire Alarm By-Law Amendments

Recommendations

It is recommended:

That the amended Fire Alarm By-law as appended to report CS-2019-35 **be adopted;**

And that Corporate Services & Clerk Report CS-2019-35 regarding the Fire Alarm By-law Amendments, **be received.**

Background

By-law No. 2001-48 was adopted by Council on August 14, 2001 to establish a registration program for residential and commercial property owners' fire alarms (Fire Alarm By-law). The program was introduced to encourage property owners who have fire alarm systems in their homes, or in their commercial buildings, to ensure their alarms systems are in good working order and to deter emergency calls resulting from malfunctioning or reoccurring nuisance alarms.

Calls for service resulting from malfunctioning or reoccurring nuisance alarms could potentially affect the ability of the Tecumseh Fire and Rescue Services response, and response time, to actual emergencies.

The Fire Alarm By-law was passed with similar provisions in Police Services By-law No. 2000-01 (PSB By-law) which establishes an alarm registration program for residential and commercial security alarms, as well as a penalty system for non-registration, and false alarms.

While registration of security alarms has been received under the PSB By-law, fire alarms have had little to no registrations. Fire alarms and security alarms are not always necessarily both installed on the same premises.

The purpose of this report is to recommend amendments to the Fire Alarm Registration By-law for consistency with the PSB By-law, provide clarity for staff that oversee registrations and make current the fees and charges to be collected.

Comments

A review of the Fire Alarm By-law was undertaken in consultation with the Tecumseh Fire & Rescue Services, OPP and Financial Services.

Financial Services has been responsible for registering alarms in accordance with the PSB By-law.

The OPP is responsible for notifying Financial Services of all calls in response to 'At Fault False Alarms' and Financial Services for invoicing penalties in accordance with the PSB By-law.

'At Fault False Alarms' are defined in the PSB By-law as:

- i. The testing of an alarm without police knowledge and approval, alarms caused by the negligence or carelessness of the alarm company, the alarm monitoring company, the alarm owner or alarm user
- ii. Alarms activated due to mechanical failure or improper installation
- iii. Alarms activated by internal or external atmosphere conditions, vibrations or power surges

The PSB By-law prescribes an annual \$10 registration fee for any owner or occupier of a premise with an alarm. Registered owners are granted two (2) 'At Fault False Alarms' before being charged \$100 for each 'At Fault False Alarm' thereafter during a calendar year. The \$100 charge is imposed on any owner or occupier of a premise with an unregistered premise for each 'At Fault False Alarm.'

The current Fire Alarm By-law also provides for an annual \$10 registration fee for any owner or occupier of a premise with an alarm. Registered owners are granted three (3) 'At Fault False Alarms' before being charged \$300 for each 'At Fault False Alarm' thereafter during a calendar year. The \$300 charge is imposed on any owner or occupier of a premise with an unregistered premise for each 'At Fault False Alarm.'

The Fire Alarm By-law states that the OPP is responsible for maintaining a written record of registered alarms.

'At Fault False Alarm' in the Fire Alarm By-law is defined as:

- i. the testing of an Alarm without prior notification to and approval of Windsor Fire Dispatch;

- ii. an Alarm caused by the carelessness or negligence of any person at a Registered Premise or an Unregistered Premise;
- iii. an Alarm caused by the mechanical failure or improper installation of any warning device; or
- iv. an Alarm inadvertently activated by any means, including internal or external atmospheric conditions, vibrations or power surges.

In order to harmonize the alarm registration program for both security alarms (PSB By-law) and fire alarms, establish consistent responsibility for registration by administration and to avoid an independent annual review of the fees and charges, the following changes are recommended to the Fire Alarm By-law:

- 1) Town Administration be responsible for registration of both fire and security alarms.
- 2) Provide for the imposition of two (2) 'At Fault False Alarms' before being charged for each 'At Fault False Alarm' thereafter during a calendar year.
- 3) Prescribe the fee for registration under the annual Fees and Charges By-law.
- 4) Prescribe the fee for attendance to each 'At Fault False Alarm' as the Ministry of Transportation (MTO) rate for responses to an emergency on a provincial highway, for improved recovery of cost. This rate is currently set at \$465.42 per hour, and is subject to change from time to time.

The owner or occupier of a Registered Premise is required under the Fire Alarm By-law to attend their Registered Premise when its Alarm is activated, within thirty (30) minutes of the activation in order to allow access to the premise for inspection purposes and to answer inquiries from the Tecumseh Fire & Rescue Services. As there are numerous responses to alarms where there is no key holder on file, or where they take hours to respond, the Fire Alarm By-law now also includes a provision for an owner or occupier to pay to the Town the MTO Rate for failure to attend within 30 minutes of an alarm activation.

Other house keeping amendments have been made to the Fire Alarm By-law, including the current legislative authorities.

Consultation

Financial Services
Fire & Emergency Services

Financial Implications

The average number of registered alarms over the past five years is 900. The current registration fee being charged is \$25.

According to the Tecumseh Fire Department's 2018 Year-End review, on average each year between 2014 and 2018 there has been 78 false fire calls (9% average of all calls per year).

It is difficult to quantify the number of alarm registrations that would also include a fire alarm and the number of false fire calls that may be eligible for imposition of an ‘At Fault False Alarm’ charge.

Town Administration overseeing registrations under the Fire Alarm By-law and Tecumseh Fire & Rescue Services tracking and better reporting ‘At Fault False Alarm’s’ for imposition of the MTO rate charge, will result in recovery of a portion of the costs resulting from false alarms.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
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- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
- Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
- Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	By-Law No. 2019-DRAFT Fire Alarm By-law

The Corporation of the Town of Tecumseh

By-Law Number 2019 -DRAFT

A by-law to Impose fees and charges for the services or activities provided by the Town of Tecumseh Fire/Rescue Service on behalf of the Corporation of the Town of Tecumseh related to Alarms

WHEREAS *The Municipal Act, 2001 S.O. 2001, c. M.25* grants a municipality the power to pass by-laws that impose specific fees for licensing, services, permits and other reasons;

AND WHEREAS Section 220.1 of the *Municipal Act, 2001, S.O.2001, c.25*, as amended or substituted from time to time, similarly permits a municipality to pass by-laws imposing fees and charges;

AND WHEREAS Section 391 of *The Municipal Act, 2001 S.O. 2001, c. M.25* authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and for the use of its property including property under its control;

AND WHEREAS Section 446(1) of *The Municipal Act 2001 S.O. 2001, c. M.25* authorizes a municipality under this or any other Act or under a bylaw under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

AND WHEREAS The Corporation of the Town of Tecumseh desires to prescribe administrative fees and charges for the registration of fire alarm systems for residential and commercial property owners and to impose a fee for At Fault False Alarms;

AND WHEREAS responses to At Fault False Alarms interferes with the ability of the Tecumseh Fire & Rescue Services to respond to emergency events;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. In this By-law and recitals:
 - A) "Alarm" or "Alarms" means any form of notification to Windsor Fire/Police Dispatch of an Emergency Situation or of an At Fault False Alarm;
 - B) "At Fault False Alarm" means any one of the following:
 - (1) The testing of an Alarm without prior notification to and approval of Windsor Fire Dispatch and OPP;
 - (2) An Alarm caused by the mechanical failure or improper installation of any warning device; or
 - (3) An Alarm inadvertently activated by any means, including internal or external atmospheric conditions, vibrations or power surges;
 - (4) An Alarm caused by carelessness or negligence of any person at a Registered Premise or an Unregistered Premise;

- C) “Emergency Situation” means any type of emergency occurring at or in relation to any business or residential premises located within the geographic boundaries of the Town and requiring the assistance of the Tecumseh Fire & Rescue Services..
 - D) “Registered Premise” or “Registered Premises” means any business or residential premises located within the geographic boundaries of the Town of Tecumseh containing an Alarm which automatically notifies Windsor Fire Dispatch and the Tecumseh Fire & Rescue Services of an Emergency Situation and which premises have been registered with the Town of Tecumseh by the owner thereof in accordance with the provisions of this by-law;
 - E) “Unregistered Premise” or “Unregistered Premises” means any business or residential premises located within the geographic boundaries of the Town of Tecumseh which are not Registered Premises;
 - F) “Tecumseh Fire & Rescue Services” means the Corporation of the Town of Tecumseh Fire & Rescue Services Department;
 - G) “Town” means The Corporation of the Town of Tecumseh; and
 - H) “Windsor Fire Dispatch” means the Windsor Fire Dispatch, a division of the Windsor Fire and Rescue Service, an entity which provides fire dispatch services to the Town.
2. The Town of Tecumseh’s Fire & Rescue Services shall maintain the following:
 - A) A written record of each separate Alarm, which record shall include, without limiting generality, the date, time, and location of such Alarm; and
 - B) A written record of all Registered Premises.
 3. The owner or occupier of a Registered Premise shall pay, in advance, a fee for the maintenance of the register of Alarms as set out in the annual Fees and Charges By-law
 4. The Town’s Fire & Rescue Services will respond to all Alarms and all At Fault False Alarms.
 5. Notwithstanding any other provision of this by-law:
 6. The owners or occupiers of a Registered Premise shall pay to the Town the Ministry of Transportation rate for responses to an emergency on a provincial highway (MTO Rate) after the second At Fault False Alarm within each calendar year.
 7. The owners or occupiers of an Unregistered Premise shall pay to the Town the MTO Rate for each At Fault False Alarm which occurs at the Unregistered Premise.
 8. In the event of non-payment of the amounts required to be paid by the owner or occupier of a Registered Premise or an Unregistered Premise pursuant to the provisions of this by-law within 30 days of receipt of an invoice from the Town, the Town may, in addition to any other collection remedies, add the amount required to be paid to the municipal tax rolls to be collected in a like manner as municipal taxes.

9. No person shall install, maintain or use an automatic calling device designed to transmit a message to the Town, OPP, or the Tecumseh Fire & Rescue Services.
10. The owner or occupier of each Registered Premise shall:
 - A) Attend their Registered Premise when its Alarm is activated, within thirty (30) minutes of the activation; and
 - B) Allow access to the Registered Premise for inspection purposes and to answer inquiries from the the Tecumseh Fire & Rescue Services.
 - C) An owner or occupier that does not attend in accordance within thirty (30) minutes of the activation shall pay to the Town the MTO Rate.
11. Should any section, clause, paragraph or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the part which was declared to be invalid.
12. By-law No. 2001-48, and any by-law inconsistent with this by-law, is hereby repealed.
13. This by-law shall come into full force and effect upon final passing thereof.

Read a first, second and third time and finally passed this **Choose an item.** day of **Choose an item.**, **Choose an item.**

Gary McNamara, Mayor

Laura Moy, Clerk



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-36

Subject: Urban Hen Licensing Pilot Program

Recommendations

It is recommended:

That Report CS-2019-36 Urban Hen Licensing Pilot Program **be received**;

And that a Public Information Centre **be scheduled** to receive public comment in regards to the proposed Urban Hen Licensing Pilot Program (Pilot Program).

Background

Urban hens have become a growing trend across North America. In an effort to be more involved in their own food production, many urban residents across Canada have opted to raise and keep hens in their backyards. Hens raised on urban residential properties are therefore referred to as “urban hens” or “backyard chickens”.

It is at the discretion of municipalities to determine whether to regulate or prohibit urban hens.

Due to concerns expressed by residents respecting the keeping of urban hens in residential areas, along with complaints relating to rodents and other wildlife, an informational report - Corporate Services & Clerks Report No. 34/16 Examination of Urban Chicken Control & Rodent Complaints - was received by the Policies & Priorities Committee at the September 27, 2016 meeting.

Council was later presented with another report at the November 22, 2016, Regular Meeting recommending the Animal Control By-law be amended to specifically prohibit the keeping of

hens in urban areas. The recommendation in Corporate Services & Clerks Report No. 55/16 Keeping of Urban Chickens was accepted by resolution (RCM-400/16).

Prior to Report No. 55/16, the Planning & Building Services Department had used the consistent approach, when dealing with any property complaint in respect of urban hens, that a maximum of three (3) urban hens could be deemed a permitted accessory use as defined by the Town's Zoning By-law (*"being a use that is normally incidental, subordinate and exclusively devoted to main use..."*), along with the associated accessory use provisions (building size, minimum side and rear yards, building height, etc). The rationale supporting a maximum number of three (3) hens was that the same cap was placed on dogs as established in the Town's Animal Control By-law.

Subsequently, Council received a delegation at the July 25, 2017, Regular Meeting in respect of the prohibition of urban hens. The resident appeared before Council after having received an order to comply with the Town's Zoning By-law Subsection 3.1 and the limit of three (3) urban hens. The resident advised he has a child with an immune deficiency and requires more than three (3) hens to produce a sufficient number of eggs to feed his child. A request was made for consideration for property owners who have a greater lot area than typical residential properties, and for those who have special needs, to be allowed to have urban hens.

During the delegation discussion, it was noted the Animal Control By-law 1999-07 had not yet been amended, pending further consultation with Legal Counsel, and research on implementation and notification to existing property owners with urban hens.

At the meeting, Council passed a resolution (RCM-256/17) deferring the Zoning Order issued to the owner of 2380 Lesperance Road relating to the keeping of hens, pending further discussion and decision-making by Council on the matter of keeping urban hens based on further research and reporting by Administration.

Report CS-2018-19 Keeping of Urban Hens was presented at the August 14, 2018 Policies & Priorities Committee Meeting outlining options for the regulation or prohibition of urban hens within the municipality. Administration was directed to prepare a report regarding the proposed regulations under a Pilot Program.

Accordingly, further research has been undertaken on the procedures and best practices in other communities relating to implementation of a Pilot Program.

Comments

Pilot Program Regulations

The Town of Tecumseh's (Town) Pilot Program proposes to allow for the provision of backyard hens under by-law and licensing regulations. A Pilot Program Registration Form has been drafted outlining the provisions of the Program. [Attachment 1](#)

Subject to preliminary approval, a Public Information Centre will be scheduled to receive input from the public on the proposed Pilot Program with a report back to Council for consideration and final approval the Pilot Program.

Based on research undertaken, the proposed Pilot Program for the Town is similar in nature to the City of Kingston (Kingston), City of Kitchener (Kitchener) and the City of Toronto (Toronto) all of which currently allow for the provision of urban hens. It should be noted that while Kingston and Kitchener have permanent regulations for urban hens in effect, Toronto is permitting urban hens under a pilot program, titled 'UrbanHensTO', which runs from March 2, 2018 to March 2, 2021.

It is recommended that the Town's Pilot Program be for a period of two (2) years, for the keeping of hens in urban residential areas.

Hen, defined by the Town, means a domesticated female chicken that is at least four (4) months old.

Hens must be at least four (4) months old when acquired, as prior to four (4) months it cannot be determined whether the chick is a hen or a rooster. As outlined in the registration form, hens are for the purpose of enjoyment and egg production and not intended as livestock to eat and the eggs must be for personal consumption only; hens are not permitted to be sold.

Prior to purchasing hens, Tecumseh residents desirous of keeping urban hens must complete the registration form and meet all of the eligibility requirements which are comparable to Kingston, Kitchener and Toronto in terms of coop size and setbacks, hen waste and the like.

Regulations identified under the 'Terms and Conditions' of the registration form stipulate the following:

- The keeping of roosters is prohibited.
- Only residential properties are permitted to be registered.
- The total area of all hen coops and runs are less than 11.15 square metres (120 square feet), for properties under 10,000 square feet and less than 15.60 square metres (168 square feet) for properties greater than 10,000 square feet.
- The hen coop and hen run are less than 3 metres (10 feet) in height.
- Hen coops and runs shall be a distance of at least 1.2 metres (4 feet) from the lot lines and at least 1.5 metres (5 feet) from the main dwelling.
- Hens must be kept in their coops from 9:00 pm to 6:00 am.
- Hen coops and runs shall be maintained in a clean, dry, odor-free and sanitary condition at all times, and in a manner that will provide healthy living conditions for the

hens while minimizing adverse impacts to other residents in the neighbourhood to the satisfaction of the Town.

- Feed and water shall be protected against and unavailable to rodents, pests, birds and predators and uneaten or spoiled feed must be removed in a timely manner.

Under the Pilot Program, a limit of six (6) hens per property with a lot size less than 10,000 square feet would be permitted with a recommendation of a minimum of two (2) hens, as they are very social creatures. Properties greater than 10,000 square feet would be permitted one (1) extra hen for every additional 3,000 square feet, up to a maximum of twelve (12) hens. To assist residents in determining the eligible number of hens for their property, a Property Lot Size Table is included in the registration form.

A site plan illustrating the location and size of the hen coop and run on the property must accompany the registration form.

If the Applicant is a tenant at the property, the property Owner's information and consent is required to permit hens.

Should a hen(s) be found to be running at large during the Pilot Program, the Windsor Essex County Humane Society (WECHS), for purposes of the Pilot Program, will impound the hen for twenty-four (24) hours after the date of seizure. The hen Owner may redeem the hen subject to a fee imposed by the WECHS.

Annual License Fee

The following license fees are imposed by municipalities which currently provide for the keeping of urban hens:

- Kingston's permit is subject to an annual license fee of \$25.00;
- Kitchener requires applicants to pay a one-time \$50.00 registration fee; and
- Toronto, under the current pilot program does not have a license fee.

As part of the permit process, plastic universal identification bands would be issued to the applicant for each hen registered under the Pilot Program. The identification bands are imprinted with a number that would be assigned to each hen and allow for the safe return of the hen should it be found running at large. Plastic identification bands are recommended for the safety of hens, particularly in cold weather months. The approximate cost of the identification bands is \$100.00 for 500 bands.

Accordingly, an annual license fee of \$25.00 per registration form is being recommended to provide for the identification band expenses, and nominal recovery for staffing resources to administer, monitor and enforce the Pilot Program. Following the Pilot Program, the license fee will be reviewed as part of the Pilot Program evaluation.

Inspection and Issuance Process

Following receipt of the necessary registration form and annual license fee of \$25.00, the Planning & Building Services Department will undertake an on-site inspection of the property to assess and ensure compliance with the terms and conditions outlined in the registration form.

Subject to review and compliance with the Pilot Program's requirements, the Applicant will be issued a permit for the keeping of hens, together with the identification bands for each hen on the subject property.

Concerns and/or complaints regarding the keeping of urban hens will be monitored and the Planning & Building Department will enforce the provisions consistent with property standards.

As noted above, following completion of the two-year Pilot Program, an evaluation of the Program will be conducted and a course of action with respect to the continuation of the program will be recommended to Council.

Consultations

Planning & Building Services
Windsor Essex County Humane Society
City of Kingston
City of Kitchener
City of Toronto

Financial Implications

An annual license fee of \$25.00 per registration form is being recommended to provide for the identification band expenses, and nominal recovery for staffing resources to administer, monitor and enforce the Pilot Program.

Expenses relating to the identification bands, in the approximate amount of \$100.00 for 500 bands would be funded from the Animal Control Budget.

Additionally, the proposed annual license fee would be included in the 2020 Fees & Charges By-law.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
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- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
- Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
- Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Christina Hebert, BA (Hons), MA, Dipl. M.A.
Manager Committee & Community Services

Reviewed by:

Mike Voegeli
Manager Building Services & Chief Building Official

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Urban Hens Pilot Registration Form

2020 Urban Hens Pilot
Registration Form

Applicant Information

First Name:			
Last Name:			
Permit Street Address (where hens will be housed):			
Town:		Postal Code:	
Phone:		Alternate Phone:	
E-mail:			

Registered Owner Information

***If the Applicant is a Tenant at the above-referenced property, the Owner's information and consent is required to permit hens.**

First Name:			
Last Name:			
Street Address			
Town:		Postal Code:	
Phone:		Alternate Phone:	
E-mail:			

Property Information

Size of the permit property in metric units:	<input type="checkbox"/> Frontage	<input type="checkbox"/> Depth	<input type="checkbox"/> Area
What type of dwelling is the permit property:	<input type="checkbox"/> Single	<input type="checkbox"/> Semi	<input type="checkbox"/> Duplex
Number of Hens to be kept at permit address (Minimum of 2): *if property is less than 10,000 sq feet, max 6 *if property is greater than 10,000 sq feet, for every additional 3,000 sq feet, permitted 1 extra hen to max of 12	<hr/> <hr/>		
If not the Owner, have you attached written consent from the property owner to allow for hens:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Property Lot Size Requirements

Lot Size Less Than 10,000 Sq. Ft.

No of Chickens	Minimum Coop Area	Minimum Run Area	Maximum Coop & Run Area
2	0.74 m2 (8 sf)	1.86 m2 (20 sf)	11.15 m2 (120 sf)
3	1.12 m2 (12 sf)	2.79 m2 (30 sf)	11.15 m2 (120 sf)
4	1.49 m2 (16 sf)	3.72 m2 (40 sf)	11.15 m2 (120 sf)
5	1.86 m2 (20 sf)	4.65 m2 (50 sf)	11.15 m2 (120 sf)
6	2.23 m2 (24 sf)	5.57 m2 (60 sf)	11.15 m2 (120 sf)

Lot Size Greater Than 10,000 Sq. Ft.

No of Chickens	Minimum Coop Area	Minimum Run Area	Maximum Coop & Run Area
7	2.60 m2 (28 sf)	6.50 m2 (70 sf)	15.61 m2 (168 sf)
8	2.97 m2 (32 sf)	7.43 m2 (80 sf)	15.61 m2 (168 sf)
9	3.34 m2 (36 sf)	8.36 m2 (90 sf)	15.61 m2 (168 sf)
10	3.72 m2 (40 sf)	9.29 m2 (100 sf)	15.61 m2 (168 sf)
11	4.09 m2 (44 sf)	10.22 m2 (110 sf)	15.61 m2 (168 sf)
12	4.46 m2 (48 sf)	11.15 m2 (120 sf)	15.61 m2 (168 sf)

Hen Coop & Run Information

The total area of all hen coops and runs are less than 11.15 square metres (120 square feet) for properties under 10,000 sq ft; or 15.60 square metres (168 square feet) for properties greater than 10,000 sq ft:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
The hen coop and hen run are less than 3 metres (10 feet) in height:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is there an enclosed hen run:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you meet the 0.37 square metres (4 square feet) minimum coop floor area per hen:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you meet the 0.92 square metres (10 square feet) minimum hen run per hen:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you meet the 1.2 metres (4 feet) setback from the lot lines:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you meet the 1.5 metres (5 feet) setback from the main dwelling:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Did you include a site plan illustrating where the hen coop and run will be located on permit property (Note: must be located in rear yard):	<input type="checkbox"/> Yes	<input type="checkbox"/> No
See Appendix A for sample illustration		
Are you in compliance with the food and water provisions as outlined in the Terms & Conditions:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

*Please note: if answered No to any of the above questions, the Application cannot be accepted.

Applicant's Signature: _____

Date (mm/dd/yyyy): _____

Owner's Signature: _____

Date (mm/dd/yyyy): _____

*Please ensure you have read the Urban Hens Pilot Terms and Conditions and confirm same by signing under the 'Signature' section of this application.

1. Definitions:

"At Large" means a hen found at any place other than on the property of the owner of the hen outlined in their Urban Hens Pilot Registration Form.

"Coop" means a fully-enclosed weatherproof structure where hens are kept and the interior of which includes nest boxes for egg laying, perches for hens to roost on and food and water containers.

"Front Yard" means the area on a lot;

A. Between the front lot line and all front main walls of the building, and

B. Between the front lot line and a line extending parallel to the front lot line across the full width of the lot from the point where the front main wall of the building meets the building's side main walls closest to the respective side lot lines

"Hen" means a domesticated female chicken that is at least four months old.

"Hen Run" means a covered area typically made of chicken wire or other similar material that allows hens' access to the outdoors.

"Noise" means no person shall permit the persistent clucking, calling or other similar persistent noise made by any hens.

"Owner" includes any person who possesses, harbours or keeps a hen.

"Town" means the Corporation of the Town of Tecumseh.

"WECHS" means the Windsor Essex County Humane Society who shall have the right to enforce the provisions of this program.

2. Eligibility for the Keeping of Hens

The Owner agrees to keep hens only on the property outlined in their Urban Hens Pilot Registration Form.

Only residential properties are permitted to be registered. Neither apartment buildings, condominium buildings, nor properties without sufficient outdoor space to house the hens, as determined by the Planning and Building Department will be permitted.

3. Hens At Large

No Owner shall allow or permit any of his or her hens to be at large at any time.

Where the Town has taken possession of a hen at large, it shall be impounded with the Windsor Essex County Humane Society (WECHS) for 24 hours after the date of its seizure. If the hen was seized on a day when the WECHS is closed, the hen will be held for 24 hours after the time when the WECHS is next open for business. During the applicable 24 hour time period, the Owner may redeem the hen subject to a fee imposed by the WECHS.

If the hen is not redeemed within the 24 hour time period referred to above, the hen shall become the property of the WECHS and the WECHS may:

- a) transfer ownership of the hen; or
- b) euthanize the hen which costs will be charged back to the Owner.

4. Number of hens restricted

No Owner shall keep more than the number of hens, as indicated in the Property Lot Size Table, at any eligible residential property within the Town. Only hens, a minimum of two (2) are permitted, no roosters may be kept. All hens must be four (4) months old.

5. Non-Commercial use only

Owners shall keep hens as pets and for personal use only. The Owner agrees not to sell or offer for sale any part of a hen or its eggs or manure or engage in hen breeding or fertilizer production for commercial purposes. No person shall give or provide a hen, a part of a hen, eggs, or manure to any other person or entity.

6. Hen Coops & Runs

- a) The Owner agrees that no hen coops are permitted in any front yard.
- b) The Owner must ensure that all zoning requirements are followed on their property, including the zoning requirements for minimum setbacks for ancillary structures such as their coop, and comply with all other legal standards and requirements applicable to the coop.
- c) The Owner shall ensure each coop has a minimum coop floor area of 0.37m² (4 sq ft) per each hen kept in the coop.
- d) The Owner shall ensure each run has a minimum of at least 0.92 m² (10 sq ft) of enclosed space per hen kept in the coop.
- e) The Owner shall ensure that no hen coop exceeds a height of three (3) metres and a maximum floor area of 9.2 m² (100 square feet).
 - i. If property is greater than 10,000 square feet, the Owner shall ensure that no hen coop exceeds a height of three (3) metres (10 feet) and a maximum floor area of 15.6 m² (168 square feet)
- f) The Owner shall provide and maintain in each coop the following items:
 - i) at least 20 cm or (8 inches) perch for each hen; and
 - ii) one nest box, of a size and nature that is suitable for the number of hens kept in the coop.
- g) The Owner shall ensure all coops are enclosed on all sides and have a roof and doors. Access doors must be able to be shut and locked at night. If there are any windows and vents, they must be predator- and bird-proof.
- h) The Owner shall keep all coops in a clean, dry, odor-free, neat and sanitary condition at all times, and in a manner that will provide healthy living conditions for the hens while minimizing adverse impacts to other residents in the neighborhood to the satisfaction of the Town. The Owner agrees to undertake any repairs directed by the Town at the Owner's sole cost and expense in order to comply with this section.
- i) During daylight hours, hens may be allowed outside of their coop in a securely-fenced hen run on the property of the Owner if supervised. Hens shall be secured within a locked coop during non-daylight hours [9:00 pm – 6:00 am].
- j) The Owner shall ensure the coop is weather-proofed, and the enclosure is insulated with air temperature suitable for the health of the hens. In addition, the Owner shall ensure the coop has adequate ventilation and adequate sun and shade and is impermeable to rodents, birds, and predators, including dogs and cats, to the satisfaction of the Town. The Owner agrees to undertake any repairs directed by the Town at the Owner's sole cost and expense in order to comply with this section.

7. Predators, Rodents, Insects, and Parasites

The Owner agrees to take necessary action at the Owner's sole cost and expense to reduce the attraction of predators and rodents and the potential infestation of insects and parasites to the satisfaction of the Town. Hens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation must receive treatment in consultation with a veterinarian in a timely fashion. Non-compliance with this section may result in notice that the permission to keep hens in the Town is revoked and continued keeping of hens will be an offence under By-Law No. XX/19.

8. Feed and Water

The Owner shall ensure that hens are provided with access to clean water at all times, and shall ensure that:

- a) such feed and water shall be protected against and unavailable to rodents, pests, birds and predators; and
- b) uneaten or spoiled feed must be removed in a timely manner.

9. Disposal of Hens

The Owner shall ensure that all dead hens are disposed of immediately by the Owner in a sanitary manner at the Owner's sole cost and expense.

The Owner agrees to ensure that all manure and waste is removed and composted or disposed of safely from any coop in timely manner.

10. Seizure and impoundment

Any hen found at large contrary to the provisions of the terms and conditions, may be seized and impounded by the WECHS in accordance with 'Hens at Large' section and this section.

Seized hens may be released back to the Owner only if the WECHS determines, in its sole discretion, that the issues that warranted the seizure have been resolved and the hen's health and safety are not at risk.

Despite the 'Hens at Large' section 3, where, in the opinion of the WECHS, a hen is injured or ill and should be euthanized without delay for humane reasons or safety to persons, the hen shall be euthanized by the WECHS without permitting any person to reclaim the hen. The Owner understands and agrees to this process, as well as assumes responsibility for all euthanized costs.

11. Pilot Duration

The pilot is for a period of two (2) years, commencing January 2, 2020 and ending on December 31, 2021. If the pilot is not continued beyond 2021, the Owner agrees to take all necessary steps to remove the hens from their property and the Town after December 31, 2021. The Owner understands and agrees that upon notice, the Town may revoke the permission to keep hens in the Town during the pilot period, and continued keeping of hens after the date of such a notice shall be an offence under By-Law No. XX/19.

12. Indemnity

The Owner shall save and hold harmless the Town, its servants, agents, successors or assigns, and ensure the same shall not be held liable for any injury, loss or damage, however caused, arising out of the granting of the permissions in these terms and conditions. The Owner further agrees that it will from time to time, and at all times hereafter, truly save, keep harmless and fully indemnify the Town, its servants, agents, successors and assigns from any and all actions, causes of actions, claims and demands whatsoever which may be brought against or made upon the Town, its servants, agents,

successors and assigns and against all loss, liability, judgements, costs or expenses which the Town its servants, agents, successors or assigns may sustain, incur or be put to resulting from or arising out of any act or omission on the part of the Owner, its servants, agents, successors or assigns which was done, or purported to have been done, in relation to the granting of the permission to keep hens or the keeping of hens by the Owner.

13. Inspections

The Owner agrees to permit Town staff to attend and inspect their property as deemed necessary by the Town to assess and ensure compliance with these terms and conditions and any applicable by-laws, statutes or regulations. The Town will provide reasonable notice before an inspection.

14. Contact Information and Notice

If the contact information provided in the Urban Hens Pilot Registration Form changes, the Owner will update the Town forthwith. The Owner also understands and agrees that the Town may contact me and provide information or official notices by mail or by email to me at the addresses in the Urban Hens Pilot Registration Form and any notice so made or given shall be deemed to have been duly and properly made or given and received on the day on which it shall have been so delivered or, if mailed, then, in the absence of any interruption in postal service in the Town of Tecumseh affecting the delivery or handling thereof, on the day following three (3) clear business days following the date of mailing.

15. Non-Compliance with Terms and Conditions

Any violation of the provisions of these terms and conditions shall be grounds for a notice by the Town revoking permission for the Owner to keep the hens and ordering the Owner to remove the hens from the Town of Tecumseh. Continued keeping of hens after the date of such a notice will be an offence under By-Law No. XX/19.

Signature

I _____ of _____, in the Town of Tecumseh, do solemnly declare:

That I am the applicant for the grant of a permit authorizing me to keep backyard hens at the above indicated address. I have read and agree to abide by the Urban Hens Pilot Program Terms and Conditions.

I understand that any permit issued pursuant to the said application is subject to revocation.

I have served written notice to the abutting property owner(s) that I have made application for a hen coop and hen run permit. These notices are attached to this application.

The information I have provided is complete and true

Applicant's Signature: _____ Date (mm/dd/yyyy): _____

Owner's Signature: _____ Date (mm/dd/yyyy): _____

Unsigned applications will be returned, unprocessed.

The personal information being collected on this Registration for Hen Coop Permit is being collected for the purpose of determining eligibility under the 2020 Urban Hens Pilot of the Town of Tecumseh. The information collected is under the authority of the *Municipal Act, 2001*, and in accordance with the

Municipal Freedom of Information and Protection of Privacy Act. Questions regarding the collection, use and disclosure of this personal information may be directed to the Director Corporate Services & Clerk.

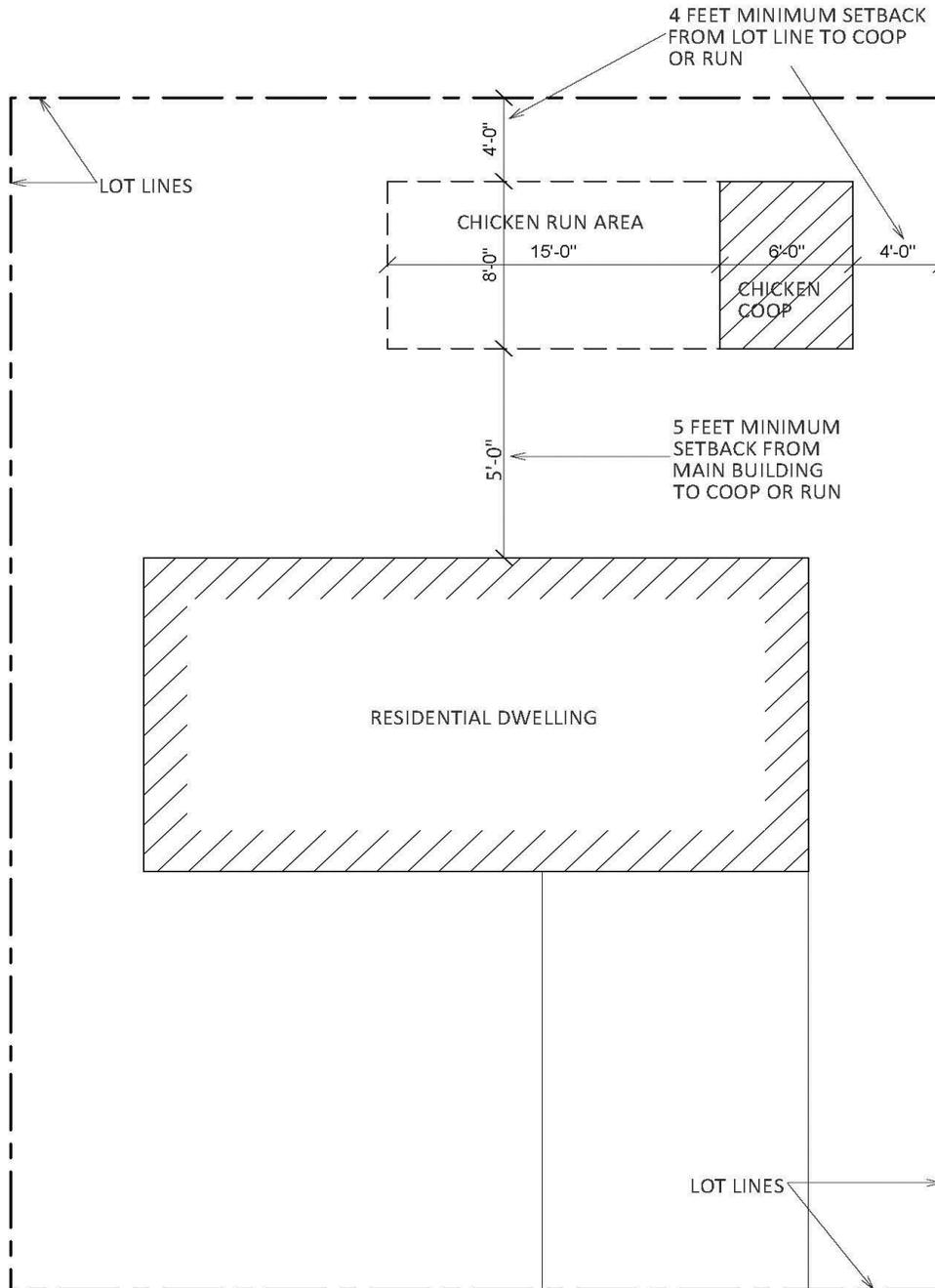
16. Submission of Registration

The complete registration form must be submitted in person at the following address:

Town of Tecumseh
917 Lesperance Road
Tecumseh, ON N8N 1W9

Please contact the Corporate Services & Clerk’s Department at the Town of Tecumseh at 519-735-2184 Extensions 143 or 116 with any questions regarding the registration process.

For Office Use Only			
Permit Application Number:		Issued By:	
Permit Number(s) Issued:			
Registration Fee Collected:	Yes	No	



TYPICAL SITE PLAN



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-37

Subject: Alley Closing Policy

Recommendations

It is recommended:

That the proposed Alley Closing Policy as appended to Report CS-2019-37 **be placed** on the Town's website for a 30-day review period;

And that Notice of the 30-day review **be given** on the Town's website, social media and local newspapers;

And that Report CS-2019-37 regarding the Alley Closing Policy **be received**.

Background

Currently, the Town does not have a policy regarding the closure and sale of municipal streets, alleys or unopened road allowances (hereafter collectively referred to as "Alleys"). Property owners that are directly adjacent to Alleys have on occasion requested to "close" such Alleys and to acquire the lands to expand their property limits.

It has been the Town's practice to undertake an initial review of the request by the Corporate Services, Planning & Building Services and Public Works & Environmental Services Departments. Utilities are also contacted to determine if there are any services in the subject Alley and to advise of any objections to the closure and sale, or alternatively conditional acceptance (i.e. reservation of an easement).

In the absence of a policy, Administration has contacted all abutting owners along the Alley to inquire about their interest in purchasing a portion of the Alley, and their willingness to accept

responsibility for all associated cost of the closure and sale, including but not limited to: legal, survey, advertising, land registry and administrative costs.

Subject to the majority of abutting property owners' interest and the outcome of the administrative review and responses from the utilities, a report is prepared for Council's consideration to initiate the required notices and procedures set out in the Sale of Land and Notice By-laws to declare the Alley lands surplus and authorize the sale of the Alley to abutting property owners.

There are 43 municipal alleys that exist in the Town which provide a variety of uses such as vehicle access or passage, or underground municipal infrastructure and utilities. Some municipal alleys are not maintained by the Town, or have been encroached upon by the adjacent property owners' sheds, garages, fences, landscaping, etc.

Alleys that are not used for vehicle passage can be subject to crime, illegal dumping, weed overgrowth, as well as unauthorized encroachments. Alleys that can be legally closed and declared surplus to the needs of the Corporation, and sold to abutting property owners, could assist in reducing the Town's potential for liability.

Comments

To formalize the current practice and to establish a fair and consistent manner in which to address requests for Alley closures and sale, a proposed Alley Closing Policy (Policy) has been prepared and is appended to this report as [Attachment 1](#).

The Policy covers the closing and potential sale of Alleys within the Town of Tecumseh (Town). It has been prepared in compliance with the *Municipal Act, S.O. 2001, c.25* (Act), and the Sale of Land By-law No. 2003-09 approved in accordance with the Act which requires all municipalities to adopt and maintain a policy with respect to its sale and disposition of land.

If adopted, the Policy will provide a consistent, transparent and fair procedure relating to disposal of Alleys deemed surplus to the needs of The Corporation of the Town of Tecumseh (Corporation).

If a property owner is interested in purchasing an Alley, the process outlined in the proposed Policy is similar to the current practice. All requests are directed to the Corporate Services Department, in which the Clerk verifies the property boundary and ownership; and consults with the Planning & Building Services and Public Works & Environmental Services Departments for municipal servicing in the Alley. The utilities are also consulted for any of their services that may be in the Alley and the potential need to reserve an easement.

The request must come from, or be supported by, all abutting property owners. The Policy places responsibility on the abutting property owners to submit the request, rather than the Town contacting the owners based one initiating request.

The Corporation can also initiate the process by declaring an alley or road as surplus. In this instance resident(s) agreement is not necessary. When the Corporation initiates an alley or road to be closed, a public meeting will be held.

Administration will continue to make a recommendation to Council, in the form of a report, on the closure and sale of an Alley, if it is in the best interest of the Corporation.

If Administration deems that the Alley should not be closed, the applicant will be notified of the decision and that the decision may be appealed to Council.

A road or alley closure is prohibited where the effect of the by-law will deprive a landowner of his or her only means of access to the road.

Upon approval by Council that an Alley closure may proceed, all affected property owners will be notified of the decision and that the agreement of the owner(s) to acquire the entire lands, and to assume full responsibility for all legal, advertising, surveying and administrative costs, is required to effect the closure and transfer. They will also be informed of the estimated total cost and requirement to provide a \$500 deposit. The purpose of the deposit is to ensure acceptance of the cost and future commitment to the purchase.

Clarification is also set out in the proposed Policy on how the Alley lands will be offered for sale to the abutting property owners. The property will first be offered to the property owner whose property is immediately adjacent to the Alley. If the property owner is not interested, the property will be offered to the property owner immediately behind. If neither owner accepts the offer, the process may then be halted. All abutting owners need not purchase a portion of the Alley, however all of the Alley lands must be purchased by an abutting owner

Under no circumstances will an Alley, deemed to be surplus to the needs of the Corporation, be offered to anyone other than the property owner(s) which are abutting the subject Alley.

The Policy addresses the case of road allowances that can become, or be converted to, a viable buildable lot. If the lot is deemed buildable, the sale will proceed under the Sale of Land By-law.

The approval by Council of a by-law to declare an Alley to be surplus to the needs of the Corporation, and to authorize the closure and sale of an Alley, is referable to the Sale of Land By-law and Notice By-law.

The value of the Alley is also referable to, and determined in accordance with, the Sale of Land By-law.

The adoption of a by-law by Council to declare an Alley to be surplus to the needs of the Corporation, and to authorize the closure and sale of the Alley is carried out in accordance with the provisions established in the Sale of Land and Notice By-laws.

In order to allow for public review of the new policy, a 30-day review period is proposed, following which it will be returned to Council for consideration of approval.

Consultations

Financial Services
Public Works & Environmental Services
Planning & Building Services
Area Municipalities

Financial Implications

There are no financial implications associated with adoption of the Policy.

The costs incurred to close and sell an Alley are intended to be fully recovered under this Policy.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Jennifer Alexander, MPA
Deputy Clerk & Manager Legislative Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Alley Closing Policy



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: [Keywords]

Effective Date: TBD

Supersedes: N/A

Approval: TBD

Subject: **Alley Closing Policy**

Purpose

- 1.0 This policy covers the closing and potential sale of streets, alleys and municipal road allowances within the Town of Tecumseh (Town).
- 2.0 This policy is prepared in compliance with the *Municipal Act, S.O. 2001, c.25* (Act), and the Sale of Land By-law No. 2003-09 adopted in accordance with the Act which requires all municipalities to adopt and maintain a policy with respect to its sale and disposition of land.
- 3.0 This policy will provide consistent, transparent and fair procedures relating to disposal of municipal owned streets, alleys and road allowances deemed surplus to the needs of The Corporation of the Town of Tecumseh (Corporation).

Scope

- 4.0 The scope includes all municipally owned streets, alleys and road allowances within the Town.

Policy

- 5.0 From time to time the Corporation is approached by property owners requesting to purchase alleys or unopened road allowances adjacent to their properties. If the request is favourably considered this would necessitate the legal closure of the alley and/or road.
- 6.0 In the event a resident comes forward requesting an alley or road to be closed, there must be full support from the other residents abutting the alley for the closure to proceed.
- 7.0 The Corporation can also initiate the process by declaring an alley or road as surplus. In this instance resident(s) agreement is not necessary. When the Corporation initiates an alley or road to be closed, a public meeting will be held.
- 8.0 Once a request is received for an alley or road closing, the Director Corporate Services & Clerk shall schedule a meeting with the Director Public Works & Environmental Services and Director Planning & Building Services (Technical Advisory Review Group - TARG) to review the application.
- 9.0 The Corporate Services Department will contact the utilities and other agencies (i.e. Essex Power, Hydro One, Union Gas, Bell Canada, and Cogeco Cable) to notify them of the potential closure and to inquire as to whether they have any services in the subject alley or road, and of any objections to the closure and sale, or their conditions of acceptance (i.e. reservation of an easement).
- 10.0 The TARG shall make a recommendation to Council, in the form of a report, on the closure and sale of an alley or road, if it is in the best interest of the Corporation.
- 11.0 If the TARG deems that the alley or road should not be closed, the applicant will be notified of the decision and that the decision may be appealed to Council.
- 12.0 A road or alley closure is prohibited where the effect of the by-law will deprive a property owner of his or her only means of access to the road.

Procedure

- 13.0 Upon approval by Council that an alley or road closure may proceed, all affected property owners will be notified of the decision and that the agreement of affected owner(s) to acquire the entire lands and to assume full responsibility for all legal, advertising, surveying and administrative costs, is required to effect the closure and transfer. They will also be informed of the estimated total cost and required to provide \$500 deposit.

-
- 14.0 In the case of alleys, the property will first be offered to the property owner whose property is immediately adjacent to the alley. If the property owner is not interested, the property will be offered to the property owner immediately behind. If neither land owner accepts the offer, the process may then be halted.
- 15.0 If the proposed property lines cannot be directly aligned, the process may then be halted.
- 16.0 In the case of road allowances, the TARG will first determine if the road allowance can become or be converted to a viable buildable lot. If the lot is deemed buildable, the sale will proceed under the Sale of Land By-law.
- 17.0 If the road allowance cannot become or be converted to a viable buildable lot, the land shall be offered to the adjacent property owners, only.
- 18.0 Under no circumstances will an alley or road allowance, deemed to be surplus to the needs of the Corporation, be offered to anyone other than the property owner(s) which is abutting the subject alley or road to be closed.
- 19.0 Prior to Council giving consideration to a by-law to declare an alley or road lands to be surplus to the needs of the Corporation, and to authorize the closure and sale of an alley or road, notice will be given in accordance with Sale of Land By-law and Notice By-law.
- 20.0 A by-law permanently closing an alley or road does not take effect until a certified copy of the by-law is registered in the proper land registry office.
- 21.0 The value of the alley or road (surplus lands) shall be determined in accordance with the Sale of Land By-law.
- 22.0 All abutting property owners that are purchasing a portion of a closed alley or road will be fully responsible for all actual costs incurred by the Corporation, including but not limited to: legal, advertising, surveying, reparation/registration of deed, and land value (where applicable). The \$500 deposit from each purchasing owner will be deducted from their respective final share of the actual costs.

Responsibilities

- 23.0 The Clerk or designate shall be responsible for interpreting and where appropriate administering the Alley Closing Policy.

Policy Administration

24.0 This Policy shall be administered by the Clerk or designate.

25.0 This Policy will be reviewed as required based on revisions to corporate practices or Provincial legislation.

References

The Municipal Act, 2001 S.O. 2001 c. 25

Town of Tecumseh Sale of Land By-Law No. 2003-09

Town of Tecumseh Notice By-Law No. 2003-06

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The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-38

Subject: Professional Appearance Policy

Recommendations

It is recommended:

That the Professional Appearance Policy No. 96, as appended to Report CS-2019-38 **be approved;**

And that Report CS-2019-38 regarding the Professional Appearance Policy **be received.**

Background

At the December 17, 2017, Regular Council Meeting, Council inquired about establishing a “Dress Code” for health and safety reasons for all employees.

The Corporation is committed to providing a safe and healthy environment for its employees and demonstrates this commitment by purchasing and supplying personal protective equipment and clothing (PPE) where any staff is required to perform a task in an environment that involves potential hazards. A PPE Policy has been adopted, under Section 4 – Hazards and Threats, as part of the Corporate Health & Safety Program.

Policies regarding clothing standards were researched from other municipalities and public organizations for common standards, etiquette and safety.

The representatives of CUPE Local 702.1 and 702.13 (Full-Time and Part-time Outside Workers) and CUPE Local 702.2 and 702.5 (Full-Time and Part-time Inside Workers) were all consulted on the standards, as well as each Department’s Director.

Proper grooming and professional appearance are important to gain not just positive impressions, but also respect in the workplace. First impressions matter and the way staff look and carry themselves has an impact on the public we serve and others in the workplace. Proper grooming and professional appearance is important for both men and women.

Comments

The Corporation currently has a policy regarding PPE, as previously indicated.

However, a policy regarding professional appearance has not been adopted.

Workplace attire should complement an environment that reflects an efficient and professionally operated organization. As each workplace continues to evolve with programs and services, the Corporation would like to ensure continued professionalism while fostering an environment of inclusion and comfort for all employees during working hours.

All employees must show professionalism and good judgement at all times related to appearance. With today's wide variety in fashion trends, it is impossible to describe every article of proper dress. Common sense and respect for our customers, visitors and fellow employees is the key to a strong, positive professional environment and caring image.

The proposed Professional Appearance Policy (Policy), attached as **Appendix 1** to this report, is intended to establish standards for all employees regarding:

- personal hygiene,
- appropriate and inappropriate workplace attire,
- the use of personal protective equipment during normal business operations,
- casual attire on Fridays, and
- compliance enforcement.

All employees' attire and personal hygiene shall be appropriate to their work environment at all times. All employees of the Corporation are representatives of the organization and, therefore, their overall appearance may affect both the public's impression of the Corporation and internal morale. Employees are expected to present themselves in a neat, professional manner within their workplace.

Enforcement of the Policy will be the responsibility of the management team - the Chief Administrative Officer, Directors, Managers and Supervisors - to ensure that employees abide by the established standards. The proposed Policy outlines steps if the Policy is contravened, in keeping with the Progressive Discipline Policy No. 64.

Appropriate and inappropriate attire are described in paragraphs 8 through 10 of the proposed Policy.

Paragraph 11 requires PPE to be worn at all times by all employees where such equipment and clothing is required, consistent with the Corporation's PPE Policy in Section 4 – Hazards and Threats of the Health & Safety Program. Paragraph 15 also requires all employees, who are issued clothing/footwear/hats by the Corporation as part of their daily uniform and personal protection, to wear their (clean, stain free) uniform during all working hours, including "Casual Fridays."

All employees who work outdoors, in the arena and in the fire service are provided clothing appropriate for their respective workplace, including: hats, shirts, pants, coats and boots. The By-law Enforcement Officer and Building Inspector are provided with uniform clothing. Clothing allowances are set in the Collective Agreements with each of the CUPE Locals.

Paragraphs 12 to 14 of the Policy permit a more casual attire on Fridays. In keeping with the current practice, staff are permitted to wear jeans (no rips, tears or stains) and running shoes on Fridays, save and except staff who are required to wear a uniform and PPEs. Participation in "Casual Fridays" is voluntary and is subject to a \$1 donation, the proceeds of which are given to a local charity(ies).

The proposed Policy is in keeping with the Town's Strategic Initiative to integrate the principles of health and wellness into all of Tecumseh's plans and priorities. The Policy strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances.

Consultations

All Departments
CUPE Locals' Representatives

Financial Implications

There is no financial implication to implementing this Policy.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Professional Appearance Policy No. 96



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: 96
Effective Date: [Click here to enter a date.](#)
Supersedes: [Click or tap here to enter text.](#)
Approval: [Click or tap here to enter text.](#)

Subject: **Professional Appearance Policy**

Purpose

1.0 The Corporation of the Town of Tecumseh (Corporation) requires that all employees present themselves in a safe and professional manner with regard to personal hygiene, attire, and appearance.

Scope

- Personal Hygiene
- Workplace appropriate attire
- Workplace inappropriate attire
- Personal Protective equipment
- Policy Compliance
- Casual Fridays

Policy

2.0 All employee's attire and personal hygiene shall be appropriate to their work environment at all times. All employees of the Corporation are representatives of the organization and, therefore, their overall appearance may affect both the public's impression of the Corporation and internal morale. Employees are expected to present themselves in a neat, professional manner within their workplace.

- 3.0 The Chief Administrative Officer, Directors, Managers and Supervisors are responsible for ensuring that all employees abide by this policy. Employees who are in violation of this policy may be sent home, with no compensation, and required to return back to work attired in an appropriate manner within a reasonable period of time in order to avoid formal discipline. Should repeated offences of this Policy occur, the individual may be subject to formal discipline in accordance with the Progressive Discipline Policy No. 64.

Personal Hygiene

- 4.0 Employees are expected to maintain personal hygiene requirements during hours of work.
- 5.0 Maintain personal cleanliness.
- 6.0 Use deodorant/antiperspirant, or other natural product, to minimize body odors.
- 7.0 No heavily scented perfumes, colognes and/or lotions. These can cause allergic reactions, migraines and respiratory difficulties for some employees or members of the public.

Workplace Appropriate Attire

- 8.0 **Men** - dress shoes, dress jackets, dress shirts, ties, dress slacks, khakis, sweaters, casual shirts with collars, turtle necks, ethnic cultural business attire.
- 9.0 **Women** - dress tops, blouses, dress pants, khakis, dress shoes/sandals, slacks, dresses, skirts (just above the knee), capris (mid calf in length), sweaters, pantsuits, ethnic cultural business attire.

Workplace Inappropriate Attire (Includes Casual Friday)

- 10.0 The following items are not permitted in any area during normal working hours:
- 10.1 Hats
 - 10.2 Low cut tops, halter tops, spaghetti strap tops, tube tops, unless covered by another article of clothing
 - 10.3 Tops that expose the midriff or underwear
 - 10.4 Mini-skirts
 - 10.5 Sweat pants, jogging pants, yoga pants, or athletic apparel,
 - 10.6 Pants that expose the midriff or underwear
 - 10.7 Shorts of any kind

- 10.8 Any form of clothing that is mesh, sheer, see-through or otherwise revealing
- 10.9 Any form of clothing that is overtly commercial, contains political, personal or offensive messages
- 10.10 Flip flop shoes

Personal Protective Equipment

- 11.0 Personal protective safety equipment must be worn at all times by all employees where such equipment is required.

Casual Friday

- 12.0 The Town employs a “Casual Friday” policy, wherein employees are welcome to wear workplace appropriate jeans (no rips, tears, or stains), and running shoes.
- 13.0 While Casual Friday allows employees to dress in a more casual fashion, employees should take into account the necessity to continually conduct themselves in a professional manner, and dress in such a way that will not create a negative perception for our customers, either internal or external.
- 14.0 Participation in Casual Friday is voluntary. Individuals may participate by making a donation of \$1.00 each Friday. The proceeds from Casual Friday will be donated annually to a local charity(ies).

Town Supplied Uniform

- 15.0 All employees who are issued clothing/footwear/hats by the Corporation as part of their daily uniform and personal protection, must wear their (clean, stain free) uniform during all working hours, including casual dress down Fridays.

Acknowledgement and Agreement

I acknowledge that I have read and understand the Professional Appearance Policy of the Town of Tecumseh.

Name: _____

Signature: _____

Date: _____

Witness: _____



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: October 22, 2019

Report Number: CS-2019-39

Subject: Employee Service Award Policy - Amendments

Recommendations

It is recommended:

That Report CS-2019-39 Employee Service Award Policy - Amendments **be received;**

And that amendments to the Employee Service Award Policy No. 1 as recommended in Report CS-2019-39, **be adopted.**

Background

The Corporation has honoured its employees for their loyalty and continuous years of service as set out in the Employee Service Award Policy No. 1 (Policy) which was originally adopted in January 2000 and last reviewed/amended in November 2005.

Members of Council represent the Corporation in their official capacity. Employees deliver the services of the Corporation and ensure that daily operations and strategic initiatives are implemented as directed by Council.

The purpose of the Employee Service Award Policy (Policy) is to ensure recognition for retiring employees while also recognizing employees with dedicated and continuous years of service in a consistent and fair manner.

Recognition of employees is important not only to retain employees but also to motivate and inspire. It encourages employees to have a certain/positive behaviour or attitude that increases productivity, motivation and loyalty. It is also a way to show appreciation and create positive well-being in an organization.

The Policy sets out recognition for employees who have served at least ten consecutive years and every five years thereafter, by way of a personalized plaque.

Employees also receive special recognition upon attaining 25 years of service. They are presented with a gift and a \$100 gift certificate for dinner.

Retirees are given a gift valued at \$10 for each year of service, in addition to a \$100 gift certificate for dinner.

The Policy does not, however, describe how years of service are calculated, nor is there a consistent protocol for organizing receptions for retirees.

The purpose of this report is to recommend amendments to the Policy in keeping with current practices and to establish consistent recognition for retirees.

Comments

The Policy was reviewed in consultation with representatives of CUPE Local 702.1 and 702.13 (Full and Part-time Outside Workers) and CUPE Local 702.2 and 702.5 (Full and Part-time Inside Workers), as well as the Department Directors.

Amendments to the Policy are tracked on [Appendix 1](#). Paragraphs highlighted in yellow are additions to the Policy. The proposed amendments and additions are in keeping with current practices and are summarized as follows:

1. A “Purpose” statement has been added to introduce the Policy;
2. The “Application” has been amended to include Members of Council, and to describe who is not included;
3. The “Procedures” have been revised to reflect the current practice of providing:
 - a. A \$250 gift card for Employees after 25 years of consecutive service, in place of a watch with the Town’s logo, as well as the \$100 gift card for dinner at a restaurant in the Town of Tecumseh;
 - b. A gift card valued at \$10 for each year of service for employees who are retiring, in place of a gift, as well as the \$100 gift card for dinner at a restaurant in the Town of Tecumseh;
 - c. Adding Members of Council who have served for at least 25 years will be nominated for the Ministry of Municipal Affairs and Housing Long-standing Service Recognition;
4. Adding Section 4 “Determination of Service Recognition Date” to clarify and describe how years of service are determined, based on a service recognition date (date of hire);
5. Adding Section 5 “Retiree Recognition” to spell out that Employees who are retiring and drawing their OMERS pension will be recognized for their dedication and years of

service, clarifying responsibility for oversight of a reception, and limiting the funds to a maximum of \$100 to help offset the costs of food/refreshments.

It has been the Corporation’s annual practice to present employees with service recognition at the Town’s Holiday and Staff Recognition Dinner held in early December. Recognition is given to employee’s attaining an anniversary set out in the Policy and to those that have retired.

The 2019 Holiday and Staff Recognition Dinner will be held on Friday, December 6, 2019 at the Ciociaro Club.

Consultations

All Departments
CUPE Locals’ Representatives

Financial Implications

Funding for employee recognition is included in the annual budget, as well as the Holiday Dinner.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
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- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
- Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
- Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Employee Service Award Policy No. 1



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: 1

Effective Date: [Click here to enter a date.](#)

Supersedes: PC 1/2000 – January 14, 2000
PC 2-2000 – January 14, 2000
CS 76-2005 – November 8, 2005

Approval: [Click or tap here to enter text.](#)

Subject: **Employee Service Award**

1.0 Purpose

- 1.1 This Policy implements The Corporation of the Town of Tecumseh's (Corporation) recognition of Employees for continuous years of service and ensures that recognition for retiring Employees is applied consistently and fairly.
- 1.2 The Corporation recognizes and values the contributions made by its Employees and Members of Council in performing their duties on behalf of the Corporation.

2.0 Application

- 2.1 This Policy shall apply to all full-time and part-time union and non-union, and part-time seasonal employees, including volunteer firefighters and Members of Council, and in specific cases where noted, to temporary employees (Employees).
- 2.2 This Policy does not apply to temporary Town employees or employees with the Tecumseh OPP or Town of Tecumseh Business Improvement Area (BIA).

3.0 Procedure

- a) After 10 years of employment with the Corporation, the Employee is presented with an engraved plaque representing 10 years of service.
- b) After 15 years of employment with the Corporation, the Employee is presented with an additional bar representing 15 years of service to add to their engraved plaque.
- c) After 20 years of employment with the Corporation, the Employee is presented with an additional bar representing 20 years of service to add to their engraved plaque.
- d) After 25 years of employment with the Corporation, the Employee is presented with:
 - i) a gift card of their choice valued at \$250.00;
 - ii) an additional bar representing 25 years of service to add to their engraved plaque; and
 - iii) a \$100 gift certificate for dinner at a restaurant in the Town of Tecumseh.
- e) Thereafter, an Employee will be presented with bars representing each additional 5 years of service (i.e. 30 years, 35 years, etc.) with the Corporation until retirement.
- f) Members of Council who have served for at least 25 years will be nominated for the Ministry of Municipal Affairs and Housing Long-standing Service Recognition.
- g) Upon retirement, an Employee will be presented with a gift card of their choice valued at \$10 for each year of service, together with a \$100 gift certificate for dinner at a restaurant in the Town of Tecumseh of their choosing.
- h) In the event of death prior to retirement, a donation will be made to a charity selected by the family as per the amount determined in clause (g).

4.0 Determination of Service Recognition Date

- 4.1 The Service Recognition Date (SRD) is usually the hire date into a permanent position.

- 4.2 If an Employee has worked for the Corporation in a temporary capacity prior to the date he/she was appointed to a permanent position, and provided there was no break in service between the two appointments, the SRD will be the date the Employee was hired into the temporary position.

Example 1

An Employee starts a permanent position on March 1, 2010. The Employee was previously working in a temporary position from June 1, 2009 until the date he/she became permanent. The SRD would be June 1, 2009.

Example 2

An Employee is hired as a seasonal employee on April 6, 2007. The Employee returns as a seasonal employee each year thereafter on the same date, and becomes successful to a permanent position in June of 2010. The Employee moved directly from the seasonal position to a permanent position without a break in service. The SRD would be April 6, 2007.

- 4.3 If an employee works in a permanent part-time position that typically does not exist year round, the breaks are not counted as breaks in service.

Example 3

An Employee is hired as a school crossing guard effective September 7, 2002. This position works from September to June each year. Employees are laid off at the end of the school year and recalled at the beginning of the next. The Employee has returned to work as a school crossing guard each subsequent school year. The SRD is September 7, 2002.

- 4.4 When other circumstances arise where these guidelines do not fit, the Director Corporate Services & Clerk will make a recommendation to the Chief Administrative Officer, to make the final determination.

5.0 Retiree Recognition

- 5.1 Employees who are retiring and drawing their OMERS pension, will be recognized for their dedication and years of service with the Town.
- 5.2 If the retiring Employee wishes, a reception may be held to recognize the Employee. The Town will provide funds, to a maximum of \$100 to help offset the costs of food/refreshments.
- 5.3 The retiring Employee's Director or designate is responsible for coordinating the reception.

- 5.4 When the retiree is a Director, the Chief Administrative Officer or designate will be responsible for coordinating the reception. T
- 5.5 The Mayor's Office will be responsible for coordinating the reception when the Chief Administrative Officer is the retiree.

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