



# City of Kenora

## Committee of the Whole Agenda

Tuesday, February 11, 2020

9:00 a.m.

City Hall Council Chambers

### A. Public Information Notices

As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its February 18, 2020 meeting:-

- Amend the 2019 Capital Budget in the amount of \$9,906.20 and the 2020 Capital budget in the amount of \$3,816.00 for security renovations at City Hall
- Amend the 2020 Capital Budget in the amount of \$553,008.90 for the Kenora Sportsplex Mezzanine Renovations project that remains in progress
  - Adopt a new Planning Act Application Fees By-law to give effect to the tariff of fees outlined in Schedule "A"
  - Amend the Tariff of Fees and Charges By-Law to give effect to changes outlined in the revised Schedule "E" for the Planning Department
- Amend the 2020 Solid Waste Budget to withdraw funds from the Solid Waste Reserve in the amount of \$315,153 to offset the costs of these projects

### B. Declaration of Pecuniary Interest & the General Nature Thereof

- 1) On Today's Agenda
- 2) From a Meeting at which a Member was not in Attendance.

### C. Confirmation of Previous Committee Minutes

#### Motion:

That the Minutes from the last regular Committee of the Whole Meeting held January 14, 2020 and Special Committee of the Whole meetings held January 8, 13, and 24, 2020 be confirmed as written and filed.

### D. Deputations/Presentations

None

### E. Reports:

#### 1. Administration & Finance

Item Subject

- 1.1. December 2019 Financial Statements
- 1.2. 2019 Q4 Investments

- 1.3. Investment Policy Statement & Municipal Client Questionnaire
- 1.4. LOW District Stewardship Association Community Foundation Application
- 1.5. Ontario Regulation 284/09: 2020 Budget Matters
- 1.6. Endorsement of Health & Safety Policy Statements
- 1.7. Health & Safety Policy Amendments
- 1.8. Human Resources Policy Amendments

## 2. Fire & Emergency Services

Item Subject

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No Reports

## 3. Operations & Infrastructure

Item Subject

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- 3.1 Solid Waste Budget Amendment

## 4. Community Services

Item Subject

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- 4.1 Budget Amendment – City Hall Renovations
- 4.2 Budget Amendment – Sportsplex Mezzanine Project
- 4.3 Community Club Funding

## 5. Development Services

Item Subject

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- 5.1 Assumption of Roads & Lands – Spence Street
- 5.2 Building Officials Code of Conduct
- 5.3 MTCU Ontario Job Creation Partnership Application – CSWP Coordinator
- 5.4 Job Action Centre Funding Application
- 5.5 Open & Establish Worona Road as Public Highway
- 5.6 Planning Act Application Fees
- 5.7 RED Application – Business Retention & Expansion Project

**Other:**

**Proclamations:**

- Week of Action Against Poverty – February 9-15, 2020

**Next Meeting**

- Tuesday, March 10, 2020

**Adjournment.**



February 3, 2020

## City Council Committee Report

To: Mayor and Council

Fr: Jon Ranger, Deputy Treasurer

Re: December 2019 Financial Statements

### Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at December 31, 2019.

### Background:

Attached for your information, please find the December 2019 summary expense and user fee statements for the City of Kenora and the Council department. At the end of December, the year is complete, and there should be none of the budget remaining. It is important to note however that invoices are still coming in for work completed near the end of 2019 and therefore some accounts may still be understated.

### Overall:

- Expenses at the end of December 2019 were close to budget with 1.24% remaining to be spent. Water & Sewer 3.16% and Solid Waste 1.95% left in the budget.
- User fee revenues to the end of December 2019 are right on budget having collected 1.43% over budget. Water & Sewer 4.71% and Solid Waste has collected 6.47% more than the 2019 budget.

### Expenditures:

- **General Government** - The General Government expenses to date are below budget with 5.23% of the expense budget unspent.
  - **Mayor and Council** – Under budget as promo items have not yet been recorded for the year. Also many travel budgets came in under budget for the year.
  - **Administrators Office** – Special Projects & Research Officer was budgeted for a full year however this position was only filled starting December 2<sup>nd</sup>. Legal expenses are also currently under budget. Budget reflects high legal expense in prior year.
  - **City Clerk** – Wages slightly below budget as there have been a few months with a vacancy in the customer service department, and Bylaw supervisors wages have been reallocated to Bylaw and Provincial offences.
  - **Human Resources** – Contracted services over budget due to HR manager recruitment costs.
  - **Building and Grounds Maintenance** – Utilities below budget.
  - **IT** – Computer maintenance over budget as there was a video surveillance camera license required this year and additional work completed by our IT contractor outside the scope of our maintenance agreement.

- **Protection** – The Protection Department expenses to date are right on budget with 1.05% remaining in the budget.
  - **Police Commission** – Travel expenses significantly under budget to date. Less travel than anticipated in the current year.
  - **Police Building** – Repairs and maintenance and cleaning are under budget. Less has been spent on the maintenance of the building once it was designated for sale.
  - **Bylaw** – Currently over budget as in the past the bylaw supervisor’s wages were coded to city clerk, now 45% of the supervisor’s time has been allocated to by-law.
  - **Health and Safety Committee** – Training and subscriptions were under budget in 2019. There is a more comprehensive list of training to be completed in 2020.
  
- **Transportation** – The Transportation Department expenses to date are under budget with 5.82% remaining in the budget.
  - **Paved/Surface Treated/Loosetop Roads** – Under budget at the end of December, many materials and supplies accounts are currently under budget especially for resurfacing materials, and patch/washout materials. The interest on debt for paved roads will be recorded at year end. This will account for approximately \$45k in Paved Roads maintenance. Less work than anticipated on surface treated roads, wages are significantly under budget, this means more of our roads employees spend time in other roads departments, Water & Sewer departments, or Storm Sewers as required. Also lower wages were due to some vacancies throughout the year.
  - **Winter Control Maintenance** – Winter control maintenance is over budget by 9.91%. The largest overspend is for rental of non-owned equipment, which represents the City’s snow removal contracted services. Actual wages are close to budget for the year. A reallocation of budgeted resources from the other roads departments may be necessary in the future to balance out required roads spending.
  - **Streetlighting** – utilities and repairs and maintenance continue to be under budget with the new LED installations paying off. Utilities are more than 10% under budget. Streetlighting debt interest to be recorded in the amount of 25k, which will bring this department closer to budget.
  - **Barsky Facility** – internal wages and use of own equipment time over budget to reflect work completed by staff.
  - **Garage & Shop** – wages are over budget as a result of job shadowing. Also illnesses in the workforce were not anticipated and meant more time was being coded to 392.
  - **Operations Administration** – Unanticipated legal expenses caused this department to be over budget in 2019.
  
- **Environmental** – The Environmental Department expenditures is 8.04% over budget. 3.16% left in the budget in Water & Sewer and 1.95% remaining in Solid Waste.
  - **Storm Sewers** – Currently used all of yearly budget, per discussion with roads division lead, a significant amount of steaming was required last winter on storm sewers. Significant storm sewer work also performed in the fall (Railway St at crossing) by City employees.
  - **Blue Box Collection & Recycling Facility** – the budget variances reflect wages being budgeted in one department and actually being charged in

another as described in garbage collection below. Less budget for wages are required in blue box collection, as the employees perform duties at the transfer station as well.

### **Water & Sewer**

- **Sanitary System** – Computer maintenance is under budget as Kenora Hydro is no longer charging for sewer and water billing. Less maintenance work performed on sewer mains in 2019 per Biman. The rest of the difference is a wage variance between being underspent in sanitary system and overspent in waterworks.
- **General Water Standpipe & Booster** – utilities expense is over budget however on review of monthly charges it appears that the budget has been set too low.

### **Solid Waste**

- **Garbage Collection** – Materials & supplies expenses are currently under budget. Wages are under budget because drivers code their time to other departments when they drive the roll off truck or work at the transfer station when their collection routes are done for the day. Budgets have been changed to reflect this in 2020.
  - **Hazardous Waste Days** – Expenses have slightly exceeded budget. This department is difficult to anticipate as the expenses are directly related to the amount of hazardous waste that is brought in. In this case materials and supplies were under budget however contracted services were significantly over budget.
  - **Transfer Facility** – Over budget as expected, garbage and recycle collection wages are partially coded here but not budgeted for. Collection departments are under budget for this reason.
  - **Kenora Area Landfill** – Contracted services, repairs and maintenance and material & supplies currently under budget at the end of December. An invoice for Brush grinding is still expected to come in for work completed in 2019.
- **Health Services** – Cemetery – revenues can vary significantly from year to year as sales are made up mainly of plot sales, columbarium sales, cremation and burial excavation fees. Currently city contribution is showing as significantly over budget, however there are year-end entries to be completed such as moving capital asset projects out of the operating accounts. This is an 85k adjustment to be recorded. After these year-end adjustments, contributions will still be higher than budget for a few of the following reasons. Revenues for 2019 are approximately 42k below budget. In 2019 we under budgeted transfers to columbarium reserve and perpetual care reserve by approximately 13k. In the past we have not budgeted for the wages associated with excavations, this has equaled approximately 16k that was not budgeted for, we have corrected this in 2020 and budgeted for roads employees' time for working on excavations.
  - **Social and Family Services** – Social and Family Services expenses are right on budget for the year.
  - **Community Services** – Overall Community Services expenses are right on budget for 2019.
    - **Parks** – Insurance is over budget as a result of a legal claim.
    - **Norman Park** – Water charges for the Splash park were larger than anticipated and these extra utility charges were not budgeted for.

- **KRC** – Wages are over budget, and the Thistle Arena and Fitness Centre wages are under budget. This is a budget allocation issue for wages. An estimate was made based on maintenance operator's time, however this is the first year of recording maintenance operator's time by department.
  - **External Facilities** – Budgeted significantly more wages than actual allocated. This is a reallocation issue and more time should have been budgeted to 730.
  - **KM Arena & complex** – Interest on debt for \$38K not yet recorded. Utilities are also under budget as a result of new lighting.
  - **Fitness Centre** – Wages currently lower than budgeted. In an effort to match wage costs to the departments in which they are actually spent, much of desk attendant's wages were budgeted to fitness centre, however actuals were not being allocated here. An adjustment has been made going forward for desk attendant wages to be allocated to fitness centre.
- **Planning & Development** – Planning & Development expenses are under budget with 5.51% left in the budget.
    - **Starter Company** – The starter company program was to be finished March 31, 2019, however it is now expected that this program will start up again and a new contract will be signed with the Ministry. The contract extension was not budgeted for.
    - **Economic development** – Economic development intern was budgeted for however has not yet been hired.
    - **Tourism** – Currently over budget as 100% of the Recreation/Tourism Leads wages were being allocated here, when they were budgeted 50% recreation, and 50% tourism. This has been addressed with payroll, going forward this positions wages will be split between recreation and tourism.
    - **Tourism facilities** – Tourism facilities are currently under budget. Contracted Services are currently under budget as the downtown services invoice was smaller than anticipated. Expenses will likely be lower as revenues were lower in 2019, as most of the contracted services would be related to rentals. Last year actuals also included a significant repair for the whitecap.

#### **User Fees:**

- Overall, user fees are exceeding budget projections with 1.43% collected over and above the 2019 budget.
- **General Government**  
General Government is right on budget for 2019.
  - **City Clerk** – Currently Civil Marriage revenues and lottery licensing fees are under budget. These revenues are dependent on weddings in the area and can vary from year to year.
- **Protection to Persons and Property**  
Protection to Persons and Property is exceeding the annual budget by 33.92%.
  - **Fire department** – Has exceeded its yearly budget for a couple reasons. Fire protection agreement revenue has exceeded budget by \$29K due to fires on surrounding communities. Also a larger donation was made towards the Kenora Fire Regional Training Centre. Fire Marque revenue was almost \$34K to the end of December. This revenue was not budgeted for. Highway fire calls are also up at this time when compared to prior year.

- **Building Inspection** – Building permit user fee has hit their annual budget at the end of December. This is dependent on builds in the year and can vary from year to year.
- **Provincial Offences** revenue is dependent on the fines assessed in this area. First and second quarter revenues have been recorded and have exceeded the year budget. This is because 2018 revenues were lower than anticipated and revenue projections for 2019 were decreased.
- **Transportation Services**  
Transportation user fees are close to budget with 3.83% left to collect.
  - **Conventional Transit** – reflects continual decrease in ridership, currently lower than budget and lower than prior year user fees.
  - **Metered Parking** – User fees currently below budget, however parking revenue is in line with last year's actuals, budget may have been set too high for 2019.
  - **Mall Parking Lot** – The mall parking lot has exceeded its yearly budget. This is due to the change that was made in April to allow for 'Open parking' in the middle lot so that users can now pay by month. This caused an increase in usage.
  - **Docks & Wharfs** – Exceeded budget for the 2019 year, with a demand for docking spots in Kenora we can expect to reach these levels again in 2020.
  - **Garage & Shop** – Over budget as there was work performed for the Fire department that was subsequently billed to Fort Garry Industries. This work was unanticipated.

- **Environmental Services**

Environmental services user fees are right on budget with 0.99% remaining to be collected. 4.71% of Water & Sewer User fees are also still to be collected and Solid Waste has collected 6.47% over budget.

**Water & Sewer**

- **Water and Sewer** user fees are behind the budget with 5.13% and 4.28% not yet collected respectively. Note that the accrual for year-end still will be recorded which should bring this amount close to the budgeted user fees.

**Solid Waste**

All solid waste revenues are exceeding budgets at the end of the year.

- **Garbage Collection** – bag tag sales are exceeding budget.
- **Transfer Facility** – Tipping fees have exceeded budget, however transfer facility tipping fees and Kenora Area Landfill tipping fees can vary from year to year depending on large users in the community. This year there were significant tipping fees due to a more active construction season.

- **Community Services**

Community Services user fees are right on budget for the 2019 year.

- **KRC Complex** – Exceeded budget, \$428k was budgeted for drop ins and memberships in 2019 and this was exceeded by more than \$30k
- **Thistle Arena** – Came in a little under budget however user fees did match last year's user fees. User fee attractions, and public skating met or exceeded budget projections, however Ice rentals fell \$12k short.
- **External Facilities** – Rec centre parking revenue is now being collected but was not in the budget.



- **Keewatin Memorial Arena** – ice rentals fell short of budget for the year however there is still a service agreement to be billed out for 2019.
- **Fitness Centre** – Negative revenues reflect training fee refunds.
- **Planning and Development**

Planning and Development user fees are close to budget with 2.54% remaining to be collected. User fees in planning and development vary from year to year and depend on activities and developments in the community.

  - **Tourism Facilities** – This is current the only department in Planning and Development that isn't exceeding budget. This is due to less rentals for the Whitecap pavilion than prior year. Budget expectations were increased in 2019 for the large amount of bookings that took place in 2018, however many of these bookings were one-time events.

Please let me know if you have any questions, or would like to see any of the department statements in further detail.

**Strategic Plan or other Guiding Document:**

Fiscal Responsibility: We manage the municipal finances in a responsible, prudent and transparent manner.

**ERM Assessment:** Monitoring financial statements on a monthly basis mitigates some of the uncertainty related to projected costs vs actual expenditures.



January 29, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Charlotte Edie, Treasurer**

**RE: Q4 Investments - Including Kenora Citizens' Prosperity Trust Fund**

### **Recommendation:**

That Council of the City of Kenora hereby accepts the 2019 fourth quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments.

### **Background Information:**

Kenora Citizen's Prosperity Trust Fund (KCPTF):

In 2008, City Council approved the establishment of the Kenora Citizens' Prosperity Trust Fund. The proceeds of disposition from the sale of the KMTS entities of \$40,896,446 were transferred to this Fund.

In order to offset lost net revenues as a result of the sale of the KMTS entities, the City required an annual return of \$1,100,000 in income from the Trust, in addition to the elimination of long term debt payments which occurred in 2007. This amount has been reduced in the last few years to reflect a decline in returns on investments. The City has been reducing the amount of the annual return taken from the KCPTF due to the decrease in returns in the last few years. In 2019 the amount to be transferred to the City is \$975,000 and in 2020 the budgeted amount is \$975,000. This transfer has not been deducted from the investment values below. Any erosion of the balance of the Trust will result in an additional burden on City taxpayers.

The first KCPTF portfolio is with the ONE Public Sector Group of Funds and accounts for over 30% of the Trust Fund. The market value of this investment at December 31, 2019 is \$16,626,913 (September 2019 \$16,564,430). This portfolio is held in bond, universal corporate bond and equity funds that are all monitored to ensure that they remain within the Ontario Provincial legislation for municipal investments. The year to date actual return on these ONE fund investments for 2019 is 13.95% (September 2019 18.12%). This rate reflects the total return including market impact. The return on book value for year to date 2019 is 1.18% (September 2018 .94%). Currently the universal bond fund is generating 5.4%, the bond fund is generating 2.59% and the equity fund is generating -19.52% on a cumulative basis (including market impact). In addition \$921,194 is in a high interest savings account with a rate of 2.415%.

The second and largest KCPTF portfolio is managed by Manulife Asset Management with RBC Dexia Investor Services as custodians. The City receives quarterly reports and information. The December 31, 2019 report is attached. The market value of these investments is \$21,500,744 (\$40,405 higher than the value at the end of September 2019). Securities held in this portfolio are largely bank and federal and provincial

government issues. The year to date return on these funds is 3.37%. The rate of return since inception is 2.56%. These returns also take the market impact into account.

In addition, the KCPTF holds \$7,917,494 (at December 31, 2019) in debt from the City of Kenora. The rate of return on this debt is 3%. New debt will be issued for the DTR IV project once all the invoices have been received.

Once the year end has been completed for the KCPTF Council will be updated as to the final returns on investments. A budget comparison will also be provided.

#### Other Investments:

The City of Kenora maintains investment portfolios separate from the Kenora Citizen's Prosperity Trust Fund. These investments are entirely held in the ONE Public Sector Group of Funds and the market value at December 31, 2019 is \$22,121,420 (\$34,597 higher than September 2019). This portfolio is held in bond, universal corporate bond and equity funds that are all monitored to ensure that they remain within the Ontario Provincial legislation for municipal investments. The year to date return for this portfolio is 8.34%. The year to date return on book value is 1.66%.

#### **Budget:**

There is no expected budget impact as a result of this report.

#### **Risk analysis:**

The risk associated with this report is moderate. The risk impact is that the Funds do not earn the required 3% on investments. The shortfall of investment income is within the moderate range.

#### **Communication Plan/Notice By-law Requirements:**

For information only

#### **Strategic Plan or other Guiding Document:**

Report is required per policy CS 4-2.



January 21, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Charlotte Edie, Manager of Finance/Treasurer**

**RE: Investment Policy Statement under Prudent Investor Regime**

### **Recommendation:**

That Council of the City of Kenora adopts the Investment Policy Statement, the Municipal Client Questionnaire, which provide a framework for a joint investment board to manage the City of Kenora's long-term investments under the Prudent Investor regime as required by Ontario Regulation 438/97.

### **Overview:**

This report highlights:

- The background on the prudent investor (PI) regime
- The City of Kenora's progress towards implementing the PI regime via ONE Joint Investment Board (ONE JIB) and
- Key provisions of the Investment Policy Statement and draft Investment Plan

### **Background Information:**

Investing under the *Municipal Act, 2001* (Act) and O. Reg. 438/97 (Regulation) contemplates two different investment regimes. One investment regime authorizes investment in a prescribed list of securities which is more commonly referred to as the Legal List (LL) regime and the other is the recently added PI regime. The LL regime includes many restrictions and conditions that limit or restrict municipal investing. The new PI regime removes restrictions on municipal investments but also includes a new governance model. Control and management of money and investments not required immediately under the new PI regime is to be given to a municipal service board, referred to as an Investment Board (IB) or to a joint municipal service board, referred to as a Joint Investment Board (JIB) for investment on behalf of the municipality. The City of Toronto is the only municipality that has established an IB and adopted the PI regime to date.

On September 17, 2019, Council reviewed the benefits of the new PI regime – Prudent Investor Standard for Municipal Investments: Options Analysis.

Figure 1 – Overview of PI Process – outlines the steps in implementing the PI regime under the Regulation. The establishment of ONE JIB involves a three step Council approval process outlined below:

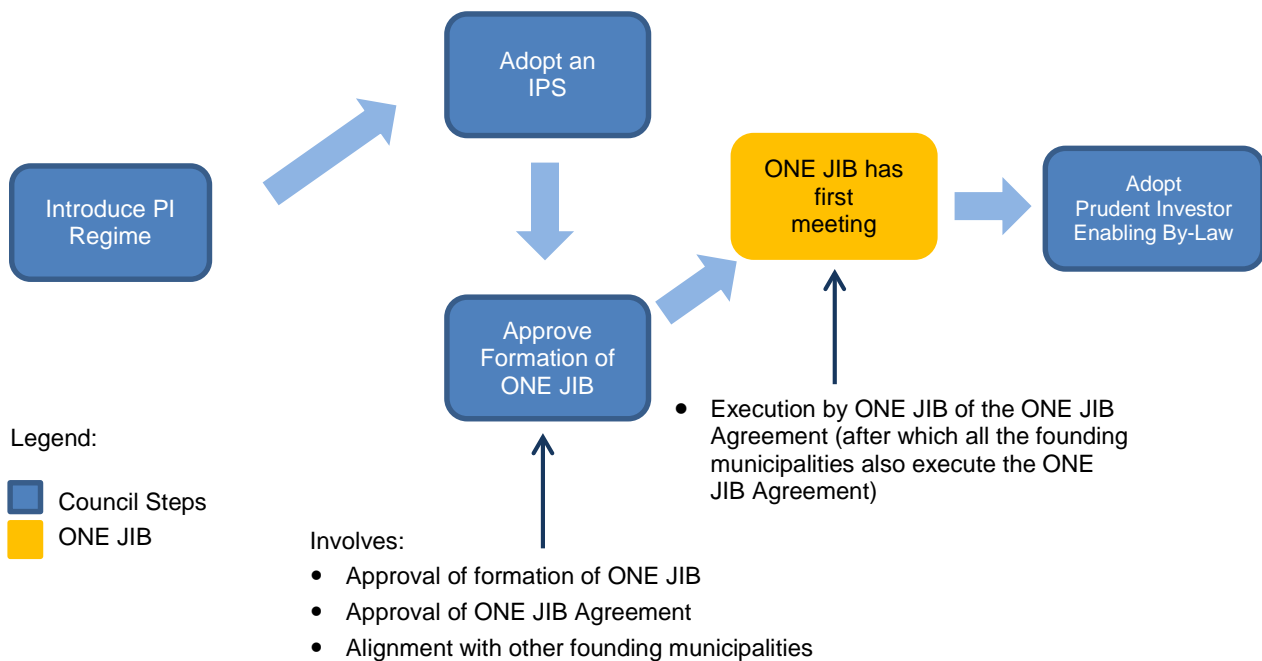
- Adoption of an Investment Policy Statement (IPS) which outlines the manner in which the City of Kenora will invest under the PI regime and which is based on the completed Municipal Client Questionnaire
- Execution of the Initial Formation Agreement which establishes ONE JIB and which is described in a separate report

- Execution of the ONE JIB Agreement which establishes the relationship between the City of Kenora, ONE JIB and ONE Investment and which is described in a separate report.

These steps must be undertaken by each of the founding municipalities if they wish to pursue the PI regime, which begins with establishing ONE JIB. Once the Authorizing By-law is passed by all of the founding municipalities ONE JIB will hold its inaugural meeting. After ONE JIB has met and executed the ONE JIB Agreement, the founding municipalities can also all enter into the ONE JIB Agreement following which the founding municipalities can pass a by-law (Prudent Investor Enabling By-law) officially opting into the PI regime as at the Prudent Effective Date set out therein.

The Prudent Investor Enabling By-law which Council will pass is the last step to adopting the PI regime and can be viewed as a housekeeping matter. After the Prudent Effective Date that is set out in the Prudent Investor Enabling By-law, the City of Kenora can start transferring its money and investments that are not required immediately to ONE JIB for investing in accordance with the PI regime.

**Figure 1 - Overview of Prudent Investor Process**



Currently there are eight municipalities, outlined in the table below, that are moving forward together to establish ONE JIB. To create ONE JIB, a minimum of two municipalities, with a combined total of at least \$100 million in money and investments that are not required immediately must each have their Council adopt an IPS and enter into the necessary agreements.

| Municipality               | Money and Investments Not Required Immediately (Millions) |
|----------------------------|---|
| Municipality of Clarington | 60  |
| Town of Innisfil           | 15  |
| City of Kenora             | 50  |
| District of Muskoka        | < 100   |
| Town of Whitby             | 100   |
| Town of Bracebridge        | 4   |
| Town of Huntsville         | < 15  |
| Essex County               | < 85  |
| Total                      | ~ 464   |

ONE Investment has developed three document templates to help guide Council and ONE JIB in setting objectives and investment strategies that will be fully compliant with municipal legislation:

- The Municipal Client Questionnaire
- The Investment Policy Statement (IPS)
- The Investment Plan

### **Municipal Client Questionnaire (MCQ)**

The purpose of this questionnaire is to identify money and investments not required immediately in order to advise on the appropriate account structure. Based on the future cash flow needs and client risk tolerance, provided by the municipal staff in its completed MCQ, ONE JIB can advise on investment allocations, create an Investment Plan and manage investments effectively on an ongoing basis.

This is intended to facilitate the development of the City of Kenora's IPS. The City of Kenora's finance staff have completed the MCQ (Attachment 2) and such completed MCQ is presented to Council for its consideration and approval. The MCQ will also be used by ONE JIB in conjunction with the IPS to develop the Investment Plan.

Using the MCQ and additional cash flow analyses, staff made a determination that its money not required immediately (MNRI), based on a 24 month timeframe, is \$43,265,226.

Additionally, the MCQ helps a municipality define its overall risk tolerance level. This will be used to inform risk tolerance on an account-by-account basis in the IPS. See page 3 of the MCQ for responses with respect to risk tolerance.

### **Investment Policy Statement (IPS) - Attachment 1**

The IPS is a high level and comprehensive overview and it is through this document that Council provides the strategic direction that will guide ONE JIB's Investment Plan design and implementation. It is through this document that Council ultimately controls its MNRI. At a minimum, Council will be required to review and, if necessary, amend, this document annually. However, if Council priorities change or fiscal circumstances require, the IPS can be reviewed and amended at any point in time. It is the City of Kenora's responsibility to notify ONE JIB of any changes to the IPS so that the Investment Plan can be updated accordingly.

The IPS is a comprehensive statement of the City of Kenora's investment policy and constitutes Council's investment directions for the City of Kenora's funds in which it has a

direct or indirect interest including, without limitation, its MNRI and its money that is required immediately.

## **Investment Plan**

The Investment Plan is a more detailed document which outlines ONE JIB's overall investment approach as well as the investment mix for each of the City of Kenora's investment objectives based on the IPS. The adoption of an Investment Plan is the responsibility of ONE JIB, as required by the Regulation. The draft Investment Plan has been prepared by staff and ONE Investment staff based on the attached IPS. It is attached as Attachment 3 for reference only to demonstrate the connection between the IPS and the Investment Plan. The Investment Plan can only be finalized after the inaugural meeting of ONE JIB. At that meeting, ONE JIB will review, modify, if necessary, and adopt the draft Investment Plan.

## **Investment Policy Details**

The following areas of the IPS are outlined in more detail below:

1. Glossary
2. The purpose of the IPS and the legislative framework
3. Distinction between money required immediately (within 24 months) and MNRI (beyond 24 months)
4. The roles of municipal staff, ONE Investment and ONE JIB
5. Investment Objectives and draft investment mix
  - 5.1. Transitional plan to transfer control and management of money and investments not required immediately to ONE JIB
  - 5.2. Environmental, Social and Governance Considerations
  - 5.3. Securities Lending
  - 5.4. Derivatives Approach
  - 5.5. Rebalancing
6. Reporting
7. Modification and Updates to the IPS

### **1. Glossary**

This section defines terms used in the IPS.

### **2. The purpose of the IPS and legislative framework**

This section provides details regarding the purpose of the IPS, how it fits in the governing legislation, and provides an overview of the PI regime.

### **3. Distinction between money required immediately and MNRI**

This section describes the distinction between money required immediately (MRI) and MNRI.

ONE Investment recommends using a time-based definition for determining the City of Kenora's MNRI. ONE Investment also recommends setting a cut-off point between 12 to 18 months for MNRI.

Staff recommends that council use a time-based definition for the cut-off between MRI and MNRI of 24 months.

#### 4. The roles of municipal staff and ONE JIB

This section outlines the distinction between the roles of the City of Kenora staff and ONE JIB with respect to investments.

#### 5. Investments

This section details the investment objectives, risk tolerance, and liquidity needs of the City of Kenora on an account by account basis. See the schedules attached to the IPS for a detailed overview.

The schedule titled 'Money Required Immediately' provides information on short term funds and the schedule titled 'Money Not Required Immediately' provides information on the long term funds. Both are in Section 5 of the IPS.

##### 5.1. Transitional Plan to transfer control and management of money and investments not required immediately to ONE JIB (see s. 5.5 of the IPS)

This section details how the City of Kenora will transfer its money and investments not required immediately to ONE JIB on the Prudent Effective Date (as such date is set out in the Prudent Investor Enabling By-law).

Some of the City of Kenora's investments are in illiquid instruments such as corporate and government bonds held for the Citizens' Prosperity Trust Fund. These will be transferred to ONE JIB to be held to maturity and invested upon receipt of cash proceeds.

##### 5.2. Environmental, Social and Governance Considerations (see s. 5.6.1 of the IPS)

Increasingly investors are including environmental, social and governance (ESG) considerations into their investment strategies. This is often used to mitigate risks associated with ESG factors but can also be used to ensure investments are aligned with the personal values and ethics of the investor (e.g., not investing in companies with a poor record of labour standards). Table 1 contains examples of ESG issues.

*Table 1: Examples of ESG Issues<sup>1</sup>*

| Environmental Issues                  | Social Issues                 | Governance Issues           |
|---------------------------------------|-------------------------------|-----------------------------|
| ▪ Climate change and carbon emissions | ▪ Customer satisfaction       | ▪ Board composition         |
| ▪ Air and water pollution             | ▪ Data protection and privacy | ▪ Audit committee structure |
| ▪ Biodiversity                        | ▪ Gender and diversity        | ▪ Executive compensation    |
| ▪ Deforestation                       | ▪ Employee engagement         | ▪ Lobbying                  |
| ▪ Energy efficiency                   | ▪ Community relations         | ▪ Political contributions   |
| ▪ Waste management                    | ▪ Human rights                | ▪ Whistleblower schemes     |
| ▪ Water scarcity                      | ▪ Labour standards            |                             |

ONE JIB is required to explore how investment managers are implementing responsible investing principles at the time of hiring and during periodic reviews. It may report on

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<sup>1</sup> CFA Institute (October 2015). ENVIRONMENTAL, SOCIAL, AND GOVERNANCE ISSUES IN INVESTING: A Guide for Investment Professionals.  
<https://www.cfainstitute.org/-/media/documents/article/position-paper/esg-issues-in-investing-a-guide-for-investment-professionals.ashx>



results periodically, if requested. Accommodating specific ESG considerations may not be possible either due to availability or to costs.

Council may choose to outline specific ESG issues it would prefer to avoid from a risk perspective or values perspective; however, the design of the pooled funds in which ONE JIB will be investing will likely prohibit the accommodation of these requests and would therefore prohibit ONE JIB from effectively investing on behalf of the City of Kenora.

Staff recommends not imposing specific constraints in this section.

### **5.3. Securities Lending (see s. 5.6.2 of the IPS)**

Securities lending is a practice where investors lend the ownership of securities to other investors or institutions for a fee. This allows the investor to generate additional revenues from its investments. Voting rights also transfer with the temporary transfer of ownership of the securities. Many investment managers of pooled funds include securities lending as an option in their policies. This section permits ONE JIB to invest in pooled funds that may leverage the option to lend securities to maximize investment related revenues.

### **5.4. Derivatives Approach (see s. 5.6.3 of the IPS)**

ONE JIB will not use derivatives for speculative purposes. Derivatives may be used for the investment of Long-Term Funds where they are fully covered by a backing asset, e.g., as for currency or other hedging, to change portfolio duration or in covered call strategies.

### **5.5. Rebalancing (see s. 5.7 of the IPS)**

Based on the IPS, ONE JIB will adopt an Investment Plan for the City of Kenora. The draft Investment Plan will be developed by ONE Investment staff in conjunction with the City of Kenora's finance staff. Based on the City of Kenora's investment objectives, risk tolerance, need for liquidity, and other objectives, ONE JIB will set an investment mix. From time to time, ONE JIB may need to rebalance the City of Kenora's investments and may also rebalance if percentage allocations fall out of the chosen ranges for the various asset classes. ONE JIB will use cash inflows/outflow (e.g. dividends) to accomplish this where possible; however, if this is insufficient ONE JIB may need to reallocate one class to another through the sale and purchase of investments to ensure that the asset mix conforms to the Investment Plan and the IPS. ONE JIB will use asset mix ranges that will give it the flexibility to rebalance in a manner that is practicable and prudent.

## **6. Reporting (see s. 6.6 of the IPS)**

The Regulation requires that ONE JIB report to Council annually, or more frequently if specified by Council. The standard reporting provided by ONE JIB will be fully compliant with municipal legislation. As such, the annual report will contain a statement from the treasurer regarding compliance with the City of Kenora's IPS and Investment Plan, performance reporting for the period covered by the report, and any other information deemed pertinent in the opinion of the treasurer.

Staff is recommending that Council make no modifications to this section with the intention of receiving reports annually. Council can modify this decision at any time by revising the IPS.

**7. Modification and Updates to the IPS (see s. 7.2 of the IPS)**

Council can review and modify the IPS at any time if deemed necessary due to a change in circumstances. As per the Regulation, Council must conduct an annual review of the IPS and, if necessary, update it accordingly.

Staff recommends that Council remain with the annual review schedule unless an event triggers a change in its MNRI, its need for liquidity, or its risk tolerance.

**Investment Plan Details**

The IPS attached was used to develop a draft Investment Plan (Attachment 3). This draft is provided for reference only to demonstrate the connection between the IPS and the Investment Plan. The responsibility for adopting an Investment Plan will ultimately rest with ONE JIB.

The IPS investment section (section 5) detailed above has been copied directly into the Total Portfolio Overview (section 4) of the Investment Plan. These outcomes have been translated into specific investment objectives – contingency, stable, or target date, with differing asset allocation thresholds based on the indicated level of risk tolerance and need for liquidity.

**Contingency objective** - where returns are reinvested with a view to growing principal over the long term for large withdrawals in unpredictable situations.

**Stable return objective** - where principal is maintained with a view to spending the regular returns generated.

**Target date objective** - where a date and costs for a specific project at a specific time are known. An example would be large capital project requirements after the 24 month threshold.

Staff has worked with ONE Investment staff in developing the draft based on the completed IPS and MCQ.

The City of Kenora’s draft account structure based on the IPS is as follows:

| Reserve Classification | Objective  | Risk Tolerance, Liquidity                             | Investment Horizon                          |
|------------------------|--|---|---|
| Contingency            | Contributions for unexpected events  | Higher risk with emphasis on growth, liquid           | very long (but readily available as needed) |
| Stable Return          | To generate stable returns to fund recurring needs   | Moderate risk with emphasis on stable returns, liquid | long (5+ years)                             |
| Target Date            | Contributions toward specific projects, mitigate inflation impacts and meet target funding requirements. May also include contributions to asset management reserves | Lower risk, liquid                                    | < 5 years                                   |
|                        |  | Moderate risk with emphasis on stable returns, liquid | 5 to 10 years                               |
|                        |  | Higher risk with emphasis on growth, liquid           | Greater than 10 years                       |

It is ultimately the responsibility of ONE JIB to finalize and adopt the Investment Plan.

**CONCLUSION:**

The PI regime presents the opportunity for the City of Kenora to better manage investment risk and increase investment revenue, which can help to reduce the necessity of future tax rate increases. The Regulation requires that the control and management of money and investments not required immediately be transferred to an IB or JIB. ONE Investment has facilitated the establishment of ONE JIB which provides a cost-effective approach to the PI regime. As a founding municipality of ONE JIB, the City of Kenora will benefit from reduced investment fees, potential for direct participation as a member of ONE JIB, and a greater level of influence over ONE JIB future direction decisions, such as new PI product offerings, and governance decisions, such as the selection of future ONE JIB members. Prior to entering an agreement to establish ONE JIB and opting into the PI regime, the City of Kenora must adopt an IPS that permits investing in PI offerings.

Staff recommends that Council authorize the completed MCQ and the adoption of the attached IPS to include the City of Kenora's expanded investment opportunities under the PI regime.



February 6, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Charlotte Edie, Manager of Finance/Treasurer**

**Re: Lake of the Woods District Stewardship Association Application to the Kenora and Lake of the Woods Community Foundation**

### **Recommendation:**

That the Council hereby supports the Lake of the Woods District Stewardship Association's (LOWDSA) request to name the City of Kenora as a sponsor in their application for funds up to \$10,000 through the Kenora & Lake of the Woods Regional Community Foundation to fund the continuation of the LakeSmart program.

### **Background:**

Under prevailing income tax legislation the Kenora & Lake of the Woods Regional Community Foundation (aka Community Foundation) is restricted to providing grants to organizations that have charitable status. As a result, the LOWDSA must have a sponsor to apply for grants through the Community Foundation since they do not have charitable status. Please see the attached email for the LOWDSA's request.

The City has provided sponsorship to many such organizations in the past including the Kenora Rowing Club, the Kenora Pickleball Club and the Kenora Nordic Biathlon Club.

The program employs two environmental technicians to provide information on the importance of long term sustainability of the Lake of the Woods watershed. Information is distributed on 'living green' at the lake by preventing invasive species, maintaining healthy shorelines and environment friendly septic systems among other things.

**Budget:** There is no expected budget impact as a result of this report.

**Risk Analysis:** The risk associated with this report is a positive risk and it is low. The funding obtained by the LOWDSA will be used to sustain the LakeSmart program on Lake of the Woods.

### **Communication Plan/Notice By-law Requirements:**

Lake of the Woods District Stewardship Association.



January 31, 2020

## City Council Committee Report

To: Mayor and Council

Fr: Jon Ranger, Deputy Treasurer

Re: Ontario Regulation 284/09: 2020 Budget Matters

### Recommendation:

That Council hereby adopts the report dated January 31, 2020 related to 2020 budget matters by Resolution as required under the Municipal Act, 2001, Ontario Regulation 284/09.

### Background:

On June 5, 2009, the Province approved legislation which changed the financial reporting and budget requirements of municipalities. As a result of the new requirements, municipalities are required to prepare annual Financial Statements in accordance with generally accepted accounting principles for local governments as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPA Canada). These accounting principles include accounting for employment liabilities, landfill costs and tangible capital assets.

The new PSAB accounting standards adopted for municipalities do not require that budgets be prepared on the same basis. Municipalities are, however, required to prepare a report, passed by resolution that shows how the surplus and deficit of the budget would be reflected in the financial statements. This report summarizes the differences between the financial statement reporting and the budget.

### Budget:

The result of changes to accounting standards is that the City's surplus for budgeting purposes differs from the surplus on the City's financial statements. The estimated effect on the 2020 budgeted ending surplus is as follows:

|   |                      |
|---|----------------------|
| Acquisition of tangible capital assets          | \$18,154,772         |
| Amortization expense of tangible capital assets | <u>(\$7,362,619)</u> |
|   | <u>\$10,792,153</u>  |

The changes to accounting and reporting requirements under PSAB are a financial accounting treatment only and do not affect operating surpluses. This difference is one of financial statement presentation only.

**Communication Plan/Notice By-law Requirements:** Resolution required.

**Strategic Plan or Other Guiding Document:** Fiscal Responsibility: We manage the municipal finances in a responsible, prudent and transparent manner.

**ERM Assessment:**

An insignificant financial impact risk and rare likelihood generates a low risk for the City and Council related to this Ontario Regulation.



February 3, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Bruce Graham, Risk Management & Loss Prevention Officer**

**RE: Endorsement of Health and Safety Policy Statements**

### **Recommendation:**

That Council hereby approves and endorses the City's Health and Safety Policy Statement, the Workplace Violence Prevention Policy Statement, and the Workplace Harassment Policy Statement.

### **Background:**

There is a legal requirement to review the three policy documents (Health and Safety, Harassment, and Violence Prevention) at least annually. By having council review and sign these statements once each year the City is complying with this legislative requirement.

All Policy Statements are attached for reference.

**Budget:** N/A

### **Risk Analysis:**

There are no perceived risks to this recommendation. Approving the amended policies will help to ensure legislative compliance.

**Communication Plan/Notice By-law Requirements:** Signed documents will be returned to Bruce Graham for appropriate duplication and distribution.

**Strategic Plan or Other Guiding Documents:** N/A



## The Corporation of the City of Kenora Occupational Health and Safety Policy

The Corporation of the City of Kenora is committed to preventing occupational illness and injury in the workplace.

We recognize that an effective health and safety program, as indicated by following acceptable industry practices and compliance with legislative requirements, and communication of that program to all workers, will contribute to a reduced risk of injury or illness to workers.

We further recognize that health and safety is the shared commitment and responsibility of us all. Our program is based on the concepts of the Internal Responsibility System wherein responsibilities and authority for health and safety are delegated from the top down and accountability for performance is required from the bottom up.

The Senior Leadership Team is responsible for establishing health and safety policy and ensuring the development of a health and safety system.

Division Managers are responsible for the development and implementation of health and safety programs in their divisions and for ensuring that their Division Leads are performing their required health and safety responsibilities.

Division Leads and all supervisory personnel are responsible to enforce health and safety rules and regulations and to ensure that their workers have the appropriate training, skills, and qualifications to perform their tasks safely.

Workers are responsible to follow employer and regulatory procedures, use their initiative to reduce risk, and to report unresolved issues to their supervisor.

It is the intention of this policy that:

**“No job is so important and no service is so urgent  
that we cannot take the time to perform our work safely”**

---

Chief Administrative Officer

Mayor

Approved by Municipal Council on February 18, 2020









February 3, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Bruce Graham, Risk Management & Loss Prevention Officer**

**RE: Amendments to Health and Safety Policies**

### **Recommendation:**

That Council hereby approves amendments to the following Health and Safety Policies – #HS-06 Health and Safety Responsibilities – Visitors; #HS-10 – Incident Reporting; #HS-11 – Hazards Reporting; and #HS-16 – Hot Work; and further

That Council hereby repeals #HS-15 – Confined Spaces; #HS-17 – Pre-start Reviews; #HS-31 – Training Needs Review; #HS-39 – Incident and Injury Investigations; #HS-43 – Workplace Inspections – Supervisors and Managers; #HS-45 – Pre-use Inspections; #HS-46 – Preventive Maintenance; and #HS-47 – Incident Investigation; and further

That all Health & Safety Policies form part of the City's Comprehensive Policy Manual under the new category Health and Safety; and further

That three readings be given to three bylaws for this purpose.

### **Background:**

The HRM Strategy contained a recommendation to review all existing Health and Safety Policies and to incorporate them into the City Policy Manual. The HRM Strategy also contained specific recommendations for amending existing Health and Safety policies.

For all of these policies, the logo, dates and by-law numbers have been updated, any reference to Managers has been changed to Senior Leadership Team member, any reference to Supervisor has been changed to Division Lead and Team Lead, and reference to the Workwell Core Audit has been deleted.

#HS-15 – Confined Spaces is taken directly from the legislation and essentially mirrors the language of Regulation 632/05 – Confined Spaces, and therefore is redundant. The City has a very robust Confined Space program which follows the requirements of the legislation, so having a policy which simply mirrors the legislation is not necessary.

#HS-17 – Pre-start Reviews is a Policy based on Section 7 of the Industrial Regulations and essentially mirrors that language. Having a policy which simply mirrors the legislation is not necessary.

#HS-31 – The HRM Strategy recommendation for this policy was to incorporate it into an HR Performance Planning and Evaluation Policy. Currently, individual training needs are included as part of the Performance Evaluation system, and employee training will be

tracked using our HRIS. Having a separate training policy under Health and Safety is not necessary.

#HS-39 – Incident and Injury Investigations and #HS-47 – Incident Investigation, have both been incorporated into #HS-10 – Incident Reporting, which has been renamed Incident Reporting and Investigation. As a result, these two policies are no longer necessary.

#HS-43 – Workplace Inspections – Supervisors and Managers, was incorporated into #HS-02 – Roles and Responsibilities, when it was amended in April of 2019. As a result, this policy is no longer required.

#HS-45 – Pre-use Inspections and #HS-46 – Preventive Maintenance were both developed to satisfy the requirements of the Workwell Audit in 2012. In reality, every worker will receive training, according to the manufacturers instructions, on pre-use inspections and preventive maintenance for every piece of equipment they operate, as part of their orientation to that equipment. This is a requirement under the Occupational Health and Safety Act, so it is not necessary to have separate policies.

All policies are attached for reference.

**Budget:** N/A

**Risk Analysis:**

There are no perceived risks to this recommendation. Approving the amended policies will help to ensure legislative compliance.

**Communication Plan/Notice By-law Requirements:** By-laws for each policy required.

**Strategic Plan or Other Guiding Documents:** HRM Strategy

## Health and Safety Responsibilities - Visitors



|   |  |  |                                |                |
|---|--|--|--------------------------------|----------------|
| <b>Section</b><br>Health and Safety<br>Responsibilities | <b>Date</b><br>February<br>18,<br>2020<br><del>March 19,</del><br>2012 | <b>Approved by</b><br><b>By-law Number:</b><br>27-2012 | <b>Page</b><br>1               | <b>Of</b><br>2 |
| <b>Subsection</b><br>Visitors                           | <b>Supersedes By-law Number:</b><br><del>27-2012</del> 105-2011        |  | <b>Policy Number:</b><br>HS-06 |                |

### **PURPOSE**

Visitors to City of Kenora workplaces may not be familiar with the hazards present in the workplace. The purpose of this policy is to put measures in place to ensure that the health and safety of visitors is protected.

### **RESPONSIBILITY**

City of Kenora employees who receive visitors in the workplace are responsible to ensure that the visitors are acquainted with the health and safety rules that apply to that workplace and that they are in compliance with those rules at all times while visiting the workplace.

Visitors to City of Kenora workplaces are expected to follow the established health and safety rules that apply to the workplace they are visiting and to use the appropriate Personal Protective Equipment.

### **PROCEDURE**

Visitors must report to the reception area of the workplace they are visiting. Visitors must sign in using the log book present and indicate the time they arrive, who they are visiting, and print their name. When the visit is over the visitor will indicate the time they leave and sign the log book.

If the workplace does not have a reception area, the visitor must make arrangements to meet their host prior to entering the workplace.

Visitors must remain with their designated host for the duration of their visit. The designated host will review all necessary health and safety rules with the visitor and ensure that the visitor has any required PPE.

In the event of an emergency situation the designated host will ensure that the visitor follows appropriate emergency procedures to ensure the safety of the visitor.

### **TRAINING**

All City of Kenora employees will receive training in the requirements of this policy. This training will be documented.

## Health and Safety Policy Statement

| <b>POLICY NO.</b> | <b>PAGE</b> | <b>OF</b> |
|-------------------|-------------|-----------|
| HS-01             | 2           | 2         |

### **DEFINITIONS**

Visitor – A person temporarily entering the workplace who may be admitted to areas generally off-limits to the public. A visitor is usually on business but is not under contract.

### **REFERENCES**

The Occupational Health and Safety Act (Ontario) – Section 25 (2) (g)

~~Workwell Core Health and Safety Audit – Element 2.1 (k)~~

## Health and Safety Standards and Procedures



|  |  |  |                  |                |
|--|--|--|------------------|----------------|
| <b>Section</b><br>Health and Safety Policies                               | <b>Date</b><br><u>February</u><br>18,<br>2020<br><del>March</del><br>19,<br>2012 | <b>Approved by</b><br><b>By-law Number:</b><br>27-2012 | <b>Page</b><br>1 | <b>Of</b><br>2 |
| <b>Subsection</b><br>Incident Reporting <u>and</u><br><u>Investigating</u> | <b>Supersedes By-law Number:</b><br><u>27-2012</u> <del>105-2011</del>           | <b>Policy Number:</b><br>HS-10                         |                  |                |

### **PURPOSE**

Prompt reporting and investigation of incidents will allow the employer to implement corrective actions to reduce or eliminate the potential for recurrence.

### **RESPONSIBILITY**

All City of Kenora employees are required to report all incidents, regardless of how minor they may seem. Incidents are to be reported to the worker's supervisor without undue delay.

Team Leads and Division Leads Supervisors are responsible for completing an Incident Investigation Form in consultation with the worker.

### **PROCEDURE**

1. When an **incident** occurs the first priority is to get the necessary help to ensure the safety and well being of the parties involved. As a minimum the worker's immediate supervisor must be called. Other help such as police, fire, or ambulance will be called depending on the situation.
2. The incident scene should not be disturbed until the investigation has been completed. An incident scene may only be disturbed if it is necessary to prevent further injury to any party, to prevent further equipment damage, or to restore an essential public service.
3. For each reported incident the Division Lead or Team Lead Supervisor will complete the appropriate incident report form. For Personal Injury incidents, form HS007-3 must be completed. For vehicle incidents, form HS008-3 must be completed. The Division Lead Supervisor will forward all completed forms to their Manager for review and approval. If the Manager is not satisfied with the report as received they will return it to the Supervisor for revision. When the Manager is satisfied with the report they will forward it to the CAO for review and approval. The CAO will forward approved reports to the Health and Safety Program Coordinator for filing.

## Health and Safety Standards and Procedures

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|------------|------|----|
| HS-10      | 2    | 2  |

4. A summary of all reported incidents will be prepared each month by the Health and Safety Program Coordinator. This summary will include the nature of the reported injuries, the loss if any, the determined causes, and the recommended controls to prevent recurrence. This report will be discussed at the monthly Senior Leadership Team meeting, and then be sent to ~~Division Leads~~Supervisors for posting on all Health and Safety Bulletin Boards.
5. Any personal injury incident that results in lost time or requires medical attention must be reported to the Workplace Safety and Insurance Board (WSIB). The Division Lead~~Supervisor~~ will ensure that a Form-7 is completed for submission to the WSIB.
6. Critical injuries and fatalities must be reported to the Ministry of Labour as per Section 51(1) of the Occupational Health and Safety Act (Ontario).

### **TRAINING**

This policy will be reviewed with all new employees during their orientation and with all employees at least once per year.

Senior Leadership Team members, Division Leads, Team Leads, and Health and Safety Representatives~~Supervisors~~ will receive Incident Investigation training in order to help them comply with this policy.

### **DEFINITIONS**

Incident – An incident is an unplanned event that results in or has the potential to result in loss. The following are types of incidents for the purposes of this policy:

Near Miss – An incident that does not result in loss but had the potential for loss had the circumstances been slightly different.

First Aid – An injury that can be treated on site by a person trained in First Aid.

Medical Aid – An injury that requires the attention of a medical professional. Medical professional includes a doctor or clinical nurse, a physiotherapist, a chiropractor, a dentist, or an optometrist.

Lost Time – An injury that causes the worker to be absent from work beyond the day of the injury.

Critical Injury – An injury as defined in Regulation 834 made under the Occupational Health and Safety Act.

Loss – Refers to any type of negative outcome and includes personal injury or property damage.

### **REFERENCES**

The Occupational Health and Safety Act (Ontario) – Section 51 (1)



## Health and Safety Standards and Procedures

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Regulation 834 – Critical Injury Defined

~~Workwell Core Health and Safety Audit – Element 4.2 (a)~~

## Health and Safety Standards and Procedures



|  |  |  |                  |                |
|--|--|--|------------------|----------------|
| <b>Section</b><br>Health and Safety Policies | <b>Date</b><br><u>February</u><br>18,<br>2020<br><del>March</del><br>19,<br>2012 | <b>Approved by</b><br><b>By-law Number:</b><br>27-2012 | <b>Page</b><br>1 | <b>Of</b><br>2 |
| <b>Subsection</b><br>Hazards Reporting       | <b>Supersedes By-law Number:</b><br><del>27-2012-105-2011</del>                  | <b>Policy Number:</b><br>HS-11                         |                  |                |

### **PURPOSE**

It is recognized that involving and empowering employees promotes increased acceptance of health and safety initiatives which should result in the reduction of workplace hazards. The underlying philosophy of the Internal Responsibility System is that workplace health and safety is the shared responsibility of all workplace parties. This policy is intended to provide workers with the means to report workplace hazards and to participate in their elimination or control.

### **RESPONSIBILITY**

Division Leads Supervisors are responsible to document all hazardous acts or conditions reported by their workers; to rate all reported hazards as major, moderate, or minor hazards; to ensure that any hazardous acts or conditions reported are followed up on in a timely manner; that all actions required to address the hazardous act or condition are completed; and that copies of hazard reports are sent to the Health and Safety Program Coordinator for proper distribution.

Employees are responsible to report the existence of any hazardous act or condition to their supervisor immediately and to assist the supervisor with the completion of the appropriate documentation.

The Health and Safety Program Coordinator will act as a resource for identifying hazards; may assist in the implementation of controls; and will follow up with the supervisor and employee to ensure that all actions have been completed.

The Health and Safety Program Coordinator will review all completed hazard reports to identify any other improvements, corrective actions or proactive initiatives required and will include all reported hazardous acts or conditions as part of the monthly summary prepared for the Senior

Leadership Management Team.

### **PROCEDURE**

#### Unsafe Acts

A worker who observes a person performing an unsafe act will talk to that person and explain why the act is unsafe and suggest a safe way to perform the

## Health and Safety Standards and Procedures

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| HS-11      | 2    | 2  |

act safely. The worker will then report this to the Division Leadsupervisor for documentation and follow up.

### Unsafe Conditions

A worker who is aware of an unsafe condition in the workplace will report the circumstances to their Division Lead or Team Leadsupervisor by completing a Health and Safety Suggestion Form (HS001).

### **TRAINING**

Communication of the hazard reporting procedure will be done on an annual basis by the Division Leadsupervisors during in house training sessions. The Health and Safety Program Coordinator will monitor use of the hazard reporting procedure and if needed training in its use will be provided to all employees.

### **DEFINITIONS**

Unsafe Act – behaviours that could lead to an accident or incident. Examples of unsafe acts can include using equipment in an unsafe or careless manner or not using personal protective equipment as required.

Unsafe Condition – circumstances which could allow an accident or incident to occur. Examples of unsafe conditions could include inadequate, improper, or lack of guarding; slippery work surfaces; electrical grounding requirements not observed; and containers that are not labeled.

### **REFERENCES**

The Occupational Health and Safety Act (Ontario) – Section 28 (1) (d)  
~~Workwell Core Health and Safety Audit – Element 4.2 (b)~~

## Health and Safety Standards and Procedures



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| <b>Section</b><br>Health and Safety Policies | <b>Date</b><br>March 19,<br>2012             | <b>Approved by</b><br><b>By-law Number:</b><br>27-2012 | <b>Page</b><br>1               | <b>Of</b><br>8 |
| <b>Subsection</b><br>Confined Spaces         | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-15 |                |

### **PURPOSE**

The purpose of this policy is to protect the health and safety of all employees, and to ensure compliance with the Occupational Health and Safety Act and the requirements of Regulation 632/05.

### **DEFINITIONS**

**Acceptable Entry Conditions** — means the conditions that must exist in a confined space to allow entry and to ensure that employees involved with an entry can safely enter into and work within the space.

**Approved** — approved by the Employer.

**Atmospheric hazards** – means,

- (a) the accumulation of flammable, combustible or explosive agents,
- (b) an oxygen content in the atmosphere that is less than 19.5 per cent or more than 23 per cent by volume, or
- (c) the accumulation of atmospheric contaminants, including gases, vapours, fumes, dusts or mists, that could,
  - (i) result in acute health effects that pose an immediate threat to life, or
  - (ii) interfere with a person's ability to escape unaided from a confined space;

**Attendant** — means a trained and authorized person stationed outside a confined space who monitors the entrants and who performs all assigned attendant duties under the City of Kenora's Program.

**Authorized person** — authorized by the City of Kenora to enter a space.

**Competent person** — means a person who:

- is qualified because of knowledge, training and experience to organize the work and its performance;
- is familiar with this Act and the regulations that apply to the work; and
- is knowledgeable of any potential or actual danger to health or safety in the workplace.

**Confined Space** — means a fully or partially enclosed space,

- (a) that is not both designed and constructed for continuous human occupancy, and

## Health and Safety Standards and Procedures

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(b) in which atmospheric hazards may occur because of its construction, location or contents or because of work that is done in it;

**Contract Personnel** — a person with whom the City of Kenora has contracted to supply services for monetary compensation.

**Contractor** — any person or entity contracted or engaged to provide services to the City of Kenora.

**Emergency** — means any occurrence, including any failure of hazard control or monitoring equipment, or event internal or external to the space that could endanger the entrants.

**Employee** — a worker as defined in section 1 of the Act employed by the City of Kenora.

**Entrant** — a trained and authorized person who enters into a space.

**Entry** — means the action by which a person passes through an opening into a space. Entry includes all ensuing work activities in that space and is considered to have occurred as soon as any part of the entrant's body breaks the plane of an opening into the space.

**Entry Permit (Permit)** — means the written or printed document that is provided by the City of Kenora that allows and controls entry into a confined space and that contains all specified information.

**Hot Work Permit** — means the City of Kenora's written authorization to perform operations such as riveting, welding, cutting, burning, and heating, which are capable of providing a source of ignition.

**Isolation** — means the process by which a space is removed from service and completely protected against the release of energy and material into the space. This includes such means as blanking or blinding; misaligning or removing sections of lines, pipes, or ducts; a double block and bleed system; lockout of all sources of energy; or blocking or disconnecting all mechanical linkages.

**Permit Issuer** — means the trained and authorized person responsible for determining if acceptable entry conditions exist in a confined space where entry is planned, for authorizing entry, overseeing entry operations and terminating entry as required.

**Program** — means The Confined and Restricted Space Entry Program.

**Rescue Service** — means the personnel designated to rescue a person from a space.

## Health and Safety Standards and Procedures

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**Restricted Space** — means a tank, vat, vessel, duct, vault, boiler or other space from which the egress of a employee is restricted, limited or impeded because of the construction, design, location or other physical characteristics of the space.

**Retrieval System** — means the equipment, including a retrieval line, full-body harness, and a lifting device or anchor, used for the *non-entry rescue* of persons from a space.

**Regulation** — means the Regulation respecting Industrial Establishments (RRO 851/90).

**Space** — means a confined or restricted space.

**Testing** — means the process by which hazards that may confront an entrant in a space are identified and evaluated. Testing includes specifying the actual tests that are to be performed in the permit space.

**Workplace** — land, facilities and premises including mobile equipment and vehicles being utilized by the City of Kenora.

### **RESPONSIBILITY**

#### **Employees and Contract Personnel**

Employees and contract personnel are responsible to, comply with these requirements, use their training, knowledge and experience to protect the health and safety of themselves and others, and report to their supervisor the absence of or defect in any equipment, protective equipment and protective devices associated with entry or rescue operations involving a confined space.

#### **Contractors**

Contractors are responsible to enforce and comply with these requirements and ensure that their employees are aware of these requirements.

#### **Supervisors**

Supervisors are responsible to ensure that employees work in compliance with these requirements, that employees are aware of these requirements, that protective equipment and devices required to carry out these requirements are provided, that protective equipment and devices that are provided are maintained in good condition, and confined spaces are clearly identified by appropriate signs.

#### **Management**

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Management is responsible for ensuring that all operations are in compliance with applicable legislation and these requirements.

### **PROCEDURE**

#### **General**

The workplace shall be evaluated to determine the existence and location of all confined and restricted spaces.

A space shall be identified and posted with a sign stating the existence, location and prohibition of entry into that space.

Signs shall identify the danger posed by the space.

A confined space shall only be entered where there is easy egress from all accessible parts of the confined space.

A space shall be isolated prior to entry.

Where applicable, access doors and openings shall be opened in advance, allowing natural ventilation of the space.

Prior to entry into a confined space, the internal atmosphere shall be tested by a permit issuer using a calibrated direct-reading instrument to determine oxygen content; flammable gases and vapours; and hazardous gases, vapours, dusts or fumes.

The permit issuer shall verify that the confined space is safe for entry and shall certify in writing that the pre-entry measures identified have been taken; the confined space is free from hazard; and the confined space will remain free from hazard while the entrants are in the confined space.

The written certification shall include the date, time, location of the confined space, and the signature of the permit issuer.

Prior to entry into a restricted space by an entrant, the characteristics of the space which restrict, limit or impede egress shall be communicated to the entrant. Each entrant shall be instructed in the procedures for entering, working in and exiting from the restricted space.

Any contravention of these requirements by a contractor or their employees may be considered a breach of contract and may result in suspension or termination.

No employee, contract personnel or contractor shall enter into a space unless authorized to do so by the City of Kenora.

Entry into a space shall only be performed by authorized persons who have participated in an approved training program.

A master inventory shall be kept and maintained of all permit issuers, entrants and attendants.

Any employee who knowingly fails to comply with these requirements or their intent, or who knowingly permits an employee under their supervision to

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contravene these requirements is subject to disciplinary action, up to and including termination.

**PROGRAM ELEMENTS**

Program procedures will be developed in writing for:

- testing of confined spaces;
- specifying acceptable entry conditions for permit spaces;
- isolation of spaces;
- purging or ventilating confined spaces;
- preventing external hazards from endangering entrants during entry;
- verification of acceptable entry conditions throughout the duration of entry;
- ensuring the provision, use and maintenance of equipment and protective devices associated with entry or rescue operations;
- emergency rescue procedures;
- communication procedures;
- training and instruction for authorized persons in entry and control procedures; and
- regular program audit requirements.

**ENTRY AND CONTROL PROCEDURES**

**Confined Spaces**

Entry into a confined space in which there exists or is likely to exist,

- a hazardous gas, vapour, dust or fume; or an oxygen content of less than 19.5% or more than 23% shall only be performed when:
- the requirements of the entry permit are complied with and recorded in writing; there is no hazardous atmosphere within the confined space when an entrant is in the confined space; the confined space is purged and ventilated by forced air ventilation; the atmosphere is periodically tested to ensure there is no hazardous atmosphere within the confined space:
- where a hazardous atmosphere is detected, the entrants shall exit the confined space immediately;
- measures shall be implemented to protect the entrants from the hazardous atmosphere prior to any re-entry; and the confined space shall be re-tested and certified as per entry permit requirements
- an **attendant** is stationed outside the confined space;
- the attendant, in the event of an **emergency** can communicate with and notify the **rescue service**; and
- the rescue service is conveniently available to perform their assigned emergency duties.



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Entry into a confined space in which there exists or is likely to exist:

- a hazardous gas, vapour, dust or fume; or
- an oxygen content of less than 19.5% or more than 23% and that **cannot** be purged or ventilated to provide and maintain a safe atmosphere shall only be performed when:
- the requirements of the entry permit are complied with, and recorded in writing;
- the entrants entering the confined space use respiratory protection equipment appropriate in the circumstances;
- the atmosphere is periodically tested within the confined space;
- an attendant is stationed outside the confined space with a retrieval system;
- the entrants use a full body harness with a retrieval life-line attached with the other end of the line attached to a mechanical retrieval system or fixed point;  
the attendant, in the event of an emergency is able to communicate with and notify the rescue service; and
- the rescue service is conveniently available to perform their assigned emergency duties.

### **Permit System**

Prior to entry into a confined space, the completion of the pre-entry measures shall be documented on an entry permit.

The Permit Issuer shall sign the entry permit to authorize entry.

No person shall enter a confined space until an entry permit has been issued by a Permit Issuer and the person is authorized to enter.

The completed permit shall be posted at the entry point to the confined space.

The duration of the permit shall not exceed the time required to complete the work activity identified on the permit.

The Permit Issuer shall terminate entry and the permit upon completion of the work activity identified on the permit.

### **Entry Permit**

The entry permit shall identify:

- the confined space to be entered;
- purpose of entry;
- date, time and the duration of the permit;
- the entrants;
- the attendants;
- the Permit Issuer;

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- isolation and control measures;
- acceptable entry conditions;
- initial and, where applicable, periodic test results;
- communication procedures to be used during entry;
- availability of rescue services;
- retrieval system in place at entry point;
- provision of equipment, protective equipment and devices required for entry; and
- any additional permits that have been issued to authorize work in the space.

### **Hot Work — Welding and Cutting**

- all compressed gas cylinders and welding generators shall be located outside the space, and adequately secured;
- all fittings, regulators, etc. shall be inspected to ensure no leakage;
- when not in use, compressed gas cylinders shall be positively shut off, and where practicable, hoses and torches shall be removed from the space;
- when arc welding is to be suspended, all electrodes shall be removed from holders and the holders shall be stored to prevent accidental contact;
- welding generators must be disconnected from their power source when unattended;
- permits for performing **hot work** will only be issued following completion of an entry permit that confirms it is safe to do Hot Work and the permit **must be signed** by the Permit Issuer to authorize entry and hot work;
- during hot work, the atmosphere must be **continuously** tested by a calibrated direct-reading instrument with an **audible alarm** set at 10 per cent of the lower explosive limit (LEL) for flammable gases and vapours and;
- hot work is not permitted in a confined space where there exists a flammable gas or vapour.

### **TRAINING**

Each Entrant, Permit Issuer, Attendant and Rescue Service Personnel shall receive and participate in an approved training program that includes:

- purpose, function and use of entry, control and rescue procedures;
- the use, maintenance and limitations of equipment, protective equipment and devices associated with confined and restricted space entry and emergency rescue operations;
- the use, maintenance and limitations of personal protective equipment;

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- emergency first-aid, artificial respiration and cardiopulmonary resuscitation; and
- the requirements of this program.

### **Rescue and Emergency Services**

- Rescue service personnel shall practice making confined and restricted space rescues at least once every 12 months, by means of simulated rescue operations.
- The rescue service shall develop rescue plans and procedures for emergencies involving confined or restricted spaces.

### **PROGRAM AUDIT**

- A regular audit will be conducted by a competent person on behalf of the Employer.
- The audit will be conducted to correct any deficiencies identified during the audit.
- The audit will review responsibilities under Program entry, control and rescue procedures.

### **REFERENCES**

The Occupational Health and Safety Act (Ontario) – Regulation 632/05  
Workwell Core Health and Safety Audit – Element 4.2 (g)

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| <b>Subsection</b><br>Hot Work                | <b>Supersedes By-law Number:</b><br><del>27-2012-105-2011</del> |  | <b>Policy Number:</b><br>HS-16 |                |

### **PURPOSE**

The City of Kenora recognizes that the potential of fire in the workplace presents a significant risk to employee safety and property loss. The purpose of this policy is to prevent fires that may result from “hot work” processes.

### **SCOPE**

For the purposes of this policy “hot work” refers to any temporary operation that involves open flame, or that produces heat and/or sparks. This includes but is not limited to grinding, cutting, brazing, soldering, and welding.

### **PROCEDURE**

#### General

Hot work ~~permit~~ procedures are required when hot work takes place in confined spaces, near volatile materials, and any time there is a significant risk of fire or explosion.

~~Division and Team Leads Supervisors~~ shall ~~review~~ ~~issue~~ hot work ~~procedures~~ ~~permits~~ ~~with~~ ~~to~~ employees as required. The Division or Team Lead supervisor must review the tasks to be completed and the area where the hot work will be conducted prior to ~~the hot work commencing~~ ~~issuing the permit~~.

~~A permit is valid for up to one full shift.~~

~~The permit must be posted in a conspicuous location near the work area.~~

Conduct a pre-work inspection of the work area to check for combustible materials or flammable liquids or gasses and determine if additional safeguards are necessary.

Ensure there are no flammable or combustible materials within 11 m of the work. If materials cannot be removed ensure that they are protected by wetting or the use of shields.

Ensure enclosed equipment is cleaned and purged of combustible materials and vapours and verify this with proper atmospheric testing.

Openings or cracks in walls, floors, or ducts in the work area must be sealed or covered with fire resistant materials.

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Isolate and protect smoke detectors and sprinkler heads that may be affected by the hot work so that a false alarm is not triggered.

Always wear appropriate PPE while performing hot work such as welding helmets, safety eyewear, gloves, and flame resistant clothing.

Ensure that proper fire suppression equipment such as fire extinguishers or hoses is readily available while the work is in progress and for one hour after the work is completed.

### Exemptions

Hot work ~~procedures~~permits are not required in designated areas such as maintenance or welding shops that are specifically designed to limit the potential of fires provided that no flammable or combustible materials are present within 11 m of the hot work.

Hot work ~~procedures~~permits are not required outdoors if the work area is more than 11 m from buildings and other combustible materials.

### Fire Watch Area Monitoring

A fire watch or monitoring of the work area shall be done while the work is being done and for at least 30 minutes after the work is completed.

Monitoring should include the immediate work area as well as adjacent areas above and below.

The primary role of the fire watch is to provide early detection and suppression if a fire were to start.

The fire watch should have an understanding of the work being done and the procedures necessary in an emergency.

The fire watch will ensure that proper fire suppression equipment such as fire extinguishers or hoses is readily available while the work is in progress and for one hour after the work is completed.

The fire watch will ensure that all fire protection equipment that was isolated during work is reactivated upon completion of the work.

~~At the completion of the fire watch the appropriate section of the hot work permit will be completed and the permit will be returned to the supervisor for filing. All hot work permits will be kept for a minimum of 12 months.~~

### Responsibilities

~~Division Leads and Team Leads~~Supervisors are responsible to:

Ensure employees are trained on the requirements of this policy;

Ensure that employees comply with the requirements of this policy;

Ensure that contractors are informed of and comply with the requirements of this policy where required;

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~~Maintain all records of hot work permits for at least 12 months;~~ and  
Ensure that employees and contractors comply with the requirements of the Occupational Health and Safety Act.

Employees are responsible to:

Comply with established hot work policies, procedures, and guidelines provided;

Always conduct hot work activities in conjunction with other safety procedures appropriate for other hazards that may be present such as confined spaces and lock out;

Comply with the requirements of the Occupational Health and Safety Act and related regulations.

### **TRAINING**

Workers shall be trained and instructed in the provisions of this policy. All training shall be documented and reviewed annually.

### **REFERENCES**

~~Occupational Health and Safety Act, Section 25(2) (h). Workwell Core Health and Safety Audit – Element 4.2 (h)~~

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| <b>Subsection</b><br>Process and Equipment<br>Purchases or Modifications | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-17 |                |

### **PURPOSE**

The purpose of this policy is to ensure that any goods, materials, or equipment purchased are assessed for existing or potential hazards and that appropriate controls are put in place. This policy also applies to any modifications made to existing processes or equipment.

### **SCOPE**

Regulatory compliance and industry standard safety practices are expected to be adhered to at the design stage, in the purchase specifications, during construction, and in the installation phase.

### **PROCEDURE**

The Supervisor responsible for the purchase of new goods, materials, or equipment or for the modification of existing processes or equipment will complete a hazard assessment.

The new or modified main activities will be reviewed to determine whether hazards exist.

Existing hazards will be eliminated if possible and appropriate controls will be put in place if the hazards cannot be eliminated.

Safe Operating Procedures must be developed for any major hazards identified.

The supervisor will ensure that the new purchase or modification meets all appropriate legislative and industry standards such as CSA standards.

The supervisor will complete a review of any Material Safety Data Sheets (MSDS) as they apply to new hazardous materials being introduced into the workplace. This review must consider the use, storage and disposition requirements of the material.

The supervisor will complete a *Process and Equipment Purchase/Modification Health and Safety Review Form*. The completed form will be forwarded to the Health and Safety Representative or Joint Health and Safety Committee for their review.

The supervisor will determine if a Pre-start Health and Safety Review is required as per Section 7 of the Regulations for Industrial Establishments and arrange to have the review completed as required.

The supervisor will be involved in conducting the initial pre-use inspection.

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The supervisor will be responsible for ensuring that workers who will be exposed to or will work with the new or modified equipment or process are adequately trained on the Safe Operating Procedures.

The Health and Safety Representative or the Joint Health and Safety Committee will review the *Process and Equipment Purchase/Modification Health and Safety Review Form*; be involved in conducting the initial pre-use inspection; provide input on any additional hazards or controls; and provide feedback to the supervisor.

Pre-start up inspections (prior to the initial use of the new or modified process or equipment) will be conducted with the involvement of the:  
Health and Safety Representative or Joint Health and Safety Committee;  
The Health and Safety Program Coordinator;  
Managers or Supervisors; and  
Anyone who has the potential to operate the new or modified equipment or to be involved with the new or modified process.

### **TRAINING**

Workers shall be trained and instructed in the provisions of this policy. All training shall be documented and reviewed annually.

### **REFERENCES**

Occupational Health and Safety Act (Ontario) – Regulations for Industrial Establishments – Section 7  
Workwell Core Health and Safety Audit – Element 4.2 (i)



## Health and Safety Education and Training



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| <b>Subsection</b><br>Training Needs Review   | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-31 |                |

### **PURPOSE**

Completing an annual Training Needs Review will help to ensure that training is maintained up-to-date and that the training being offered is necessary and will provide the required knowledge and skills for workers to perform activities safely and efficiently.

### **RESPONSIBILITY**

Supervisors are responsible for completing an annual Training Needs Assessment for each employee they supervise and for arranging for appropriate training sessions as required.

Workers are responsible to make every effort to attend scheduled training sessions and are encouraged to participate in the discussions during the sessions to enhance their knowledge and understanding.

### **PROCEDURE**

In completing the annual Training Needs Review supervisors will consider changes to legislation, changes to occupations, any new or modified equipment or processes, worker training records, certification requirements, and any new workers added since the previous review was completed.

All training needs will be indicated on the Training Matrix.

Supervisors will work with the Health and Safety Program Coordinator to arrange for the required training in the upcoming year.

Training will be completed in house as much as is possible.

When required, external contract trainers will be used to deliver training on site.

All training will include an evaluation process such as a written knowledge verification or post-training task observation. All evaluations will be documented and filed as part of the employee's training records.

Employee training records will be updated to reflect their most current status.

The Training Needs Review will be completed in the fall of each year and any required training will be scheduled for the next year at times and dates selected by the supervisors.

### **REFERENCES**

Occupational Health and Safety Act (Ontario) – Section 25 (2) (a) and (h)  
Workwell Core Health and Safety Audit – Element 6.1 (a) and (e)

## Health and Safety Education and Training



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| <b>Subsection</b><br>Incident and Injury<br>Investigations | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-39 |                |

### **PURPOSE**

People require knowledge in order to perform efficiently. The purpose of this policy is to ensure that the workplace parties responsible for conducting incident and injury investigations have the knowledge and skills necessary to conduct an effective and efficient investigation. This policy applies to Health and Safety Representatives, Joint Health and Safety Committee members, Managers, and Supervisors.

### **RESPONSIBILITY**

Managers are responsible to ensure that they and their supervisors are trained in conducting incident and injury investigations.

Supervisors are responsible to ensure that the Health and Safety Representatives or Joint Health and Safety Committee members from their workplace are trained in conducting incident and injury investigations.

### **PROCEDURE**

The Health and Safety Program Coordinator will provide Incident and Injury Investigation training to all Health and Safety Representatives, Joint Health and Safety Committee members, Managers and Supervisors. This training will include topics such as investigation techniques and principles and will include root cause analysis. Training will be completed within one month when a new person assumes responsibilities for conducting incident and injury investigations. This training will be incorporated into the annual training needs review and refresher training will be conducted as required.

### **TRAINING**

The Incident and Injury Investigation training program will have documented objectives and a means for evaluating the effectiveness of the training. All training will be documented.

### **REFERENCES**

Occupational Health and Safety Act (Ontario) – Section 8 (14) and 9 (31)  
Workwell Core Health and Safety Audit – Element 6.1 (k)

## Health and Safety Inspections – Managers and Supervisors



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| <b>Subsection</b><br>Health and Safety<br>Inspections | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-43 |                |

### **PURPOSE**

Workplace inspections are an important part of hazard identification, assessment, and control. By participating in workplace inspections supervisors and managers demonstrate their commitment to the identification and control of workplace hazards as well as showing employees that they are committed to the health and safety program.

### **RESPONSIBILITY**

Managers are responsible for completing workplace inspections on a quarterly basis or on a frequency as determined by the Chief Administrative Officer. Managers are also responsible for initiating employee contacts or employee observations during their workplace inspections. The number and frequency of these activities will be determined in consultation with the Chief Administrative Officer at the beginning of each year.

Supervisors are responsible for completing workplace inspections on a frequency as determined by their manager.

Supervisors are also responsible for initiating employee contacts or employee observations during their workplace inspections. The number and frequency of these activities will be determined in consultation with their manager at the beginning of each year.

### **PROCEDURE**

Managers will establish a schedule for completing workplace inspections in consultation with the Chief Administrative Officer at the start of each year.

Supervisors will establish a schedule for completing workplace inspections in consultation with their manager at the start of each year.

A City of Kenora Workplace Inspection Form will be used to document observed hazardous acts or conditions during the inspections.

Hazardous acts will be corrected when observed.

Hazardous conditions will be rated according to their potential for loss.

Hazards with a high potential for loss will be corrected without delay. Hazards with a medium or low potential for loss will be corrected in a timely manner with dates established in the inspection report.

All completed reports will be posted on the appropriate health and safety bulletin boards and a copy of the report will be sent to the Health and Safety Program Coordinator for filing.

## Health and Safety Inspections – Managers and Supervisors

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### **TRAINING**

Managers and Supervisors will be trained in Planned Workplace Inspections so that they can fulfill the responsibilities of this policy. All training will be documented.

### **REFERENCES**

Workwell Core Health and Safety Audit – Element 8.1 (a) to (j)

## Health and Safety Inspections



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| <b>Subsection</b><br>Operator Pre-use<br>Inspections of Equipment | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-45 |                |

### **PURPOSE**

Regular equipment inspections by workers will assist in identifying wear and tear due to daily usage. The purpose of this policy is to establish the requirements for operator pre-use inspections of equipment.

### **RESPONSIBILITY**

Managers and Supervisors are responsible to establish: an inventory of equipment to be included in the operator pre-use inspection program; a schedule identifying who will perform the inspections and how often those inspections will be conducted; a standard recording form for documenting the pre-use inspections; and a means for corrective action and follow up.

### **PROCEDURE**

Supervisors will consult with the workers in their workplace to establish an inventory of equipment requiring operator per-use inspections. This inventory will be based on applicable legislation, manufacturers' recommendations, and standard industry practices.

A schedule will be established outlining who will perform the pre-use inspections and the frequency for the inspections to be done.

Inspections will be documented on an established Pre-use Inspection Form. Any defects or deficiencies identified during the pre-use inspection will be reported to the supervisor for corrective action and follow-up. If the pre-use inspection determines that the piece of equipment is unsafe to operate it will be taken out of service until such time as repairs have been completed and it is safe to operate.

### **TRAINING**

Operators will be given pre-use inspection training prior to the first time using a piece of equipment that requires a pre-use inspection, and the training will be repeated and updated as required. All training will be documented.

### **REFERENCES**

Workwell Core Health and Safety Audit – Element 8.3 (a) to (e)

## Preventive Maintenance



|  |  |  |                                |                |
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| <b>Subsection</b><br>Preventive Maintenance  | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-46 |                |

### **PURPOSE**

Regular preventive maintenance of equipment will assist in identifying wear and tear due to daily usage and help identify and correct problems before they become health and safety hazards. The purpose of this policy is to establish the requirements for a preventive maintenance program.

### **RESPONSIBILITY**

Managers and Supervisors are responsible to establish: an inventory of equipment to be included in the preventive maintenance; the standards to be met by the program; a schedule identifying who will perform the preventive maintenance and how often preventive maintenance will be performed; a standard recording form for documenting the preventive maintenance performed; assignment of responsibilities and qualifications for the people performing preventive maintenance; and provisions for program review.

### **PROCEDURE**

Supervisors will establish an inventory of equipment or facility components that require regular preventive maintenance. This inventory will be based on applicable legislation, manufacturers' recommendations, and standard industry practices.

A schedule will be established outlining who will perform the preventive maintenance the frequency for the preventive maintenance to be done.

A standard recording system will be used to document the preventive maintenance. The recording system will include: a list of items or parts to be inspected; the inspectors name and signature; the date of the inspection; a description of any maintenance work performed; a means for reporting deficiencies and recommendations for corrective action; and a record of the action taken.

Required maintenance activities will be assigned to people who have the necessary qualifications to correct the deficiencies. If the preventive maintenance inspection determines that the piece of equipment is unsafe to operate it will be taken out of service until such time as repairs have been completed and it is safe to operate.

### **TRAINING**

As required to maintain qualifications necessary under this program.

### **REFERENCES**

Workwell Core Health and Safety Audit – Element 9.1 (a) to (f)

## Incident Investigation



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| <b>Subsection</b><br>Injury and Incident<br>Investigation | <b>Supersedes By-law Number:</b><br>105-2011 |  | <b>Policy Number:</b><br>HS-47 |                |

### **PURPOSE**

Every **incident** must be investigated to determine actual loss and loss potential since the severity of the actual loss in each event is often a matter of a slight difference in circumstances. The underlying goal of every incident investigation is to determine the causes of the incident and implement controls to eliminate or reduce the likelihood of recurrence.

### **RESPONSIBILITY**

Supervisors are responsible to ensure that all reported incidents occurring in their workplace are investigated.

Workers are responsible to ensure that all incidents, regardless of how insignificant they seem, are promptly reported to their supervisor. Workers are further expected to participate fully in the investigation of all reported incidents.

Members of the Senior Management Team are responsible for reviewing incident investigation reports and ensuring that recommended corrective and preventive measures are implemented.

### **PROCEDURE**

The following types of incidents will be investigated to determine causes and appropriate corrective measures to eliminate or reduce the likelihood of recurrence: near misses; equipment incidents; vehicle incidents; property damage; first aids; medical aids; lost time; critical injuries; and fatalities.

With the exception of first aid incidents, all incidents will be investigated by the reporting worker's supervisor without delay.

In the case of all incidents it is important to get appropriate help to ensure the health and safety of all parties. Once appropriate help has been received the worker's supervisor (or another available supervisor) must be contacted.

As much as is possible, incident scenes should not be disturbed until the supervisor has had a chance to view the scene.

The supervisor will interview the worker and any witnesses to the incident in order to gain a complete understanding of the incident. If needed, the supervisor can request the assistance of another supervisor, a manager, the Health and Safety Program Coordinator, or a health and safety representative or committee member to assist in completing the investigation.

## Incident Investigation

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For personal injury incidents the supervisor will complete Form HS007-03 and for vehicle or equipment incidents the supervisor will complete Form HS008-03. It is important to complete the forms accurately with all the pertinent information required on the form.

For all incidents the primary and contributing causes must be determined. Once the primary and contributing causes have been identified, appropriate corrective measures must be determined. Responsibility and timelines for the implementation of the corrective measures must be included.

Completed investigation forms are to be forwarded to the department manager and the Chief Administrative Officer for review and approval.

Approved forms are then forwarded to the Risk Management and Loss Prevention Officer for documenting and filing. Information from the completed report will be included in the monthly incident summary that is prepared by the Health and Safety Program Coordinator. This report will be distributed to all departments for posting on health and safety bulletin boards and will be discussed at the monthly manager's meeting.

First aid injury reports will be reviewed by the supervisor on a quarterly basis to see if any trends exist in terms of injury causes. Where trends are identified appropriate corrective measures will be considered.

Critical injuries and fatalities must be reported to the Ministry of Labour and the Health and Safety Representative or the Joint Health and Safety Committee.

Injuries requiring medical attention or that result in lost time must be reported to the Workplace Safety and Insurance Board.

Vehicle or equipment incidents involving members of the public must be reported to the Ontario Provincial Police.

### **TRAINING**

All workers will be made aware of the expectations of this policy. Supervisors, Managers, and health and safety representatives or committee members will be given training in incident investigation. All training will be documented.

### **REFERENCES**

Workplace Safety and Insurance Act  
Occupational Health and Safety Act – Section 51  
Workwell Core Health and Safety Audit – Element 10.1





February 4, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Hilary Smith, Human Resources Advisor**

**RE: Human Resources Policy Amendments**

### **Recommendation:**

That Council hereby approves a new #HR-2-06 Technology Usage Policy, a new #HR-2-21 Emergency Hours of Work Policy, and a new #HR-3-08 Employment Classification policy which will form part of the City of Kenora Comprehensive Policy Manual; and further

That Council hereby repeals Human Resources policies #HR-1-03 Hiring and Employment of Family Members, #HR-2-06 Personal Use of Office Equipment, #HR-2-09 Internet and Email, #HR-2-22 Procurement Use of City Supplied Cellphone; and further

That bylaw numbers 142-2010, 143-2010 be hereby repealed; and further

That three readings be given to a bylaw for this purpose.

### **Background:**

The HRM Strategy contained a recommendation to review the City's Human Resource Policies and to incorporate them into the City Policy Manual. Policy HR-2-06 was recreated to reflect the City's expectations for appropriate use of all City supplied IT systems and devices and merged information from HR-2-06, HR-2-09 and HR-2-22 as per the recommendations in the HRM strategy. Policy HR-2-21 and HR-3-08 were updated to accurately reflect current practices and position titles.

It was recommended in the Human Resources Management Strategy (HRM) that HR-1-03 be repealed as its contents are covered in HR-1-01.

All original policies are included as attachments for comparison purposes.

**Budget:** N/A

**Risk Analysis:** There are no perceived risks to this recommendation.

**Communication Plan/Notice By-law Requirements:** By-law required.

**Strategic Plan or Other Guiding Documents:** HRM Strategy

## City of Kenora Hiring and Employment of Family Members



| Section         | Date                  | Resolution Number | Page          | Of |
|-----------------|-----------------------|-------------------|---------------|----|
| Human Resources | November 22, 2004     | 5                 | 1             | 4  |
| Subsection      | Repeals By-Law Number |                   | Policy Number |    |
| Hiring          |                       |                   | HR-1-3        |    |

### Policy Statement

All employment-related matters, including hiring, promotions, performance appraisals and discipline shall be undertaken in an objective and impartial manner.

### Purpose

1.01 The purpose of this policy is to ensure that employment-related decisions concerning existing or potential City employees are free from any real or perceived improper influence based on familiar relationships and to maintain public confidence in the integrity of the City's hiring and employment practices. In particular, this policy is intended to:

- a) prevent a conflict of interest, or the appearance of such a conflict, that may arise through the hiring or employment of family members; and
- b) prevent the exercise of any improper influence based familiar relationships, or the appearance of such influence, in the City's employment practices.
- c) where current employees are closely related or become closely related, as defined by this Policy and one individual exercise direct reporting relationships over the other employee, the department in which they are employed is responsible to assign an alternate person to assume supervisory responsibility.

### Application

2.01 This policy applies to all employees and elected officials

**City of Kenora Hiring and Employment of Family Members**

| <b>Policy Number</b> | <b>Page</b> | <b>Of</b> |
|----------------------|-------------|-----------|
| HR-1-3               | 2           | 4         |

**Policy Description**

- 3.01 One of the City's human resources objectives is to hire the best candidate available for each vacancy, while taking into consideration the legal requirements imposed by such things as collective agreements. As a consequence, the City prohibits employment situations where family members would:
- be supervised by, or subordinate to, one another;
  - be given preferential treatment in being recruited and/or selected for vacancies; or
  - be appointed to positions where job responsibilities would be incompatible with positions occupied by family members.
- 3.02 While this policy is intended to apply solely to immediate family relationships (see definitions), employees and elected officials should be cognizant that broader familial ties and other close personal relationships may give rise to the same concerns surrounding real or perceived conflicts as those specifically addresses in this policy. As a result, employees and elected officials who may find themselves in such situations should be sensitive to these concerns and govern themselves in keeping with the spirit and intent of this policy.

**Definitions**

- 4.01 Direct Reporting Relations – a relationship in which an employee or elected official has authority to:
- a) approve or deny increments, overtime or negotiate salary level;
  - b) conduct performance appraisals;
  - c) administer discipline; or
  - d) direct work assignments with respect to an employee.
- 4.02 Family – for the purposes of this policy, family includes an employee' s child, parent, spouse or sibling. These terms are more specifically described below:

**City of Kenora Hiring and Employment of Family Members**

| <b>Policy Number</b> | <b>Page</b> | <b>Of</b> |
|----------------------|-------------|-----------|
| HR-1-3               | 3           | 4         |

4.03 Child – child born within or outside marriage, and includes an adopted child, and a person who a parent has demonstrated a settled intention to treat as a child of his/her family

4.04 Parent – a person who has demonstrated a settled intention to treat a child as a member of his/her family, whether or not that person is the natural parent of the child.

- 4.05 Spouse – a person
- to whom the person is married  
or
  - with whom the person is living outside marriage in a conjugal relationship, if the two persons,
    - have cohabited for at least one year,
    - are together the parents of a child, or
    - have together entered into a cohabitation agreement under section 53 of the Family Law Act.

**Responsibilities**

5.01 Managers  
Managers are accountable for ensuring compliance with this policy with respect to City employees

5.02 Human Resources Manager  
Human Resources Manager will work with managers to resolve any problems with respect to this policy.

**Monitoring**

6.01 The Human Resources Manager will review and monitor the City’s employment practices to ensure consistency and compliance with this policy.

**City of Kenora Hiring and Employment of Family Members**

| <b>Policy Number</b> | <b>Page</b> | <b>Of</b> |
|----------------------|-------------|-----------|
| HR-1-3               | 4           | 4         |

**Contraventions**

7.01 Failure on the part of an employee to comply with this policy may result in discipline up to and including dismissal. Contraventions by elected official shall be referred to Council for resolution.

**References**

- Employee Conduct Policy
- Collective Agreements
- City of Kenora Recruitment Policy
- Discrimination Policy

**Legislated & Administrative Authorities**

- Canadian Human Rights Act
- Employment Standards Act
- Municipal Act
- Municipal Conflict of Interest Act
- Ontario Human Rights Code
- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

**Enquiries**

All enquiries regarding this policy should be directed to the Human Resources Manager.

## Technology Usage Policy



| Section         | Date                  | Resolution Number | Page          | Of |
|-----------------|-----------------------|-------------------|---------------|----|
| Human Resources |                       | 9                 | 1             | 5  |
| Subsection      | Repeals By-Law Number |                   | Policy Number |    |
| General         |                       |                   | HR-2-6        |    |

### Policy Statement

The City of Kenora provides Information Technology systems and devices to employees and members of Council in order to support and improve City services. The use of these systems and devices for personal benefit is a privilege given by the City of Kenora and employees are encouraged not to abuse this privilege.

### Purpose

The purpose of this policy is to establish standards and expectations for the appropriate use of City of Kenora Information Technology (I.T.) systems and devices.

### Scope

This policy applies to all City of Kenora employees, Council members, and to anyone who has direct or remote access to the City's information technology infrastructure.

### Definitions

Data – any document, email, or message generated by a person using the City's hardware or software in any application

I.T. Systems and Devices – all electronic communication systems, data, internet, applications, computing systems, and resources owned or leased by the City of Kenora including but not limited to computers, laptops, tablets, radios, cell phones, smart phones, email, telephones, software, messages, printers, photocopiers, and any other networked wired or wireless equipment intended to provide access to City networks, systems, or software

### Roles & Responsibilities

Senior Leadership Team members are responsible for understanding and upholding this policy in addition to complying with all other applicable legislation, regulations and City policies and procedures.

## Technology Usage Policy

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|---------------|------|----|
| HR-2-6        | 2    | 5  |

Supervisors are responsible for determining which systems and devices their employees require and advising the I.T. department; any costs or budgeting considerations associated with acquiring systems and devices for their employees; monitoring their employees usage and determining the consequences of inappropriate use as per this policy; and regularly communicating and reviewing this policy with employees.

Employees are responsible for all activities under their network, email, voicemail, applications or any other such accounts; protecting their accounts and the City network from access by anyone other than themselves; reporting any violations of this policy to their Supervisor; and utilizing City IT systems and devices in an acceptable and ethical manner as per this policy.

IT Department is responsible for purchasing and acquiring all IT equipment, software and devices; ensuring account documentation is properly authorized and completed prior to issuing equipment and access to employees; and creating and installing all user accounts, access levels, systems, and software.

### Prohibitions

City employees are prohibited from using the City's I.T. systems and devices for illegal or unprofessional activities including but not limited to:

- Unauthorized dissemination of confidential or proprietary City documents or information;
- Dissemination of information or data restricted by any applicable provincial or federal laws or regulations;
- Dissemination, including printing of copyrighted materials, articles or software, in violation of copyright laws;
- Destroying, altering, dismantling, preventing rightful access to or otherwise interfering with the integrity of City computer-based information and/or information resources without authorization;
- Expression of opinions that are or would reasonably appear to be on behalf of or representing the City, unless authorized to do so;
- Installation or downloading of illegal content or unapproved software;
- Forwarding of electronic messages without legitimate business purpose;
- Any use that contravenes existing Municipal, Provincial, or Federal laws or regulations.

In addition, any use that may be disruptive, offensive to others, or discriminatory as defined by the *Human Rights Code* is also prohibited. Such unauthorized use includes but is not limited to:

## Technology Usage Policy

| Policy Number | Page | Of |
|---------------|------|----|
| HR-2-6        | 3    | 5  |

- Creating, accessing, sending, uploading, downloading, posting or saving language or material containing ethnic slurs, racial epithets, or anything that may be construed as threats, defamation, slander, harassment or disparagement of others based on their race, ancestry, colour, citizenship, creed, sex, sexual orientation, age, disability, gender identity, gender expression, marital or family status, religious or political beliefs;
- Sending or soliciting sexually oriented messages or images;
- Intentionally or knowingly visiting websites that have offensive content;
- Sending chain letters

### Privacy and Monitoring

**Employees should have no expectation of privacy** as all files, documents, messages and electronic communications created on, generated by, stored on, or transmitted through the City's I.T. systems and devices are deemed to be the property of the City.

As the City is subject to the provisions in the *Municipal Freedom of Information and Protection Privacy Act (MFIPPA)*, the City of Kenora reserves the right to access, inspect, and log the use of all I.T. systems and devices without notice. In addition, the City will monitor its I.T. systems and devices for security breaches, violations of law, or infringement of City rules and policies.

### Business & Personal Use

The City's I.T. infrastructure is intended to be used for conducting City business. Use of the City's IT systems and devices for personal use during working hours is discouraged. Although incidental personal use is understood, this privilege should not be abused and such personal use should be brief, infrequent, and not interfere with the employees regular duties.

Using Computer systems and peripherals and Internet connections shall not be used for personal gain or profit or for the benefit of other persons or entities or for sales or personal purchases or for posting advertisements for private money making schemes including pyramid schemes.

Any costs incurred by employees through their personal use of City I.T. systems and devices not related to City business must be reimbursed by the employee to the City.



## Technology Usage Policy

| Policy Number | Page | Of |
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| HR-2-6        | 4    | 5  |

### Security Measures

All employees are responsible for the security of the City's information technology and will safeguard all passwords, authorization codes, and confidential data by taking full advantage of the security mechanisms built into the City's IT systems and devices.

Employees should avoid using obvious passwords and must keep them strictly confidential. If the confidentiality of an employee's password is breached, the employee should change it immediately.

Mobile devices with access to City email accounts or information must have the minimum locking security requirements of the device such as passcodes and screen locks.

The City reserves the right to revoke an employee's access to email, voicemail, internet, and any communication systems or devices at any time, with or without cause or notification, at the City's sole discretion.

### Lost or Damaged Equipment

Loss, damage, or theft of a technological device or system must be reported immediately to a Supervisor and to the I.T. department.

### Policy Violations

Violations of this policy will be subject to the City's Progressive Discipline Policy up to and including termination. Where applicable, the City of Kenora may also take legal action in accordance with the law.

### Related Documents

Progressive Discipline Policy HR-2-03

Vehicle Operation Policy HR-2-04

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

A signed copy of this policy shall remain on the employee's personnel files, indicating that they have reviewed, understood, and agreed to comply with this policy.

**Technology Usage Policy**

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|----------------------|-------------|-----------|
| HR-2-6               | 5           | 5         |

This policy has been reviewed with me. I understand the policy and agree to abide by it.

\_\_\_\_\_

Date

\_\_\_\_\_

Employee Signature

\_\_\_\_\_

Print Name

## Personal Use of Office Equipment Policy



| Section         | Date                  | Resolution Number | Page          | Of |
|-----------------|-----------------------|-------------------|---------------|----|
| Human Resources | March 7, 2005         | 9                 | 1             | 3  |
| Subsection      | Repeals By-Law Number |                   | Policy Number |    |
| General         |                       |                   | HR-2-6        |    |

### Purpose

This is a guideline regarding the use of office equipment for employees.

The Personal Information Protection and Electronic Documents Act (PIPEDA) requires employers tell their employees what personal information will be collected, used and disclosed. This policy sets out the guidelines for use of office equipment and the City's intent to randomly monitor equipment usage.

If employees are subject to random or continuous surveillance the City is required, in accordance with PIPEDA to inform employees of such.

### Policy Statement

The City of Kenora's office equipment are key tools for the use in its day-to-day business. The use of City of Kenora office equipment for personal benefit is a privilege given by the City of Kenora and employees are encouraged not to abuse this privilege.

### Procedure

#### Telephone Availability

Although telephones are readily available to office employees, you are encouraged to conduct personal business on the telephone during your lunch hour or your breaks. Employees are permitted incoming personal calls, provided the conversations are kept very short and do not get in the way of their duties. Particular attention should be paid to ensure that a personal call is not made if it results in no free lines being available for business use. Abuse of this privilege will result in disciplinary action.

## Personal Use of Office Equipment

| Policy Number | Page | Of |
|---------------|------|----|
| HR-2-6        | 2    | 3  |

Personal calls should be restricted to local calls, unless you charge any long distance calls to another number or use a calling card.

### **Facsimile Availability**

Employees are permitted incoming facsimiles, provided that it is not taken advantage of and does not interfere with their duties.

Facsimiles for purposes other than the City of Kenora business must be recorded on a fax log and marked "Personal". Upon receipt of the bill, accounting will recharge the costs to the employee. Sending of a fax should be conducted during your lunch hour or your breaks. Abuse of this privilege will result in disciplinary action.

### **Computer Use**

Use of the City of Kenora computer resources for personal purposes, playing games, or participating in other activities not related to one's job function is not permitted on City of Kenora time.

The City of Kenora retains the right to control the access to these resources (e.g. supervisor approvals) and monitor usage to implement the policy.

Use of computer systems for personal use may only be used with the approval of the supervisor responsible for the staff to which the request is received.

The City of Kenora reserves the right to restrict or revoke the privileges of any user at any time.

## Personal Use of Office Equipment

| Policy Number | Page | Of |
|---------------|------|----|
| HR-2-6        | 3    | 3  |

### Procedure

The City of Kenora reserves the right to monitor and log any and all City equipment usage. No employee should have any expectations of privacy as to his or her usage of City owned equipment. The City of Kenora reserves the right to access and inspect any and all records including, but not limited to, phone records and data stored on City systems to assure compliance with this policy. The City of Kenora will monitor records on a periodic basis, checking for excessive personal or unauthorized use, use not related to assigned work load, violations of law, or infringement of city rules and policies. Such monitoring may occur electronically or manually without the knowledge of the affected personnel.

A signed copy of this policy shall remain on the employee's personnel files, indicating that they have reviewed, understood, and agreed to comply with this policy.

This policy has been reviewed with me. I understand the policy and agree to abide by it.

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Date

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Employee Signature

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Print Name

## Municipal Internet and E-Mail Policy



| Section         | Date                  | Resolution Number | Page          | Of |
|-----------------|-----------------------|-------------------|---------------|----|
| Human Resources | April 26, 2004        | 7                 | 1             | 3  |
| Subsection      | Repeals By-Law Number |                   | Policy Number |    |
| General         |                       |                   | HR-2-9        |    |

### Purpose

The City will provide Internet and E-mail service and limited Internet access to staff members as required of the City of Kenora. The City of Kenora is legally responsible for all internal and external communication and, therefore, has the responsibility to set policy and monitor compliance with the policy. The policy will define boundaries of proper conduct and clarify the expectations of privacy for users of the E-mail and Internet systems.

Internet and E-mail use shall be in accordance with the underlying values and philosophy of the City of Kenora. Inappropriate use of the E-mail or Internet access will result in the suspension or termination of such privileges and/or disciplinary action.

### Procedure

1. The City of Kenora retains the property rights of the systems and all matters sent over the system of placed in its storage (including the absolute right to review, audit, and disclose any such property in its sole discretion, with or without notice)
2. The computer should not be used to communicate any improper matters such as, but not limited to: discriminatory, derogatory, obscene, or any otherwise unlawful or inappropriate material.
3. Users shall not import from the Internet or export onto the Internet material which is pornography, hate literature, or would bring into dispute, malign, or injure the reputation of another party. Nor shall they import or export any material, which discriminates against any group based on race, colour, sex, age, creed or sexual orientation.
4. Use of the Internet must be primarily in support of your job duties, education and research. Personal research, although acceptable, shall be done on the employee's own time and based on the availability of a computer.

## Municipal Internet and E-Mail Policy

| Policy Number | Page | Of |
|---------------|------|----|
| HR-2-9        | 2    | 3  |

5. Employees are cautioned not to reveal any personal or confidential client information over the Internet. Confidentiality is assured for E-mails internal to the City of Kenora; however, E-mails sent over the internet do not have this level of security and therefore should not be used for transmitting confidential information.
6. The City of Kenora reserves the right to monitor and log any and all computer technology usage. No employee should have any expectations of privacy as to his or her computer technology usage. The City of Kenora reserves the right to access and inspect any and all files stored in private areas of the network in order to assure compliance with this policy. The City of Kenora will monitor electronic communications on a periodic basis, checking for breached system security, violations of law, or infringement of city rules and policies. Such monitoring may occur electronically or manually without the knowledge of the affected personnel.
7. Staff must screen all software downloaded from the internet with virus detection software prior to use. Unless staff confirms the source of the software is trusted, they must first test software on a stand-alone non-production machine, to restrict potential damage to the involved machine. IT will implement virus-scanning software on the firewall, but users should not rely on this service because a scan may not detect compressed, encrypted, or application viruses.
8. Ensure computer accounts, access codes, and passwords are not used for an unauthorized purpose. The following are suggestions to protect passwords from unauthorized use:
  - a. Your password is your own. Keep it secret and never disclose or share it with anyone.
  - b. Do not write down your password or place it where others may see it.
  - c. Never send your password via email.
  - d. Change your password immediately after an administrator assigns you a new password.
  - e. Choose a password that cannot be easily guessed.
9. Employees shall not use the E-mail system for mass mailing for any purpose other than City of Kenora business.

## Municipal Internet and E-Mail Policy

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|---------------|------|----|
| HR-2-9        | 3    | 3  |

10. Broadcast facilities found in electronic mail systems shall only be used with the approval of the manager responsible for the staff to which a message would be broadcast. This policy is intended to avoid disrupting staff with irrelevant or unapproved messages.
11. Employees shall not do anything to reduce the integrity of the network security such as giving out passwords or allowing others access to your E-mail.
12. A signed copy of this policy shall remain on the employee's personnel files, indicating that they have reviewed, understood, and agreed to comply with this policy.

This policy has been reviewed with me. I understand the policy and agree to abide by it.

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Date

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Employee Signature

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Print Name



## Emergency Hours of Work Policy



| Section         | Date                  | By-Law Number | Page | Of |
|-----------------|-----------------------|---------------|------|----|
| Human Resources | August 9, 2010        | 143 - 2010    | 1    | 4  |
| Subsection      | Repeals By-Law Number | Policy Number |      |    |
| General         |                       | HR-2-21       |      |    |

### Policy Statement

It is the policy of the City of Kenora to comply with all applicable legislation when managing hours of work for ~~City municipal~~ employees.

### Purpose

The purpose of this ~~policy standard~~ is to provide guidance to ~~S~~supervisors when managing hours of work for ~~City municipal~~ employees beyond the regular hours of work. It is designed to address work performed during *emergency* or *exceptional circumstances* when employees are required to work additional hours.

### Procedure

In *emergency* or *exceptional circumstances* employees will be allowed to work a maximum of sixteen (16) consecutive hours, providing that they have had at least eight (8) consecutive hours off since the end of their last work period. If they have not had eight (8) consecutive hours off since the end of their last work period, any additional hours they work will be added to the hours from their last work period(s) until they reach a total of sixteen (16) hours worked. At that point they would be required to take eight (8) consecutive hours off before reporting for work again.

### Scope

This policy applies to all ~~City of Kenora~~ employees ~~of the City of Kenora~~.

### Definitions

Exceptional Circumstances – Section 19 of the Employment Standards Act reads as follows:

19. An employer may require an employee to work more than the maximum number of hours permitted under section 17 or to work during a period

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that is required to be free from performing work under section 18 only as follows, but only so far as is necessary to avoid serious interference

**Emergency Hours of Work Policy**

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with the ordinary working of the employer's establishment or operations:

1. To deal with an emergency.

1.

2. If something unforeseen occurs, to ensure the continued delivery of essential public services, regardless of who delivers those services.

2.

3. If something unforeseen occurs, to ensure that continuous processes or seasonal operations are not interrupted.

3.

4. To carry out urgent repair work to the employer's plant or equipment. 2000, c. 41, s. 19.

**Emergency** – Section 3. (1), and subsections 4 and 4.1 of the **Ontario Regulation 555/06 of the Highway Traffic Act** read as follows:

3. (1) Subject to subsection (3), a driver and operator are exempt from this Regulation while the driver is driving a commercial motor vehicle of a type and in the circumstances described in any of the following paragraphs:

4. A vehicle engaged in providing relief in an emergency, being a situation or impending situation that constitutes a danger of major proportions to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise.

4.1 A vehicle operated by or on behalf of a municipality, road authority or public utility while responding to a situation or impending situation that constitutes an imminent danger, though not one of major proportions, to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise.

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### Responsibility

It is the responsibility of the Ssupervisor to monitor the hours of work of employees under their control. The Ssupervisor shall take all measures reasonable to ensure that no employee works in excess of sixteen (16) consecutive hours and that all employees have a period of at least eight (8) hours free from work between work periods.

#### Emergency Hours of Work Policy

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It is the responsibility of both the Supervisor and the employee to monitor for fatigue. Should the employee become fatigued prior to reaching their maximum hours of work, the employee will be sent home for a rest period of at least eight (8) consecutive hours.——

#### Emergency Hours of Work Policy

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|----------------------|-------------|-----------|
| <u>HR-2-21</u>       | <u>2</u>    | <u>4</u>  |

~~It is the responsibility of both the supervisor and the employee to monitor for fatigue. Should the employee become fatigued prior to reaching their maximum hours of work, they will be sent home for a rest period of at least eight (8) consecutive hours.~~

### Application

Below are some examples of how this policy would be applied:

- 1) An employee who reports for work at 8:00-am could, in the event of *emergency* or *exceptional circumstances*, be asked to stay until 1:30 am (assuming 90 minutes in meal breaks are taken), at which time they would be required to take eight (8) consecutive hours off before reporting for work again.
- 2) An employee who completes their regular shift at 4:30-pm and goes home and is subsequently called back to work less than eight (8) hours

later (i.e. before 12:30-am) could work up to eight (8) hours before they would be required to take their eight (8) hour rest period.

3) An employee who completes their regular shift at 4:30-pm and goes home and is subsequently called back to work more than eight (8) hours later (i.e. after 12:30-am) could work up to sixteen (16) hours before they would be required to take their eight (8) hour rest period.

4) Regardless of the number of hours the employee works in addition to their regular shift, they must take eight (8) consecutive hours off before reporting for work again. For example, if an employee is called back to work at 11:00-pm and they work until 1:30a-am, they would be required to have eight (8) hours of rest before reporting for regular duties again so they wouldn't return to work until 9:30-am. Any hours of the required rest period which coincide with the employee's regular work shift will be treated as work hours and the employee will be paid for all hours at the applicable rate of pay.

#### Emergency Hours of Work Policy

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5) During any *emergency* or *exceptional circumstances*, when the employee is working hours in addition to their regular work shift, the employee and Ssupervisor must monitor for fatigue. Should the employee become fatigued, they will be required to go home for a minimum eight (8) hour rest period.

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#### ~~Emergency Hours of Work Policy~~

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| <del>HR-2-21</del>       | <del>3</del>    | <del>4</del>  |

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~~employee become fatigued, they will be required to go home for a minimum eight (8) hour rest period.~~

- 6) Drivers of CVOR vehicles are reminded that they can work a maximum of 16 hours in a day but they are not allowed to drive after 14 hours on-duty time, or after 13 hours of driving time. They must then have an off-duty period of at least eight (8) consecutive hours before being allowed to drive again.

### Exceptions

Supervisors wishing to make exceptions to this policy will do so only with the approval of a Senior Leadership Team member ~~their manager~~ and only in those situations when all alternatives have been exhausted.

### Training

All Senior Leadership Team Members, managers, Supervisors, and employees who may be affected by this policy will receive training on the applicable legislation and the application of this policy.

### Legislative Reference

Employment Standards Act, 2000, S.O. 2000, C. 41  
Highway Traffic Act – O. Reg. 555/06

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### Definitions

~~Exceptional Circumstances~~ Section 19 of the Employment Standards Act reads as follows:

~~19. An employer may require an employee to work more than the maximum number of hours permitted under section 17 or to work during a period that is required to be free from performing work under section 18 only as follows, but only so far as is necessary to avoid serious interference with the ordinary working of the employer's establishment or operations:~~

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- ~~1. To deal with an emergency;~~
  - ~~2. If something unforeseen occurs, to ensure the continued delivery of essential public services, regardless of who delivers those services;~~
  - ~~3. If something unforeseen occurs, to ensure that continuous processes or seasonal operations are not interrupted;~~
  - ~~4. To carry out urgent repair work to the employer's plant or equipment.~~
- ~~2000, c. 41, s. 19.~~

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**Emergency Hours of Work Policy**

| Policy Number      | Page | Of |
|--------------------|------|----|
| <del>HR-2-21</del> | 4    | 4  |

~~**Emergency** Section 3. (1), and subsections 4 and 4.1 of the Highway Traffic Act read as follows:~~

~~3. (1) Subject to subsection (3), a driver and operator are exempt from this Regulation while the driver is driving a commercial motor vehicle of a type and in the circumstances described in any of the following paragraphs:~~

~~4. A vehicle engaged in providing relief in an emergency, being a situation or impending situation that constitutes a danger of major proportions to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise.~~

~~4.1 A vehicle operated by or on behalf of a municipality, road authority or public utility while responding to a situation or impending situation that constitutes an imminent danger, though not one of major proportions, to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise.~~

~~**Training**~~

~~All managers, supervisors, and employees who may be affected by this policy will receive training on the applicable legislation and the application of this policy.~~

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy



| Section         | Date                  | By-Law Number | Page          | Of |
|-----------------|-----------------------|---------------|---------------|----|
| Human Resources | August 9, 2010        | 142 - 2010    | 1             | 8  |
| Subsection      | Repeals By-Law Number |               | Policy Number |    |
| General         |                       |               | HR-2-22       |    |

### Policy Statement

This policy is established as guidance to employees, who by the nature of their work, are required to be accessible by telephone regardless of the time of day, day of the week, or geographical location. Managers will determine service equipment and the type of services necessary to fulfill specific City responsibilities. Costs related to these services will be the responsibility of the Department.

City employees shall not use a city provided cell phone for personal business or conducting city business on any cell phone while operating a motor vehicle. Employees are encouraged to use "hands-free" phones in limited situations and not for prolonged conversations.

This policy applies to all cell phone contracts entered into by the City of Kenora, effective as the date of this policy.

Managers may establish cell phone use policies that are more but not less restrictive than this policy.

### Purpose

This policy establishes guidelines for procurement, possession, and appropriate use of City-owned cellular phones. It also defines guidelines for the reimbursement of the personal cell phones calls and services by the employee to the City. The policy is designed to reduce unnecessary cell phone costs to the City and to avoid violations of the legislative requirements regarding cellular phone use.

This policy addresses all the components that make up the SmartPhone support within the City, including (but may not be limited to):

- SmartPhone -branded and / or licensed handhelds.
- SmartPhone Enterprise Server software.
- SmartPhone Desktop Manager software.

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

| Policy Number | Page | Of |
|---------------|------|----|
| HR-2-22       | 2    | 8  |

- Wireless voice services associated with SmartPhone devices.
- Any third-party hardware, software, processes, or services used to provide connectivity to the above.

The policy applies to any SmartPhone and/or Research in Motion (RIM)-manufactured or licensed hardware and software that could be used to access city resources in a secure and cost effective manner while protecting City systems and data from unauthorized use or exposure.

This policy also applies to all City staff that are currently using, or wish to use, SmartPhone - based technology to access the City's data and networks via wireless means. All new hardware, software, and/or related components that provide SmartPhone -related connectivity and services for users will be managed by The IT department. The installation and/or use of SmartPhone related hardware, software, and/or related components not approved by IT, will not be allowed. In order to provide reliable and secure service, IT will support and provide access and e-mail redirection from the SmartPhone Enterprise Server. This policy is complementary to any previously implemented policies dealing specifically with network access, wireless access, and remote access to the enterprise network

### Entities Affected by the Policy

All City full and part-time employees. This policy also governs cell/blackberry phones acquired via grants and contracts awarded in the City's name.

### Definitions

**Service plan level** – A contract or service agreement by a vendor to provide cell/blackberry communication

**Cellular equipment** – City provided cellular telephones or smartphone, wireless telephones that transmit communication via tower antennas, cellular data transmission/receipt equipment, and radio-cellular telephones.

**Business-related Calls** – Calls necessary to conduct City business.

**Landline Phone** – Any communication device that initiates and completes phone connections via plain old telephone system. As can be found on office desktops.



## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

| Policy Number | Page | Of |
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### Roles and Responsibilities

**Manager** – Approval authority for all cellular phone purchases and contracts when the City is official billing entity.

**Supervisor** – Review monthly cell phone bill received from Payables. Budget all funds to pay monthly cellular bill. Notify employees who have exceeded monthly service plan costs or exceeded incidental personal use threshold.

**Employee** - Review charges forwarded to them by Supervisor. Promptly reimburse the City for personal charges as required. Comply with City cell phone policy as written.

**IT** – Receive and process new phone orders. Parse bill by department and identify deviations from established policy. Place orders with vendors and new phone service, new cell phones and contract renewal. Annually review plans, service providers available

**Accounts Payable** – Pay cellular bills once approved and codes by Supervisor or Manager

**Budget/Auditor General** – Periodically review cell phone policy and procedures and perform spot checks for adherence.

### Procedures

1. Establish need for smartphone phone. The following is the basic criteria for establishing need for a blackberry phone
  - a. A requirement to travel frequently on City business
  - b. Large amounts of time spent away from the office
  - c. A need for other to be in constant communication with the individual
  - d. A need for the individual to communicate with the City while travelling
  - e. A need to contact individual after normal business hours on a constant basis.
2. Establish need for cell phone. The following is the basic criteria for establishing need for a cellular phone
  - a. Personal safety fit the individual to communicate with the City while travelling working in isolated areas or working in high crime
  - b. A requirement of a supervisor to communicate with staff through-out the day in different work locations
  - c. On-call or required to be in contact for emergencies

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

| Policy Number | Page | Of |
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| HR-2-22       | 4    | 8  |

- d. Outside workers that are required to be in contact with their supervisor and or other staff
3. IT will make phone type and service plan recommendation based on individual requirements.
  - a. Individual will submit cell phone request, signed by his or her Manager to IT for evaluation and processing. The request form will be submitted by email, fax or internal mail. Email submissions will be validated and acknowledged by IT.
4. IT will contract the department requesting cell phone service via email with cell phone type, appropriate service plan and estimated annual cost.
5. Department requesting cell phones will enter purchase request for cost of cell phone (if new purchase) and cost of a year's service plan.
6. IT, upon receipt of an approved purchase order from department manager, will place the cell phone order with appropriate vendor.
7. Department requesting cellular service will receive confirmation that the order has been placed and in the case of a renewal of service, verification of renal period.
8. New Service only cell phone for new service will be sent directly to IT. Individuals requesting cellular service will be required to pick up phone from IT, receive a copy of the City's Cell phone policy, read and sign a form indicating that they agree to the terms and conditions of the policy. An initial usage training will be provided. Failure to comply with the City policy regarding cell phones may result in disciplinary action to include termination of cell phone privileges and collection of any fees associated with the abuse of this policy.

### Cell Phone Management

**Cell phone tracking** – Users will be added to a telecommunication database as their cellular service orders are processed. Each department will submit a request to discontinue service to the IT department in order to have a user removed from the database. The IT department will contact the Manager to ensure that the removed user has turned in his/her cellular phone. \*\*\*\*\* Please note that you will continue to be billed for services until you submit request to discontinue service and you have turned in your cellular phone to your Manager.

1.

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

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| HR-2-22       | 5    | 8  |

2. **Cell Phone Billing Procedures** – Each service provider will submit softcopy bills directly to the payables. Payables will sort bills by department code and will parse bills to identify any red flag areas for additional investigation. These areas will include but not be limited to:
  - a. Department totals that exceed budgeted totals by greater than ten percent (>10%)
  - b. Significant call activity to a non City number
  - c. Lengthy calls (Calls in excess of 45 minutes)
  - d. Excessive roaming and/or long distance charges
3. **Bill Payment Procedures** – Copies of all bills will be forwarded to accounts payable for payment. Each department will be responsible for ensuring that their bill is paid in a timely manner by ensuring that their internal charges account has adequate funds to cover cellular service, to include changes in excess of budgeted account. Under no circumstance should the cellular bill be paid using the City Credit Card.
4. **Cell Phone Mismanagement** – The IT department will attempt to help identify inappropriate cell phone usage by keying on “red flag areas”. However, determination of actual abuse is the responsibility of the Supervisor. The determination can be facilitated by monthly examination of the bill once it has been sent to each department. Identified misuse of cell phones will result in termination of cellular service. Individuals will also be required to compensate the City for personal calls that cause the bill to exceed the monthly service rate.

### SmartPhone Management

#### Responsibilities of SmartPhone Users

1. Ensure compliance to City's E-mail Policy.
2. Ensure they are aware of the built-in functionality of a Smartphone connected to a Smartphone Enterprise Server. (*See Appendix A*)
3. Ensure that any wireless connection included, but not limited to Smartphone class devices and service, used to conduct City business be utilized appropriately, responsibly, and ethically.

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

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4. Register all SmartPhone-branded and licensed hardware, software and related services with the IT department prior to initial use or connecting to the City's network. No City Staff or contracted staff will make modifications of any kind to City-owned and installed wireless hardware or software without the express approval of IT.
5. Ensure that all components of the wireless connection remain as secure as his/her network access within the office.
6. Ensure that SmartPhone-branded devices and services used for remote wireless access will, without exception, use secure remote access procedures. This will be enforced through a password policy implemented on the SmartPhone Enterprise Server. (*See Appendix B*)
7. Ensure compliance to the password policy.
8. Never disclose set passwords to anyone.
9. Secure all handhelds or related devices used for business activity whether or not they are actually in use and/or being carried.
10. User agrees to immediately report to his/her manager and IT any incident or suspected incidents of authorized access and/or disclosure or company resources, databases, networks, etc, as well as lost or stolen Blackberry-branded devices.

### Responsibilities of IT

1. Ensure that the SmartPhone Enterprise Server is backed up on a daily basis.
2. Ensure that all patches and updates are applied to the SmartPhone Enterprise Server in a timely manner.

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

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3. Ensure that device data not already stored on the server is automatically backed up from the SmartPhone to the server (i.e. font settings, message options, browser bookmarks, phone call logs, etc...)

IT reserves the right to turn off without notice any access to the network that puts the City's systems, data, users, and clients at risk

## Procurement & Use of City of Kenora Supplied Cellular Phones Policy

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### Appendix A: Features of SmartPhone Enterprise Server

The implementation of SmartPhone Enterprise Server for e-mail systems provides the opportunity to integrate a user's e-mail account and their SmartPhone. It allows us to take advantage of all the features built-in to the Blackberry.

#### Wireless message reconciliation

If you move or make messages read or unread, from the handheld or from your e-mail system, the changes are reconciled wirelessly between the handheld and the computer.

You can create, edit and modify filters that define an action to perform if an income message matches the filter criteria.

You can define whether messages sent from your Blackberry are copied to the Sent items folder in your e-mail system.

You can modify the auto-signature that is appended to messages sent from your Blackberry.

#### Wireless Personal Information Management (PIM)

You can synchronize PIM items such as calendar entries, tasks, memos, and contacts wirelessly so that the entries on your SmartPhone and your e-mail system are consistent. PIM items are synchronized over the wireless network automatically. With wireless PIM synchronization and wireless message reconciliation, you no longer have to connect the handheld to your computer to synchronize and reconcile messaging and PIM data.

You can create or edit meeting invitations or accept or decline invitations on your Blackberry or from e-mail system.

#### Remote address lookup

Remote address lookup will enable you to search for a recipient in the City's global e-mail address book, when you compose a message on your SmartPhone.

## City of Kenora Employment Classification Policy



| Section         | Date                  | Resolution Number | Page | Of |
|-----------------|-----------------------|-------------------|------|----|
| Human Resources | April 26, 2004        | 7                 | 1    | 2  |
| Subsection      | Repeals By-Law Number | Policy Number     |      |    |
| Non-Union       |                       | HR-3-8            |      |    |

### Policy Statement

~~Non-union Supervisory and management~~ personnel may be classified into the following categories dependent upon the terms of their letter of employment.

### Temporary Employees

Temporary employees are persons hired for a period not exceeding six (6) months or such longer period as mutually agreed to by the parties, if the position is not likely to become part of the ~~City's Corporation's~~ continuing work force.

Benefits ~~will be as per customary practice or as negotiated.~~

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~~Temporary employees shall not accrue service unless they are subsequently hired as a regular full-time or part-time employee, in which their original hire date will become their service date. shall not be paid nor seniority accrued to temporary employees.~~

### Students

Students not part of a Collective Agreement (e.g. ~~Museum Summer Law Student~~) shall be classified as temporary employees.

### Probationary

Probationary employees are persons hired for a probationary period to determine their suitability for continuing employment in regular positions. ~~The length of the probationary period will be as agreed to upon hire. A non-union employee shall be considered probationary for the first year (12) months of his/her employment or longer if so required by the employer.~~

During this probationary period, employees shall be entitled to receive health benefits unless the carrier's policy requires a waiting period. Employees may be dismissed at any time during this probationary period, subject only to the provisions of *The Employment Standards Act*.

**City of Kenora Employment Classification Policy**

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|----------------------|-------------|-----------|
| HR-3-8               | 2           | 2         |

**Regular**

Regular employees may be divided into two categories:

**a. Regular Full time Employees**

Regular full-time employees are employees (scheduled to work greater than 35 hours per week) who have completed a probationary period and who are employed in positions considered as permanent at the time the probationary period is completed.

**b. Regular Part-time Employees**

Regular part-time employees are employees who have made a commitment to work on a predetermined schedule of not more than 35 hours per week and who have successfully completed any necessary probationary period.

Regular part-time employees are entitled to benefits on a pro rated basis, e.g. an employee who works 20 hours per week shall be required to pay 50 percent of his/her premiums.





January 27, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Jeff Hawley, Operations & Infrastructure Manager  
Mukesh Pokharel, Environmental Services**

**Re: Budget Amendment Request – Solid Waste**

### **Recommendation:**

That Council hereby approves an additional allocation of \$315,153 to be funded through the Solid Waste Reserve for two Capital Projects that were not completed in 2019; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Solid Waste Budget at its February 18th, 2020 meeting to withdraw funds from the Solid Waste Reserve in the amount of \$315,153 to offset the costs of these projects; and further

That Council give three readings to a by-law to amend the 2020 Solid Waste budget for this purpose.

### **Background:**

The City received a permit to operate an aggregate pit, to supply year round gravel for daily cover to the landfill. The development of pit and construction of access road was awarded to Moncrief construction in September 2019. The contractor mobilized their heavy equipment in December 2019, and as such has not had time to complete the works required. The anticipated completion date is now March 2020 and as such the remaining funds of \$138,305 allocated to the 2019 Capital Budget will need to be carried over into this year.

The City has awarded LMD Contracting for the expansion of the scale building at the transfer station. The original approved amount for this project was \$340,000 plus an amendment of \$55,000. Again, the work was not completed in 2019, mainly due to delay in foundation design and therefore the contractor is still working on site. The anticipated completion date is now end of February 2020, and as such, the remaining funds of \$176,848.00 allocated to the 2019 Capital Budget will need to be carried over into this year.

### **Budget:**

This request has no increase impact on the 2020 budget, as this budget was allocated last year (2019) and we are requesting the unused amounts of \$138,305 and \$176,848 be carried over to complete these works in 2020.

**Risk Analysis:**

As per the requirements of the City's ERM Policy, there would be a moderate financial risk with not pursuing this recommendation. To mitigate the loss of the funds already invested into this project, we are asking Council to approve access to the remaining funds available, in order to complete these works.

**Communication Plan/Notice By-law Requirements:**

Resolution & By-law required.

Distribution: J. Hawley, M. Pokharel, C. Edie, J. Ranger.

**Strategic Plan or Other Guiding Document:**

Goal #2 Strengthen our Foundations 2-1 - The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long-term stability of our systems.



February 11, 2020

## City Council Committee Report

**To: Mayor & Council**

**Fr: Stace Gander, Community Services Manager  
James Tkachyk, Parks and Facilities Division Lead  
Shaun Clifford, Parks and Facilities Division Lead**

**Re: Capital Budget Amendment–City Hall Security Partition Renovations**

### **Recommendation:**

That Council hereby approves a budget amendment for the City Hall Second Floor Security Partition Renovation project to be funded through Health and Safety Reserves (2019) in the amount of \$9,906.20 and Health and Safety Reserves (2020) in the amount of \$3,816.00 for a total budget amendment in the amount of \$13,722.20; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Capital Budget in the amount of \$9,906.20 and the 2020 Capital budget in the amount of \$3,816.00 at its February 18th, 2020 meeting for this purpose; and further

That Council give three readings to a by-law to amend the 2019 and 2020 capital budgets for this purpose.

### **Background:**

Council had previously approved \$30,000 for capital projects to be undertaken at City Hall in the 2019 Capital budget. During 2019, a security incident occurred at City Hall and prompted the need for an urgent capital project to secure entry to the second and third floors of City Hall. Previously approved projects came in lower than budget resulting in a surplus of \$5,357.80. That surplus was redirected towards the entrance project however the project resulted in costs that exceeded the \$30,000 budget.

A breakdown of the budget and actual costs are as follows;

| 2019 City Hall Projects   | 2019 Budget        | 2019 Actuals       |
|---|--------------------|--------------------|
| 2018 Carry Over Office Renovations on 2 <sup>nd</sup> Floor (Total Project \$56,129.00) | \$0                | \$16,450.52        |
| Mechanical System Study   | \$15,000.00        | \$4,375.68         |
| Bylaw Exterior Door Replacement   | \$15,000.00        | \$3,816.00         |
| 2 <sup>nd</sup> Floor Security Partition (Emergency)                                    | \$0                | \$19,080.00        |
| <b>Total</b>  | <b>\$30,000.00</b> | <b>\$43,722.20</b> |

**Budget:** The total shortfall is \$13,722.20. Funds will be drawn from the Health and Safety Reserves, both 2019 and 2020. \$9,906.20 will be allocated to the 2019 Capital Budget and \$3,816.00 will be allocated to the 2020 Capital Budget.

**Risk Analyses:** As per the requirements in the City's ERM Policy, there is a minor financial risk as reserves will be reduced however the security entry project is important to mitigate risk of intruders.

**Communication Plan/Notice By-law Requirements:**

Notice required to be placed on Committee Agenda, Minutes and subsequent Council Agenda/Minutes, and Finance Department.

**Strategic Plan or Other Guiding Document:**

2.1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long term stability of our systems.

3.11 The City will commit to preventing occupational illness and injury in the workplace.



February 11, 2020

## City Council Committee Report

**To: Mayor & Council**

**Fr: Stace Gander, Community Services Manager  
James Tkachyk, Parks and Facilities Division Lead**

**Re: Capital Budget Amendment – Sportsplex Mezzanine Renovations**

**Recommendation:**

That Council hereby approves a budget amendment in the amount of \$553,008.90 for the Kenora Sportsplex Mezzanine Renovations project related to the project that remains in progress; and further

That Council approve an additional budget amendment of \$2,621 related to costs for Architectural review and building permit to be taken from contingency reserves; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its February 18th, 2020 meeting for this purpose; and further

That Council give three readings to a by-law to amend the 2020 capital budget for this purpose.

**Background:**

Council has approved an amount of \$700,000.00 related to the Kenora Sportsplex Mezzanine Renovations in the 2019 Capital budget. The breakdown of the \$700,000 funding was for \$350,000 to come from contingency reserve and the remaining \$350,000 was to come from an Accessibility Funding application. The Accessibility Funding application was turned down. In May 2019, work began at the Sportsplex recognizing that the limit of funding available was \$350,000. The capital shortfall led to a \$150,000 contribution from the Kenora Sportsplex Board. In addition, staff was successful in approval from the NOHFC in the amount of \$250,000. As part of the 2020 capital budgeting process, this in-flight project with \$553,090 remaining was not carried over into 2020.

Funding sources for this project are as follows;

|                                     |                  |
|-------------------------------------|------------------|
| NOFOC Grant                         | \$250,000        |
| Contribution from Kenora Sportsplex | \$150,000        |
| Contingency Reserve                 | \$350,000        |
| <b>Total funding</b>                | <b>\$750,000</b> |

A breakdown of the project costs are as follows;

|                                     |                  |
|-------------------------------------|------------------|
| General Contractor                  | \$745,473        |
| Remaining design and project review | \$6,340          |
| Building permit                     | \$808            |
| <b>Total project cost</b>           | <b>\$752,621</b> |

Total project cost relative to funding has led to a project short-fall of \$2,621. Given that the original project was funded through contingency reserve, staff recommend that the identified shortfall is also funded through contingency reserve.

**Budget:** \$2,621 to be paid for through the contingency reserve.

**Risk Analyses:** As per the requirements in the City's ERM Policy, there is a minor financial risk as reserves will be reduced.

**Communication Plan/Notice By-law Requirements:**

Notice required to be placed on Committee Agenda, Minutes and subsequent Council Agenda/Minutes, and Finance Department.

**Strategic Plan or Other Guiding Document:**

1.9 The City will promote Kenora as a 365-day lifestyle destination

1.10 The City will promote and leverage its recreation and leisure amenities as a means to support local economic activity, tourism and to strengthen community ties with our regional neighbours.

2.1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long term stability of our systems.

2.9 The City will support continuous improvements to recreation and leisure amenities, particularly those that support the quality of life.

February 5, 2020



## City Council Committee Report

**To: Mayor & Council**

**Fr: Stace Gander, Community Services Manager  
Shaun Clifford, Parks and Facilities Division Lead (Probationary)**

**Re: 2020 Community Club Grants**

### **Recommendation:**

That Council of the City of Kenora receives the recommendation from the Parks and Facilities Division Lead, approving the grant amount of \$8,000.00 each to Rideout and Evergreen Community Clubs once they have successfully submitted the Grant Application documents; and further

That Council approves that the Central grant amount of \$8,000 be held in reserve until such time as the Central Community Club becomes operational.

### **Background:**

Both Evergreen and Rideout Community Club's have provided their grant applications. Central Community Club continues its fundraising activities for the building of the new Central Community Club. Once the Community Clubs have met the criteria for funding, the amount of \$8,000.00 per club would be released to the applicable club.

### **Budget:**

Included in the proposed 2020 Teams and Clubs Operating Budget

### **Communication Plan/Notice By-law Requirements:**

Corporate Services & Community Clubs

### **Strategic Plan:**

**2-1** - The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in good state of repair to ensure certainty, security and long-term stability of our systems.

**2-9** - The City will support continuous improvements to recreation and leisure amenities, particularly those that support quality of life.

### **ERM Assessment:**

This recommendation represents a low financial risk. It is a grant that has been approved by Council in previous years. This grant helps supports the operating costs of community clubs and helps reinforce strong community relations.



February 4, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Adam Smith, Manager of Development Services  
Melissa Shaw, Planning Analyst**

**RE: Assumption of Roads and Lanes – Spence Street**

### **Recommendation:**

That Council assume and stop up certain roads and lanes on Plan M-35 being PIN 42168-0105, legally described as PCL 299 Sec DFK; Spence Street Plan M35; Kenora and assume them as public highways for municipal purposes; and further

That by owning and assuming the roads/lanes/highways, the City of Kenora is not bound to develop or maintain any road/lane/highway which is not already open and maintained by the City of Kenora; and further

That three readings be given to a bylaw to execute documents in connecting with assuming and stopping up of the hereinbefore mentioned lands; and further

That the Mayor and Clerk be authorized to execute this agreement.

### **Background:**

City of Kenora seeks to acquire the property identified in Schedule A, unopened road allowance located between 801 Highway 17 E and 923 Highway 17E. Authorizing an agreement to assume and stop up the mentioned lands will clean up ownership where an existing municipal storm sewer and a water line are located and may offer opportunity for alternative access to adjacent properties in support of future development.

**Budget:** N/A

**Risk Analysis:** As per the requirements of the City's ERM policy, there is a moderate service delivery risk that is deemed to be an opportunity. The recommendation can potentially facilitate access for adjacent properties including a newly created lot.

### **Communication Plan/Notice By-law Requirements:**

Manager of Development Services, Manager of Operations and Infrastructure, Municipal Solicitor, GIS Technician

### **Strategic Plan or other Guiding Document:**

2-4 The City will act as the catalyst for continuous improvements to the public realm





February 3, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Manager of Development Services**

**Re: Building Officials Code of Conduct**

### **Recommendation:**

That Council hereby approves a new Building Officials Code of Conduct Policy #DS-8-1 which will form part of the City's Comprehensive Policy Manual; and further

That three readings be given to a by-law for this purpose.

### **Background:**

The latest amendment to the Building Code Act requires all municipalities to maintain a Code of Conduct for Building Officials. The attached by-law will satisfy this requirement and be the basis for ensuring that the Building Division reflects the highest standards of professionalism, technical competence, skill, honesty, integrity, fairness and independence in the exercise of their powers and duties under the Act and the Building Code.

For the purposes of this Code of Conduct, "Building Officials" means the Chief Building Official and the Inspector appointed by the Council of the City of Kenora for the purposes of enforcement of the Building Code Act, 1992, S.O. 1992, c. 23, as amended or replaced from time to time, (the "Act"), the Building Code regulation thereto, and the By-law attached to this report.

This Code of Conduct is maintained in accordance with the provisions of the Act. Building Officials appointed pursuant to the Act undertake building certification functions that ensure the quality, structural integrity and safety of buildings.

**Budget:** N/A

**Risk Analysis:** The recommendation carries a high compliance risk as the Municipality is required to have a Code of Conduct in effect. Any concerns around conduct that is brought forward at the Province is directed back to the municipality for action. Approval of the recommendation removes the risk of non-compliance.

**Communication Plan/Notice By-law Requirements:** Bylaw required

### **Strategic Plan or other Guiding Document:**

3-3 The City will ensure that customer service excellence is understood and ingrained in the culture and fabric of our organization. The City will commit to a citizen-first approach to maintaining relations with the public (This will be delivered to all Staff across the organization)

# Building Officials Code of Conduct Policy



|  |   |   |                                    |                |
|--|---|---|------------------------------------|----------------|
| <b>Section</b><br>Development Services                     | <b>DATE</b><br>February 18,<br>2020         | <b>Approved by</b><br><b>By-law Number:</b> | <b>PAGE</b><br>1                   | <b>OF</b><br>3 |
| <b>Subsection</b><br>Building Officials Code of<br>Conduct | <b>Supersedes By-law Number:</b><br><br>N/A |   | <b>Policy Number</b><br><br>DS-8-1 |                |

## 1.0 Purpose

1.1 The purposes of this code of conduct are:

- 1.1.1 To promote appropriate standards of behaviour and enforcement actions by the chief building official and inspectors in the exercise of a power or the performance of a duty under this Act or the building code;
- 1.1.2 To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the chief building official and inspectors in the exercise of a power or the performance of a duty under this Act or the building code;
- 1.1.3 To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under this Act or the building code by the chief building official and inspectors.

## 2.0 Policy

2.1 The Corporation of the City of Kenora maintains this code of conduct in accordance with the provisions of The Building Code Act. Building Officials undertake building certification functions that ensure the quality, structural integrity, and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behavior of the Corporation of the City of Kenora's Building Officials reflects the Building Division's commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness, and independence. Building Officials observe both the letter and the spirit of this code of conduct as it pertains to situations that fall within their responsibilities.

## 3.0 Standards of Conduct and Professionalism

3.1 In addition to any Policy with respect to any "Code of Ethics and Conduct applying to all municipal staff," The Corporation of the City of Kenora Building Officials shall undertake at all times to:

## Building Officials Code of Conduct Policy

| Policy Number | Page | Of |
|---------------|------|----|
| DS-8-1        | 2    | 3  |

- 3.1.1 Act in the public interest, particularly with regard to the safety of building works and structures.
- 3.1.2 Maintain their knowledge and understanding of the best current practice, the building laws and regulations relevant to their building certifying functions.
- 3.1.3 Commit to a process of continuous education so as to constantly be aware of developments in building design, practice and the law relevant to their duties.
- 3.1.4 Comply with the provisions of the Building Code Act, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions.
- 3.1.5 Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers, and the public at large and their personal interests.
- 3.1.6 Not act beyond their level of competence or outside their area of expertise.
- 3.1.7 Apply all relevant building laws, regulations and standards without favour and independent of the influence of interested parties.
- 3.1.8 Perform their inspections and certifying duties impartially and in accordance with the highest professional standards.
- 3.1.9 Not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.
- 3.1.10 To avoid any conduct that could bring Building Officials or the Corporation of the City of Kenora into disrepute.
- 3.1.11 Extend professional courtesy to all.
- 3.1.12 Maintain current accreditation to perform the functions assigned to them.

## Building Officials Code of Conduct Policy

| Policy Number | Page | Of |
|---------------|------|----|
| DS-8-1        | 3    | 3  |

- 3.1.13 Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties

### 4.0 Guideline for Responding to Misconduct Allegations

- 4.1 The Building Code Act provides that the performance of Building Officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this code of conduct. Where the allegation is against the Chief Building Official, the Manager of Development Services will direct the investigation and make such recommendations as are reasonable. In determining the appropriate discipline, the Chief Building Official or Manager of Development Services will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct. Disciplinary action arising from violations of this code of conduct will be subject to relevant collective agreements, employment laws, and standards.



January 30, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Manager of Development Services  
Kylie Hissa, Special Projects & Research Officer**

**Re: Application to the Ontario Job Creation Partnership Program – Community  
Safety and Well-Being Plan Coordinator**

### **Recommendation:**

That Council of the City of Kenora hereby directs administration to apply to the Ministry of Training, Colleges and Universities, Ontario Job Creation Partnership Program for temporary staffing and funding in support of the re-developed Community Safety and Well-Being Plan.

### **Background:**

The Ontario Job Creations Partnership (OJCP) is a program delivered by the Ministry of Training, Colleges and Universities that provides work experience to unemployed job seekers within projects that benefit the community or local economy. Projects may be up to a maximum 52 weeks in duration, although, the average duration of a project is typically between 26 to 31 weeks.

In November, 2019, the Canadian Mental Health Association, Kenora Branch submitted a grant application to the Ontario Trillium Foundation (OTF) as a partnership with the City of Kenora to hire a Community Safety and Well-Being Coordinator for a term of 3-years. Since applying, CMHA has not yet been notified of approval as announcements are typically made in early Spring.

Utilizing a placement from the OJCP would provide the City with an opportunity to expedite the process of hiring a Coordinator for the Community Safety and Well-Being Plan. The position would predominantly assist with implementing the re-developed CSWBP, which will include the coordination of workshops, development of workplans, and build upon relationships with community members and agencies/organizations. If the OTF grant is successful, there may be the opportunity to defer the start date for after the OJCP placement is completed.

The project activities would provide the OJCP participant with meaningful work experience that ensure there is appropriate staffing to lead the new CSWBP. The placement would also help the successful participant find long-term, sustainable employment.

### **Budget:**

The OJCP program is funded through Employment Ontario using funds from the Canada-Ontario Labour Market Development Agreement. Funding awarded to each project will vary depending on the project scope, duration, participant activities and contributions from other partners. The City of Kenora would be providing in-kind contributions, such as office space, mentorship, and training opportunities.

**Risk Analysis:**

Based on the City's ERM policy, the recommendation carries a low financial risk which is being pursued given the anticipated temporary staffing and funding from the Ministry of Training, Colleges and Universities. The successful participant would not be considered as an employee and all liability including the participants health and safety would be covered under the OJCP program. As per the eligibility requirements of the OJCP, the temporary placement would be incremental and not part of the City's normal operations.

**Communication Plan/Notice By-law Requirements:**

Resolution required as part of the application.

**Strategic Plan or other Guiding Document:**Strategic Plan:

- 3-1 The City will continue to build and strengthen our working relations with out Indigenous Partners, including Treaty 3 and the surrounding First Nations communitiies. Kenora is committed to ongoing outreach and building relationships, including joint meetings to identify issues of common concern and to discuss pathways for closer collaboration.
- 3-9 The City will continue to build and strengthen our working relationships with area municipalities and other partners, such as the Kenora District Services Board.
- 3-12 The City will recognize the importance of leveraging partnerships and work together with our Community and Strategic Partners as appropriate to implement the various strategies as developed by those organizations for the improvement of the City and our Community.



January 30, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Heather Pihulak, Manager of Administration/City Clerk**

**Re: Job Action Centre Funding**

### **Recommendation:**

That Council of the City of Kenora hereby directs administration to apply as the lead applicant to the Ministry of Training, Colleges and Universities, Adjustment Advisory Program for temporary staffing and funding in support of the Kenora Forest Products displaced mill workers to create a temporary Action Centre; and further

That Council authorizes the City Clerk to execute all documents related to the establishment of the Action Centre and funding application.

### **Background:**

The City was contacted to participate in a joint planning initiative for the Kenora Forest Products displaced mill workers as a result of the closure of the mill in late 2019. In partnership with the Ministry of Training, Colleges and Universities, Unifor Union for the workers, a committee structure is established along with staffing levels, location for office and strategies to assist the workers.

The Adjustment Advisory Program is a program delivered by the Ministry of Training, Colleges and Universities that provides assistance to workers that are displaced by closures of industry. The Action Centre is intended to operate for a period of a maximum of 52 weeks in duration, although, the duration could be less dependant upon any change to the Kenora Forest Products operation.

The project activities would provide the participants with meaningful information, reeducation and training and assistance with applying for future employment. The Action Centre will have a two full time staff who will report to a joint board that administers the program objectives. The City will have a representative on that Board as a partner in the project, but the employees are employees of that board.

### **Budget:**

The Adjustment Advisory Program is 100% funded through the Ministry of Training, Colleges and Universities using funds from the Adjustment Advisory Program Agreement. The City of Kenora would be providing in-kind contributions, such as surplus office furniture and IT equipment that would be returned to us at the end of the one year program along with the staffing services from the Finance department for processing their payables and payroll.

### **Risk Analysis:**

Based on the City's ERM policy, the recommendation carries a low financial risk which is being pursued given the anticipated temporary staffing and funding from the Ministry of Training, Colleges and Universities. The participants would not be considered employees and all liability including the participants health and safety would be covered under the program.

**Communication Plan/Notice By-law Requirements:** Agreement will require a bylaw

**Strategic Plan or other Guiding Document:**

Strategic Plan:

- 3-1 The City will continue to build and strengthen our working relations with out Indigenous Partners, including Treaty 3 and the surrounding First Nations communitiies. Kenora is committed to ongoing outreach and building relationships, including joint meetings to identify issues of common concern and to discuss pathways for closer collaboration.
- 3-12 The City will recognize the importance of leveraging partnerships and work together with our Community and Strategic Partners as appropriate to implement the various strategies as developed by those organizations for the improvement of the City and our Community.





February 4, 2020

## City Council Committee Report

**TO: Mayor and Council**

**FR: Adam Smith, Manager of Development Services  
Melissa Shaw, Planning Analyst**

**RE: Open and Establish Worona Road as a Public Highway**

### **Recommendation:**

That Council hereby authorizes a by-law to open and establish Worona Road as a public highway to formalize jurisdiction and control of an existing condition; and further

That the consent of the Minister of Transportation to such opening is required pursuant to Subsection 24(3) of the Public Transportation and Highway Improvement Act R.S.O. 1990, c. 50; and further

That Council gives three readings to a bylaw to open up and establish the a public highways of The Corporation of the City of Kenora, bearing the name "Worona Road", legally described as PART BROKEN LOT 12 CONSESSION 4 MELICK BEING PART 3 PLAN 23R14681; CITY OF KENORA; BEING ALL OF THE PIN 42136-0777(LT).

### **Background:**

The Worona Road connection to the highway being Highway 658 was reconstructed to what is existing today during a highway straightening work done under ministry contract #1970-0230. In 1989-1990 there was an approved subdivision at the end of Worona Road, and an extension of the road within the subdivision was completed between 1993 and 1994. In July, 2019, The Planning Department discovered that Part 3 of Plan 23R-14681, being the travelled part of what is locally known a Worona Road has not been assumed by the previous Town of Jaffray Melick, now the Corporation of the City of Kenora. (Schedule A).

In January 2019, The Planning Advisory Committee gave provisional consent approval for lot creation. A condition of approval was the transfer of the portion of the travelled road known as Worona Road, Part 3 of Plan 23R-14681, to the City of Kenora (Schedule A).

In June, 2019 a transfer was made to the Corporation of the City of Kenora being PART BROKEN LOT 12 CONSESSION 4 MELICK BEING PART 3 PLAN 23R14681.

Subsection 31 of The Municipal Act, R.S.O., 2001, provides that a Council of a local municipality may, by by-law, establish a highway; land may only become a highway by virtue of a by-law passed under subsection (1).

The Highway will intersect Secondary Highway 658 which will necessitate obtaining consent from the Minster of Transportation under Section 24 of the *Public Transportation an Improvement Act*, which shall be reflected in the by-law.

**Budget:** N/A

**Risk Analysis:** As per the requirements of the City's ERM policy, there is moderate legal risk if the assumption of roads in not completed. This project is an example of formalizing ownership over roads/lanes/highways. Staff recommends the continued review of unopened roads/laneways/ highways throughout the City of Kenora, as budget allows.

**Communication Plan/Notice By-law Requirements:**

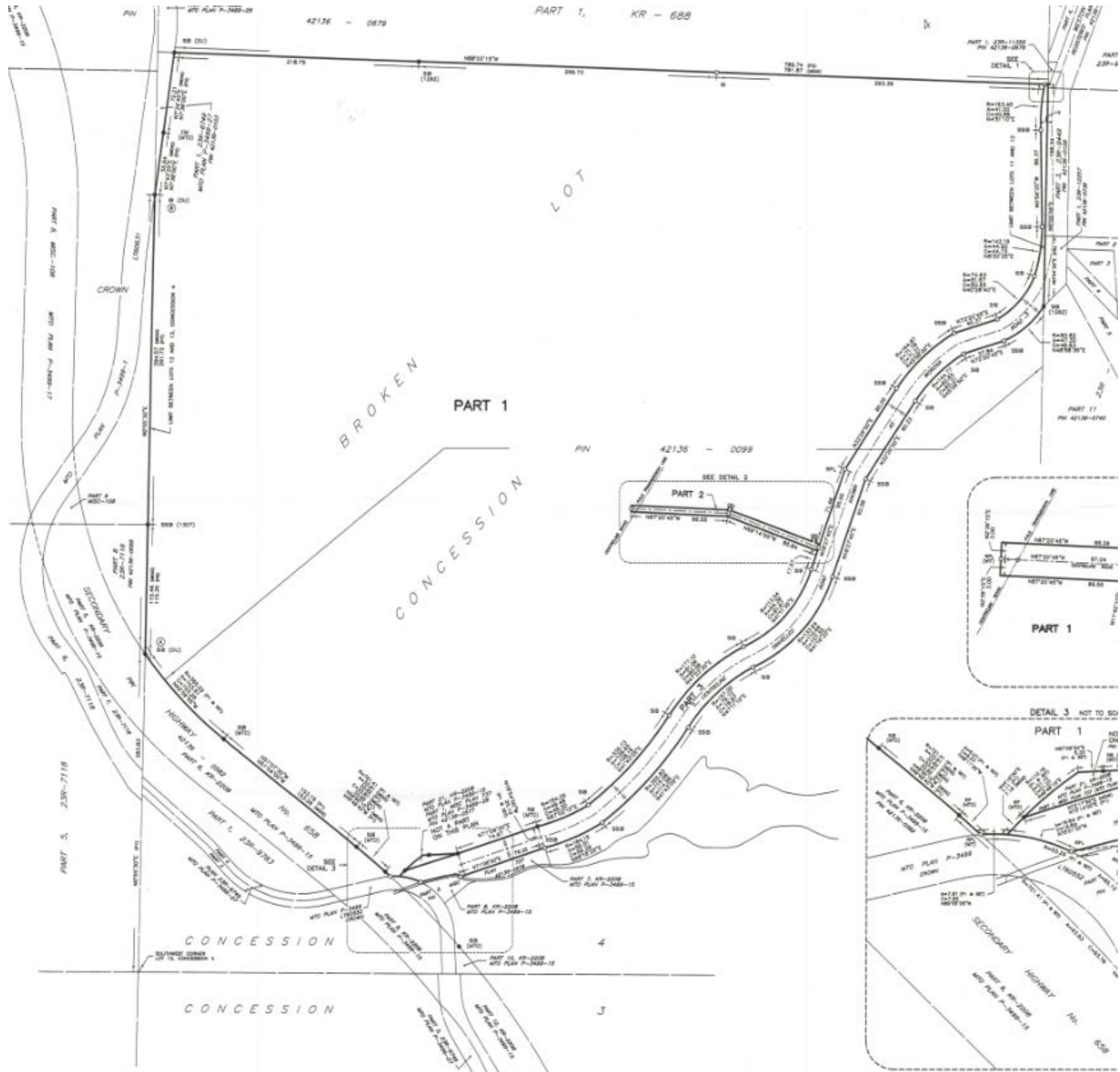
Manager of Development Services, Manager of Operations and Infrastructure, Municipal Solicitor, GIS Technician

**Strategic Plan or other Guiding Document:**

2-4 The City will act as the catalyst for continuous improvements to the public realm

# Schedule A

PART BROKEN LOT 12 CONSESSION 4 MELICK EBING PART 3 PLAN 23R1468





February 4, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Manager of Development Services**

**Re: Planning Act Application Fees By-law**

### **Recommendation:**

That Council hereby authorizes a new Planning Act Application Fees By-law, which establishes a tariff of fees for applications made in respect of planning matters; and further

That Council gives three readings to a bylaw to adopt a new Planning Act Application Fees By-law, which establishes a tariff of fees for Applications made in respect of planning matters; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Planning Act Application Fees By-law at its February 18, 2020 meeting to give effect to the tariff of fees outlined in Schedule "A"; and further

That Council hereby approves the new title in 'Schedule E' of the City's Tariff of Fees and Charges Bylaw as listed in Section 1 of the said By-law effective February 18, 2020; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law Number at its February 18, 2020 meeting to give effect to these changes outlined in the revised Schedule "E"; and further

That By-law Number 9-2020 be hereby repealed.

### **Background:**

In accordance with Section 69 of the Planning Act, the City is required to have a separate by-law for fees related to planning applications. Currently, these fees are included as part of the City's Tariff of Fees and Charges By-law. As part of the creation of a new by-law, staff are also recommending a number of changes to the language surrounding these fees (ie. Ontario Municipal Board has now become the Local Planning Appeal Tribunal). Moreover, that authority be provided to the Manager of Development Services for the administration of the by-law and afforded discretion in decisions on payments.

The amendments to the Tariff of Fees and Charges By-law reflect the fees associated with the Planning Act being moved to a new by-law. The new 'Property' title reflects those fees still processed through the Planning Division but unrelated to the Planning Act. These includes fees associated with land sales.

**Budget:** N/A

**Risk Analysis:**

The recommendation carries a high compliance risk as the Municipality is legislated to have a separate by-law for fees related to the Planning Act. Approval of the recommendation removes the risk of non-compliance.

There is also a moderate risk to service delivery given the newly prescribed authority provided to the Manager of Development Services. However, this is deemed to be an opportunity to be pursued as it improves customer service by providing flexibility to the Manager in the enforcement of collections.

**Communication Plan/Notice By-law Requirements:** Resolution & by-law required

**Strategic Plan or other Guiding Document:**

3-3 The City will ensure that customer service excellence is understood and ingrained in the culture and fabric of our organization. The City will commit to a citizen-first approach to maintaining relations with the public (This will be delivered to all Staff across the organization)

3-4 The City will embrace the importance of empowering Staff to make decisions that consistently demonstrate our commitment to making prompt, efficient and courteous customer service to our residents

## SCHEDULE 'A' – PROCESSING OF APPLICATIONS MADE IN RESPECT OF PLANNING MATTERS

To By-Law Number \_\_\_\_\_

| Planning Department | Fee Description   | Fee                                    | Details   |
|---------------------|---|--|---|
|                     | Official Plan Amendment   | \$1,500.00                             | + Professional fees, where applicable             |
|                     | Zoning By-law Amendment (including temporary use, holding and interim control bylaws)                                   | \$ 1,100.00                            | + Professional fees, where applicable             |
|                     | Application for Minor Variance  | \$ 325.00                              |   |
|                     | Application for Consent   | \$ 550.00                              |   |
|                     | Further consideration of an application upon deferral of a Planning Advisory Committee decision at request of applicant | \$ 100.00                              |   |
|                     | Amendment to any application noted above where such changes require recirculation                                       | \$ 200.00                              |   |
|                     | Amendment to any application noted above where such changes do not require recirculation                                | \$ 100.00                              |   |
|                     | Special meeting of Kenora Planning Advisory Committee   | \$ 375.00                              |   |
|                     | Copy of Comprehensive Zoning By-law   | \$ 55.00                               |   |
|                     | Copy of City of Kenora Official Plan  | \$ 50.00                               |   |
|                     | Application for Plan of Subdivision/condominium description   | \$ 2,000.00<br>\$ 4,000.00<br>\$ 5,000 | 1-19 lots/units<br>20-39 lots/units<br>40 + units |
|                     | Deeming by-law  | \$ 250.00                              | +Professional Fees &Registration Fees             |
|                     | Part Lot Control  | \$ 350.00                              |   |
|                     | Validation By-law   | \$ 350.00                              |   |
|                     | Zoning Compliance Letter  | \$ 50.00                               |   |
|                     | Building Compliance Letter  | \$ 50.00                               |   |

|  |  |           |  |
|--|--|-----------|--|
|  | Zoning and Building Compliance Letter  | \$ 90.00  |  |
|  | Application for Letter of Comfort  | \$ 175.00 |  |
|  | Technical Consent  | \$ 350.00 |  |
|  | Costs in respect to appeals to LPAT  |           | Cost Recovery including Professional Fees where applicable |
|  | Processing Appeals to LPAT   | \$ 150.00 |  |
|  | <b>Planning Agreements</b>   |           |  |
|  | Site plan – minor and under 7 residential units  | \$ 200.00 | +Professional/registration fees                            |
|  | Site plan – major industrial/commercial/institutional and 7 and over residential units | \$ 800.00 | +Professional/registration fees                            |
|  | Development agreement  | \$ 800.00 | + Professional/registration fees                           |
|  | Subdivision/condominium agreement  | \$ 900.00 | + Professional/registration fees                           |
|  | Amendment to subdivision/condominium or site plan agreement                            | \$ 400.00 | + Professional/registration fees                           |
|  | Agreement as a condition of consent  | \$ 100.00 | + Professional/registration fees                           |
|  | Release from Title of any agreements noted above                                       | \$ 300.00 | + Professional fees  |
|  | Release of Site Plan Agreement   | \$ 100.00 | +Professional fees, where applicable                       |
|  | Amendment of Site Plan Agreement   | \$ 100.00 | +Professional fees, where applicable                       |

**SCHEDULE 'E' – PROPERTY**  
**To By-Law Number 48-2019**

| Section                          | Fee Description   | Fee  | Details  |
|----------------------------------|---|--|--|
| <b>Property Sales and Leases</b> |   |  |  |
|                                  | Application to purchase or lease municipal property – road/shore allowance abutting property owned by applicant(s)                              | \$ 500.00                                  | +all costs including survey, legal, transfer and a minimum of either \$1000 or the established fair market value, whichever is more  |
|                                  | Application for purchase or lease of municipal property – property not a part of a road/shore allowance abutting property owned by applicant(s) | \$ 500.00                                  | + Fair market value or as established by Council   |
| <b>License of Occupation</b>     |   |  |  |
|                                  | Sidewalk Cafe   | \$75.00 Annually<br>May 15-October 15      | Intended but not limits to use by Coffee Shops, Bakeries, Delis, and confectionary stores. Sidewalk Café Licences of Occupation will be restricted to establishments located on the ground floor, with the use of single row, tables, chairs and/or benches up against the building face |
|                                  | Small Sidewalk Patio  | \$ 200.00<br>Annually<br>May 15-October 15 | With occupancy of twenty (20) people or less   |
|                                  | Large Sidewalk Patio  | \$ 350.00<br>Annually<br>May 15-October 15 | With occupancy of twenty-one (21) people or more. Currently restricted to Bernier Drive where installed patios offer unobstructed sidewalk width for pedestrian movement along the abutting sidewalk. Perimeter fencing is required regardless of sales and or consumption of alcohol    |
|                                  | Merchandise Display   | \$50.00<br>May 15-October 15               | A Merchandise Display Permit allows business owners to display their products and decorative components (Planters, Pots etc.) on a portion of the sidewalk in front of their business  |



| <b>Whitecap Pavilion Rentals</b>                      | <b>Peak Season</b>     | <b>Off Season</b> |
|---|------------------------|-------------------|
| Hourly  | \$131.25               | \$78.75           |
| Half Day  | \$420.00               | \$367.50          |
| Full Day  | \$1050.00              | \$945.00          |
| Weekend   | \$2625.00              | \$2100.00         |
| Sound System  | \$25.00                | \$25.00           |
| <b>Early Setup Fee</b><br>(if it can be accommodated) | <b>Peak/Off Season</b> |                   |
| Hourly  | \$32.80                |                   |
| Half Day  | \$210.00               |                   |
| Full Day  | \$525.00               |                   |

| <b>Lake of the Woods Discovery Centre</b>      | <b>Rental Rates</b> |
|--|---------------------|
| During Business Hours (Amphitheatre) Flat Rate | \$175               |
| Hourly Rate (Amphitheatre)                     | \$ 50               |
| After Business Hours (5 pm – 8 pm)             | \$250               |
| After Business Hours (5 pm – 10 pm)            | \$350               |
| After Business Hours (5 pm – 1 am)             | \$750               |



February 5, 2020

## City Council Committee Report

**To: Mayor and Council**

**Fr: Adam Smith, Manager of Development Services  
Allyson Pele, Manager of the Northwest Business Centre**

**Re: Application to the Rural Economic Development (RED) Program –  
Business Retention and Expansion (BR&E) Project**

### **Recommendation:**

That through the Rural Economic Development (RED) program— Economic Diversification and Competitiveness Stream, municipalities may submit a project application and have up to 50% of eligible project costs to a maximum of \$150,000; and further

That Council directs staff to apply for funding under the RED Program to proceed with a Business Retention and Expansion (BR&E) Project.

### **Background:**

Development Services Staff have identified a potential funding program that will further support the findings of 2018's Investment Readiness Assessment. Upon further best practice research, staff are recommending that the City of Kenora undertake a Business Retention and Expansion (BR&E) project. The intent is to help identify how the community can be a great place to do business by engaging the local business community to identify and implement actions that address barriers to business growth.

A BR&E project helps to support and nurture existing local businesses so they can grow, create jobs and stay in the community. It also includes implementation pathways to foster business development, investment and job creation. This is supported by a collection of business and market data. The last BR&E project in Kenora was completed prior to the closure of the mill by the Lake of the Woods Business Development Corporation.

Key activities include a questionnaire, community outreach and planning; collection and analyzing the data to flag opportunities; developing goals, an action plan and implementation. It is intended to be complementary to 5 Year Economic Development and Tourism Strategy being undertaken this year.

### **Budget:**

The RED Program can support up to 50 percent of eligible project costs, to a maximum of \$150,000 and the funding now includes implementation-oriented activities. A budget estimate for this project supports a total project cost of \$20,000. At the upcoming Lake of the Woods Development Commission Meeting (LOWDC) staff will be discussing an allocation from the Municipal Accommodation Tax.

### **Risk Analysis:**

Based on the City's ERM policy, the recommendation carries a low financial risk which will be managed through routine procedures.

**Communication Plan/Notice By-law Requirements:**

Bylaw required when agreement is received from the RED Program.

**Strategic Plan or other Guiding Document:**

- 1-1 The City will provide clear and decisive leadership on all matters of economic growth in Kenora and the surrounding district;
- 1-2 The City will forge strong, dynamic working relationships with the Kenora business community.



**PROCLAMATION**

By Virtue of Authority

Vested in me

I Hereby Proclaim

**February 9—15, 2020**

As **“Week of Action Against Poverty”**

in and for the City of Kenora and request its observance  
as such by our citizens.

Proclaimed at the City of Kenora  
this 11th day of February, 2020



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His Worship Mayor Daniel Reynard

