



## **ADMINISTRATION POLICY:**

### **Employment Policy**

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#### **BACKGROUND**

This policy documents the responsibilities of all parties in issues related to employment. Questions regarding this policy should be directed to the Human Resources Business Unit of the Corporation of The City of Calgary ("The City").

#### **PURPOSE**

The purpose of this policy is to outline the principles that govern employment within The City, and to provide management and employees with an understanding of the legal framework, philosophy and codes of practice for employment.

#### **DEFINITIONS**

1. Common-law Spouse - is a person who has lived with the employee for at least 12 consecutive months and has been publicly represented as the employee's spouse.
2. Employment Contract - is the term for a contract which is used to employ individuals on an exceptional basis.
3. Immediate Relative - is the husband, wife, children, parents, brother, sister, (including foster or step) and parents-in-law, brother-in-law, sister-in-law, son-in-law and daughter-in-law and includes the common-law spouse of an individual.
4. Permanent Status - is the confirmed status of an employee in a regular full time or regular part time position who has successfully completed a probationary period or

when a temporary employee has met the requirements stipulated in the relevant collective agreement that requires a change in Employee Class to 'permanent.'

5. Personal Relationship - involves a relationship of a romantic nature, or one which is sufficiently close that objectivity is impaired.

6. Probationary Status - is the status of an employee who has not yet successfully worked through their probationary period, the length of which varies depending on the collective agreement or Exempt Staff Policy Statement.

7. Provisional Position - is a position that exists only for the time that the individual employee for whom it was created is the incumbent or, if applicable, has reversion rights to it. A provisional position is created for a temporary employee who has met the requirements stipulated in the relevant collective agreement such that the Employee Class is changed to 'permanent.' A provisional position is also created for a permanent employee in CUPE Local 38 who has been in a temporary (limited term) position for 24 months.

8. Recruitment - is a subset of talent acquisition which includes advertising, sourcing, screening, interviewing, the selection process, and hiring.

9. Regular Full Time Position - is a position that appears in the DeptID Owner's approved budget, has a full time equivalent (FTE) and salary dollars attached to it, and has been duly authorized as part of the normal composition of a business unit.

10. Retiree - is an employee of The City of Calgary and The Calgary Police Commission who has retired from employment and is in immediate receipt of a pension from the Local Authorities Pension Plan (LAPP), Special Forces Pension Plan (SFPP), or Firefighters Supplementary Pension Plan (FSPP) and must be eligible to receive these benefits the first day following termination of employment.

11. Seasonal Employment - refers to short-term openings for jobs primarily encompassed within CUPE Local 37 (e.g., labourers, gardeners, equipment operators, truck drivers, etc.).

12. Supervisory Relationship - involves a reporting relationship where an individual has the authority to direct and control the activities and work assignments of another employee, to influence the type and nature of work assignments and/or working conditions, and includes responsibility for completing, reviewing or approving performance reviews and wage and salary adjustments; administering disciplinary action, and recommending or approving the hiring or termination of an employee.

13. Talent Acquisition - is a strategic approach that aligns to the business, segments the workforce, analyzes the labour market, and utilizes metrics and analytics.

14. Temporary Position - is a position of limited (less than 24 months) duration, which involves full time or part time work by an employee.

## **Roles and Responsibilities**

Human Resources staff provides professional expertise and advice to management in relation to recruitment and selection.

Management is responsible for ensuring that all employment functions (e.g., recruitment, selections and promotions) are undertaken in accordance with this policy, existing legislation and the applicable collective agreements.

## **POLICY**

### **1.0. Scope/Exceptions**

#### **1.1. Scope**

This policy applies to all employees of The City. It documents specific policies applied by The City in the acquisition and appointment of employees.

#### **1.2. Exceptions**

The Administrative Leadership Team (ALT) has assigned responsibility to management for ensuring compliance with this policy along with specific authority to make defined exceptions to student rates for work experience that does not resemble unionized work, senior management (L4 appointment), and secondary part-time employment with The City. ALT has also delegated authority to management in partnership with Human Resources to make additional exceptions where warranted by unique or unusual circumstances and after due consideration for the implications to the rest of the organization.

### **2.0. Fundamental Principles**

The City must ensure that employment practices are compatible with [provincial](#) and [federal](#) legislation. In addition, The City embraces certain fundamental principles, which directly influence civic employment practices. These principles include merit, objectivity, and consistency:

- Merit - Selections, appointments and promotions are to be based on considerations of merit and the ability to perform effectively in a position, or as stipulated in the relevant collective agreement.
- Objectivity - Selection criteria are to be developed in an objective and non-discriminatory fashion, and must be job-related.

- Consistency - Selection systems and approaches will ensure that all candidates are treated in a fair and consistent manner, and will not provide any special privilege or consideration to a specific group or individual.

### **3.0. Equal Opportunity Employer**

In accordance with the tenets of the [Alberta Human Rights Act](#), equal opportunity for employment will be extended to all candidates without regard to such protected grounds as: race, national or ethnic origin, colour, sex, sexual orientation, mental or physical disability, religion, marital status, family status, age or pardoned conviction.

The City strives to create an inclusive workplace that respects the dignity of every individual (reference: [Alberta Human Rights Commission](#)), and management is responsible for promoting an inclusive work environment. The City also recognizes that the collective strength of experience, skills and perspectives of a diverse workforce creates a positive work environment, exemplary results and quality public service for all Calgarians (reference: The City's' "[Diversity and Inclusion in the Workplace "Framework](#)

As per the [Code of Conduct: 6. Respectful Workplace Policy \(HR-LR-001\)](#), management is responsible for identifying and eliminating practices that result in employment barriers for individuals. For example, potential selection barriers would be a qualification that is not a bona fide occupational requirement in the job posting, or refusing an interview to an individual who requests an accommodation.

### **4.0. Consequences of Non-Compliance**

Failure to adhere to the items contained in this Administration policy will result in a review of the circumstances by management and, if the failure is validated, will result in disciplinary action.

Where any individual employee, or job applicant, experiences discrimination or unwelcome behaviours such as those described in the [Respectful Workplace Policy](#) or where these individuals are denied equitable treatment in hiring or the setting of the terms, conditions, or benefits of employment (Alberta [Employment Standards Code](#)), action will be taken to prevent, eliminate or redress such disadvantages ([Code of Conduct: 6. Respectful Workplace Policy \(HR-LR-001\)](#)).

### **5.0. Limitations**

#### **5.1. Age Restrictions**

The minimum age to be considered for employment is 15 years of age, in compliance with the requirements of the [Employment Standards Code](#) of the Province of Alberta.

There is no maximum age restriction for employment, with the exception of any provisions in the [Calgary Police Service](#) and [Calgary Fire Department](#) collective agreements and in the terms and conditions benefit plans.

Exceptions to these age restrictions may be made with respect to:

- Individuals enrolled in a job training program, or a formalized work experience program sponsored by an educational institution or funded by the provincial or federal government.
- Positions requiring a special licence which has a legislated minimum age restriction.

## **5.2. Citizenship Requirements**

Individuals are eligible to be considered for employment with The City provided they are either:

- A Canadian citizen.
- A Permanent Resident.
- Entitled to work in Canada, i.e. possess a valid work permit.
- Eligible for a work permit without an employer [Labour Market Opinion](#), for example, a professional covered by the [North American Free Trade Agreement \(NAFTA\)](#).
- Eligible for a work permit through the [Temporary Foreign Worker Program](#).

## **5.3. Employment of Relatives and Others in a Personal Relationship**

Relatives of present civic employees may be considered for employment with The City provided they meet the following conditions:

- Have made application for employment through regular City processes.
- Have been considered in accordance with established employment policies and procedures.
- Possess the necessary qualifications.
- Are considered to be the most suitable candidates.

In order to maintain sound internal financial and management control practices and ensure a high degree of integrity in all selection decisions, the employment of immediate relatives and those in a personal relationship is prohibited in situations where any supervisory or conflict of interest relationship exists (also reference the [Code of Conduct – Conflict of Interest Policy \(HR-LR-005\)](#)).

Employees cannot participate in the recruitment or selection process where a potential candidate is an immediate relative or in a personal relationship with the employee.

The Director of Finance and the Director of Human Resources will review potential 'conflict of interest' situations and decide whether to approve, refuse the appointment, or recommend other appropriate measures to the business unit. Such recommendations must be consistent with the requirements of Finance and Human Resources administration policies.

Note: See the Definitions section of this Employment Policy for the definitions of 'immediate relative', 'personal relationship', 'common-law spouse and 'supervisory relationship'.

## **6.0. Recruitment**

### **6.1. General**

The City endeavours to inform employees of available job vacancies in the civic service through the normal posting/advertising process and gives due consideration, based on the merit principle, to those employees who apply.

All applicants for posted positions are considered for employment through the standard competitive process on the basis of merit and ability, or as stipulated in the relevant collective agreement. Human Resources coordinates the recruitment process.

The base documents that outline the terms and conditions of employment are:

- The respective [collective agreements](#) for unionized staff.
- The [Exempt Staff Policy Statement \(HR-LR-006\)](#) for exempt staff.
- The [Code 86 Policy and Procedure Manual](#) and the Code 81 Policy and Procedure Manual for non-unionized staff.

The offer letter will include the terms and conditions of employment including any that are different from those referenced in the [Exempt Staff Policy](#).

Regardless of whether an offer letter or an Employment Contract is used, it is understood that:

- Eligible employees must be placed on the [MEBAC](#) benefits plan.

- Employees who do not enrol in the City's pension plans will not receive any additional compensation in lieu of employer contributions to such a plan.

## **6.2. Corporate Management Team Selection**

Wherever possible, primary consideration will be given to promotion of qualified internal candidates from within the civic service to corporate management team positions.

A pool of potential candidates should be available from succession planning and management development programs.

Managerial positions will be filled through a job posting so that internal applicants are given due consideration based on the merit principle.

The only exception to this policy will be in situations where a suitably qualified candidate has been identified in the business unit where the vacancy exists. In this situation, the appointment may be made without a posting, as per the [Exempt Staff Policy \(HR-LR-006\)](#).

Appointments to a managerial position must be reviewed with the responsible General Manager prior to a formal offer of employment.

## **6.3. Posting Regular/Temporary Positions**

Generally, vacant regular or temporary positions will be filled by competition in accordance with the general principles outlined in Section 2.0 Fundamental Principles, unless otherwise provided for in the applicable [collective agreement](#) or [Exempt Staff Policy \(HR-LR-006\)](#). Note: [Appointments and Expressions of Interest](#) may be utilized for exempt staff but the ability to make appointments varies among unions.

When a temporary position is created and filled with a temporary employee, then subsequently an identical regular position is created, the regular position must be filled in accordance with the applicable [collective agreement](#) or the [Exempt Staff Policy \(HR-LR-006\)](#). If the temporary employee is selected, the employee's start date will be the date on which the offer was accepted.

Management, in consultation with Human Resources, will determine whether a vacancy is likely to be filled internally or externally, and will either:

- Post internally when it is anticipated the vacancy will be filled by an internal candidate.
- Post internally and externally if reasonable doubt exists as to whether there is a sufficient pool of qualified internal applicants.

Notices of vacancies shall normally be posted for at least five working days unless otherwise provided for in an applicable collective agreement.

#### **6.4. Using Competitions to Fill Vacancies**

When a position is posted, it can be utilized within a three - month period from the date the posting closes, unless otherwise provided for in an applicable collective agreement.

The current competition can be used to fill identical, new vacancies during this time period provided that the original posting indicates that the competition is for more than one position.

#### **6.5. Application Review and Referral**

Only applications received by Human Resources before the specified closing deadline are eligible for consideration in competitions for bargaining unit positions.

Late applications, for Exempt positions only, may be included in a competition following consultation between management and Human Resources.

#### **6.6. Screening and Selection Process**

The applicant screening and selection process, including interviews is used to obtain relevant job-related information about prospective candidates.

Management is responsible for ensuring that selection interviews are conducted in a professional and ethical manner and focus attention only on those aspects of an individual's background and experience that are relevant to the position requirements.

Interviews with applicants need to focus attention only on those aspects of an individual's background and experience that are relevant to the position requirements.

As per the Alberta Human Rights Commission, The City may:

- Request a prospective employee's previous names for the purpose of reference checks, or to confirm previous employment or education.
- Ask applicants if they have some proficiency in languages that are specifically required or referenced as an asset for the job.
- Ask applicants about their willingness to work the required schedule or rotating shifts.



- Require that applicants for specific positions undergo a pre-employment medical examination due to the physical or safety demands of the position, for example a Firefighter, or Transit Officer.

### 6.6.1 Interview Expenses

The hiring business unit shall determine whether or not it will authorize any expenses for candidates travelling to an interview. This decision will be made in advance of arranging interviews.

Where possible, the business unit will conduct telephone pre-screening interviews for all candidates prior to authorizing reimbursement of travel expenses for in-person interviews.

Individuals, whose travel to the interview (one way) exceeds 100 kilometres, may be eligible for reimbursement of travel expenses.

For travel of more than 100 kilometres to the interview (one way), a maximum reimbursement may be provided for either:

- The economy return air fare and directly-related interview expenses such as parking or taxi fares or
- The per kilometre rate for a return trip in accordance with The City's [Car Allowance Policy](#).

The hiring business unit will be responsible for processing all documents (e.g., [Expense Report X076](#) form) related to the reimbursement of interview expenses.

### 6.6.2 Relocation Expenses

The City is prepared to share the financial burden associated with [relocation](#) of new employees (and their families) that are recruited from outside of Calgary, when suitable candidates cannot be recruited from the local market. The City will cover reasonable and customary expenses as per the [Local Travel/Car Allowance Administration Guide](#) and for relocations up to certain allowable maximums for qualifying employees.

The hiring business unit must decide if relocation expenses will be reimbursed prior to advertising or posting a position, and this business unit must pay for these expenses. In addition, the business unit must determine if they are willing to provide a full, or partial, service move. All out-of-town candidates selected for an interview must be made aware of the business unit's decision with regard to covering relocation costs.

A Full Service Move covers two types of expenses, (1) the cost of relocating personal and household effects, and, (2) transition costs, such as a house hunting trip and/or temporary accommodation. [Full Service Move](#) relocation expense reimbursements must be approved in advance by the business unit Director.

A Partial Service Move provides an amount calculated to cover some of the estimated costs for: moving personal and household effects, a house-hunting trip, travel expenses for employee and family members, temporary accommodations and other fees (for international relocations only).

[Partial Service Move](#) relocation expense reimbursement should be approved in advance by the Manager.

### **6.6.3 Relocation Contract**

A prospective employee who accepts relocation assistance must sign a Relocation Contract, and return this to The City prior to the commencement of employment. The contract establishes the total amount the prospective employee will be required to repay should the obligation period not be completed, unless the obligation period is not completed at the request of The City. For unionized positions, the relocation contract must bear the same date as the prospective employee's acceptance of the offer of employment.

### **6.6.4 Relocation Contract Obligation Period**

For permanent positions, for both full service and partial service moves:

- The employee must repay 100 percent of the relocation costs if the employee leaves of their own volition before completing 12 months.
- The employee must repay 50 percent of the relocation costs if the employee leaves of their own volition before completing 24 months.

### **6.6.5 Submission of Relocation Claims for Reimbursement**

The employee must submit eligible claims for reimbursement to The City within 12 months of the start date of employment.

Any claims submitted more than 12 months after the start date of employment will not be paid by The City.

Exceptions to the 12 - month period are at the discretion of the business unit Director.

The employee in a temporary or Student (Co-op/Business Intern) position must repay the full cost of the relocation in the event the employee leaves prior to the end of the term originally accepted.

## **6.7. Pre-employment Reviews**

### **6.7.1 Reference Checks**

Reference checks must be undertaken on all candidates prior to their selection for employment by The City. Information obtained through reference checks is used to verify facts and confirm data that has been obtained from the candidate's application, resume, and interview and selection process.

The City does not conduct social media checks as part of the reference check process.

As per [The Freedom of Information and Protection of Privacy \(FOIP\) Act of Alberta](#), reference checks are only conducted to verify work related data. Questions being asked during a reference check must:

- Address attendance and performance.
- Be directly related to the specific behavioural targets and/or competencies that were measured during the interview process.

Any City representative conducting a reference check must:

- Ensure that the applicant has signed the City's [Candidate Declaration form \(P889\)](#) prior to any City representative conducting a reference check.
- Explicitly state to the individual providing the reference that the information provided during the reference check is confidential.
- Complete all information on the [Reference Check form \(P768\)](#) prior to any formal offer of employment.
- Only ask questions of a type permitted by the [Alberta Human Rights Act](#). These questions must not relate to the applicant's: race, colour, ancestry, place of origin, gender, religious beliefs, physical or mental disability, and age, source of income, sexual orientation, marital status or family status.
- Any personal information that is used to make a decision about an individual must be retained for at least one year. This is in accordance with the provisions of [The Freedom of Information and Protection of Privacy \(FOIP\) Act of Alberta](#).

### **6.7.2 Providing Employment References**

The City will provide employment references for either existing or previous City employees. The following conditions apply:

- In accordance with the [Freedom of Information and Privacy \(FOIP\) Act of Alberta](#), the employee (or former employee) is responsible for providing a signed [Consent to Provide Employment Reference \(X0579\)](#) form to The City representative who will be the referee, before any information is released to a third party.
- References should be provided by the Manager or supervisor who directly supervises (supervised) or is familiar with the employee's (or former employees) work.
- Information released as an employment reference must be related to objective, job-related criteria and must be provided in a truthful, non-malicious manner.
- Responses to questions relating to the employee's attendance at work should disclose only the frequency of absence, but not why the person was unable to attend work (e.g., must not disclose the nature of any illness).
- City representatives who are providing an employment reference must avoid giving any information that would be:
  - Their personal opinion, or belief, as it relates to the individual in question.
  - Unrelated to the individual's specific job tasks or requirements.
  - Unsolicited by the prospective employer requesting the reference.
  - Related to a prohibited ground of discrimination as defined by [Alberta's Human Rights Act](#) - as per section 6.7.1. Reference Check.

Note: Additional information on [providing employment references](#) is provided on The City intranet.

### **6.7.3 Medical Examinations**

A pre-employment medical examination is only to be conducted for designated positions with bona fide occupational requirements necessitating this exam.

### **6.7.4 Police Information Checks**

Police Information Checks will be conducted for positions where a prior criminal conviction may affect safety or liability. The hiring business unit, in consultation with Human Resources, will be responsible for the identification of positions requiring a Police Information Check.

Human Resources will coordinate the Police Information Check process.

Note: Additional information on [Police Information Checks](#) is provided on The City intranet.

## **6.8. Student Employment**

The City supports student hiring, recognizing the benefit of municipal work experience for the student, and the advantage to The City by creating a pool of young workers familiar with municipal operations.

Student positions are created to enhance current operations and must not replace or displace regular or laid - off employees. The term of employment for student positions is four months or less. Only post-secondary students who intend to resume full - time studies in the next academic year, or who are completing the requirements of an intern or cooperative education program, will be eligible for employment as summer students.

### **6.8.1 Intern and Cooperative Education Programs**

Students who are participating in post-secondary cooperative work and/or work experience programs will be eligible for employment as an Intern or Co-op student.

The length of term is determined by the academic program. Terms of more than four months may be considered as necessary with mutual agreement with the union.

### **6.8.2 Employment Programs**

The City actively supports employment programs sponsored and/or partially funded by the provincial and federal levels of government, based on the understanding that the work to be done:

- Meets the employment program criteria.
- Does not compete with or duplicate existing services.
- Provides meaningful work experience and learning development opportunities.

### **6.8.3 Pay Rates for Students, Interns, Co-operative Education and Job Creation programs**

For work that resembles unionized work, wages will be in accordance with the Student Letter of Understanding with CUPE Local 38.

For interns and cooperative education students, pay rates are established in accordance with the [Business Intern Coop Student Program rates](#). The rate paid is based on a combination of education completed plus the candidate's relevant work experience.

The decision to supplement wages beyond the set pay rates will be determined corporately by the ALT and will be based on financial conditions prevailing at the time of project approval.

If it is the corporate decision to supplement wages, business units will be required to absorb the additional costs from existing budgets.

Any business unit intending to deviate from standard wage supplements as established by the ALT will consult with Human Resources, who will prepare a report and recommendations on the supplementation request for review and consideration by the ALT.

### **6.9. Expression of Interest**

An Expression of Interest (EOI) can be used to fill an exempt vacancy generally for either a temporary need (e.g., project work) or to fill a specific established position for a pre-determined timeframe. The EOI is generally used for developmental purposes, or for succession planning of employees and typically targets a specific group of employees. EOIs are for exempt positions only, unless applicable language is in the relevant collective agreement.

### **7.0. Temporary Employment Services Agency (TESA)**

The City of Calgary established the Temporary Employment Services Agency (TESA) in order to meet temporary clerical/secretarial staffing needs across the Corporation.

Due to the substance and duration of TESA assignments, the employment relationship between the City and TESA employees is unique. As non-City employees, TESA staff are eligible to compete on internal postings as an external applicant. The hiring manager must give first consideration to internal applicants prior to considering external applicants.

The business unit must contact the TESA Office to make a request for temporary staffing needs. See the [TESA Client Guide](#) for the conditions of employment.

Reference: TESAs [Letter of Understanding](#), between the City and CUPE Local 38.

#### **7.1. Limitations on the Use of TESA**

Each assignment for TESA employees is restricted to three months or less.

Business units should work with Human Resources to determine the appropriate solution for staffing needs greater than three months in length.

In exceptional circumstances, consideration for assignments over three months will be reviewed and considered by the TESA Coordinator and CUPE Local 38. The business unit must contact the TESA Office to make a request for an extension.

## **8.0. Special Hiring and Employment Programs**

### **8.1. Appointment of External Recruiters**

External recruiters may only be employed in the following situations:

- Executive level selections such as senior management - City Manager, General Managers, Directors) where it has been determined that an external recruiter may have greater flexibility in attracting well - qualified candidates.
- Recruitment of professionals where it has been determined that suitably qualified candidates with specialized skills cannot be attracted using talent acquisition mechanisms.

Use of external recruiters will be subject to review by Human Resources and require approval by the appropriate Director, General Manager or City Manager.

Human Resources will be responsible for coordinating the selection of external recruiting agencies and providing liaison with them during the recruitment process.

### **8.2. Recruitment outside Canada**

Talent Acquisition, Human Resources, will assist in coordinating any recruitment outside Canada in order to ensure proper measures are followed and implications understood. Hiring managers interested in exploring these options should also research the [Citizenship and Immigration Canada programs](#) and [Canada's Trade and Labour Mobility Agreements](#).

Critical Note: [Citizenship and Immigration Canada](#) needs to ensure that all reasonable efforts are made to fill jobs with suitably qualified Canadian citizens or permanent residents. If a suitable candidate from a country not covered by a labour mobility agreement is identified, the formal job offer must be coordinated through Citizenship and Immigration Canada, in alignment with federal work permit guidelines.

Respecting the conditions for recruiting outside of Canada, The City may:

- Employ North American professionals who qualify for City positions under [NAFTA](#) or other international labour mobility agreements.
- Be able to recruit expatriates under one of the Federal government temporary worker programs (e.g., [Federal Skilled Trades Program](#) or [Federal Skilled Worker Program](#) for higher and lower-skilled occupations).

- Be able to support a worker's immigration to Canada through federal programs or the [Alberta Provincial Nominee Program](#).

## 9.0. Rehire Recommendations

The three types of rehire status are:

1. Rehire Recommended – Employee may be rehired by The City.
2. Not Suitable for This Type of Work – Employee may not be rehired for a particular type of work; however, employee could be rehired for different work within The City.
3. Do Not Rehire (DNR) – Employee is not to be rehired in any capacity.

Files on individuals who are not recommended for rehire (DNR) are retained in the Human Resources business unit in perpetuity.

### 9.1. Changing Rehire Recommendations

If a former employee requests the alteration of their rehire status from either "Not Suitable for This Type of Work" or "DNR", such a recommendation may be implemented under the following circumstances:

- The former employee must make a written request to management in the business unit where previously employed [i.e., the business unit that assigned the rehire recommendation].
- The request must include documentation which demonstrates a minimum of two years of acceptable work history since the final date of employment with The City.
- Subsequent to the request, a positive reference check must be completed with a recent employer to validate the above employment information.

The business unit that assigned the original recommendation will work with the relevant Business Advisory Services, Human Resources Advisor, to determine if the original rehire recommendation should be altered.

Rehire recommendations resulting from serious employee misconduct/behaviour should not be changed.

The business unit that assigned the initial recommendation must be in agreement that the employee, or former employee, is employable by The City if the recommendation is changed (e.g., The business unit that assigned the initial recommendation must agree that they would be willing to hire the former employee if the recommendation is changed).



All documentation related to the alteration of rehire status must be filed on the employee file in Human Resources.

#### **10.0. Hiring Individuals with Prior City Service (Not including Retirees)**

Typically, individuals with prior City service must be separated from The City for a minimum of three months after the effective date of their last separation before they may be rehired.

A former employee who is in receipt of severance from The City will not be permitted to return to work during the severance period. There are no exceptions to this rule.

#### **10.1. Hiring Individuals without a Three Month Break in Service**

Previous City employees who have not had a minimum three month break in service are identified by Human Resources to the hiring manager.

Consideration will be given on a case - by- case basis to hire these individuals for any vacancy, without a three month break in service.

When prior employees are rehired by The City without a three month break, their entitlements must be reviewed in consideration of the [Alberta Employment Standards Code](#).

Prior to making an offer to rehire a previous City employee without a three month break in service, the Business Partner, Talent Acquisition, must be consulted. Such rehires will be reviewed with Labour Relations prior to a job offer being made.

If the hire proceeds, written verification must be provided from the business unit to Human Resources confirming the business unit will assume responsibility for any additional costs related to the decision to hire without a three - month break in service.

#### **11.0. Employment of City Retirees**

Individuals who have retired from The City may be employed again through one of the following processes:

1. With a minimum three - month break in service through:
  - The standard recruitment process, on a posted vacancy.
  - The Retired Employees Employment Pool (REEP) after the effective date of their retirement.
2. Without a three - month break in service (see Section 11.2 Hiring City Retiree without a Three Month Break in Service):

- Under an Employment Contract for an exempt rated position using the recruitment process.
- Under an Employment Contract with a Business Case by appointment, without a job posting, to an exempt position where there is a business need to rehire the retiree.

Note: Retired individuals who are in receipt of severance from The City will not be permitted to return to work during the severance period. There are no exceptions to this rule.

### **11.1. Retired Employee Employment Pool (REEP)**

Hiring managers and supervisors seeking to fill temporary, or relief exempt positions are encouraged to consider hiring eligible REEP participants, without a competitive process.

Employees who retire to an immediate LAPP monthly pension may, at retirement or later, submit their name for inclusion in the Retired Employee Employment Pool (REEP).

Individuals must have been separated from The City for a minimum of three months prior to starting a REEP assignment. No exceptions to this rule will be made in the case of REEP.

REEP participants have the right to accept or decline any assignment.

Continued participation in the pool is not contingent on acceptance of employment.

Participation in REEP is not a guarantee of employment.

### **11.2 Hiring City Retirees without a Three Month Break in Service**

City retirees can be rehired without a three month break in service into exempt positions only. Hiring managers wanting to rehire City retirees into a union position will be asked to delay the hire so that the retiree has a minimum of three month break in service.

Retirees can be rehired without a three month break in service as the successful candidate on an exempt posting, or by an appointment to an exempt temporary assignment for which the retiree possesses special skills.

The rehirement of City retirees without a three month break requires a written Employment Contract, prepared by the Law Department. This contract must be signed by the employee prior to the start of employment (See Section 12.0 Employment Contracts).

The employment conditions for the Employment Contract are:

- If the employee is eligible to participate in a benefits plan, the individual will be placed on MEBAC benefits plan and their retiree benefits will be suspended.
- No compensation will be paid in lieu of benefits.
- No compensation will be provided in lieu of employer contributions to pension.
  - Perquisites (e.g., flexible spending accounts, parking, and car allowance) may be included but should be granted as appropriate relevant to the new position. No compensation will be paid in lieu of perquisites.

A City retiree who is receiving a pension from the Special Forces Pension Plan (SFPP) is required to participate in the LAPP when hired into a permanent full time position. An eligible City retiree receiving a pension from SFPP hired into a temporary position is provided with the option to participate in LAPP.

### **11.3 Appointment of City Retirees without a Job Posting (without a three month break in service)**

Rehires of retirees into an exempt position by appointment, without a job posting, and without a three month break in service, require a business case and an Employment Contract (see Section 12.0 Employment Contracts).

The hiring Manager completes a business case in consultation with the Human Resources Advisor. Note: Prior to completion of the business case, the Human Resources Advisor must consult with other areas of Human Resources, specifically, Compensation and Pension and Benefits Governance and Design.

The business case must be signed off by the business unit Director, the department General Manager, and the Human Resources Director. Note: for Calgary Police Services, the business case must be signed off by the Deputy Chief, the Chief and the Human Resources Director.

A City retiree may be rehired by appointment, without a job posting, into a temporary exempt position, without a three month break in service, only when the following eligibility requirements are met:

- An eligible exempt employee under an existing City pension plan has announced his/her intent to retire to an immediate monthly pension, and
- The respective General Manager, business unit Director or Manager has determined that they have a role/special assignment which requires an employee with special skills, and:
  - There are no available and qualified internal employees available to fill the position;

- There is a critical need that the role be filled at once or The City will suffer immediate harm from a significant loss of productivity and/or the loss of ability to provide a key service.
- The rate of pay for this role has been set in consultation with Total Rewards and is based on the work duties.
- The end date for the temporary assignment should be up to 24 months with the possibility of extension.

## **12.0. Employment Contracts**

Written Employment Contracts may be used by The City to limit organizational liability and to provide specific terms and conditions of employment that differ from those referenced in the Exempt Staff Policy (HR-LR-006) in the following situations:

- To employ individuals on an exceptional basis; or
- To rehire City retirees into exempt positions without a three month break in service.

Employment Contracts will be used under the clear understanding that an '[employer-employee](#)' relationship has been established.

Note: A 'principal-agent' relationship usually exists where The City enters into a contractual agreement, on a [Consulting Contract](#), with a firm or professional corporation for services. For information on consulting contracts, contact Supply Management.

### **12.1. General Conditions Governing Employment Contracts**

Individuals employed under contract are subject to the same general terms and conditions of employment as are all other municipal employees unless specifically excluded under the provisions of their contract, and must observe to the same degree, all municipal policies, rules, regulations and by-laws.

The use of an Employment Contract is subject to approval by the business unit Director and shall be coordinated by Human Resources and prepared by the Law Department.

Individuals will only be employed on a contract where the work they are performing clearly falls outside the jurisdiction of any bargaining unit recognized by The City.

In accordance with federal legislation, an individual employed under contract will be subject to deductions from pay, including income tax, Canada Pension Plan, Employment Insurance premiums, and applicable civic benefits.

The rates of pay for contract employees will be established in consultation with Human Resources.

Selection and appointment of individuals to be employed under contract must be consistent with existing City employment policies.

The Law Department will draft an appropriate Employment Contract which will define the terms of employment.

The Employment Contract must be approved by the business unit Director, the Director of Human Resources and the General Manager of Corporate Services.

An Employment Contract with the appropriate approvals must be completed prior to the start date of employment.

## **12.2. Secondment Contract**

An internal secondment is a management-initiated assignment of an exempt employee within or outside the employee's business unit for a specific period of time. Normally, upon completion of the secondment, the employee returns to his/her base position.

A secondment may also involve a City employee seconded to an external organization, or an individual from an external organization seconded to The City. For secondments involving external organizations, a Secondment Contract is required. Typically, a secondment does not exceed two years in duration. Upon completion of the secondment, it is expected that the City employee will return to their base position and salary, or be assigned to a position which is compensated at an equivalent rate as their base position. The Secondment Contract must specify the terms and conditions of employment.

A Secondment Contract must be coordinated by Human Resources, reviewed by the Business Partner, Talent Acquisition, and signed off by the business unit Director.

## **13.0. Conditions Governing Employment**

### **13.1. Direct Deposit**

Direct deposit is a condition of employment for all City employees. See [Payroll Policy \(HR-PS-001\)](#) for further information.

### **13.2. Probationary Status Reviews**

An employee's work performance shall be reviewed formally at least twice during the probationary period using the [Probationary Status Review and Recommendations \(X79\)](#) form.

The employee shall be made aware of the results of these reviews.

All new employees will receive probationary status reviews in accordance with the time periods outlined in the applicable collective agreement or the [Exempt Staff Policy Statement \(HR-LR-006\)](#).

For union employees, permanent status is achieved at the end of the period specified in the applicable collective agreement (e.g., after six, nine or twelve months of satisfactory service in an established position).

The performance of exempt staff will be reviewed at three and five-month periods with permanent status achieved after six months of service in an established position. See the [Exempt Staff Policy Statement \(HR-LR-006\)](#) for:

- Information with respect to employees working part-time, and
- Extensions of trial or probation periods.

### **13.3. Trial Period Reviews**

Some collective agreements provide a trial or assessment period, allowing the employee and the supervisor time to review the employee's performance upon promotion, lateral transfer, or demotion to another position. In such cases, the unionized employee's work performance shall be reviewed formally at least twice. The length of the Trial or Assessment Period is set out in the applicable collective agreement, as are the reversion rights. Reversion can be exercised by either Management (based upon the review) or by the employee as per the relevant collective agreement provision. For ATU, the trial period is called an "Assessment Period".

The employee shall be made aware of the results of these reviews.

### **13.4. Secondary Part Time Employment**

An employee may be considered for employment in a second part time position when doing so would be the only reasonable way to comply with The City's legal duty to accommodate ([Duty to Accommodate in Employment \(HR-EMP-001\)](#)).

No current employee shall be allowed to accept secondary part time employment with The City (resulting in the employee working in two civic positions during the same time period) unless it is approved by the General Manager of the employee's base position or when it is a Code 86 employee holding a second Code 86 job.

When considering such employment, management must first consult with Human Resources.

The business unit will have made exhaustive efforts to staff the position prior to considering the offer of secondary employment to a current employee.

## **SUPPORTING REFERENCES AND RESOURCES**

Please note that some of the items listed below may not be publicly available.

### **References to related corporate-wide procedures, forms and resources**

- Intranet - [MyCity](#) – Recruitment and Selection Section (<http://mycity/MyHr/ForSups/RandS/Pages/Default.aspx>)
  - [Corporate Vision, Mission, Values, Ethics and Corporate Ethics](#)
  - [Diversity and Inclusion in the Workplace](#)
  - [Evaluating Candidates](#)
  - [Expense Form \(X076\)](#) (Expense Report)
  - [Rehirement Contract on the Rehirement of Retirees](#)
  - [Relocation Guidelines](#)
  - [Retired Employees Employment Pool \(REEP\)](#)
- The City of Calgary Internet – [Union Agreements](#)

### **References to related Council policies, bylaws and Administration policies**

- [Code of Conduct \(HR-LR-005\)](#)
- Code 81 Policy and Procedure Manual
- [Code 86 Policy and Procedure Manual](#)
- [Duty to Accommodate in Employment \(HR-EMP-001\)](#)
- [Exempt Staff Policy Statement \(Administration Policy HR-LR-006\)](#)
- [Labour Relations Policy \(LR-HR-002\)](#)
- [Participating in the Local Authorities Pension Plan \(HR-TR-002\)](#)
- [Payroll Policy \(HR-PS-001\)](#)

### **Other references and resources**

- [Alberta Freedom of Information and Protection of Privacy Act \(FOIP\)](#)
- [Alberta Human Rights – Employment Standards](#)
- [Alberta Human Rights Act](#)
- [Alberta Labour Relations Code](#)
- [Citizenship and Immigration Canada](#)
- [Personal Information Protection Act \(PIPA\)](#)

## **REVISION HISTORY**

Review Date	Description
2014/10/14 (Version C)	Amended Policy to amalgamate Reimbursement of Relocation and Interview Expenses (HR-EMP-002) policy (Sections 6.6.1 to 6.6.5) and sections on rehirement of retired exempt staff and Retired Employees Employment Pool (REEP) from the Exempt Staff Policy (HR-LR-006) into the Employment Policy (Section 11.0); references Code 81 and Code 86 Policy and Procedure Manuals; updated content on 5.3 Employment of Relatives and Others in Personal Relationship; update content in Section 6.1 General, Section 6.7.1 Reference Checks, 6.8 Student Employment; added Section 6.9 Expression of Interest (EOI), added new sections 10.0 Hiring Individuals with Prior City Service (Not including Retirees) and 11.0 Employment of City Retirees; updated Section 12.0 Employment Contracts; added new Section 12.2 Secondment Contract
2012/08/21 (Version B)	Amendment to Sections 3101.07 and 3103.07 approved by the Administrative Leadership Team (see ALT Report ALT2012-0155)
2006/02/06 (Version A)	<p>Section 3102.02 (5) Employment of Relatives (Changed section title to Employment of Relatives and Others in a Personal Relationship; replaced contents with more detailed information)</p> <p>Section 3101.06 Definitions (added new definitions relation to Section 3102.02(5) – common-law spouse, direct supervision, immediate relative, personal relationship)</p>
2005/08/08	Revision
2004/09/21	New policy