

POLICY: EMPLOYMENT OF RELATIVES OF TORONTO PUBLIC LIBRARY EMPLOYEES

SECTION: II - General Policies - Human Resources

MOTION/DATE:

Effective Date

When approved by the Board.

Policy Objective

The Toronto Public Library Board recognizes that conflict and bias can arise from situations where family members work together. This policy provides direction to departments so these situations can be avoided or resolved.

Underlying Principles

In 2004 the need for the Toronto Public Library to establish employment of relatives board policies was recognized to ensure compliance with the *Municipal Act, 2001*, Section 270 (1). The Act states that before January 1, 2005, library boards are required to adopt policies with respect to, the hiring of its employees, including policies with respect to:

- (a) the hiring of relatives of a member of council or local board, as the case may be;
- (b) the hiring of relatives of existing employees of the municipality or local board, as the case may be

Policy Statement

In accordance with s. 5 (1) of the *Ontario Human Rights Code*, the Toronto Public Library will not discriminate in its hiring practices on the basis that a person is a relative of an existing employee. No members of the same family are permitted to work together if this places them in a direct reporting relationship, either in a subordinate or



supervisory role to each other. A family member must not participate in any part of the selection process where another family member becomes an applicant. The selection process includes screening applications, conducting interviews and reference checking. Employees must declare a conflict when a family relationship develops that puts them in a direct reporting relationship and when they are participating in a selection process where another family member becomes an applicant.

Scope

This policy applies to all Toronto Public Library employees in the following situations:

- where employees are in a direct reporting relationship
- where a family member is part of the selection process where another family member becomes an applicant

Specific Directives

When a situation arises where an employee is in a direct reporting relationship to a family member, the Director/Manager or designate must discuss reassignment options with the employees involved. The Director/Manager or designate should consult with Human Resources to resolve this problem. Possible solutions include:

- offering one employee a permanent alternate position in another section of the same department/branch
- placing one employee on a temporary assignment
- transferring one employee to a comparable position in another department/branch i.e. lateral transfer. Transfer of TCEU Local 416 employees will be in accordance with TCEU Local 416 Collective Agreement relevant articles.

The preferences of the employees should be taken into account when considering any of these options. If all of the above options are rejected then the Director/Manager or designate will make the final decision. Although, these situations are sometimes difficult to resolve the Director/Manager will address this issue as soon as possible after it arises and seek to remedy the situation promptly. Close personal relationships or relationships beyond family can also cause problems in the selection process and in reporting relationships. Employees who find themselves in this situation should be sensitive to perceptions and guide themselves according to the principles of this policy.



Accountability

The Directors are responsible for ensuring that the policy is implemented as intended. The Human Resources Department is responsible for consulting with Directors/Managers to resolve situations that fall within the scope of the policy. All employees are responsible for declaring a conflict that falls within the scope of the policy.

Appendices

Definitions

Family: For the purposes of this policy family is identified as:

- spouse, including common-law and same sex spouse;
- parent, including step-parent and legal guardian;
- grand parent, including step-grand parent, grandchild or step grandchild;
- mother-in-law;
- father-in-law;
- sister-in-law;
- brother-in-law;
- daughter-in-law;
- son-in-law;
- child including step-child;
- sibling;
- any person who lives with the employee on a permanent basis.

Direct Reporting Relationship: A relationship in which an employee has authority over any of the following:

- approve or deny increments, overtime or negotiate salary level;
- conduct performance appraisals;
- discipline another employee;
- direct work assignments.

References:

Conflict of Interest Policy

Employment of Relatives of Toronto Public Library Board Members Policy

Ontario Human Rights Code

Enquiries:

For further information on the, Employment of Relatives of Toronto Public Library Employees Policy contact Holly Dewar, Manager, Human Resources Department.

