



## The Corporation of the Township of Huron-Kinloss

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### Staff Report

**Report Title: Mayoral Powers impact to Hiring Policy**

**Date: Sep. 3, 2025**

**Report Number: CLK-2025-27**

**Department: Legislative Services**

**File Number: C11 CLK 25**

**Prepared By: Jennifer White, Manager of Legislative Services/Clerk and Leanne Scott, Human Resources Generalist**

**Attachments: draft amendments to policy**

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#### **Recommendation:**

THAT the Township of Huron-Kinloss Committee of the Whole receive Report CLK-2025-27 prepared by Jennifer White, Manager of Legislative Services/Clerk and Leanne Scott, Human Resources Generalist;

AND FURTHER that the appropriate by-laws be brought forward to update the Hiring Policy and repeal existing non-statutory appointments.

#### **Background:**

The Head of Council has been provided special powers and duties within Part V1.1 of the Municipal Act, 2001, S.O. 2001, c.25 (the Act) and related regulations. These powers include powers provided in section 284.6 of the Act related to a municipality's organizational structure and employment matters. While the current Mayor has delegated these powers to Council, the Act does allow for these powers to be resumed at any time by the current or any future mayor.

Staff are recommending updates to the hiring policy to more accurately reflect that Mayoral powers under Part V1.1 may impact this policy. Additionally, the review identified an efficiency opportunity as a by-law is not required by employment or other legislation for non-statutory positions. Staff recommend updating the hiring policy to remove the requirement to pass a by-law to appoint non-statutory positions, excepting those identified as Senior Management positions within the organizational chart.

#### **Discussion/Analysis/Overview:**

In reviewing current policies to determine impacts of the mayoral powers recently granted to Huron-Kinloss through the Municipal Act, Staff have identified a need to update the Hiring Policy to reflect the potential impacts. As additional policies are identified, they will be brought forward for discussion and amendment.

The Township's current hiring policy provides a fair, equitable and systematic approach to recruitment and hiring within the organization. It meets the requirements of current employment legislation and practices.

## Mayoral Powers impact

With the provision of the Mayoral powers designated in Part V1.1 of the Act, the Mayor is designated the power to determine the organizational structure of a municipality, which includes the power to hire, dismiss or exercise any other prescribed employment powers with respect to the head of any division or the head of any other part of the organizational structure. These powers do not extend to the certain prescribed persons who include:

the clerk or deputy clerk, treasurer or deputy treasurer, an integrity commissioner or Ombudsman, a chief building official or a fire chief.

Staff are recommending that the Hiring Policy be updated to reflect:

Notwithstanding this policy, the Mayor retains all the powers of a municipality provided in Part V1.1 Special Powers and Duties of the Head of Council of the Municipal Act, 2001, S.O. 2001, c.25, specifically those powers in Section 284.6, regarding organizational structure and employment matters. This Policy applies whenever those powers are delegated to the Council or the Chief Administrative Officer. The Mayor is encouraged to use this policy as guidance and is required to comply with employment law when exercising mayoral powers.

## Passage of By-laws

The Township has traditionally appointed all non-contract organizational members through the passage of a by-law. This is not required by employment standards, or other legislation, but has traditionally been used to advise Council of hirings. The current policy indicates that "All hirings are authorized by the CAO" provided the position exists within the current organizational structure. Additions to the structure are approved by Council at the recommendation of the CAO and Senior Manager. The requirement for Council to pass a by-law appointing all employees contradicts the authority provided to the CAO in the policy.

Statutory positions, such as those listed in the prescribed persons above, do require a by-law to appoint a specific individual to those positions. Additionally, some other appointment by-laws are required by legislation for positions such as the Community Emergency Management Coordinator, the Zoning Administrator, By-law Enforcement officers, etc.

Staff are recommending that only those positions which have a statutory requirement for by-law appointment and the appointment of Senior Management positions be brought forward to Council for consideration. This will increase efficiencies, and minimize onboarding, streamline employment practices, protect individual employee's right to privacy and assist in protecting against identity theft. It additionally requires Council input into legislated positions, and those positions providing critical leadership and direction within the Township.

## **Financial Impacts:**

This is anticipated to reduce staff time in the recruitment process.

**Performance Measurement:**

Reduction in staff time.

**Strategic Area:**

- Embrace a thriving rural lifestyle
- Enhance Municipal Service Delivery
- Prepare for Inclusive Growth
- Ensure Financial Stability

**Strategic Goal: Strive for continuous improvement and increased efficiency**

**Respectfully Submitted By:**

Jennifer White and Leanne Scott

**Report Approved By:**

Jodi MacArthur, Chief Administrative Officer