



Procedure

POL.COR.25.xx- Attachment C Formal Process for Addressing Grievances or Concerns by a Council Member or the CAO

Purpose

The purpose of this procedure is to establish a structured and impartial approach for addressing grievances or conflicts between Council Members and the Chief Administrative Officer (CAO). It ensures fairness, transparency, and neutrality by requiring that all formal investigations and mediations be led by an independent third-party professional. This approach supports constructive resolution and strengthens effective governance and administration. The procedure outlines methods for Council Members to raise concerns related to the CAO and for the CAO to address conflicts with Council Members, including situations involving the Mayor. The Integrity Commissioner remains a resource for addressing concerns regarding Council Members.

Application

This Procedure applies to the Chief Administrative Officer (CAO) and the Town of The Blue Mountains Council.

Procedures

A. Formal Process for Addressing Grievances or Concerns by a Council Member

This process provides a structured approach for a Council Member to address grievances or concerns related to the CAO's performance to ensure fairness, transparency, and constructive resolution, contributing to effective governance and administration.

1) Initial Steps

- a) Any concerns or grievances regarding the CAO's performance should be documented in writing by the concerned party. This documentation should include a clear description of the issue, any relevant evidence, and the desired outcome or resolution.
- b) Before initiating a formal process, it is encouraged that the concerned party attempts to resolve the issue informally through direct communication with the CAO. This step aims to address concerns in a timely and amicable manner.

2) Formal Grievance Submission

- a) If informal resolution is not successful or feasible, the concerned party should submit a formal grievance to the Mayor and/or Deputy Mayor. The submission shall include the written documentation outlined in Section 1. a.
- b) The Mayor and/or Deputy Mayor will acknowledge receipt of the grievance within five (5) business days and inform the concerned party of the next steps in the formal process, which includes referring the matter to a third-party facilitator.

3) Investigation and Review

- a) An external investigator or mediator, independent of the municipality, will lead the investigation and review process.
- b) The third-party will review documentation, interview relevant parties, and allow the CAO to respond.
- c) All proceedings will remain confidential.

4) Resolution and Reporting

- a) The third-party will compile findings and recommendations in a report for Council's review in closed session.
- b) The report will address the validity of the concerns raised, the CAO's performance in relation to the grievance, and any proposed actions or resolutions.
- c) Council will review the report and decide on the appropriate course of action based on recommendations made within the report.
- d) Based on Council's decision, an action plan will be developed to address the issues raised. This may include further training for the CAO, changes in management practices, or other measures to resolve the grievance.

5) Communication and Follow-Up

- a) The third-party will provide a summary of findings to the concerned party and the CAO. This communication will include a summary of the findings, any actions taken, and any next steps.
- b) Council will monitor the implementation of the action plan and through the third-party follow up with the CAO to ensure that the issues have been addressed satisfactorily. A review meeting may be scheduled to assess the effectiveness of the resolution and make any necessary adjustments.

6) Appeals

- a) If the concerned party or the CAO is dissatisfied with the outcome of the grievance they may request an appeal within 10 business days. Appeals will be reviewed by an independent mediator or arbitrator appointed by Council.

7) Documentation and Record-Keeping

- a) All documentation related to the grievance or concern and its resolution, including meeting notes, action plans, and correspondence, will be securely maintained in an envelope sealed and filed by the Manager of Human Resources in the CAO's personnel file.

B. Process for Addressing Conflict Between the CAO and Members of Council

This process provides a structured approach for the CAO to address conflicts with members of the Council, including when the Mayor is the source of the conflict, ensuring fair and constructive resolution.

1) Direct Resolution

- a) The CAO is encouraged to first address any conflict or issue directly with the Council member involved. Open and respectful dialogue can often resolve misunderstandings or disagreements.

2) Escalation

- a) If direct resolution fails, the CAO must document the issue, including specific instances and impacts, and refer it to an independent third-party mediator.
- b) The third-party mediator will manage all aspects of the process, including cases where the Mayor is involved.

3) Mediation and Resolution

- a) The third-party mediator will facilitate discussions between the CAO and the Council member(s) involved.
- b) An action plan will be developed to address the conflict, outlining steps to improve communication and working relationships.
- c) Follow-up meetings will be scheduled as needed to monitor progress and adjust the plan if necessary.

4) Documentation and Record-Keeping

- a) All documentation related to the grievance or concern and its resolution, including meeting notes, action plans, and correspondence, will be securely maintained in an envelope sealed and filed by the Manager of Human Resources in the CAO's personnel file.

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