



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

## Legislation Text

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### REQUEST FOR DECISION

**DATE:** August 9, 2018

Report No. ADM-18-024

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Vicki Gannon, Director of Human Resources

**SUBJECT:**

Council Remuneration Bylaw and Amendments to Council Policies PER-05, ADMIN-58 and ADMIN-62

**RECOMMENDATION:**

1. That Council give Council Remuneration Bylaw, 2018, No. 2941 first, second and third reading and repeal Council Remuneration Bylaw, 2014, No. 2836; and,
2. That Council approve amendments to Council Policies PER-05 (Terms and Conditions of Employment for Officers, Managers and Exempt Employees), ADMIN-58 (Independent Review and Market Analysis of Council Remuneration), and ADMIN-62 (Remuneration for Elected Officials), as attached to Staff Report ADM-18-024.

**RELEVANT POLICY:**

Employment Standards Act

Council Remuneration Bylaw, 2014, No. 2836

Council Policy PER-05 - Terms and Conditions of Employment for Officers, Managers and Exempt Employees

Council Policy ADMIN-58 - Independent Review and Market Analysis of Council Remuneration

Council Policy ADMIN-62 - Remuneration for Elected Officials

**STRATEGIC RELEVANCE:**

This Request for Decision is not directly related to any specific Council priority.

**BACKGROUND:**

Employees that are exempt from the Union, but not Officers are Managers must be compensated for overtime under the Employment Standards Act. As per the Act, overtime is paid once an employee works more than 40 hours in a week. The hours of work for our exempt employees are based on a 35-hour week; therefore any overtime worked is compensated at straight time for the first five hours of overtime. Those employees covered by CUPE's Collective Agreement receive overtime after 35 hours. If the recommended changes to this Policy are approved, staff that are exempt from the

Union, but not Officers or Managers will receive overtime for work performed beyond their normal 7 hour shift, or on the weekends.

At a Special Council meeting on May 22, 2018, Council approved a motion to compensate the Mayor, effective November 1, 2018, at the median rate of 10 comparable municipalities: \$57,600 annually; and that Council receive 40% of that rate, based on Council Remuneration Bylaw, 2014, No. 2836. A new Council Remuneration Bylaw has been drafted, based on the current bylaw with the updated remuneration figures as approved by Council.

An independent consultant recently conducted the review of Council remuneration, at a cost of \$6,000, plus \$575 in expenses. Council Policies ADMIN-58 and ADMIN-62 have been amended to give Council the option to use staff to review council remuneration rather than using an independent consultant in the future.

## **ISSUES:**

### **1. Rationale for Selected Option**

The attached Council Remuneration Bylaw, 2018, No. 2941 as well as the amended Council Policies implement the direction given by Council at its May 22, 2018 meeting. In addition, the proposed amendment to Policy PER-05 ensures that exempt staff that are not Officers or Managers receive compensation equivalent to our unionized employees.

### **2. Organizational Implications**

There are no organizational implications.

### **3. Financial Implications**

The financial implications for exempt employees receiving overtime after 35 hours versus 40 are minimal. We currently have two employees that are exempt from the Union, but not Officers or Managers. The total hours of overtime for the two employees to date in 2018 is 35 hours.

There are no financial implications for the Council Remuneration Bylaw. If changes to Council Policies ADMIN-58 and ADMIN-62 are approved and staff conduct the remuneration review, there would be savings of approximately \$6,500 every four years.

### **4. Sustainability & Environmental Implications**

There are no sustainability or environmental implications.

### **5. Communication & Engagement**

Staff are advised of changes to Bylaws and Council policies, and the updated Policies will be posted to the internal website, The Bridge. The Council Remuneration Bylaw will be posted to the Township's website.

## **ALTERNATIVES:**

1. (1) That Council give Council Remuneration Bylaw, 2018, No. 2941 first, second and third reading and repeal Council Remuneration Bylaw, 2014, No. 2836; and,  
(2) That Council approve amendments to Council Policies PER-05 (Terms and Conditions of Employment for Officers, Managers and Exempt Employees), ADMIN-58 (Independent Review

and Market Analysis of Council Remuneration), and ADMIN-62 (Remuneration for Elected Officials).

2. That Council receive Staff Report ADM-18-024 for information and provide further direction to staff.