



## STAFF REPORT

---

**DATE:** November 3, 2020 **FILE:** 0550-04 Board

**TO:** Chair and Directors  
Regional Board

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE:** **BYLAW NO. 417 – HUMAN RESOURCE POLICY DELEGATION**

### **PURPOSE/PROBLEM**

To consider first 3 readings and adoption of Bylaw No. 417 which would delegate to the Chief Administrative Officer (CAO) the ability to enact human resource policies on the condition that such policies will not exceed the parameters set by the Board.

### **EXECUTIVE SUMMARY**

At its October 21, 2020 meeting the Board considered the matter of human resource policies and directed that a bylaw be prepared to delegate such authority to the CAO. Based on the Board's direction the attached Bylaw No. 417 has been prepared which authorizes the CAO to establish, amend and repeal human resource policies on the condition that;

- there is no conflict with an employment contract, collective agreement, statute, regulation or other enactment;
- there is no conflict with any Board policies such as those dealing with employee remuneration or benefits;
- the compensation payable to all employees will not exceed the amounts approved in the current financial plan.

Bylaw No. 417 recognizes that the Board has adopted policies such as CP-020 [*Management & Exempt Staff Compensation*] which are broad in scope and act as constraints to the exercise of the CAO's delegated authority. Within the framework of Provincial regulation and the Board's policies and financial plan there are numerous issues that arise on a daily basis related to employee travel, long service recognition, occupational health and safety, workplace harassment, and many other topics that the CAO would be able to manage without seeking specific direction from the Board.

### **RECOMMENDATIONS**

1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 417, being a bylaw to delegate authority with respect to human resource policies, be now introduced and read a first time.
3. THAT the rules be suspended and Bylaw No. 417 be given second and third readings.

4. THAT Bylaw No. 417, being Human Resource Policy Delegation of Authority Bylaw 2020, be reconsidered, finally passed and adopted.

Respectfully:

A large, stylized handwritten signature in blue ink, appearing to read 'Dave Leitch', is written over a horizontal line.

Dave Leitch  
Chief Administrative Officer

Attachments: Bylaw No. 417



## BYLAW NO. 417

---

### A BYLAW TO DELEGATE CERTAIN AUTHORITIES WITH RESPECT TO HUMAN RESOURCE POLICIES

---

**WHEREAS** the Regional District may, by bylaw, delegate its powers, duties and functions to its officers and employees on such terms and conditions it considers appropriate;

**AND WHEREAS** the Regional District wishes to delegate to the Chief Administrative Officer certain authorities with respect to human resource policies;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

#### Definitions

1. In this bylaw, unless the context otherwise requires:

**“conditions of employment”** means the conditions under which employees carry out work assignments, or conduct themselves when interacting with other employees or the public.

**“employee”** means an employee of the Strathcona Regional District and includes volunteers who are recruited to deliver services on behalf of the Regional District.

**“human resource policy”** means a policy that deals with the recruitment or performance of employees, or the terms and conditions of employment.

**“terms of employment”** means the financial compensation to which an employee is entitled based on the nature of the work to be performed and the work schedule.

#### Delegation of Authority

2. (1) The authority to establish, amend and rescind human resource policies is delegated to the Chief Administrative Officer, provided that the establishment, amendment or rescission of a policy:
- a) does not conflict with an employee’s contract of employment or with a collective agreement, or with any statute, regulation or other enactment;
  - b) does not provide for the remuneration of an employee in excess of the amount specified in a bylaw or policy of the Board, or conflict with any other Board policy; and
  - c) does not result in the total compensation paid to all employees exceeding the limit in the approved financial plan.

(2) For certainty, the authority delegated under subsection (1) may only be exercised by written policy.

**Use of Delegated Authority**

3. In this bylaw a power, duty or function that is delegated to a position by name, classification or otherwise is deemed to have been conferred on the person or persons who occupy the position from time to time.

**No Authority to Subdelegate**

4. A person to whom the Board's authority has been delegated by this bylaw may not further delegate such authority.

**Deferral of Delegated Authority**

5. Despite the provisions of section 2, the exercise of delegated authority with respect to a specific policy may, at the discretion of the Chief Administrative Officer, be deferred to the Regional Board for a decision.

**Citation**

6. This bylaw may be cited for all purposes as Bylaw No. 417, being Human Resource Policy Delegation of Authority Bylaw 2020.

**READ A FIRST TIME ON THE DAY OF , 2020**

**READ A SECOND TIME ON THE DAY OF , 2020**

**READ A THIRD TIME ON THE DAY OF , 2020**

**RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE DAY OF , 2020**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer