

**BY-LAW NUMBER 188-2021**  
**OF**  
**THE CORPORATION OF THE CITY OF BRANTFORD**

*Being a By-law to amend to By-Law 70-2010, being a By-law to Adopt Various City of Brantford Policies and to create a Corporate Policy Manual, by repealing and replacing Human Resources Policy – 012 (On-Call/Call-In Policy for Exempt Staff)*

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, (the “Act”) the powers of a municipality shall be interpreted broadly so as to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues; and

WHEREAS, at its meeting of June 7, 2010, City Council passed By-law 70-2010, being a By-law to adopt various policies of the City of Brantford and to create a Corporate Policy Manual, which policies are attached thereto as Appendix “A”; and

WHEREAS, at its meeting of September 28, 2021, City Council adopted the recommendations set out in Report 2021-576, which was initially received at Special City Council on September 14, 2021 to amend Human Resources Policy – 012 by changing the on-call rate from \$175 per week to \$30 per day retroactive to January 1, 2021.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD HEREBY ENACTS AS FOLLOWS:

1. THAT By-law 70-2010 is hereby amended by amending Appendix “A” attached thereto by repealing Human Resources Policy – 012 (On-Call/Call-In Policy for Exempt Staff) and replacing said policy with the new Human Resources Policy – 012 (On-Call/Call-In Policy for Exempt Staff) attached hereto as Schedule “A”; and
2. THAT the Clerk be directed to update the Corporate Policy manual to reflect the amendment to said Policy approved herein.
3. THAT this By-law shall come into force effective immediately.

READ A FIRST TIME: September 28, 2021

READ A SECOND TIME: September 28, 2021

PASSED: September 28, 2021

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MAYOR

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CLERK



## **Policy Manual**

**Policy Number: Human Resources-012**

**Subject: On-Call/Call-In Policy for Exempt Staff**

### **Policy Statement:**

#### **Purpose / Objective**

To provide fair and equitable compensation to exempt employees who have responsibility for being available, and in an emergency, to respond to calls requiring immediate attention after business hours to protect public safety and/or ensure public service.

#### **Guiding Principles**

In an effort to protect public safety and/or ensure public service, certain identified exempt positions must be available for stand-by duty on a rotated basis.

### **Related Policy Guidelines**

The City recognizes that to protect public safety and/or ensure public service, on-call duties may be necessary for some exempt staff, and as an "Employer of Choice", will be guided by the following objectives in determining the need for on-call responsibilities:

1. Provide the employees with a fair and appropriate compensation reflective of the disruption to their personal life.
2. Allow the organization to operate in an effective and efficient manner.
3. Ensure that public safety is protected and/or the continuation of public services.

#### **1.0 Definitions**

**Authorized** shall be defined as approval received from the employee's manager.

**Exempt Employee Group** shall be defined as those City employees who are not part of a collective agreement with a trade union.

**On-Call** shall be defined as a pre-authorized period of time, outside of an employee's regular hours of work, when the employee is required to be available and fully prepared to respond to telephone calls and, if necessary, to report to the workplace to resolve emergency situations.

**Call-In** shall be defined as an occasion when an employee who is on-call is contacted and is required to attend the workplace to resolve an issue.

## **2.0 Assignment of On-Call Duty**

Employees who have on-call responsibilities must:

1. Be authorized by their manager to be on-call duty
2. Carry a pager, cellular telephone or communications device
3. Be available to be contacted and respond to a page or phone call within 10 minutes of being contacted
4. If required, report to the work site within the time frame specified by the department from the time of notification of the emergency situation.
5. Where necessary to complete on-call duties in a timely manner (e.g., the need for special equipment), employees who are on-call may be provided with a City vehicle in order to report to the site directly to resolve emergency situations. Assignment of City vehicles will be determined in accordance with the City's Code of Conduct By-law as amended from time to time especially as updated by the Vehicle Use Policy.
6. Refrain from using any substance which could impair their ability to perform their job duties in a safe and effective manner.

An employee assigned to on-call duty may switch weeks with another employee who also performs on-call duties, however the department manager must be informed in advance. Should an employee not be available to perform on-call duties due to extenuating circumstances, he/she must notify the department manager immediately so someone else can be assigned the on-call responsibility.

## **3.0 Compensation for On-Call Duty**

Compensation for being on-call is intended to recognize those situations where there is a strong likelihood that the employee will be contacted and/or that call-in will occur. If

an employee is regularly designated as on-call, but is not contacted or required to report to the workplace, then the eligibility for on-call compensation will be reviewed.

Employees assigned to on-call rotation will be paid \$175 per week while on- call.

Effective January 1, 2021, employees assigned to on-call rotation will be paid \$30.00 per day while on-call.

If an employee who is on-call is unable to be contacted, fails to respond to a call or is unable to report to work when required, the on-call pay for that period will be withheld.

#### **4.0 Compensation for Call-In**

If an employee must leave his/her home to attend work during an on-call period, he/she will be paid call-in pay for all such hours worked at their regular hourly rate with a minimum payment of three hours.

Travel time to and from the workplace shall be considered as part of the call-in period.

Payment for call-in situations must be authorized by management to ensure the call-in was necessary to respond to an emergency situation and will not be authorized for frivolous matters where an exempt employee has unnecessarily chosen to attend the workplace.

#### **5.0 Compensation for Call-In When Not On-Call**

If an employee must leave his/her home to attend the worksite while not authorized to be on-call, such time will be compensated in accordance with the overtime policy and shall not be considered as call-in time for the purposes of compensation as noted above.

<b>Date of Enactment:</b> October 26, 2009	<b>Related by By-law Number/ Staff Report Number:</b> 109-2009 - CM2009-119 70-2010 (consolidation) By-law 188-2021 /Report 2021-576
<b>Review Date:</b>  <b>Amendment Dates:</b> June 2010 (consolidation) September 22, 2021	<b>Department Responsible for Review:</b> Human Resources
<b>Date of Next Review:</b> 2022	<b>Applicable Legislation/ Legislative Authority:</b>