

Revised Summary of Key Provision for Toronto’s Public Service By-law

No.	By-law Provisions	Description
1.	Purpose	<p>The public service plays a unique and important role within Toronto's government and works to serve the public, the Toronto government and the City as a whole through excellence in service, stewardship and commitment.</p> <p>The Toronto Public Service By-law strengthens the separation between the administrative and political components of Toronto's government and advances the Toronto Public Service as objective, professional, impartial and ethical.</p> <p>The Toronto Public Service By-law defines the roles and responsibilities of the public service including providing impartial advice to government that considers evidence based information covering a range of aspects related to the public interest and sets out the ethical rights, duties and protections for the public service.</p>
2.	Objectives	<p>The By-law includes the following objectives:</p> <ul style="list-style-type: none"> • Advance the public service as a professional body that is objective, impartial and ethical, with consistent public service requirements. • Affirm City Agencies as part of the broader public service with authority to manage their own affairs. • Ensure the public service is effective in serving the public, the Toronto government and the City as a whole through excellence in service, stewardship and commitment. • Establish the roles, responsibilities and authorities for the administration of the public service. • Recruit and develop a well-qualified public service that is reflective of Toronto’s diversity, through an impartial, merit-based system that fosters career development. • Set out the rights and duties of the public service concerning ethical conduct, including political activity

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		<p>and conflict of interest.</p> <ul style="list-style-type: none"> • Establish procedures for the disclosure and investigation of wrongdoing in the public service and protect public servants who disclose wrongdoing from reprisals.
3.	Public Service Values	<p>The By-law will codify the core public service values that public servants will:</p> <ul style="list-style-type: none"> • Serve the public well; • Serve Council and/or their Board well; • Act with integrity; • Maintain political neutrality; • Uphold Toronto’s motto – <i>Diversity Our Strength</i>; • Use City property, services and resources responsibly; • Apply judgement and discretion; and • Serve the public service well.
4.	Role, Responsibilities and Authorities of the City Manager and Other City Officials to Manage Human Resources	<p>The By-law will cross- reference the role, responsibilities and authorities of the City Manager set out in Sections 169 – 1 to 169 – 10 in Toronto Municipal Code Chapter, 169, City Officials.</p> <p>The By-law will cross- reference the roles, responsibilities and authorities of the City Clerk as set out in Sections 169 – 12 to 169 – 15 and the City Solicitor as set out in Sections 169 – 25 to 169 - 27 in Toronto Municipal Code Chapter 169, City Officials.</p>
5.	Roles, Responsibilities and Authorities of City Agencies to Manage Human Resources	<p>The By-law will affirm the authority of in-scope City Agencies to appoint, promote, demote, suspend and dismiss Agency employees subject to the provisions of any personnel policies adopted by the board or collective agreements applicable to Agency employees.</p> <p>The By-law will require in-scope City Agencies to appoint an administrative head responsible to provide organizational leadership to staff and for the efficient and effective delivery of services.</p>

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		<p>The By-law will require in-scope City Agencies to delegate the authority to appoint, promote, demote, suspend and dismiss Agency employees to the administrative head and with such limitations as the Board determines appropriate.</p>
6.	<p>Human Resource Policy Requirements</p>	<p>The By-law will require that at a minimum the following human resources policies be established by the City Manager and in-scope City Agencies to effectively manage human resources and meet legislative and operational requirements including:</p> <ul style="list-style-type: none"> • Absence from Work Policies to set out conditions for various leaves from work (for example, vacation, bereavement, pregnancy, parental leave); • Pay and Benefits Policies to outline remuneration or reimbursement for employees (for example, lieu time and mileage); • Hiring and Promotion Policies to outline the processes governing the appointment and promotion of staff as required by the <i>City of Toronto Act, 2006</i>; • Health and Safety Policies to fulfill requirements under the <i>Occupational Health and Safety Act</i> including maintaining a safe work environment; and • Access, Equity and Human Rights Policies to fulfill requirements under various legislation and promote access and equity in their organization.
7.	<p>Conflict of Interest Provisions</p>	<p>The By-law will codify the Conflict of Interest provisions attached as Appendix C to this report.</p> <p>The By-law will apply the conflict of interest provisions to the Toronto Public Service and the in-scope City Agencies.</p>
8.	<p>Political Activity Provisions</p>	<p>The By-law will codify the Political Activity provisions attached as Appendix E to this report.</p> <p>The By-law will apply the political activity provisions to the Toronto Public Service and the in-scope City Agencies.</p> <p>The By-law will confirm the authority of in-scope City Agencies to identify additional Agency positions that may be restricted from political activity.</p>

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9.	Disclosure of Wrongdoing and Reprisal Protection Provisions	<p>The By-law will codify the Disclosure of Wrongdoing and Reprisal Protection provisions attached as Appendix F to this report and will apply the provisions to the Toronto Public Service.</p> <p>The By-law will require in-scope City Agencies to adopt a disclosure of wrongdoing and reprisal protection policy meeting the following minimum requirements:</p> <ul style="list-style-type: none"> • Define wrongdoing; • Establish mechanisms for employees to disclose wrongdoing; • Establish a clear investigative process to investigate allegations of wrongdoing; • Establish reprisal protection for employees who make an allegation of wrongdoing in good faith; and • Report annually to their Board on allegations of wrongdoing and their resolution.
10.	Ethics Executives	<p>The By-law will designate the following senior City and Agency employees as Ethics Executives:</p> <ul style="list-style-type: none"> • City Manager; City Clerk and City Solicitor; • Deputy City Managers and Deputy City Manager/Chief Financial Officer; • Division Heads; and • Agency Heads and other senior position(s) designated by the Agency Head. <p>Ethics Executive are responsible to:</p> <ul style="list-style-type: none"> • Promote ethical conduct and decision-making; • Ensure staff are familiar with the ethical provisions included in the Toronto Public Service By-law and provide guidance on their application; and • Provide advice and guidance to staff on situations involving conflict of interest, political activity and other ethical matters. <p>The By-law will provide authority for Agency Heads of in-scope City Agencies to designate other senior Agency staff as Ethics Executives.</p>

