

Delegation to Council – April 7, 2025
Re: 10.1 Reports CAO-2025-08
Governance Policy HR-001 Hiring and Termination of Employees

Good evening, Council,

I'm here to address Report CAO-2025-08, Governance Policy HR-001 Hiring and Termination of Employees review.

I am here as a tax payer / citizen. A significant share of the Township's annual budget is compensation to employees. There is public concern about the rapid increase in employees relative to population growth and the subsequent impact on the budget and our taxes.

There is a process called "corporate creep" that results in increased employee costs outside of the approved budget's annual term. One example is "roll-over". In a budget setting process, after directed by council to reduce expenses, staffs will often come back with adjusted staffing costs reductions for the budget's calendar year.

This is done by changing a hiring date to later in a calendar year. Instead of hiring a 1.0 FTE for January 1 at full compensation cost, the hire will be postdated until July 1st, or September 1st, so that a 1.0 is now a 0.5 (July 1st) or a 0.33 (September 1st). Thus, the staffing cost is only ½ or 1/3 of the original, and the revised total fits within the "acceptable" budget year total.

The fiscal problem is that the person hired is still employed on the subsequent January 1st as a "roll-over" from the previous budget year into the new budget year. That results in a new baseline staffing cost. Instead of it being costed at 0.5 or 0.33 the new baseline is 1.0, double or triple the previous cost. When senior staff do the hiring, and are not supervised and regulated by council (Council directs staff to terminate potential "roll-over" staffing costs at the end of the budget approved costing timeline.) the result is "corporate creep". Staffing creeps upward almost imperceptibly.

For any senior staff, anywhere in Ontario, to tell its supervising council that council is not included in access to decision making information (ex: comparator policies), or that "*Members of Council have the same rights of access to information as members of the community.*" It could allegedly be:

- insubordination and a usurpation of the duties of council per the OMA,
- a misperception and overreach of the meaning of, "...exercising general control and management..."

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- a strategy to avoid the appropriate supervision, control and direction by council of its staff through a CAO, as required in the OMA, 224 (b) and 224 (d.1).

Page 1 of the report states that,

“A municipal scan was completed, eight policies were shared with staff.”

“All comparator policies are internal only and do not included Council in the review process.”

“Council’s role is to approve new positions and with regards to hiring/termination of the CAO.”

The second statement is **false** per the O.M.A. which states:

224 It is the role of **council**,

- (b) to **develop and evaluate the policies** and programs of the municipality;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to **ensure the accountability and transparency of the operations** of the municipality, including the activities of senior management of the municipality;

In fact, by legislation, Council is legally responsible for the development and evaluation of all policies in the municipality.

In fact, by legislation, Council is legally responsible to ensure the accountability and transparency of the activities of the municipality.

Those legislated duties require that council provide an ongoing supervisory role of all actions of senior management and of all policies which include their development and review prior to implementation, and afterward.

Therefore, any comparator policies, that senior management chooses to use as benchmarks for comparison and potential adoption, are fundamental to the, “develop and evaluate the policies...” process of decision-making.

Therefore, Council has a legal responsibility to have access to the comparator policies to fulfill their duty in 224 (b) of the Act.

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Therefore, Council has a legal responsibility to have access to the comparator policies to fulfill their duty in 224 (d.1) of the Act.

All municipal policies, whatever their nature, are public documents. The actions of senior staff as they access and select information so as to provide advice to council as it, council, develops and evaluates policies (a council duty) must be transparent and accountable to all of council and the residents. IT'S THE LAW!!!!

The report states that “*a municipal scan was completed*” and “*eight policies were shared with staff*”. The report states that the search was done via “*the HR Golden Triangle networking group*”.

It would appear that it is to be assumed that municipalities in the “*Golden Triangle*” are appropriate comparators to Wilmot Township. In fact, Wilmot consultants have used as comparators - local, neighbouring municipalities and other Ontario municipalities that “look like Wilmot” in area, population size, rural dominant, small commercial and industrial assessment. Wilmot is not “the big city”, although the province is stretching its definition of the “*Golden Horseshoe*” to include KW to promote its housing agenda.

NOTE: There are 444 municipalities in Ontario and it is easy to “cherry-pick” documents seeking to find isolated phrases as confirmation of existing assumptions.

The O.M.A. requires transparency, Wilmot’s strategic plan requires transparency – but there is a corporate culture of secrecy in Wilmot. Citizens often need to pay for the F.O.I. process to access public documents that senior administration wants withheld from public view.

Trust but confirm – an example?

A Report, COR-2024-28 was submitted to Council on November 4, 2024 on the topic of “*Council-Staff Relations Policy Review*”. On page 4 of the report it stated, “*The attached policy is consistent with comparators in its structure and content.*” to the 15 listed comparator municipalities.

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I conducted a Google search of the 15 municipalities, and others, that I consider to “*look like Wilmot*” and could not find policies from all of the listed 15.

Of those I reviewed, 4 were structured in layout somewhat similar to the proposal by staff. One, a large municipality in the GTA which has a large hired staff, and councillors who are compensated enough to be considered full-time, had the word “shall” in it. All others used the word “may” or left interactions between staff and council to individual discretion. One out of 444 does not result in, “*consistent with comparators in its structure and conten*”.

I submitted an FOI request, considering that Wilmot staff must have had access to all of the 15 listed comparator policies, as they were used as references of proof, and I just couldn’t find them. They’re public, please share.

The formal response to the FOI request was, “*Despite a thorough and reasonable search, staff have been unable to locate any records related to your request within our custody or control of the institution. Access, therefore, cannot be granted as **the records do not exist.***”

Really? The records referred to in a formal report to Council and the public, and a policy proposal is based on comparator records that do not exist? Was this policy just “made up”? Or is there slippery wording here, “...*within our custody or control...*”? In other words, we have them, but they’re not ours, so although they are public documents, we choose not to be transparent and share them with you? “Are these trust inspiring actions?” a reasonable person might ask.

Once burned, twice wary. Trust, but confirm? No – Confirm, then trust.

There are too many examples of Wilmot’s refusal to share public information with the public, any even are kept secret from council. Therefore, based on past experiences, I have no reason to trust, on its face, the accuracy of references used as “others are doing it so we can too” rationale. (All the other kids can smoke, why can’t I?)

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Furthermore, it appears to be a corporate belief that, “*Members of Council have the same rights to access to information as members of the community.*”. [Report COR-2024-28, Nov. 4, 2024, page 2, last line.]

In practice this means that senior management will be the arbitrators of fact and truth, and will release only the information it wants, and will keep selected information, fundamentally essential to optimum decision-making, secret from the public and council in equal measure. Hubris!

It is this practice that exemplifies the consultants’ multiple reports that there **needs to be a change in corporate culture** in Wilmot. [Strategic Plan, Communications Review, Organizational Structure Review, for examples]

Withholding information is NOT transparency. It is secrecy and a power grab technique. “**He who controls access to information controls knowledge and power!**”

This report must be received and trashed as it is based on illegal assumptions that, “*comparator policies are internal only and do not include Council in the review process*”. FALSE! The OMA requires otherwise.

All municipal policies are public documents available to the Ontario public. I ask Council to direct its hired staff to provide the names of any and all municipalities that are used as comparator policies as council evaluates and reviews this hiring policy.

All municipal policies are public documents available to the Ontario public. I ask Council to direct its staff to provide any and all policies of other municipalities used as comparators for policy review to council and the public.

I’ll be sitting back here and watching what council chooses to do.

Thank you.

Respectfully submitted,
Barry Wolfe,

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Subsequent discussion in public session:

A councillor asked the Acting CAO whether there was any legislation that prevented us from accessing the policy documents used as references?

The Acting CAO, after deliberation, indicated, “No.”

A councillor then followed up by asking staff to acquire and provide the referenced comparator policies to councillors.

The Acting CAO added that it might influence future sharing of documents by “our friends”.

Council pressed the Acting CAO to do as they requested and acquire the documents.

In retrospect, this exchange raises questions for any fair and reasonable citizen in Ontario:

How do we know for sure that, by extraordinary coincidence, all eight municipalities specified that their municipal policies were for internal use only and that they cannot be released to anyone including to councillors? (Independently confirm, then trust!)

Why should we consider someone to be a “friend” worth protecting if they insist on public information used in decision-making be kept secret from councillors and the public?

Is this “secrecy” a condition of “friendship” that is specified by each of the other 8 municipalities, or is this an arbitrary construct to maintain secrecy?

Bottom Line:

Transparency is a practice and an attitude.

Secrecy, manipulation of understandings and deception are practices arising out of an attitude.

Trust is earned and maintained by every action and every statement made by someone.

Council must direct staff to provide the comparator policies to council and to the public. They are public documents being used as benchmarks for decision-making in Wilmot, and are in the public interest to be provided.