



City of Hamilton
AUDIT, FINANCE AND ADMINISTRATION COMMITTEE
AGENDA

Meeting #: 21-003
Date: February 18, 2021
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

1. **APPOINTMENT OF CHAIR**
2. **APPROVAL OF AGENDA**
(Added Items, if applicable, will be noted with *)
3. **DECLARATIONS OF INTEREST**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 4.1. February 4, 2021
5. **COMMUNICATIONS**
6. **DELEGATION REQUESTS**
7. **CONSENT ITEMS**
 - 7.1. Various Volunteer Advisory Committee Minutes:

- 7.1.a. Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - November 17, 2020
- 7.1.b. Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee - December 15, 2020
- 7.1.c. Immigrant and Refugee Advisory Committee - March 12, 2020
- 7.1.d. Immigrant and Refugee Advisory Committee - December 10, 2020
- 7.1.e. Hamilton Aboriginal Advisory Committee - October 1, 2020
- 7.1.f. Hamilton Mundialization Committee - November 18, 2020

8. PUBLIC HEARINGS / VIRTUAL DELEGATIONS

- 8.1. Robert Ridley, on behalf of Olympia Gerl, respecting a Water Billing Charge Anomaly (Deferred from the February 4, 2021 AF&A Meeting)
 - 8.1.a. Staff Supporting Documentation - Robert Ridley on behalf of Olympia Gerl (Revised) (Deferred from the February 4, 2021 AF&A Meeting)

9. STAFF PRESENTATIONS

10. DISCUSSION ITEMS

- 10.1. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Accessible Captioning for Meetings of the LGBTQ Advisory Committee
- 10.2. Fraud, Waste, and Whistleblower Semi-Annual Update (AUD21001) (City Wide)
- 10.3. Annual Employee Attendance Report 2020 (HUR21002) (City Wide)
- 10.4. Hamilton Anti-Racism Resource Centre Update (CM20007(b)) (City Wide) (Outstanding Business List Item)

Discussion of Confidential Appendix 'D' to this report, would be pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

Please refer to Item 14.2 for Confidential Appendix "D" to Hamilton Anti-Racism Resource Centre Update (CM20007(b)).

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1. Amendment to the Outstanding Business List:

13.1.a. Item to be Removed:

Hamilton Anti-Racism Resource Centre Update (HUR18010(c))

Added: December 5, 2019 at AF&A Item 9.2

Completed: February 18, 2021 AF&A Item 10.4

OBL Item: 19-R

14. PRIVATE AND CONFIDENTIAL

14.1. Closed Minutes - February 4, 2021

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

14.2. Confidential Appendix "D" to Hamilton Anti-Racism Resource Centre Update (CM20007(b)) (City Wide)

Discussion of Confidential Appendix "D" to Hamilton Anti-Racism Resource Centre Update (CM20007(b)), would be pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

15. ADJOURNMENT



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 21-002

9:30 a.m.

February 4, 2021

Council Chambers

Hamilton City Hall

Present: Councillors M. Wilson (Chair), B. Clark, C. Collins, L. Ferguson, B. Johnson, J. Partridge, M. Pearson, and A. VanderBeek

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Citizen Committee Report - Hamilton Status of Women Advisory Committee - Donation of Remaining 2020 Budget Allocation (Item 9.1)

(Collins/Partridge)

- (a) That the Advisory Committee Funding Structure be referred to staff for a report back to the Governance Review Sub-Committee.
- (b) That the Citizen Committee Report from the Hamilton Status of Women Advisory Committee respecting the Donation of their Remaining 2020 Budget Allocation, be referred back to staff to be included in the Tax and Rate Operating Budget Variance Report – Budget Control Policy Transfers to the Audit, Finance and Administration Committee.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 1 Councillor Maureen Wilson

2. 2020 City Enrichment Fund Update (GRA21001) (City Wide) (Item 9.2)

(Ferguson/Pearson)

That the overall 2020 City Enrichment Fund surplus (attached as Appendix "A" to Report GRA21001), in the amount of \$732,342 be transferred to the City Enrichment Fund Reserve #112230, be approved.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

3. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - All Advisory Committee Event (Item 9.3)

(Wilson/Johnson)

That the request from the Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee to host a virtual All Advisory Committee Event to be held in 2021, be referred back to Clerk's staff to develop a format for an All Advisory Committee Event and report back to the Audit, Finance & Administration Committee on April 8th, 2021.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

4. Governance Review Sub-Committee Report 21-001 - January 25, 2021 (Item 9.4)

(Pearson/Johnson)

(a) 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001) (Item 9.1)

- (a) That the Summary of the Proposed Revisions, as detailed in Appendix 'B' attached to Governance Review Sub-Committee Report 21-001, **as amended**, be approved;
- (b) That By-law 18-270, the Council Procedural By-law, and it's amending By-laws 19-090, 19-212, 19-308, 20-042, 20-055, 20-103, 20-129, 20-145, 20-146, 20-151, 20-184, be repealed; and,
- (c) That the Council Procedural By-law attached as Appendix 'A' to Governance Review Sub-Committee Report 21-001, **as amended**, be enacted by Council.

(b) Civil Marriage Solemnization Update (CL19012(b)) (City Wide) (Item 9.2)

That Report CL19012(b) respecting Civil Marriage Solemnization Update, be received.

(c) Legal Advice on Contract Terms (Item 13.1)

That the direction provided to staff in Closed Session respecting Legal Advice on Contract Terms, be approved and remain confidential.

Result: Main Motion, As Amended CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

5. Commercial Relationship between the City of Hamilton and 1389797 Ontario Inc. o/a Medical Centre Optical (FCS11020(a) / LS11001(a)) (City Wide) (Item 13.1)

(Ferguson/Pearson)

That Report FCS11020(a) / LS11001(a) respecting the Commercial Relationship between the City of Hamilton and 1389797 Ontario Inc. o/a Medical Centre Optical, be received and remain confidential.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following change to the agenda:

4. COMMUNICATIONS

4.2 Correspondence from Joey Coleman, respecting a proposed bylaw banning letters critical of Council behaviour from being submitted as public correspondence

Recommendation: Be received and referred to consideration of Item 9.4 - Governance Review Sub-Committee Report 21-001.

(Ferguson/Pearson)

That the agenda for the February 4, 2021 Audit, Finance and Administration Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) January 14, 2021 (Item 3.1)

(VanderBeek/Pearson)

That the Minutes of the January 14, 2021 meeting of the Audit, Finance and Administration Committee be approved, as presented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(d) COMMUNICATIONS (Item 4)

(Partridge/Johnson)

That Communication Items 4.1 and 4.2, be received and referred to consideration of Item 9.4 – Governance Review Sub-Committee Report 21-001:

- (i) Correspondence from Cameron Kroetsch, respecting suggested changes to consolidated Procedural By-law 18-270 (Item 4.1)**
- (ii) Correspondence from Joey Coleman, respecting a proposed bylaw banning letters critical of Council behaviour from being submitted as public correspondence (Added Item 4.2)**

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(e) PUBLIC HEARINGS / VIRTUAL DELEGATIONS (Item 7)

- (i) Sanallah Chaudhry, respecting a water bill totaling \$2,193.34 (for October 18 - Dec. 18th through Alectra-Bill) (Approved January 14, 2021) (Item 7.1)**

Sanallah Chaudhry when called upon experienced technical difficulties, therefore, the Chair called upon the next delegation until the technical difficulties could be resolved.

For further disposition of this matter refer to Item (e)(iv).

- (ii) Robert Ridley, on behalf of Olympia Gerl, respecting a Water Billing Charge Anomaly (Approved January 14, 2021) (Item 7.2)**

Robert Ridley experienced technical difficulties and was unable to rejoin the meeting.

(Partridge/VanderBeek)

That the delegation from Robert Ridley, on behalf of Olympia Gerl, respecting a water billing charge anomaly, be deferred to the February 18, 2021 Audit, Finance & Administration Committee meeting.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

- (iii) Staff Supporting Documentation – Robert Ridley (Item 7.2(a))**

(Partridge/VanderBeek)

That the staff supporting documentation respecting Robert Ridley's delegation, be deferred to the February 18, 2021 Audit, Finance & Administration Committee meeting.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(iv) Sanaullah Chaudhry, respecting a water bill totaling \$2,193.34 (for October 18 - Dec. 18th through Alectra-Bill) (Approved January 14, 2021) (Item 7.1) (Continued)

Sanaullah Chaudhry addressed the Committee respecting a water bill totaling \$2,193.34.

(Pearson/Collins)

That the delegation from Sanaullah Chaudhry, respecting a water bill totaling \$2,193.34, be received.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(ii) Staff Supporting Documentation - Sanaullah Chaudhry (Item 7.1(a))

(Pearson/Partridge)

That the staff supporting documentation respecting Sanaullah Chaudhry's delegation, be received.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(f) DISCUSSION ITEMS (Item 9)

(i) Governance Review Sub-Committee Report 21-001 – January 25, 2021 (Item 9.4)

The Chair advised that public notice was given for the 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001), Item 1 of the Governance Review Sub-Committee Report 21-001, inviting interested parties to make virtual representations at today's meeting. There were no registered speakers.

(Johnson/Wilson)

(a) 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001) (Item 9.1)

- (i) That the Summary of the Proposed Revisions, as detailed in Appendix 'B' attached to Governance Review Sub-Committee Report 21-001, be approved;
- (ii) That By-law 18-270, the Council Procedural By-law, and its amending By-laws 19-090, 19-212, 19-308, 20-042, 20-055, 20-103, 20-129, 20-145, 20-146, 20-151, 20-184, be repealed; and,
- (iii) That the Council Procedural By-law attached as Appendix 'A' to Governance Review Sub-Committee Report 21-001, as amended, be enacted by Council.

(b) Civil Marriage Solemnization Update (CL19012(b)) (City Wide) (Item 9.2)

That Report CL19012(b) respecting Civil Marriage Solemnization Update, be received.

(c) Legal Advice on Contract Terms (Item 13.1)

That the direction provided to staff in Closed Session respecting Legal Advice on Contract Terms, be approved and remain confidential.

Councillor Clark relinquished the Chair to Councillor Johnson in order to introduce amendments to this item.

(Clark/Johnson)

That subsection (c) to Item 1 of the Governance Review Sub-Committee Report 21-001, be **amended**, as follows:

- (i) That Sections 3.10 (5) and 5.14 (6) respectively, **be amended**, to read as follows:

Communication Items shall not contain the Personal Information ***without their express consent***, with the exception of the author's name. Any Personal Information found in the communication will be redacted pursuant to the obligations of *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), this Procedural By-law and other relevant legislation or procedure.

- (ii) That Sections 3.7 (5) and 5.4 (5) respectively, ***be amended*** to include '***the meeting will be recessed for up to 15 minutes to allow members to return. Following the recess, if quorum is not regained,***' to read as follows:

3.7 (5) **INP** If Quorum cannot be maintained during an IN-PERSON Council meeting, the Clerk will advise the Mayor or Deputy Mayor that quorum is lost ***the meeting will be recessed for up to 15 minutes to allow members to return. Following the recess, if quorum is not regained,*** the decision to continue the meeting will rest with the Mayor or Deputy Mayor. During the absence of quorum, no decisions may be approved.

5.4 (5) **INP** If Quorum cannot be maintained during an IN-PERSON Committee meeting, the Clerk will advise the Chair that quorum is lost ***the meeting will be recessed for up to 15 minutes to allow members to return. Following the recess, if quorum is not regained,*** the decision to continue the meeting will rest with the Chair. During the absence of quorum, no decisions may be approved.

Result: Amendment CARRIED by a vote of 6 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(Clark/Johnson)

Amendment to Item 1 (c) of the Governance Review Sub-Committee Report 21-001, respecting the 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001)

WHEREAS, Council has an obligation to be transparent and receive communications in good faith acknowledging the public interest under Common Law and the *Municipal Act, 2001*;

WHEREAS, the role of the Integrity Commissioner is to help ensure that Members of Council perform their functions in accordance with the Code of Conduct, and other applicable procedures, rules and policies governing ethical behavior (*Integrity Commissioner By-Law No. 16-288*);

WHEREAS, the violations of the Code of Conduct apply to Key Statements of General Principle Underlying the Code; Gifts and Benefits; Confidentiality; Use of City Property, Services and Other Resources; Election Campaign Work; Conduct in Office, Including at Council and Committees; Representing the City; Improper Use of Influence; Conduct Respecting City Employees; Respect for the City and Its By-laws and Queries and Complaints Under this Code of Conduct (Code of Conduct for Members of Council By-law 16-290, as amended);

WHEREAS, the Ontario Ombudsman recommends that any communication regarding behaviour of a Member of Council is forwarded to the member and the author is informed of the Integrity Commissioner web page and process, as an option if they wish to file a formal complaint;

WHEREAS, an appeal process was omitted from the proposed Council Procedural By-law for a member(s) of Council to appeal the Mayor's or the Chair's order for a member(s) of Council to vacate the place the meeting is being held should they persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1; and

WHEREAS, consistency in the proposed Council Procedural By-law is paramount, respecting the type of vote required for an appeal/challenge of the Mayor's or the Chair's ruling.

THEREFORE BE IT RESOLVED:

That subsection (c) to Item 1 of the Governance Review Sub-Committee Report 21-001, be **further amended**, as follows:

- (i) That Sections 3.10 (10) and 5.14 (10) respectively, **be amended** to read as follows:

Communications which are in substance an allegation of a violation of the Code of Conduct or the Municipal Conflict of Interest Act by a member of Council or any member of a local board will not be placed on a Council (or Committee) agenda but will be returned to the author who will be advised of the informal and formal mechanisms for bringing such allegations to the attention of the Integrity Commissioner.

(ii) That Section 8.4, **be amended** to read as follows:

8.4 Should a Member of Council persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1 after having been called to order by the Mayor or the Chair of the Committee, the Mayor or the Chair may order them to vacate the place the meeting is being held:

- (i) If the Member of Council apologizes, they may, by two-thirds majority vote of the Council or Committee members, be permitted to remain at the meeting; and**
- (ii) Any Member of Council other than the member ordered to vacate the place the meeting is being held may appeal the Mayor's or Chair's ruling, and Council or Committee may overturn the Chair's ruling by two-thirds majority vote of the Council or Committee members. An appeal is not in order once a vote under section 8.4 (i) has taken place.**

(iii) That Section 12.7, **be amended** to read as follows:

12.7 The Clerk shall assume the role of the Mayor or Chair as the chair of Council or a Committee, when a ruling of the Mayor or Chair is challenged by a Member of Council or Committee. The Clerk shall take a vote of the challenge for Members of Council or Committee in favour or opposed to the ruling. The ruling fails when there is a **two-thirds** majority vote in favour of the challenge.

(Johnson/Clark)

That subsection (c) to Item 1 of the Governance Review Sub-Committee Report 21-001, be **further amended**, to include '**(excluding the member of Council or Committee in question)**' as follows:

8.4 Should a Member of Council persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1 after having been called to order by the Mayor or the Chair of the Council or Committee, the Mayor or the Chair may order them to vacate the place the meeting is being held:

- (i) If the Member of Council apologizes, they may, by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question), be permitted to remain at the meeting; and,**
- (ii) Any Member of Council other than the member ordered to vacate the place the meeting is being held may appeal the Mayor's or Chair's ruling, and**

Council or Committee may overturn the Chair's ruling by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question). An appeal is not in order once a vote under section 8.4 (i) has taken place.

Result: Amendment CARRIED by a vote of 6 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

Amendment, As Amended, to read as follows:

WHEREAS, Council has an obligation to be transparent and receive communications in good faith acknowledging the public interest under Common Law and the *Municipal Act, 2001*;

WHEREAS, the role of the Integrity Commissioner is to help ensure that Members of Council perform their functions in accordance with the Code of Conduct, and other applicable procedures, rules and policies governing ethical behavior (*Integrity Commissioner By-Law No. 16-288*);

WHEREAS, the violations of the Code of Conduct apply to Key Statements of General Principle Underlying the Code; Gifts and Benefits; Confidentiality; Use of City Property, Services and Other Resources; Election Campaign Work; Conduct in Office, Including at Council and Committees; Representing the City; Improper Use of Influence; Conduct Respecting City Employees; Respect for the City and Its By-laws and Queries and Complaints Under this Code of Conduct (Code of Conduct for Members of Council By-law 16-290, as amended);

WHEREAS, the Ontario Ombudsman recommends that any communication regarding behaviour of a Member of Council is forwarded to the member and the author is informed of the Integrity Commissioner web page and process, as an option if they wish to file a formal complaint;

WHEREAS, an appeal process was omitted from the proposed Council Procedural By-law for a member(s) of Council to appeal the Mayor's or the Chair's order for a member(s) of Council to vacate the place the meeting is being held should they persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1; and

WHEREAS, consistency in the proposed Council Procedural By-law is paramount, respecting the type of vote required for an appeal/challenge of the Mayor's or the Chair's ruling.

THEREFORE BE IT RESOLVED:

That subsection (c) to Item 1 of the Governance Review Sub-Committee Report 21-001, be **further amended**, as follows:

- (i) That Sections 3.10 (10) and 5.14 (10) respectively, **be amended** to read as follows:

Communications which are in substance an allegation of a violation of the Code of Conduct or the Municipal Conflict of Interest Act by a member of Council or any member of a local board will not be placed on a Council (or Committee) agenda but will be returned to the author who will be advised of the informal and formal mechanisms for bringing such allegations to the attention of the Integrity Commissioner.

- (ii) That Section 8.4, **be amended** to read as follows:

8.4 *Should a Member of Council persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1 after having been called to order by the Mayor or the Chair of the Council or Committee, the Mayor or the Chair may order them to vacate the place the meeting is being held:*

- (i) If the Member of Council apologizes, they may, by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question), be permitted to remain at the meeting; and,***
(ii) Any Member of Council other than the member ordered to vacate the place the meeting is being held may appeal the Mayor's or Chair's ruling, and Council or Committee may overturn the Chair's ruling by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question). An appeal is not in order once a vote under section 8.4 (i) has taken place.

- (iii) That Section 12.7, **be amended** to read as follows:

12.7 The Clerk shall assume the role of the Mayor or Chair as the chair of Council or a Committee, when a ruling of the Mayor or Chair is challenged by a Member of Council or Committee. The Clerk shall take a vote of the challenge for

Members of Council or Committee in favour or opposed to the ruling. The ruling fails when there is a **two-thirds** majority vote in favour of the challenge.

Result: Amendment, As Amended CARRIED by a vote of 6 to 0, as follows:

YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

Councillor Clark assumed the Chair.

For further disposition of this matter refer to Item 4.

(g) PRIVATE AND CONFIDENTIAL (Item 13)

(Wilson/Johnson)

That Committee move into Closed Session respecting Item 13.1, pursuant to Section 8.1, Sub-section (f) of the City's Procedural Bylaw 18-270, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(i) Commercial Relationship Between the City of Hamilton and 1389797 Ontario Inc. o/a Medical Centre Optical (FCS11020(a) / LS11001(a)) (City Wide) (Item 13.1)

For disposition of this matter refer to Item 5 and (h)(a)(i).

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

- (i) Amendments to the Outstanding Business List (Item 12.1)

(Ferguson/Pearson)

That the following amendment to the Audit, Finance & Administration Committee's Outstanding Business List, be approved:

- (a) Items Considered Complete and Needing to be Removed:
- (i) 10 Year Review of Medical Centre Optical – Bids, Proposals or Quotation
Added: February 7, 2011 at AF&A
Completed: February 4, 2021 AF&A - Item 13.1
OBL Item: A

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

(i) ADJOURNMENT (Item 14)

(Pearson/Ferguson)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 1:17 p.m.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Councillor Clark, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



Hamilton

MINUTES

LGBTQ Advisory Committee

Tuesday, November 17, 2020

6:00 PM - 7:50 PM

Webex

Present: James Diemert, Autumn Getty (Recording Secretary), Freja Gray, Lisa-Marie Johnston, Cameron Kroetsch (Chair), Jake Maurice, Violetta Nikolskaya (Vice Chair), Terri Wallis, Kyle Weitz, Maureen Wilson (City Council Appointee)

Regrets: None

Absent: Kristin Cavarzan

Staff: Pauline Kajiura (Staff Liaison)

Guests: Matthew Grant (Director of Communications and Intergovernmental Relations, City of Hamilton), Alipa Patel (Marketing Officer, City of Hamilton)

1. Welcome / Introductions

Committee members and guests were welcomed and there was a round of introductions. C. Kroetsch took roll call.

2. Land Acknowledgement

V. Nikolskaya provided a Land Acknowledgement.

3. Declarations of Conflicts of Interest

- 3.1.** A. Getty declared a conflict of interest with respect to Agenda items 7.2. and 7.3 citing her role as one of the organizers for Transgender Day of Remembrance (TDOR) events for the former and in her role as a member of the Board of Directors of Kyle's Place for the latter.
- 3.2.** V. Nikolskaya declared a conflict of interest with respect to Agenda item 7.3 citing her role as an employee of YWCA Hamilton, the mentor organization for spectrum Hamilton.

4. Procedural Business

4.1. Motion to Approve the Agenda

(V. Nikolskaya / T. Wallis)

That the LGBTQ Advisory Committee approve the Agenda for today's meeting as distributed with the following amendment.

(J. Diemert / C. Kroetsch)

That the Agenda be amended under Regular Business to include item 8.4, a motion to submit correspondence to City Council with respect to sidewalk snow removal and report PW19022(b).

CARRIED

4.2. Motion to Approve the Minutes of October 20, 2020

(J. Diemert / V. Nikolskaya)

That the LGBTQ Advisory Committee approve the minutes from its October 20, 2020 meeting as distributed.

CARRIED

5. Delegation Requests

5.1. Matthew Grant, Director of Communications and Intergovernmental Relations, City of Hamilton and Alipa Patel, Marketing Officer, City of Hamilton with respect to Costs and Methods Associated with Advertising for Vacancies on the Committee (see Information Report FCS20098) for today's meeting

(T. Wallis / V. Nikolskaya)

That the LGBTQ Advisory Committee approve the delegation request for today's meeting.

CARRIED

6. Delegations / Presentations

6.1. Matthew Grant, Director of Communications and Intergovernmental Relations, City of Hamilton and Alipa Patel, Marketing Officer, City of Hamilton with respect to Costs and Methods Associated with Advertising for Vacancies on the Committee (see Information Report FCS20098 and other attachments)

Discussion - Matthew Grant and Alipa Patel made a presentation (attached to the agenda) to the Committee and offered it as advice to help inform the decisions of the committee which would then be reflected in a Citizen Committee Report to the Audit, Finance and Administration Committee.

Further points of discussion included those outlined as follows.

- The attached report outlines an expensive portfolio of options, some of which may not be necessary given the context of the Committee's original recommendation that the recruitment process reach out to Black, Indigenous, people of colour, youth, and other marginalized members of our Two Spirit and LGBTQIA+ communities.
- Mohawk Pride and the Pride Community Centre at McMaster should be included in the outreach for this advertisement.
- The Committee will have an opportunity to advise and provide feedback on artistry, imagery, language, and the use of inclusive language. Staff assured the Committee that this was possible.
- Staff will communicate with the Chair and Vice Chair around additional inclusivity measures with respect to advertisements through Facebook and other media. This communication will wrap up before November 20 as staff have November 26 set as the target for beginning the advertising campaign.
- The campaign will include promotion through Councillors' newsletters, especially in rural areas where it may be otherwise difficult to reach members of

the public.

- There was a continued expressed desire from members of the Committee that advertising be posted in as many other languages than English as possible and feasible.
- To reach those not having access to the internet, the City will work with partners in the community to help with outdoor postings.
- Strong preference from members of the Committee that any visual elements for advertising be done by artists in Two Spirit and LGBTQIA+ communities.

7. Regular Business

7.1. Motion to Accept the Resignation of K. Cavarzan from the Committee

(J. Diemert / F. Gray)

That the LGBTQ Advisory Committee accept the resignation of K. Cavarzan from the Committee.

(J. Diemert / T. Wallis)

That the LGBTQ Advisory Committee defer this motion to its next meeting.

DEFERRED

Discussion - Staff advised that they would contact K. Cavarzan again and would confirm the process again with the office of the City Clerk before the next meeting.

7.2. Motion to Schedule and Advertise an All Advisory Committee Event for January 2021

(C. Kroetsch / T. Wallis)

That the LGBTQ Advisory Committee schedule and advertise an all advisory committee event to be tentatively held at the end of January 2021.

CARRIED

Discussion - January 26, 2021 was suggested as the date for the event. This event will be similar to December socials that have been held in the past but will be virtual. The purpose is to talk amongst all 13 Advisory Committee to find ways to work together and support each other. This used to happen years ago when the chairs all got together informally to have discussions.

Members expressed support for this citing discussions that had taken place at the Advisory Committee for Persons with Disabilities where its members expressed a general desire for this conversation because they simply wanted to know what other committees were up to.

There will be a process to solicit feedback from the other Advisory Committees about the best date for this event. There is no formal agenda but the idea would be to allow each of the 13 Advisory Committees to present and then have a round table discussion at the end with time to plan the next event.

7.3. Motion to Schedule the Committee's Annual Presentation and to Submit a Delegation Request to the Audit, Finance and Administration Committee for its meeting on December 10, 2020

(C. Kroetsch / J. Diemert)

That the Committee give its first annual presentation to the Audit, Finance and Administration Committee at its December 10, 2020 meeting.

CARRIED

Discussion - The intention is to let the Audit, Finance and Administration Committee know that has been going on with our Committee in 2020. The presentation will be submitted in advance and will outline milestones for the 2020 calendar year.

7.4. Motion to Submit Correspondence to City Council with Respect to Sidewalk Snow Removal and Report PW19022(b)

(J. Diemert / T. Wallis)

That the LGBTQ Advisory Committee send correspondence to City Council with respect to sidewalk snow removal and report PW19022(b).

CARRIED

Discussion - This is an issue of accessibility and disability justice, which is not separate from issues facing members of Two Spirit and LGBTQIA+ communities. They are not separate, they are intertwined. The *Mapping the Void* report stated that, out of around 1,000 respondents, that 39.3% identified as having a disability. Equity-seeking groups are not siloed and members encouraged City Council to move forward quickly on this topic as reporting around this suggested that it had been investigated 18 times by the City since 2003, which is extensive. The last study indicated that 2/3 of respondents were in favour of increasing taxes to

accommodate snow removal across the city.

Disability rights affect everyone, including members of the community who use strollers, walk pets, and get out for exercise. The Advisory Committee for Persons with Disabilities has been advocating around this issue for years and members agreed that it was important to stand in solidarity with them and organizations like the Disability Justice Network of Ontario and Hamilton ACORN.

People in wheelchairs are taking their lives into their hands every winter, having to wheel on the road in areas where curbs are often not shovelled. It's extremely dangerous. People's lives are at risk and that this issue should be addressed before someone gets killed.

Snow on sidewalks makes sidewalks impassable and this has been an ongoing discussion for many years. Members of the Committee sat with the Disability Justice Network of Ontario and Councillors Nrinder Nann and Maureen Wilson, on a snowy day in 2019, to have a further discussion about this. Now is the time to take the evidence we have about this issue and put it into action. If this does not pass, it will potentially be put off until the winter of 2023.

This is a larger Issue of equity as Ancaster was able to implement this service. They were given the opportunity and the rest of the city should be given the same opportunity when we're talking about costs of \$16 per year; that's less than the cost of a bag of salt.

These issues cannot be separated from the struggles faced by those who need to get outside to exercise and use public spaces in the winter. Physical activity is harder to come by and will necessarily be made more difficult if sidewalks are impassable.

People's lives are at risk. The YWCA and other organizations heard about injuries last year from women who fell and lost control of strollers, people who were forced to wear heels to work. Our healthcare system is burdened enough by the pandemic and flu season; we do not need to add the burden of injuries due to impassable sidewalks.

There will be a discussion tomorrow at the General Issues Committee but it will not be possible for us to provide our correspondence in time as the deadline was at noon today. We will submit our correspondence to City Council.

8. Discussion Items

8.1. Outstanding Business List

No discussion

8.2. Update from Working Group on Committee Selection

No discussion

8.3. Update from Working Group on the Needs Assessment

No discussion

8.4. December Meeting of the Committee

There was consideration given to either holding our annual December event, virtually due to the COVID-19 pandemic, and cancelling the Committee's December meeting or to continue with the Committee's business. The Committee felt that there remained much work for it to do and preferred to continue to meet. The December meeting will take place on December 15, 2020.

8.5. Accessible Captioning during Webex Meetings

For those on the Committee with disabilities, it can often be difficult to hear what's happening and to process what is being heard in time to vote on an item. It would be helpful to have accessible captioning and for there to be a focus on disability rights and justice with respect to the software being used by the City.

There was a suggestion to use captioning through YouTube but it was pointed out by members of the Committee and City staff that this would not work because of the time delay and because it would require someone to have access to and the use of multiple devices.

There is other virtual meeting software that does offer accessible captioning and the Committee agreed that it was imperative that it sent its thoughts to City Council on the matter. This is a matter not only of disability rights but of human rights. It is important to consider those tuning in to watch these meetings from home and what their needs may be.

Members J. Maurice, T. Wallis, V. Nikolskaya, and C. Kroetsch will schedule a meeting to draft a Citizen Committee Report before the next Committee meeting.

9. Notices

9.1. Notice of Recommendation

Accessible Captioning for Meetings of the LGBTQ Advisory Committee

10. Announcements

10.1. Trans Day of Remembrance (TDOR) Events

There will be events on Tuesday, November 24 (locally) and Friday, November 20 (through SexGen and York University).

The event on Tuesday, November 24 will take place from 1:00 PM to 3:00 PM and an announcement with a link will be distributed through social media. It will feature speaker Erika Muse talking about conversion therapy legislation.

The event on Friday, November 20 will take place from 10:00 AM to 2:00 PM and will feature speakers from across the province.

10.2. World AIDS Day Vigil

The annual World AIDS Day Vigil, organized by The AIDS Network, will take place on Tuesday, December 1, 2020. The event will be broadcast virtually through The AIDS Network's YouTube channel.

11. Adjournment

(V. Nikolskaya / F. Gray)

That, there being no further business, the meeting be adjourned at 7:50 PM.

CARRIED



Hamilton

MINUTES

LGBTQ Advisory Committee

Tuesday, December 15, 2020

6:00 PM - 7:40 PM

Webex

Present: James Diemert, Autumn Getty (Recording Secretary), Freja Gray, Lisa-Marie Johnston, Cameron Kroetsch (Chair), Jake Maurice, Violetta Nikolskaya (Vice Chair), Terri Wallis, Kyle Weitz, Maureen Wilson (City Council Appointee)

Staff: Pauline Kajiura (Staff Liaison)

Guests: Matthew Crans, Local Artist and Member of the 2SLGBTQIA+ Community

1. Welcome / Introductions

Committee members and guests were welcomed and there was a round of introductions. C. Kroetsch took roll call.

2. Land Acknowledgement

V. Nikolskaya provided a Land Acknowledgement.

3. Declarations of Conflicts of Interest

None

4. Procedural Business

4.1 Motion to Approve the Agenda

(K. Weitz / J. Diemert)

That the LGBTQ Advisory Committee approve the Agenda for today's meeting as distributed with the following amendment.

That the Agenda be amended under Delegations / Presentations to include item 5.1, a presentation from Matthew Crans with respect to Art for Advertising for Vacancies on the Committee.

CARRIED

4.2 Motion to Approve the Minutes of November 17, 2020 (A. Getty / V. Nikolskaya)

That the Minutes be amended to change the second paragraph of section 10.1 to read as follows.

"The event on Tuesday, November 24 will take place from 1:00 PM to 3:00 PM and an announcement with a link will be distributed through social media. It will feature speaker Erika Muse talking about conversion therapy legislation. The money requested to support TDOR will be allocated to the local event on Tuesday. The funding will also support a

private event that is being held on Friday, November 20."

(J. Maurice / J. Diemert)

That the LGBTQ Advisory Committee approve the minutes from its November 17, 2020 meeting as amended.

CARRIED

5. Delegations / Presentations

5.1 Presentation from Matthew Crans, Local Artist and Member of the 2SLGBTQIA+ Community, with respect to Art for Advertising for Vacancies on the Committee.

Matthew Crans made a presentation (attached to the agenda) to the Committee and showed the Committee some of his work in progress for designs to assist in advertising for vacancies on the Committee. The images that Matthew showed were of a collage / digital cut and paste image including photos from a broad historical range.

Discussion - The Committee had the following feedback for Matthew.

- Excitement was expressed by many members of the Committee that someone from a 2SLGBTQIA+ community was hired to do this work for the Committee.
- There may be material in the Hamilton Public Library's queer archive project that could be incorporated and a member of the Committee will send a link to this material to Matthew.

- If possible some attention should be given to removing the use of orange as it can make it difficult for those who are colour blind to see the detail.
- The Hamilton sign in front of City Hall is likely a more modern and evocative image than the old City Hall clock on the City Centre in terms of iconography.
- The Gage Park fountain or the Gore Park fountain may also be good iconic images of Hamilton to include in the digital collage.
- After a brief presentation showing a second option, a flag collage, the Committee members generally thought that the collage with individuals and landmarks was the better choice for this project.
- Inclusion of elements like an Indigenous medicine wheel should be considered.

6. Recommendations

6.1 Motion to Recommend that the City of Hamilton Provide Accessible Captioning as Part of its Virtual Meeting Software (see attached draft Citizen Committee Report)

(T. Wallis / A. Getty)

That the City of Hamilton Provide Accessible Captioning as Part of its Virtual Meeting Software as distributed in the Citizen Committee Report with the following amendment to the final paragraph on page 3.

(J. Diemert / C. Kroetsch)

"We would encourage City Council to feel comfortable adopting this change without seeking more information. We

believe that both the means and the need are clear."

Discussion - Members of the Committee worked on this in between meetings. The Committee agrees that this is an important discussion to have and that it is very important to ensure that meetings are accessible not only to members of the Committee, but also to the general public. It's hard to be part of the discussion and to vote on important matters when you cannot follow the meeting because there is no captioning, for instance.

Members remarked that it should not be up to the Committee to do this work and to make these recommendations and that issues of accessibility should be taken more seriously by the City of Hamilton.

CARRIED

7. Regular Business

7.1 Motion to Accept the Resignation of K. Cavarzan from the Committee

(T. Wallis / V. Nikolskaya)

That the LGBTQ Advisory Committee accept the resignation of K. Cavarzan from the Committee.

CARRIED

Discussion - P. Kajiura clarified that she checked with the Office of the City Clerk and everything was in order to accept K. Cavarzan's resignation. The Committee wished her well.

7.2 Motion to Write a Citizen Committee Report to Recommend that the LGBTQ Advisory Committee be Permitted to Host and Advertise an All Advisory

Committee Event for 2021

(J. Diemert / A. Getty)

That the LGBTQ Advisory Committee write a Citizen Committee Report to be permitted to host and advertise an all Advisory Committee event in 2021.

CARRIED

Discussion - The City Clerk has ruled that it falls outside the Committee's mandate to hold this event and that, in order to get permission to do so, the Committee must submit a Citizen Committee Report to City Council as a recommendation.

Committee members were discouraged by this ruling, especially since it had not needed to seek permission to hold events in the past and since it understood its mandate to include the planning of this event. Specifically, members wanted it noted that issues impacting members of Two Spirit and LGBTQIA+ Hamiltonians were not "one issue" or "in a silo" and that discussions amongst our peers would be beneficial and would help us to fulfill our mandate.

It was also noted that although there was a revised mandate and terms of reference adopted by the Committee in 2015, not all members had copies of it. Members of the Committee argued that there were sufficient grounds in those documents for hosting this event without permission but since the City Clerk had ruled otherwise they saw no other choice but to proceed with a Citizen Committee Report. Members lamented the amount of time it was taking to move this forward.

8. Discussion Items

8.1 Outstanding Business List

No discussion

8.2 Update from Working Groups

8.2.1 Update from the Working Group on Committee Selection

No discussion

8.2.2 Update from Working Group on the Needs Assessment

No discussion

8.3 Update from the Chair about the Annual Presentation

The presentation was made by the C. Kroetsch to the Audit, Finance and Administration Committee on December 10, 2020 and was very well received. There was a good discussion, generally, with insightful and helpful comments from Councillors. Many Councillors expressed an eagerness for this presentation to continue so that they might better learn what was happening not only on the Committee but, through its Announcements, some things that are happening in communities.

Councillors expressed support for the Committee's future goal of changing its name and said they would be happy to support this when it came forward. C. Kroetsch advised Councillors that this was part of the 2021 work plan and that a review of this would be undertaken when all of the vacancies on the Committee had been filled.

Councillor Wilson said that the presentation was excellent and well received and that it bodes well not only for future

presentations of this Committee but that other Advisory Committees should consider presenting on an annual basis if they were not already doing so.

8.4 Update from the Chair about the Status of 2020 Budget Allocations

Requests were made to the Audit, Finance and Administration Committee and were sent back to staff for review to determine whether or not they met the guidelines as outlined in the Committee's guiding documents (mandate, terms of reference, budget submissions, etc.).

A report went back to the Audit, Finance and Administration Committee, authored (with great thanks from the Committee) by P. Kajiura and the allocations were approved. P. Kajiura will assist the City in connecting with the organizations to ensure that they receive the funds allocated.

8.5 Update from Staff about Recruitment and Advertising to Fill the Committee's Vacancies

A quick summary was provided by staff that the Committee's recommendations were approved and implemented and that the process would move forward in early January without too many further delays.

A member asked if there was any further discussion about whether or not the Committee Chair would participate, as a non-voting member, in the process for filling vacancies on the Committee. An email was sent by the Chair to the City Council Appointee, and others, but there has not yet been an answer.

8.6 Setting the 2021 Meeting Schedule

The Committee did not change its regular meeting schedule

for 2021.

8.7 Changing the Name of the Committee

The Committee will continue to wait until its vacancies are filled before beginning this process.

8.8 Upcoming Election of the Chair, Vice Chair, and Recording Secretary in January 2021 for the 2021 Calendar Year

The Committee will spend the first few minutes of the next meeting in camera going over how the process will work before conducting the nominations and elections in public.

8.9 Draft Recommendations within the Hate Prevention and Mitigation Initiative

Members discussed the 20 recommendations put forward as part of the initiative. The numbers below correspond to discussions about those individual recommendations (see the materials for today's meeting for a complete list).

- Generally, there is a need to be more specific and to be more proactive in leadership to address cultural concerns at City Hall. It's not appropriate to discount the data in these surveys, samples, or group discussions because it doesn't conform to a perception of due diligence. Oppressed and marginalized communities are not going to respond in the same ways that others may respond. It has been generally disheartening to watch how the feedback provided to City Council has been handled, especially during delegations, but not exclusively. It is deeply unfair to equity seeking groups to make these kinds of assertions and to ignore their advice.

- Recommendation 7 - There needs to be more diversity at the table where decisions are being made. If that happens, people will be more accepting of equity-seeking groups.
- Generally, members would like to see the city be much more aggressive in combating "hate". Part of the problem is continuing to use a conservative interpretation of what "rises to the level" of a hate crime. The Independent Review of the events before, during, and after Pride 2019 clearly laid out that this is not the only path forward and that there are many tools at the disposal of the City to combat hate.
- Recommendations 5, 6, and 7 - The City does not value proactive leadership and does not listen to community members when they provide constructive criticism. Instead, they attack those community members. The Mayor needs to do more to properly chair meetings and control Councillors who are out of line.
- Generally, "hate" doesn't fully encapsulate what is happening in this City. It cannot be reduced down to this one concept. These recommendations need to be fully expanded upon. The City has committed, in public, that one of its "pillars" is equity, diversity, and inclusion. It must live up to those statements and put them into practice immediately.

9. Correspondence

9.1 Clarifying the Committee Structure and the Streamlining of Advisory Committee Processes

Members were concerned that there wasn't much notice of this letter and asked if it was sent to all Advisory Committees

(staff confirmed that it was). Members expressed concerns that the policies outlined in the letter curtailed the ability of Committee members to write their own agendas, minutes, and reports.

Specifically, in the fifth paragraph, it was noted that members were left out of the creation of documents that spring from their own recommendations.

There was also discussion about the fact that no Advisory Committees have been provided with legislative training and that the LGBTQ Advisory Committee was not consulted about these policies, some of which were new to the Committee and not in the Advisory Committee Handbook.

Members were concerned that these processes would lead to more redactions from its approved minutes without consultation and for reasons other than concerns over privacy matters (as has happened in the past).

Some of these processes will needlessly bog down the process and keep things from being approved. The Chair will summarize today's comments and prepare a draft email to the City Clerk that will be discussed at the next meeting.

10. Announcements

10.1 Holiday Dinner at Kyle's Place

Kyle's Place usually hosts a dinner over the holiday break. That will not be happening in the usual way due to the COVID-19 pandemic but Kyle's Place will be providing food by drop off and will have some form of celebration.

11. Adjournment

(T. Wallis / A. Getty)

That, there being no further business, the meeting be adjourned at 7:40 PM.

CARRIED



Hamilton

Minutes IMMIGRANT & REFUGEE ADVISORY COMMITTEE

March 12, 2020
City Hall 71 Main St. W.
Room 192, 6:30pm

Present: Dina Honig, Aref Alshaikhahmed, Rami Safi, Leslyn Gombakomba

Also Present: Paul Di Clemente, Staff Liaison

Regrets: n/a

Absent: Anjum Chauhan, , Al Karsten, Wahleed Aslam

Chair: Rami Safi (Vice Chair)

Welcome and Introductions

1. CEREMONIAL ACTIVITIES

- Land Acknowledgement
- R. Safi – expressed condolences for the passing of former Chair of this committee Mary Robins. Card was sent on behalf of the committee. As Vice Chair R. Safi to be acting Chair

2. APPROVAL OF AGENDA

(R. Safi/ D. Honig)

Immigrant and Refugee Agenda for March 12, 2020 approved as presented.

CARRIED

3. DECLARATIONS OF INTEREST

N/A

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 June 13, 2019

4.2 No Quorum Notes - September 12, 2019

4.3 No Quorum Notes - January 9, 2020

4.4 No Quorum Notes - February 13, 2020

(A. Alshaikhahmed/ R. Safi) Motion to approve the June 13, 2019 minutes as presented and to approve the No Quorum Notes of September 12, 2019, January 9, 2020, and February 13, 2020 Respectively

CARRIED

5. COMMUNICATIONS

A. Alshaikhahmed – It is important that the committee think about making connections and communication with immigrants and refuses to see how the committee can represent them. It is important to establish linkage to the community.

D. Honig – Currently sits on the Hamilton Immigration Partnership Council committee which is meeting once a month. The Chair of this committee is to be sitting on that committee.

L. Gombakomba – Expressed concern regarding reaching out to refugees associated with the Hamilton Immigration Partnership Council.

Aref Alshaikhahmed – Proposed that we invite someone from HIPC to attend the committee to give a presentation.

(A. Alshaikhahmed)

MOTION: That A. Alshaikhahmed, on behalf of the Advisory committee for Immigrants and refugees, will attend the Syrian Community Committee

P. DiClemente – We will have to inquire as to whether a member of this committee can be a formal representative of this committee on the Syrian Community Committee. Will check with the Legislative Clerks Office. There is nothing wrong with Aref attending that committee as a private citizen and reporting back to the committee, however, if you are requesting to become an official representative of the I&R Committee to the Syrian Community Committee that is something we would need to seek approval for.

(A. Alshaikhahmed/D. Honig) Motion to Table to the previous motion until the Syrian Refugee Committee is organized in June and until we receive a response from the Clerks office.

CARRIED

6. DELEGATION REQUESTS

6.1 Cameron Kroetsch for the LGBTQ Advisory Committee, All Advisory Committee meeting and Standing Committee of Council that Advisory Committees currently report to (for a future meeting)

(R. Safi/ A. Alshaikhahmed) Motion to approve the delegation request of Cameron Kroetsch.

CARRIED

7. DISCUSSION ITEMS

7.1 Member Resignation

(R. Safi/D. Honig) – Motion to accept the resignation of Wahleed Aslam and Anjum Chauhan

CARRIED

7.2 Election of Chair

(D. Honig/ L. Gombakomba) Motion to Nominate R. Safi as Chair of the Immigration and Refugee Committee

CARRIED

- Nomination Accepted by R. Safi

7.3 Election of Vice-Chair

(A. Alshaikhahmed/ D. Honig) Motion to Nominate Leslyn Gombakomba as Vice Chair of the Immigration and Refugee Committee

CARRIED

- Nomination accepted by L. Gombakomba

7.4 Election of Recording Secretary

(R. Safi/ A. Alshaikhahmed) – Motion to table the election of a Recording Secretary until such time as new members are recruited to the Immigration and Refugee Committee

CARRIED

7.5 Committee Recruitment and Selection

- Discussion on the need for the Committee to recruit more members due to the resignation of the above mentioned members and the passing of the chair
- P. DiClemente to inquire with Clerks about process

(R. Safi/ L. Gombakomba) – Motion that the Immigration and Refugee Committee formally request that the Legislative Clerks Office recruit at least 4 additional members to the Immigration and Refugee Committee

CARRIED

7.6 Public Delegation Process

N/A

7.7 Update to Volunteer Handbook

- Discussion regarding changes to the Volunteer Handbook regarding the change to potential removal from the committee after 3 unexcused absences in a term
- Discussion about whether this is appropriate.
- P.DiClemente explained this is the new direction from the Clerks department but that the new rules allow for the chair to excuse an absence if for example there are extenuating circumstances

8. GENERAL INFORMATION / OTHER BUSINESS

D. Honig – D. Honig is on the research subcommittee of HIPC. The mandate of that subcommittee is to raise research questions regarding immigration issues that may be beneficial to do research on. They are asking for submissions of questions.

D. Honig asked the committee members if they have a question that they believe would be helpful to bring it to this committee and D. Honig will bring it to the HIPC research subcommittee.

9. ADJOURNMENT

Meeting Adjourned at 8:30pm

**Next Meeting: Thursday, April 9, 2020
City Hall Rm 192**



Hamilton

Minutes

IMMIGRANT & REFUGEE ADVISORY COMMITTEE

December 10, 2020

6:30pm-8:30pm

Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Present: Dina Honig, Aref Alshaikhahmed, Rami Safi, Leslyn Gombakomba, Grace Maciak, Councillor Maureen Wilson,

Also Present: Cole Gately, Staff Liaison, Diversity & Inclusion, Office Taline Morris, Admin Assistant, Diversity & Inclusion Nabila Arkbary, Admin Assistant, Diversity & Inclusion

Regrets: n/a

Chair: Rami Safi (Vice Chair)

Welcome and Introductions

A round of welcome and introductions from R. Safi

CEREMONIAL ACTIVITIES

A. Alshaikhahmed gave a land acknowledgement

APPROVAL OF AGENDA

(A. Alshaikhahmed / D. Honig)

That the Immigrant and Refugee Committee approves the Agenda for December 10, 2020 as presented.

CARRIED

1. DECLARATIONS OF INTEREST

N/A

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

R. Safi/ D. Honig)

That the Immigrant and Refugee Committee approves that Minutes of March 12,2020 as presented.

CARRIED

3. COMMUNICATIONS

R. Safi –Will share a copy of the Hamilton Immigration Partnership Council (HIPC) strategic action direction for the next 5 year once received. R. Safi to invite member of HIPC to present to I&R

- Committee Members inquired about the recruitment up to 5 new committee members. Staff to advise Legislative coordinators office that the the Immigrant and Refugee Committee is interested in recruitment

(R.Safi/A. Alshaikhahmed)

MOTION:That the immigrant and refugee committee requests that the City of Hamilton recruit at up to 5 new members to join the immigrant and refugee advisory committee

CARRIED

- Discussion took place amongst committee members regarding the difference between services provided by the Immigrant and Refugee Advisory Committees versus other community organizations and how to bridge the gap in services, who I&R reports to and the terms of reference
- Also discussed other ways of reaching out to immigrants and refugees during pandemic. R. Safi shared that he created 8 videos in Arabic for newcomers on topics like medication coverage. Videos were released via youtube. Link to be dissiminated
- Councilor Wilson provided feedback that, under the conditions of COVID, the City of Hamilton had to make decisions quick decisions around the best ways to distribute information to the community and are unsure how the information is being received. Suggested members of I&R could provide feedback to council regarding the distribution of information in the immigrant and refugee communities
- Committee members shared concerns over reaching out to members of the immigrant and refugee commitees that do not have access to technology. Culture, school, health, language, employment are important element for immigrants and informational videos in various languages identified as most effective ways to communicate these information.
- Staff advised that suggestions to serve a specific need, can be submitted to to council using a citizen committee report.
- G. Maciak also suggested I&R can try collaborating with different community organizations to help spread information and provided services within the immigrant and refugee communities.
- Members discussed possibly approaching HIPC for assistance doing research in the immigrant communitis to capture needs/gaps in services in hopes of creating a citizens committee report

- A. Alshaikhahmed suggested I&R investigate adding a portal/link on City of Hamilton website that contains information for immigrants

4. DELEGATION REQUESTS

- There was a previous internal delegation request. Subject to new internal process. Staff to inquire about new delegation process and report back to next meeting

5. CONSENT ITEMS

N/A

6. PUBLIC HEARINGS / DELEGATIONS

N/A

7. STAFF PRESENTATIONS

N/A

8. DISCUSSION ITEMS

8.1 Member Resignation

(R. Safi/D. Honig)

MOTION: That the Immigrant and Refugee Committee approves and acknowledges deemed resignation of AL Karsten, effective today, December 10, 2020.

CARRIED

8.2 Information sharing

- Committee members had a lot of questions regarding permissions and guidelines relating to information sharing as a member of I&R. Staff suggested members send questions via email and staff will compile a list to be sent to the office of the clerks for clarification.

8.3 Update to Volunteer Handbook

- Staff to disseminated updated copy of procedural handbook and terms of reference to committee members

9. MOTIONS

N/A

10. NOTICES OF MOTION

N/A

11. GENERAL INFORMATION / OTHER BUSINESS

N/A

14. PRIVATE AND CONFIDENTIAL

N/A

15. ADJOURNMENT

Meeting Adjourned at 8:12pm

Next Meeting: Thursday, January 14 , 2021



Hamilton

MINUTES

Aboriginal Advisory Committee

Thursday, October 01, 2020 – 5:30 P.M.

Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Present: Marilyn Wright, Laura Workman, Patty Lawlor (non-voting), Allan Loft, Connie Bellamy

Regrets: Scott Cruickshank and Cat Cayuga

Also Present: Betsy Pocop – Human Rights, Diversity & Inclusion (staff)
Shelly Hill and Nicole Jones– Urban Indigenous Strategy
Nabila Akbary- Admin. Assistant., Diversity and Inclusion

1. Ceremonial Activities

- Allan Loft provided an opening.

2. Approval of Agenda

- Addition of item 10. 5 – Integrity Commissioner Media Discussion
- Addition of item 13.1 - WebEx Training Sessions and City's WebEx advisory committee meeting experience to date.

Motion #1

M. Wright / A. Loft

That the Aboriginal Advisory Committee accepts the January 16, 2020 agenda, as amended.

CARRIED

5. Declaration of Interest

- There were no declarations of interest

4. Approval of Minutes of Previous Meeting

4.1 March 5, 2020

- Item 6 – clarification of wording for 'delegate' to be changed to 'attend'
- Numerical order of items be corrected.

Motion #2**C. Bellamy/ A. Loft**

That the Aboriginal Advisory Committee accepts the minutes of March 5, 2019, as amended.

CARRIED

8. Public Hearings/Delegations**8.1 Delegation Request from C. Kroetsch**

- Accepts the delegation request from Cameron Kroetsch submitted in March 2020.

9. Staff Presentations**9.1 Urban Indigenous Strategy Update**

- S. Hill and N. Jones provided an update
- Report to Council with some changes proposed for Indigenous engagement
- Meeting on October 2 regarding Indigenous landmarks.
- Request for feedback from committee on suggestions on actionable items to put forth in a strategy, regarding these different landmarks, such as the Sir John A. MacDonald monument, in the current cultural landscape.
- Consulting about these monuments today with the committee for ideas to put forth as deliverables.
- Honouring our Sisters - Missing and Murdered Indigenous Women and Girls red dress exhibit: at the Central Police Station October 5 - November 5, 2020.

10. Discussion Items**10.1 Business Arising from Previous Minutes**

- January 2020 Minutes: Invitation still pending for youth to attend an advisory committee meeting.

10.2 Equity Toolkit

- Some inquiries raised by committee members: re-evaluate the pictures that are included in the Equity Toolkit.
- Equity toolkit to be resent to committee members to receive input on editing notes.
- Betsy to confirm if Equity Toolkit still requires feedback, and if so then committee will provide content input.

10.3 2021 Budget

- Maintain the same budget request for 2021 as requested for 2020 (3500.00).
- There is a cost associated with the display of the 'Banner'. To add Banner category under Special Events section on the budget.

- Remove 'Home and Events' and just keep the other three bullets and under community led engagement events (community at large).
- Update the membership list and still have the same numerical categories listed. On c. budget request update - special event and update costs, reaching home projects and events possibility of replacing with Urban Indigenous events, if permissible, that we can be of assistance with.

Motion #3**L. Workman / C. Bellamy**

That the Aboriginal Advisory Committee approves the budget request for 2021.

CARRIED**10.4 General Membership**

- Member inquired about process for opening recruitment for new members to the committee
- The suggestion from the committee is to try and recruit new youth members.

10.5 Integrity Commissioner Media discussion

- Representative from Hamilton Legal Clinic wants to inform committee as to what is occurring with other Volunteer Advisory Committees.
- What are the rights of a Chair and members of committees and what can and cannot be said at meetings.

11. General Information/Other Business**11.1 Addition of WebEx Training Sessions and City's WebEx Advisory Committee Meeting Experience to Date**

- Questions raised from WebEx Orientation sessions concerning members wanting to meet in person in City run facilities such as libraries.
- Meetings being more public more than they ever have (e.g. YouTube livestream)
- Does the City offer liability for volunteers during these meetings as they are being recorded?
- Technical aspect of using this WebEx platform and not asking committee members how they feel conducting business this way.
- Information is still being gathered to answer these questions.

12. Adjournment**(M. Wright / C. Bellamy)**

Aboriginal Advisory
Committee Meeting

4

October 1, 2020

That the meeting of the Aboriginal Advisory committee be adjourned at 8:05pm.

Next Meeting: Thursday, November 5, 2020



Hamilton

Minutes

Hamilton Mundialization Advisory Committee

Wednesday, November 18, 2020 6:00pm – 8:00 p.m.

YouTube Live Stream

Present:	Anthony Macaluso, Pat Semkow, Bob Semkow, Rein Ende, Rosemary Baptista, Jan Lukas
Regrets:	Freja Gray
Also, Present:	Jessica Bowen, Staff Liaison Cole Gately, Staff Liaison Taline Morris, Admin. Assistant Talent and Diversity
Guests:	N/A

Welcome & Introductions

A. Macaluso provided welcome and the Land Acknowledgment.

1. Approval of the Agenda

That the agenda of November 18, 2020 be approved as presented.
(B. Semkow/R. Baptista)

CARRIED

2. Declaration of Conflict of Interest

- In Regard to item 4.3, A. Macaluso declared that he is a member of the Sicilian Carretto Committee, however, he has no fiduciary responsibility or commitment with that committee.

3. Approval of Minutes

3.1 Minutes of February 19, 2020

That the minutes of February 19, 2020 be approved as presented.
(B. Semkow/R. Baptista)

CARRIED

4. Discussion Items

4.1 Website

- Prior to COVID, The Hamilton Mundialization Committee wanted to update website. The previous web designer Sergei Pavlov still interested in assisting with the website. Hamilton Mundialization Committee to invite Sergei to a meeting in the new year to discuss the updating of website.
- J.Lukas suggested the Hamilton Mundialization Committee cover any cost Sergei Pavlov may incur with website.

4.2 Artefacts Identification

- Current list of Artefacts to be distributed to group members committee members.

4.3 Carretto Cart

- Received a request form the Sicilian Carretto Committee for the Hamilton Mundialization Committee to assist with the insurance cost to display at City Hall. Request was for the same as last year which is \$600

MOTION: That the Hamilton Mundialization provide up to \$600 to the Sicilian Carretto Committee to cover the insurance cost of the Carretto Cart located at City Hall.

(R. Baptista/R. Semkow)

CARRIED

5. General Information/Other Business

5.1 2021 Budget

MOTION: That the 2021 Budget for the Hamilton Mundialization Committee be accepted as presented.

(J. Lukas/ R. Baptista)

CARRIED

6. Adjournment

(R. Ende / B. Semkow)

The Mundialization Committee adjourned at 6:17 p.m.

CARRIED

Next Meeting: Wednesday December 21,2020

Request to Speak to Committee of Council

Submitted on Monday, January 11, 2021 - 11:36 pm

==Committee Requested==

Committee: Audit, Finance & Administration Committee

==Requestor Information==

Name of Individual: Robert Ridley - on behalf of Olympia Gerl (homeowner)

Name of Organization:

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request:

Water Billing Overcharging Anomaly – Senior level escalation
Ref#XXXXXXXXXX

- usage billed for January (104m³) and March (76m³) were entirely unprecedented, while February reverted back to normal (3 m³)
- we have been attempting to remedy this over the last months with Alectra, but they have been unwilling to date
- A plumber has done a full inspection of all pipes and fixtures, and has confirmed in writing that there is no issue or evidence of flooding, leakage or anything else that would account for the high charges; his final assessment is that the problem is the meter.
- There are further details I would like to inform the committee and request she is credited back for the over-billing

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Personal Information --- A/C # **Personal Information**

Water Billing Overcharging Anomaly – Senior level escalation Ref: **Personal Information**

represented by Robert Ridley (son in law)

Review of 5 page Summary from Water Dept. It states that the meters work fine, and that being away from your home for 72 hrs. without contacting the city to have your water turned off – results in the city or Alectra (AUC) bearing no responsibility, the homeowner bears 100% burden.

1. 72 Hour Policy

The LINK www.hamilton.ca/leaks page 1 – paragraph 4 (indented) leads to a page <as pictured> talking about 90 days, not 72 Hrs. (Olympia was away 89 days as per Mar 25 AUC contact)

It also provides a phone # when called, the person says “we don’t recommend unless 3 – 4 – 5 months away, otherwise just turn off inside, leave sink cold tap open”

Given the confusion this causes, I challenge the 72 hr importance to this situation.

2.

The June 3 contact (pg 4) is missing 2 points. There were people staying in the home in 2018 while Olympia was away. More significant is that according to AUC database as quoted by the Supervisor, the Dec2017-Jan2018 amount used was 156m3. The correct amount was 7m3. Proving “glitches” within the system – so, not perfect, and proving the IT is subject to error.

This information was quoted again, when the MPP assistant talked to her Liaison at AUC.

3.

Compare the Second Notice letter <as pictured- diff.customer> demanding to change the meter or ‘be charged double’ to the warning to Olympia that she would have to pay (pg2- last 2 paragraphs).

Why the different approaches?

4.

The plumbers Invoice <as pictured> statements make it clear there were no leaks, meter most likely the issue, and **no repairs were required.**

5.

Why was February only 3m3 sandwiched around unprecedented 104m3 Jan and 76m3 March 2020?

104m3 = 104,000 L of water (25’ x 20’ +7.35’ pool) and **more water than ever used in this house.**

6.

As to the question of a toilet issue, none occurred before or after, no colour test issues, and a toilet run-on of this volume would have been heard by the person checking the house. RE:

“Running toilets can have different speeds at which they cost you money.

A slow leak can waste 30 gallons a day while keeping you oblivious to the problem. (3.4m3 /mo.)

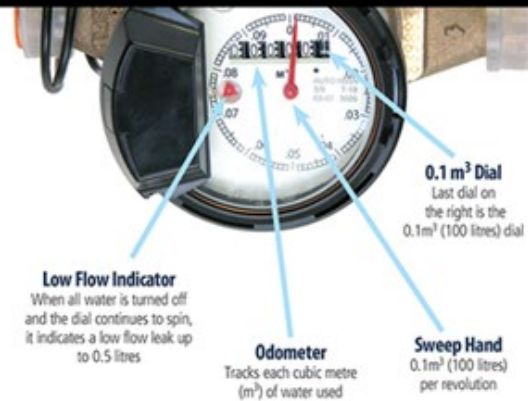
A medium leak, on the other hand, is more noticeable and will go through roughly 250 gallons. (28.4m3 /mo.)

The worst case is a large leak, where your toilet operates a constant flow of water, spending up to 4,000 gallons. “ (454.4m3 /mo.)

Finally, I hope you will agree Olympia should be refunded, and her plumber costs as well. (est.\$550+\$140)

2. Turn a tap on and run the water slowly. Look at the low flow indicator and observe it rotating. Turn the tap off.
3. Check around the house to ensure that you are not using water. Turn off all taps, do not use any water and check to ensure outside hoses are turned off.
4. Go back to the water meter and observe the low flow indicator; it should not be rotating.
5. If the low flow indicator is not rotating, you do not have a leak.
6. If the low flow indicator is rotating, you may have a leak.

You may wish to contact a qualified tradesperson to help you find and repair any leaks.



➦ [Check your toilet for leaks](#)

➦ [Check for leaking faucets or pipes](#)

➦ [Check for leaking appliances](#)

Turn off your water while you are away on vacation

Avoid a high water bill from an unexpected leak by turning off your water before you go away.

Shut off the inside water supply if your house is going to be unoccupied for any length of time, even if it is only for a weekend, except where water is used for heating.

Close the inside building control shut-off valve and open faucets to relieve pressure in the lines. If there is no shut-off valve, close the water supply to toilets, sinks, tubs and washing machines that often have individual shut-off valves.

If your property will be vacant for 90 days or more, call 905-546-2489 within 24 hours of leaving to arrange for the City to turn your water off at the street.

To arrange for account payments while you are away, call Alectra Utilities Customer Service at 905-522-9200.

Second Notice - Water Meter Repair or Replacement Program

Dear Customer,

This is an important reminder notice about your water service. Your water meter needs repair or replacement. There is **no charge** for this work.

The City of Hamilton and their water meter contractor, Neptune Technology Group, have previously attempted to contact you to replace your water meter, as part of the City of Hamilton's Water Meter Maintenance Program. Under the Waterworks By-law No. 884-026, the Owner or Occupant with an existing water meter must allow access to the water meter for inspection or servicing. **Failure to do so may result in you being invoiced at two times the non-metered rate for the property.**

Please contact Neptune to book an appointment immediately. If you have recently booked your appointment with Neptune to have your water meter replaced, we thank you and we ask that you please disregard this notice.

THE PROCESS:

Step 1: To book your appointment, call (toll free) **1-800-667-4387** or book online at watermeterapp.com. Start online by entering your reference number to begin booking your appointment. Your reference number is located on this notice directly below your address details. Instantly view available appointments and book your preferred time slot. An adult of at least 18 years of age must be present during the time of the appointment. At the time of booking, a confirmation with your appointment details may be emailed to you. Neptune's service technicians work Monday to Friday 8:00 a.m. to 8:00 p.m. and Saturday from 9:00 a.m. to 6:00 p.m.

Step 2: Before the service technician arrives, please ensure the area around your water meter is clear and accessible. If possible, check that your main water shut-off valve to ensure it is working.

Step 3: Neptune's service technician will arrive for the scheduled appointment wearing a uniform and will provide identification.

If you have any questions at any time during this process, please feel free to contact either Neptune Technology or the City of Hamilton using the contact information below. Your assistance in completing this important work is very much appreciated.

Yours truly,

City of Hamilton
Public Works – Hamilton Water
Tel: 905-546-2489

Neptune Technology Group Canada Co.
Tel: 1-800-667-4387

*Per Water
We still need
to have our
meter changed
as it is over
30 years old.
Can't do after
COVID.*

Personal Information

Personal Information

Personal Information

Date: DEC 07/2020
 Technician: Personal Information
 Apprentice:
 Time In: 9:15 am
 Time Out: 9:45 am

Name:
 Address:
 Phone:
 P.O./W.O.#

Quantity	Description	Total
	EN CITY WATER LOOK AROUND & SEE IF THERE ARE LEAKS ANYWHERE. HIGH WATER BILLS IN JAN & MAR.	
	Checked all faucets, showers and toilets for potential leaks/drips found nothing noticeable. Put food colouring in the tanks of toilets with no food colouring entering toilet bowl. Inspected but no visible leaks. Inspected water meter, not spinning meaning no water being used.	
	January + March bills 10x the norm, "actual" readings potentially this read?	
	paid cash in full	
		Snake
		Material
		Labour 125
		Sub-total
WSIB # 4972675		HST 16
HST # 826677734 RT 001		Total Due 141

Signature: _____ Email: _____

By signing here, I acknowledge that the above noted work was performed and completed to my satisfaction. Any concerns MUST be reported within 14 days of job completion. I understand that my invoice will be mailed or e-mailed to me, and that payment is due upon receipt, otherwise a late payment charge of 2% per month will apply.

Personal Information Hamilton - Ward 1**Water Billing Dispute Delegation to Audit, Finance & Administration Committee**Summary

Table 1 on page 3, provides the recent water and wastewater/storm billings for [Person] (the property owner is the account holder). The crux of the owner's water billing issue lies with high water bills experienced in January and March 2020, while the owner was out of the country for a 3 month period. Unfortunately, the water supply to the home was not shut off despite the property being unoccupied. The City has long recommended shutting off water to one's property when away to avoid unauthorized water use or undetected leakage occurring at unoccupied properties.

Council approved water bill adjustment policies (City's Water Leak Adjustment Policy or Extraordinary Circumstance Policy) explicitly exclude adjustments where a dwelling is unoccupied and/or vacant for more than 72 hours. Staff conducted an online review to determine if Hamilton's bill adjustments policies differ with respect to the unoccupied/vacancy exclusion condition. Very few Canadian municipalities offer water bill adjustment policies recognizing that property owners are responsible for private plumbing and the need to maintain/safeguard water using private infrastructure. The online review identified a small number of municipalities that offer water bill adjustment policies (Brantford, Guelph, London, Kitchener, City of Waterloo, Bancroft and Winnipeg) and without exception, the policies exclude adjustments where the home was unoccupied/vacant when the high water consumption occurred.

For extended absences, customers should consider shutting off the water supply (except where water is used for heating) and draining all the pipes and appliances. The City has long promoted the water supply be shut off when a property will be unoccupied/vacant for extended periods via Alectra customer service staff, newspapers ads, bill inserts (including the October 2019 and November 2020 Hamilton Water newsletter bill inserts) and on the City/Alectra websites. The use of on-bill messaging (message appears just below the water consumption bar chart on the right-hand side of the water bill) has also been introduced with the January to April monthly water bills providing the following advice:

Leaving on vacation? Make sure your home's water valve is turned off before you leave to prevent expensive water bills from flooded basements due to leaky pipes or water theft from your outside taps. www.hamilton.ca/leaks

The website referenced within the on-bill message provides the following advice:

Turn off your water while you are away on vacation

Avoid a high water bill from an unexpected leak by turning off your water before you go away.

Shut off the inside water supply if your house is going to be unoccupied for any length of time, even if it is only for a weekend, except where water is used for heating.

Close the inside building control shut-off valve and open faucets to relieve pressure in the lines. If there is no shut-off valve, close the water supply to toilets, sinks, tubs and washing machines that often have individual shut-off valves.

If your property will be vacant for 90 days or more, call 905-546-2489 within 24 hours of leaving to arrange for the City to turn your water off at the street.

To arrange for account payments while you are away, call Alectra Utilities Customer Service at 905-522-9200.

As noted above, beyond closing the water service inside the property for periods where a home will be unoccupied, there is a requirement to shut the water service at the street for vacancy periods that extend beyond 90 days. The City's Waterworks Bylaw R84-026, Section 18(4) requires of all property owners: "Whenever any premises having a water service becomes vacant, the owner is required within twenty-four (24) hours of vacancy to notify in writing, the City to shut off the water at the street line." It should be noted that there is an applicable fee for this service. This requirement recognizes that vacant properties often experience undetected water leaks and/or unauthorized water usage. Following the ice storm in December 2013, the City began suggesting specifically to "snowbirds" to request the City shut the water service at the street as extended power outages can cause water pipes to burst.

In some circumstances, customers raise concerns with respect to the accuracy/functioning of the water meter suggesting high water consumption is a result of inaccurate measurement. Hamilton like most water utilities purchase meters that must be manufactured in accordance with American Waterworks Association (AWWA) standards.

The City uses an industry standard positive displacement meter for residential metering purposes. These meters have a design that is extremely reliable and inherently mitigates over recording. It also provides an accurate record of consumption for many years before requiring replacement. 98% of water meters installed in Canada are positive displacement meters. The replacement of these devices is driven by the wear of mechanical parts that leads to the *under recording* of water consumption. As such, Staff is confident that the City's meters don't account for the high water bills.

When customers raise doubts that the water meter is malfunctioning leading to high consumption billing, like most municipalities Hamilton has a process whereby a customer may have their meter tested for accuracy with a [Water Meter Testing Request Form](#) available on Alectra's website. The customer is required to pay an applicable service fee that varies with the meter size; the 2021 meter accuracy test fee for residential meters (15 – 16mm) is \$314.56 plus HST (fee includes removal of existing meter and installation of replacement meter). Unless the meter is found to be registering more than 2% in error, then the property owner is responsible for the cost of the test and the replacement cost of the water meter; otherwise the cost is borne by the City. If the meter is found to be over-registering the water account would be adjusted down to reflect the amount of over-registration. Over the past 15 years, there has not

been a residential meter fail by over-registering consumption that required a billing adjustment. As there is no evidence that the water meters over-register, the application of the meter test fee avoids unnecessarily removing meters from service before the end of their useful life.

The City is not obligated at its expense to remove a water meter for accuracy testing where a customer contends the meter is inaccurate. The City was successful in defending at trial a Small Claims Court claim from a customer that alleged that his water meter was not functioning however the plaintiff chose not to have the meter tested for accuracy (*Radassao v. City of Hamilton et al*). The decision noted that the customer by not having the meter tested could not prove any malfunction.

TABLE 1

Read Date	Total Bill (\$)	Consumption (m3)	Read From	Read To	Avg Daily (m3)	Billing Days
12/15/20	\$ 37	7	1,792	1,799	0.212	33
11/12/20	\$ 32	7	1,785	1,792	0.259	27
10/16/20	\$ 35	7	1,778	1,785	0.233	30
9/16/20	\$ 37	9	1,769	1,778	0.31	29
8/18/20	\$ 50	12	1,757	1,769	0.343	35
7/14/20	\$ 48	12	1,745	1,757	0.375	32
6/12/20	\$ 29	3	1,742	1,745	0.097	31
5/12/20	\$ 30	3	1,739	1,742	0.091	33
4/09/20	\$ 30	5	1,734	1,739	0.179	28
3/12/20	\$ 262	76	1,658	1,734	2.714	28
2/13/20	\$ 26	3	1,655	1,658	0.111	27
1/17/20	\$ 353	104	1,551	1,655	3.152	33
12/15/19	\$ 36	10	1,541	1,551	0.37	27
11/18/19	\$ 37	8	1,533	1,541	0.25	32
10/17/19	\$ 33	8	1,525	1,533	0.296	27

The water billings have been paid in full to date as the account is on pre-authorized payment plan. There was no contact from the customer until her return from Florida in late March 2020 which suggests the water billings during the owner's absence were not reviewed when issued. If the January water bill was reviewed when issued in late January, at that point an investigation could have taken place to find the source of the high water usage.

When initially contacted by the customer, Alectra had suggested engaging a licensed plumber to investigate for potential water leaks. However, a plumber did not inspect the property until December 2020. The plumber did not find a source of leakage at that time and speculated that perhaps the actual meter readings related to the January and March billings were "potentially misread." When a meter reading is obtained that would

result in a water billing reflecting an increase of over 150% or a decrease by at least 30%, Alectra verifies the meter reading by having another meter reading obtained. As noted below, in January 2020, Alectra did have the meter re-read that confirmed the meter reading was accurate.

As noted below, there have been repeated requests by the customer for financial compensation and Alectra consistently has advised (following consultation with City Finance) that due to the property being unoccupied during the periods of high metered water usage the requests were ineligible under City policies.

Additionally, the customer, via the ward councillor's office, has had several discussions with Hamilton Water Community Outreach between May and December 2020 that mirrored the discussion the customer has had with Alectra.

As previously noted, there are two adjustment policies approved by City Council for City staff to adjust a high water billing (City's Water Leak Adjustment Policy and the Extraordinary Circumstance Policy) however, both policies exclude adjustments where a dwelling is unoccupied and/or vacant for more than 72 hours.

Alectra Utilities (AUC) Customer Contact Timeline

Jan 29/20 - As the Jan 17th water bill was high, AUC attempts to contact customer by phone however the phone number listed was not in service, no number found on Canada 411 & no email on file. Clerk issued meter re-read which confirmed meter reading so bill issued.

Mar 24 - Olympia (owner) called regarding high usage, she advised she was away for 3 months, AUC customer service representative (CSR) advised to check for leaks. Customer stated toilets are brand new. CSR asked for read from meter (WLA (water leak adjustment) not mentioned as property vacant).

Mar 25 – Olympia called with read which confirmed reads were OK and that usage had returned to normal – she advised she was away Dec 25 to Mar 24 and requested the meter be tested, she was advised work order was pending to confirm reads.

Apr 20 – Olympia called requesting reimbursement and the CSR suggested in future to turn water off when going away for extended period, customer requested escalation.

Apr 22 – AUC supervisor called Olympia and advised this type of usage usually suggests leaks, suggested read meter overnight to monitor and do dye test on toilets. Customer responded received our stickers and everything is fine. AUC supervisor advised would call back to discuss overnight reads, also advised she may need to get a plumber and understood her concerns about having someone in home during Covid 19.

Apr 24 – AUC supervisor called back to discuss overnight reads.

May 12 - Olympia's son in law Bob called, he advised same info Olympia – she was away, no leaks, no run on toilets, he requested relief as she is a senior, was advised by CSR no relief available.

May 14 – Email received from the City to call Bob. AUC supervisor called and Bob was concerned we could not explain the high – low – high invoices and wanted compensation.

May 19 - CSR spoke with Olympia – same matters as raised on May 14 were discussed.

June 3 – Bob spoke to Supervisor who pointed out that both years Olympia was away she experienced higher usage (2018 and 2020) in 2019 when she was home there were no issues (2018 Jan 5-Feb 8 16m3, Feb 8-Mar 6 28m3, Mar 6 to Apr 3 13m3)

June 9 – Bob spoke to AUC supervisor, requested credit as Olympia is senior on fixed income, was explained cannot offer compensation, also explained meter test option and payment arrangements. Bob requested further escalation before going to the media.

June 18 – AUC Manager called and spoke with Bob. Bob advised Olympia was recuperating in Florida after surgery, 2 people were checking on home in her absence. No one detected water being used, they checked for leaks including toilet test and found none. Manager asked if plumber had checked premises, Bob advised no. Bob asked for compensation as Olympia is on fixed income and this is causing financial strain. Bob also stated he feels she shouldn't have to pay for the charges because she was not home. Manager explained how meter works and that since water had flowed through the meter charges apply. Customer requested a call back.

July 28 – Unexplained High Water Usage Billing Adjustment Request Application Form received from customer via email – was sent to call centre supervisors who forwarded to billing supervisors.

July 30 – Form reviewed and declined after billing clerk reviewed with COH. Denied as criteria not met, email was sent to billing supervisor to advise whomever was dealing with customer to advise the customer.

Aug 10 – CSR called and spoke to Olympia and advised did not meet criteria under the Extraordinary Circumstance Bill Adjustment Policy.

Aug 11 – Bob spoke with CSR who transferred him to COH to advise why criteria was not met.

Aug 18 – Email received from Hamilton Water Meter Operations inquiring why was customer contacting them.

Nov 25 – Email received from COH by call centre supervisor to contact Bob. Bob stated that they did not receive written notification for reason their request was declined under

Extraordinary Circumstance Bill Adjustment Policy, advised declined verbally on Aug 10. Was advised of option to appear before City's Audit, Finance & Administration Committee. Supervisor advised would review request form and call back.

Dec 2 – Supervisor called Bob to advise reviewed compensation request and advised request is declined - reiterated option to appear before City Committee, Bob advised he would contact councillor, MPP and would take further action.



CITIZEN COMMITTEE REPORT

To:	Audit, Finance and Administration Committee; General Issues Committee; and City Council
From:	LGBTQ Advisory Committee <div style="text-align: right; border-top: 1px solid black; width: 20%; margin-left: auto;">Cameron Kroetsch, Chair</div>
Date:	December 15, 2020
Re:	Accessible Captioning for Meetings of the LGBTQ Advisory Committee

Recommendation

That the City of Hamilton (City) provide accessible captioning as part of its virtual meeting software either through Cisco Webex or through another software provider for all future meetings of the LGBTQ Advisory Committee (LGBTQAC) and that the City, if it has not done so already, consult with the Advisory Committee for Persons with Disabilities (ACPD) to get their input and feedback about this as soon as possible and before implementing this recommendation.

Background

Members of the LGBTQAC have asked for accommodations, specifically that there be captioning in meetings, so that they can participate without barriers.

As of the last LGBTQAC meeting, staff reported back that the option for accessible captioning through Webex was explored and possibly available but not enabled or purchased at this time. Staff also advised that the City's information technology staff have said that Webex is the only virtual meeting software permitted to be used for City meetings at this time.

It appears that Cisco Webex, the City's preferred virtual meeting software, does have this capability through Webex Assistant.

According to the Cisco Webex Help Center -

"Webex Assistant is available in Webex Meetings version 40.4 and later. Contact your Cisco Collaboration Partner or Cisco Collaboration Account Manager to create a trial for you through the Webex Enterprise Trials program. Trials are expected to begin on June 2, 2020."

At present, members of the LGBTQAC are aware and have used other virtual softwares, web applications, or websites that have these capabilities including -

- GoToMeeting
- Microsoft Teams
- Zoom
- Google Meet (Live Transcribe)
- YouTube

The LGBTQAC also recognizes that it would be possible to provide live captioning services, also known as Communication Access Real-Time Translation (CART), through another interface.

Analysis / Rationale

The LGBTQAC considers this accommodation a matter of human rights and disability justice.

We are confident that this barrier can be overcome by the City of Hamilton. As the Canadian Hard of Hearing Association states, "90% of people with hearing loss can improve communication with hearing assistive technology, counseling or environmental changes".

We also recognize that this accommodation is not just important for those who are hard of hearing but for those who may have other cognitive disabilities, who experience Attention-deficit/hyperactivity disorder (ADHD), or who suffer from similar chronic conditions.

We understand that, because the LGBTQAC is a volunteer Advisory Committee, that it is not subject to the same laws, rules, and regulations that govern the City's employees but we thought it was important to share this information posted on the Accessibility for Ontarians with Disabilities Act (AODA) website on November 12, 2018 entitled Individual Accommodation Plans in Ontario Workplaces.

"The Employment Standard under the AODA states that all public sector organizations, and private or non-profit organizations with fifty or more workers, must develop and document a process for writing individual accommodation plans.

Individual accommodation plans are written documents that list all accommodations workers with disabilities need to make their jobs accessible. For example, accommodations that a worker might use include informational accommodations, such as documents in digital form or real-time captioning at meetings".

More information about the AODA Employment Standard can be accessed by visiting <https://www.aoda.ca/individual-accommodation-plans-in-ontario-workplaces/>.

While the LGBTQAC recognizes that its members are not employees, it is still participating in work in a virtual workplace with members of City staff and should enjoy the same level of accommodation as others in that workplace.

We recognize that both legislation and accommodation standards are changing with respect to virtual workplaces and environments and ask that the City be forward thinking in its approach.

As far as the LGBTQAC can tell, documents like the City's Barrier-Free Design Guidelines (Version 1.1, 2006) and its Accessibility Standards (2017) have not been updated to include provisions since the beginning of the COVID-19 pandemic with respect to virtual environments.

We would encourage City Council to feel comfortable adopting this change without seeking more information. We believe that both the means and the need are clear.

Further, we do not think that this technological accommodation should only be extended to the LGBTQAC but should become part of every City meeting that is broadcast publicly. It is important that all Hamiltonians can participate in their municipal

government and we feel that this is part of the City's commitment to and response to the Accessibility Standards for Customer Service (O. reg. 427/07) and the Web Content Accessibility Guidelines (WCAG 2.0).

While we recognize that there is not binding legislation that currently mandates that the City provide this accommodation, we feel that the examples we have drawn upon will aid the City in accepting our recommendation.

NOTE - We ask that the LGBTQAC Chair be updated as to when and at what Committee the recommendation(s) in this Citizen Committee Report will be addressed so that they can speak to the matter formally at that time.



INFORMATION REPORT

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	February 18, 2021
SUBJECT/REPORT NO:	Fraud, Waste, and Whistleblower Semi-Annual Update (AUD21001) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Brigitte Minard CPA, CA, CIA, CGAP (905) 546-2424 Ext. 3107 Cindy Purnomo Stuve (905) 546-2424 Ext. 2257
SUBMITTED BY:	Charles Brown CPA, CA, CPA (Illinois) City Auditor Office of the City Auditor
SIGNATURE:	

COUNCIL DIRECTION

By-law 19-181 (Whistleblower By-law), Section 19 – Responsibility of the City Auditor requires reporting to Council semi-annually, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law.

On June 27, 2018, Council directed the City Auditor to implement a Fraud and Waste Hotline with intake performed by an independent third party as part of a three-year pilot project. The City's Fraud and Waste Hotline launched in July 2019. The first Fraud and Waste Annual Report (AUD20007) was presented to the Audit, Finance and Administration Committee on October 22, 2020. Report AUD20007 fulfilled the semi-annual reporting requirement for January to June 2020, as it contained the information required by the Whistleblower By-law.

INFORMATION

This Information Report contains information about the number, nature and outcome of Whistleblower disclosures relating to By-law 19-181, along with information about Fraud

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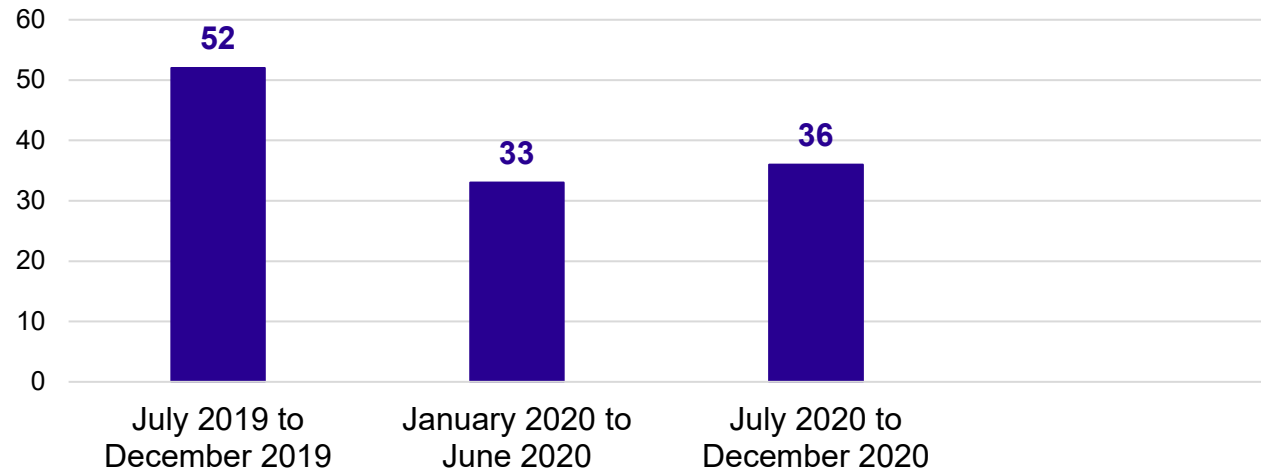
**SUBJECT: Fraud, Waste, and Whistleblower Semi-Annual Update
(AUD21001) (City Wide)**

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and Waste reports received from July 2020 to December 2020, along with historical information.

FRAUD AND WASTE REPORT VOLUME SINCE HOTLINE LAUNCH

Fraud and Waste Report Volume



SEMI-ANNUAL SUMMARY (July 2020 to December 2020)

Report Type

The following table shows Fraud and Waste reporting activity for the second half of 2020 and the disposition of each report, including the number that resulted in an investigation being undertaken.

Description	Volume
No Response Required/Not Enough Information/ Out of Jurisdiction	4
Referral - No Action Required	5
Referral - Response Required	16
Investigations Launched	4
Assessment In Progress	7
Total Reports (July to December 2020)	36

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**SUBJECT: Fraud, Waste, and Whistleblower Semi-Annual Update
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Report Category

A wide variety of reports were received by the Office of the City Auditor for the six-months July 2020 to December 2020. The most common report categories were the following:

Description	Volume
Multiple Categories Applicable	7
Service Complaint/Concern	4
Employee Time Theft/Misconduct	4
Misuse of City Resources	3
Out of Jurisdiction	3
Social Services - Fraud/Wrongdoing	3
Improper Financial Reporting/Budgeting	3
Conflict of Interest	3
Various Other Categories	6
Total Reports (July to December 2020)	36

Investigations Launched – Types

The following table shows a breakdown of the subject matter of the investigation for those launched for reports received from July 2020 to December 2020.

Description	Volume
 Fraud	1
 Waste/Mismanagement	1
  Combined Fraud and Waste/Mismanagement	2
Total Investigations (July to December 2020)	4

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Each investigation is unique and has a customized approach. The length of time to complete an investigation varies depending on the number of allegations, the scope of the investigation, and the complexity the matter being investigated.

In the second half of 2020, the most common type of investigation contained elements of both fraud and waste/mismanagement. This is to be expected as the definition of fraud is narrower than waste/mismanagement. Fraud encompasses any array of irregularities and illegal acts characterized by intentional deception (forgery, alteration of documents, misrepresentation of information, misappropriation, unauthorized use, disappearance, destruction of assets, authorizing payment for goods/services not received, improper handling of money, false claims, violations of Code of Conduct).

Waste involves taxpayers not receiving reasonable value for money in connection with any government funded activities, due to mismanagement or an inappropriate or careless act or omission by those with control over or access to government resources. Importantly, waste goes beyond fraud and doesn't necessarily involve a violation of law.

Waste relates primarily to poor management, imprudent expenditure, inadequate oversight or abuse of policy and includes incurring unnecessary costs or risks due to ineffective practices, systems or controls.

Whistleblower By-law Disclosures

The following table lists the number of Hotline reports that involve reporting by a qualifying Whistleblower. The comparative data is for the time period since the Fraud and Waste Hotline launched in July 2019.

Description	July 2020 to December 2020	January 2020 to June 2020	July 2019 to December 2019
 Qualifying Disclosures	1	0	2

Under By-law 19-181 (Whistleblower By-law), Section 6 – Requirements with Respect to a Qualifying Disclosure, the employee making the disclosure of serious wrongdoing identified themselves and their position with the City; the employee making the disclosure of serious wrongdoing has reasonable grounds to believe there has been serious wrongdoing by one or more employees; the employee making the disclosure of serious wrongdoing does so in good faith; the employee's disclosure of serious wrongdoing was made to the City Auditor.

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In the six-month period from July 2020 to December 2020, one report was determined to be a qualifying disclosure per the Whistleblower By-law, as assessed by the Office of the City Auditor.

This report was received during the previous reporting period and was reported with a status of “Investigation Launched” with a substantiation outcome of “Pending”. Since that report was issued, the work on the investigation has progressed and the report was found to be a qualifying disclosure. The report category is Theft/Misappropriation and the outcome is not yet available as the investigation is in progress.

Employees

Description	July 2020 to December 2020	January 2020 to June 2020	July 2019 to December 2019
Reports Self-Identified as Employee	58%	33%	54%

The Office of the City Auditor continues to encourage employees and management to submit reports and thanks all those that submitted reports for this reporting period, and for their cooperation during report assessments and investigations. Additional information about anonymous reports and reports submitted by management will be included in the annual report.

Annual Report

A more detailed annual report containing additional analysis, case samples and outcomes will be completed after the twelve-month period of July 2020 to June 2021 has ended. The Fraud and Waste Annual Report is expected to be submitted to the Audit, Finance, and Administration Committee in the fall of 2021.

HOW TO SUBMIT A REPORT

The Fraud and Waste Hotline is available for the public, employees, and vendors that do business with the City of Hamilton.

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A promotional banner for the 'SPEAK UP' whistleblower hotline. The background is dark blue with silhouettes of people and a white torn paper effect. The text 'SPEAK UP' is in large white letters, with 'confidential anonymous' above it. Below 'SPEAK UP' is the text 'Report any wrongdoing'. A pink horizontal bar contains the text 'Use the Fraud and Waste Hotline'. Below this bar, the website 'www.hamilton.ca/Fraud' and the toll-free number '1-888-390-0393' are listed. The Hamilton Office of the City Auditor logo is in the top right corner.

confidential
anonymous

SPEAK UP

Report any wrongdoing

Use the Fraud and Waste Hotline

www.hamilton.ca/Fraud
Call Toll Free 24/7 1-888-390-0393

Hamilton
Office of the City Auditor

The Fraud and Waste Hotline accepts reports through the following methods:

- **Online:** www.hamilton.ca/fraud A "Submit Report" button links to the third-party vendor page
- **Email:** cityofhamilton@integritycounts.ca
- **Phone:** 1-888-390-0393
- **Mail:** PO Box 91880, West Vancouver, BC V7V 4S4
- **Fax:** 1-604-926-5668

If any reports are received directly by the Office of the City Auditor by telephone, email, fax, mail, or the web-based suggestions form (www.hamilton.ca/audit) these complaints are entered directly into the Hotline case management system and assessed similar to any other report.

APPENDICES AND SCHEDULES ATTACHED

None.



INFORMATION REPORT

TO:	Chair & Members Audit, Finance and Administration Committee
COMMITTEE DATE:	February 18, 2021
SUBJECT/REPORT NO:	Annual Employee Attendance Report 2020 (HUR21002) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Gord Muise 905-546-2424 Ext. 2655 Heather McNicol 905-546-2424 Ext. 2635
SUBMITTED BY:	Lora Fontana Executive Director City Manager's Office, Human Resources
SIGNATURE:	

Council Direction:

Human Resources staff historically reports employee attendance performance measures to the Audit Finance and Administration Committee on an annual and semi-annual basis. Under usual circumstances, Human Resources would have presented the 2019 annual report in March 2020. As a result of the onset of COVID-19, the 2019 report was deferred. Given these most unique and challenging circumstances, this current report presents a unique perspective that does not allow the historic year-on-year comparisons normally allowed by consistent year-to-year comparability. Rather, this report is retrospective of 2020 that reviews absenteeism in a year of a pandemic anomaly.

Information:

This report includes days lost, occurrences and direct costs attributed to COVID-19 absences for full-time, part-time and casual staff. Short-Term Disability (STD), Work Accommodation and Long-Term Disability (LTD) absence data are for full-time employees only (excluding Police and Library).

Absences due to occupational illness or injury (i.e. WSIB) are excluded from this report unless related to a confirmed COVID-19 workplace exposure. All other occupational illnesses and injury data for 2020 will be presented in the Annual Occupational Injury and Illness Report 2020 expected in March, 2021.

This report also provides a summary of Human Resources measures implemented to manage absences and support employees during the COVID-19 pandemic.

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Executive Summary:

This report provides a summary of the City's 2020 employee attendance data including COVID-19, STD, and LTD absences, and provides commentary on the measures taken to manage workplace attendance during the pandemic. A brief account of workplace COVID-19 claims (WSIB) is also provided.

COVID19 Absences

- In 2020, City employees lost a total of 152,844 days due to COVID-19 absences. The lost days for COVID-19 absences are categorized as follows:
 - 12,071 days lost for paid absences related to COVID-19
 - 140,562 days lost for non-paid leaves of absences greater than 30 days
 - 211 days lost for non-paid leaves of absences less than 30 days
- The total cost of paid absences related to COVID-19 was \$2,284,404 in 2020.

Short-Term Disability Absences (STD)

- The average number of STD days lost per employee decreased by 1.4 days from 13.2 days in 2019 to 11.8 days in 2020. This represents a 11.2% reduction in lost days.
- The total direct cost of STD absences decreased by 8.72% from \$13,637,468 in 2019 to \$12,447,927 in 2020.

Long-Term Disability Absences (LTD)

- There was a 30.7% increase in the number of Long-Term Disability claims received by Manulife in 2020 (98) compared to 2019 (75). LTD absences increased to 8.4 average lost days per employee in 2020 compared to 8.0 lost days in 2019. The increase in lost days could be attributed to longer claim durations, with Manulife reporting claimants experiencing delays in treatment, surgeries and medical follow up due to the impact of COVID-19 on healthcare services.

Workplace COVID-19 Claims (WSIB) - Reports of workplace COVID-19 exposures

- 262 hazard reports filed by employees reporting possible COVID-19 exposures in the workplace.
- 17 Lost Time reports (Form 7's) filed with the WSIB with the following outcomes:
 - 6 claims required no further action as the employee tested negative for COVID-19
 - 4 claims were approved by the WSIB for lost time due to COVID-19
 - 7 claims remain with a decision by the WSIB pending as of January 31, 2021

With the onset of COVID-19 and the significant impact on employee health and wellness, Human Resources quickly responded by implementing new policies, procedures and strategies to manage work attendance based on best-practice guidance from Public Health in consultation with the City's Emergency Operations Centre.

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The first priority was keeping those employees with flu-like symptoms out of the workplace in addition to imposing workplace attendance restrictions for those who travelled out of the country. Subsequently, in April, with the development of the COVID-19 Self-Screening Assessment Tool, employees who failed the Assessment Tool, were denied access to the workplace and thereby ensuring COVID-19 testing prior to a return to work. To achieve this goal, paid-leaves of absences (P19) were approved for full-time staff who failed the City's COVID-19 screening tool and followed the steps required by contacting Public Health to schedule a COVID-19 test and notifying the City's Occupational Health Nurse of their absence and testing date. Eligibility for paid-leaves of absence (P19) was also extended to part-time and casual staff who were deemed not fit for work based upon the COVID-19 screening tool and followed the required steps.

The impact of implementing the paid-leave of absence strategy was two-fold: Full-time employees who would have otherwise incurred non-paid penalty days did not lose income while waiting for their COVID-19 test results. Furthermore, part-time and casual staff who do not qualify for income protection benefits, were paid wages while self-isolating at home and waiting for their COVID-19 test results. Given that in 2020 the City of Hamilton experienced only three claims approved by the WSIB for lost time due to COVID-19 exposure in the workplace, suggests the health and safety value of providing wage protection for sick employees to remain out of the workplace during such extraordinary times.

In addition to implementing strategies for managing employees with COVID-19 symptoms or exposures, another new group of employees emerged; those with underlying medical conditions at greater risk of contracting the virus or developing complications following exposure. Return to Work Services (RTWS) found value in engaging third-party consulting physicians to aid management and unions in supporting employees with impediments to attend work safely. Additionally, where medically supported on the advice of consulting physicians, RTWS implemented individualized accommodation plans to minimize COVID-19 exposure. With new types of COVID-19 absences, Human Resources found challenges in managing attendance and implementing system changes effectively, using the limited HRIS technology currently in place. This pandemic has highlighted the inadequacies of the existing HRIS absence management technology that is currently incapable of providing real-time notification of employee absences, accurate and efficient means of tracking those absences, and measuring the costs associated with them.

Background

This report includes days lost, occurrences and direct costs attributed to COVID-19 absences for full-time, part-time and casual staff. STD, Work Accommodation and LTD absence data is presented for full-time employees only (excluding Police and Library).

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Absences due to occupational illness or injury (i.e. WSIB) are excluded from this report unless caused by a confirmed COVID-19 workplace exposure. All occupational illness and injury data for 2020 will be contained in the Annual Occupational Injury and Illness Reports expected in March, 2021.

Definitions

- Income Protection Plan (IPP) - Provides eligible employees with an income if they cannot perform their normal duties due to illness/non-occupational injury during both STD and LTD.
- Eligible Employee - A full-time employee who meets the conditions of their collective agreement or employment contract eligibility for payment through the IPP as a result of illness or non-occupational injury.
- STD Absences – Sick absences of less than 1 day up to 130 days and do not include COVID-19 illnesses.
- COVID-19 Absence Codes – In response to COVID-19 new absence types were identified, and codes created to manage and track COVID-19 absences.
- P19 – Paid leave due to the following COVID related absence types:
 - COVID-19 - Positive
 - COVID-19 - Isolation recommended by Public Health
 - COVID-19 - Isolation pending COVID-19 testing results
 - COVID-19 - Employee Immunocompromised
 - COVID-19 - Post-travel isolation
 - COVID-19 - Employee age 70 years or older
 - COVID-19 - Temporary operational closure (Facilities or Programs) resulting in paid leave of absence for staff
- Non-Paid Leaves of Absence – Below are the codes to manage non-paid leave of absences:
 - L19 – Unpaid leave of absence less than 30 days
 - LL19 – Unpaid leave of absence greater than 30 days
- LTD Absences that extend beyond a 6-month qualifying period (i.e. 130 days), when an employee continues to be totally disabled beyond their STD absence. LTD absences are currently managed by Manulife Financial.
- Lost Days - Standardized as a 7-hour shift.

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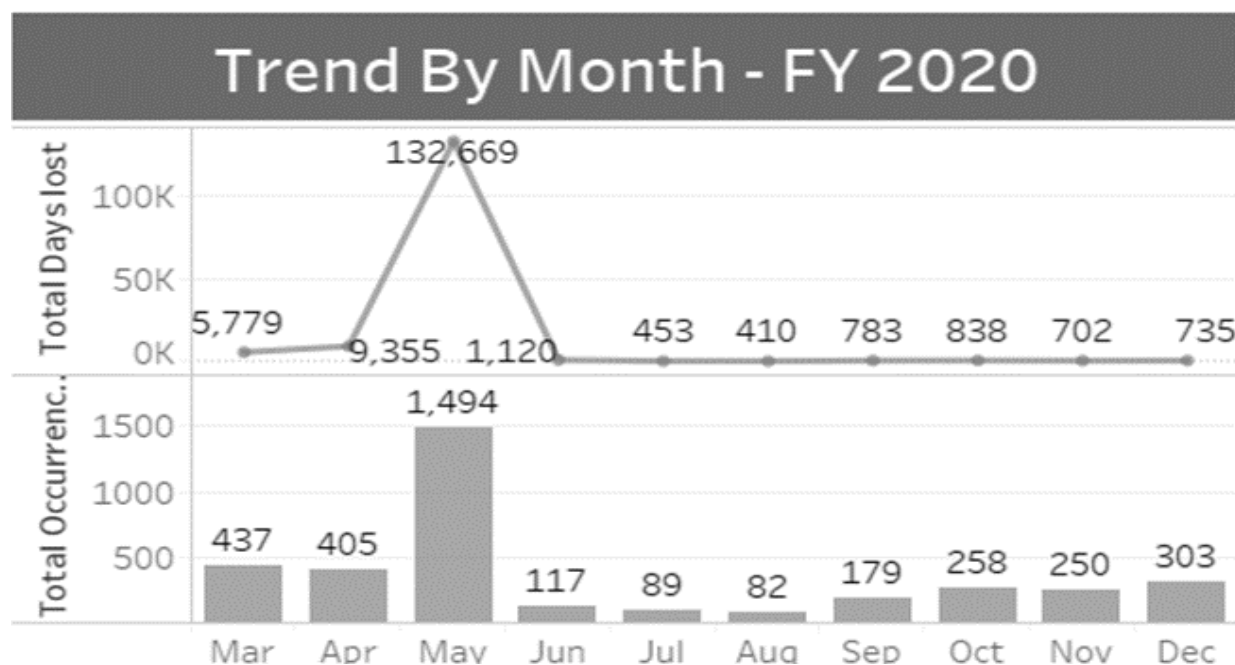
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COVID-19 Absence Summary for City of Hamilton excluding Police, Fire and Library

The total cost of paid absences related to COVID-19 was \$2,284,404 in 2020. City employees lost a total of 152,844 days due to COVID-19 absences. The lost days for COVID-19 absences can be broken down as follows:

- 12,071 days lost for paid absences related to COVID-19 (P19)
- 140,562 days lost for non-paid leaves of absences greater than 30 days (LL19)
- 211 days lost for non-paid leaves of absences less than 30 days (L19)

Graph 1: Total Number of Days Lost and Total Occurrences – P19, LL19, L19



In Graph 1, a spike in COVID-19 absences occurred in April and May 2020 which can be attributed to the following factors:

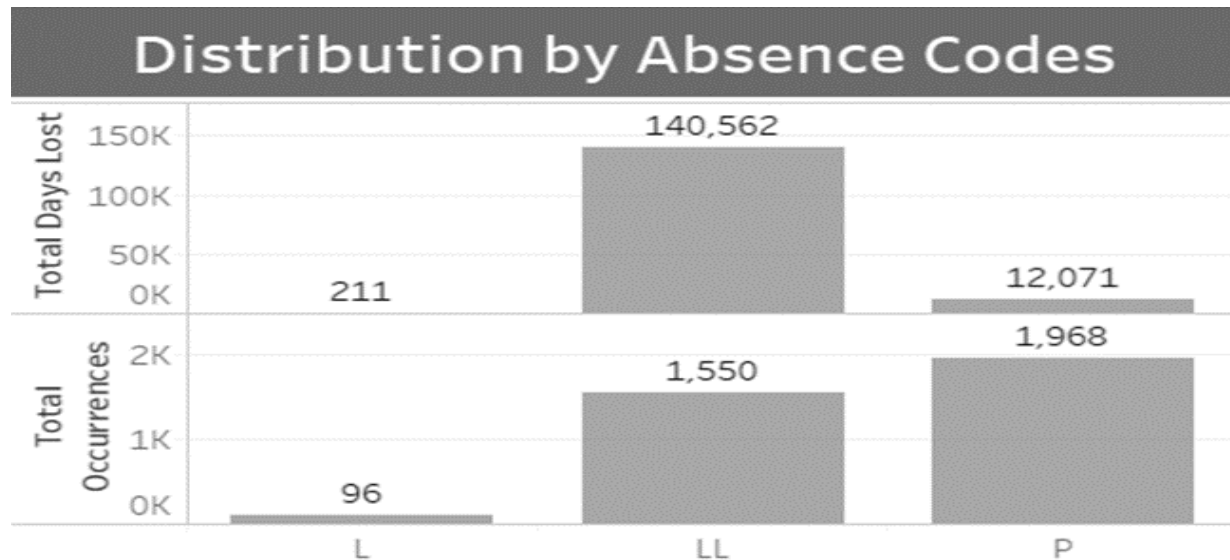
- School closures extended to the end the school year resulting in leaves of absences request for child care requirements
- Employees bringing forward with concerns regarding their ability to safety work and were placed on a P19 paid leave of absence pending a medical review by RTWS
- Income protection for non-union and unionized part-time employees ended May 5 and transitioned to non-paid leaves of absence due to facility and program closures
- Employees age 70 (N=50) or over were placed on a paid leave of absence (P19) due to their higher risk of developing serious complications if exposed to the COVID-19 virus.

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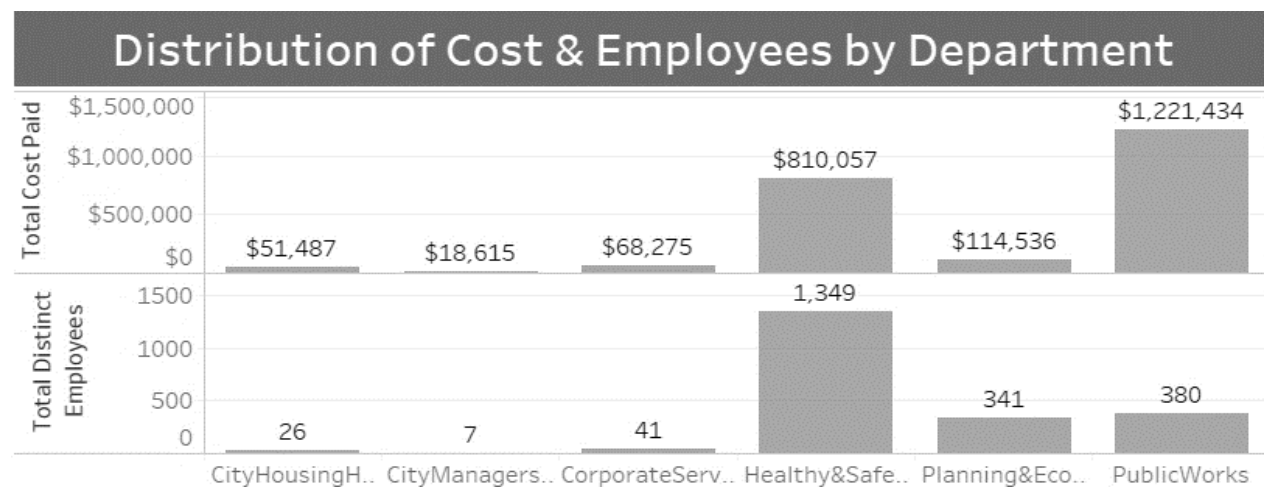
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Graph 2: Distribution of L19, LL19 and P19 by Days Lost and Occurrences



Graph 2 illustrates the distribution of paid and non-paid absences by type. Most lost days are attributed to non-paid leaves of absences (140,773 lost days). The highest number of occurrences are attributed to paid leaves (P19) which can be explained by employees failing the City’s screening tool, attending COVID-19 testing and returning to work upon confirmation of a negative test. As employees were completing the screening tool daily, a higher occurrence rate of this category of absence would be expected.

Graph 3: Total Cost of Paid Leaved of Absences by Department – P19



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In graph 3, Public works incurred the highest cost for COVID-19 related absences (\$1,221,434) followed by Healthy and Safe Communities (\$810,057). Public Works COVID-19 costs were driven by Transit, as this operation was deemed an essential service and Transit Operators incurred a P19 absence when failing the City's COVID-19 screening tool. Healthy and Safe Communities costs were driven by Hamilton Paramedic Services and Lodges. Again, should employees in these groups fail the COVID-19 screening tool they were placed on a paid leave of absence pending COVID-19 testing results for the safety of staff, patients and residents.

Absence Summary for City of Hamilton excluding Police, Fire, & Library

Graph 4: Days Lost per Eligible Employee – STD & LTD



Graph 4 - STD absenteeism unrelated to COVID-19 decreased to levels which pre-date 2016 data presented in this report, along with a decrease in direct costs. For 2020, the average number of lost days per employee was 11.8 days, a reduction of 1.4 days compared to 2019.

Several factors could have contributed to the decreased rate of absenteeism including:

- Employees who were placed on temporary paid leaves due to operational decisions, would not incur sick time.
- Employees who were out of the workplace on non-paid leaves of absences would not incur sick time.
- With as many as 1,810 full-time staff working at home during the period of March to December, 2020, could self-accommodate medical issues while continuing to work at home, therefore not incurring sick time.

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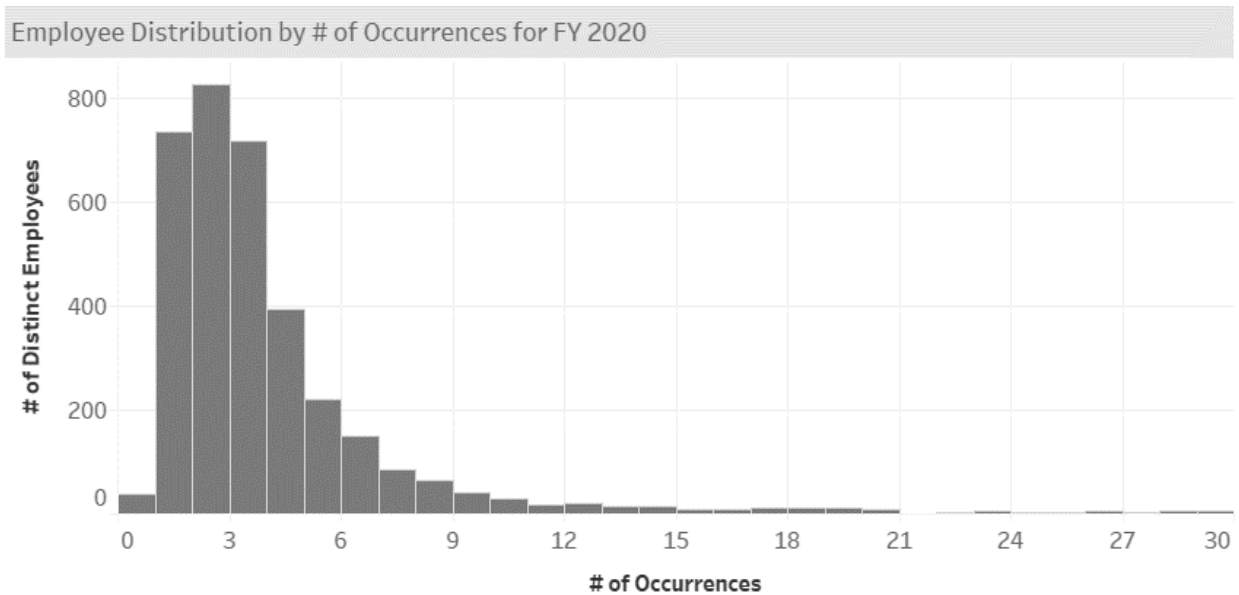
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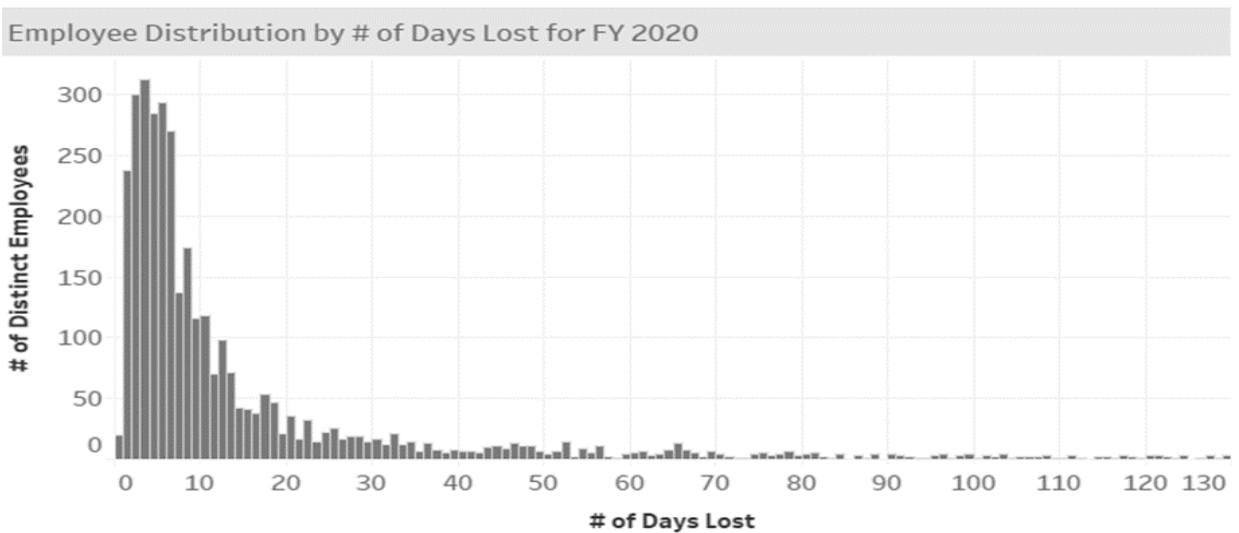
- Employees with COVID-19 symptoms incurred a P19 absence not sick time until the results of their COVID-19 test were known, diverting absences into the P19 category instead of STD.

LTD absences increased to 8.4 average lost days per employee in 2020 compared to 8.0 lost days in 2019. This increase in lost days could be attributed to longer disability durations as Manulife reports claimants experiencing delays in treatment, surgeries and medical follow up due to the impact of COVID-19 on healthcare services.

Graph 5: Average Lost Time Occurrences per IPP eligible Employee - STD



Graph 6: Distribution of lost days - STD

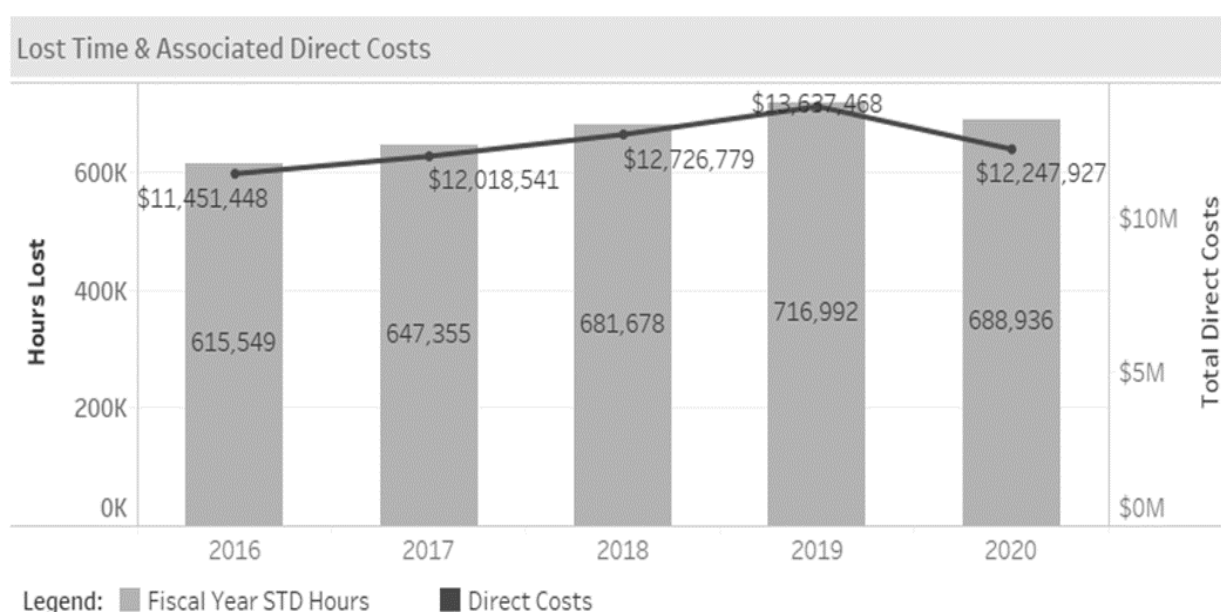


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Graph 5 and 6 demonstrate the individual employee characteristics relating to lost occurrences and days. As expected, the greatest number of individual employees generated the lowest number of individual occurrences and lost days. Further, the most frequent duration of employee absence was 3 days, followed by 2 days and 5 days in length. In 2020, new income protection requirements were implemented in the several collective agreements. Employees covered under these agreements were required to provide a doctor's note on their 4th day and a claim form on their 8th day of absence. However, given that IPP provisions were suspended during the period of March to June, 2020, Human Resources is unable to draw any conclusions as to how the new provisions impacted attendance trends in 2020.

Graph 7: Lost Hours and Direct Costs - STD



Graph 7 illustrates the cost associated with lost hours by comparison to previous years for Short Term Disability. The total direct cost of STD absences decreased by 8.72% from \$13,637,468 in 2019 to \$12,447,927 in 2020. The decrease in STD costs correlate to the factors identified previously in Graph 4 above.

Workplace COVID-19 Exposures (WSIB)

COVID-19 workplace exposure claims are reportable to the WSIB, if the employee believes they contracted COVID-19 while at work and they have a diagnosis or symptoms of COVID-19. If an employee believes they may have been exposed to COVID-19 while at work but are not ill (do not have diagnosis or symptoms of COVID-19) a workplace hazard report is filed, and if the employee becomes ill in the future a claim becomes reportable.

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In 2020, there were the following reports of workplace COVID-19 exposures:

- 262 hazard reports filed by employees reporting possible COVID-19 exposure in the workplace.
- 17 Lost Time reports filed with the WSIB with the following outcomes:
 - 6 claims required no further action as the employee tested negative for COVID-19
 - 4 claims were approved by the WSIB for lost time due to COVID-19
 - 7 claims remain pending as of January 31, 2021

Long-term Disability (LTD)

LTD absences are sick absences that extend beyond 130 days and are managed by a third party (Manulife).

Table 1: Long-term Disability (LTD) Claims 2016 to 2020

	2016	2017	2018	2019	2020
LTD new claims	72	73	77	75	98
LTD Active Cases at end of 2020	169	181	196	197	229
Incident rate for new claims per 1000 employees	15.11	15.96	13.93	14.7	20.63
LTD Costs (benefit payments, ASO fees, legal fees, vacation payouts and severances)	\$5,489,513	\$6,453,839	\$6,561,209	\$7,203,994	*\$8,381,638

* Note: 2020 LTD costs are tentative pending the closure of the 2020 fiscal year.

Table 1 shows 98 new LTD received by Manulife in 2018, representing an increase of 23 claims or 30.7%. Of the 98 claims received by Manulife, 97 were approved, which could be reflective of Manulife requiring less supporting medical documentation when filing an LTD claim for a limited period during 2020 due to possible barriers faced by employees trying to obtain LTD forms. Furthermore, the incident rate increased in 2020 to 20.63 per 1000 insured employees.

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Table 2: LTD Top Claim types 2018-2020

Year	2018			2019			2020		
Claim Type	MH	MSK	CAN	MH	MSK	CAN	MH	MSK	CAN
City of Hamilton	27%	23%	13%	40%	28%	9%	36%	27%	13%
Industry Comparator	34%	21%	12%	34%	30%	12%	39%	27%	11%
MH = Mental Health			MSK = Musculoskeletal			CAN = Cancer			

Mental health continues to be the top diagnostic category representing 34% of all claims received in the reporting period. This is just below the industry comparison group of 37%. In 2020, Mental Health claims received accounted for 36% of all claims. Forty-four percent (44%) of Mental Health claims have a primary diagnosis of depression.

Human Resources recognized that COVID-19 was placing an inordinate pressure on our employees' state of mental health well-being. In response, it was imperative to provide assistance to our staff and their families through access to just-in-time supports in the areas that are important to them. In 2020, the use of the City provided resource LifeSpeak OnDemand was accessed 9,507 times. This web-based program is a free expert-led online streaming video resource dealing with a wide variety of health, family, eldercare, personal growth and development, and work-life balance topics. Employees and their families are able to access the support they needed to overcome hurdles and accomplish goals. In 2020, the most resourced materials accessed focused on Mental Health. Resources accessed on this topic increased by 534% over 2019. Stress Management and Resilience was the 3rd most accessed topic, demand increasing by 244% over 2019. The 4th most accessed topic was Parenting and Caregiving. What this illustrates is that our employees are struggling to balance all the demands the pandemic has placed on both their home and work lives. As an organization and of utmost importance to our leadership, is the continued support of our employees in their personal and family mental health and well-being. The Lifespeak OnDemand program is just one example of how we are supporting our staff.

Year over year, Musculoskeletal claims have been relatively stable. From 27% in 2018 and back to 27% in 2020. Cumulatively, 31% of musculoskeletal claims are for inflammatory conditions (arthritis etc.) and 24% of musculoskeletal claims are for conditions related to the cervical and lumbar spine. Cancer claims have now shifted to the 3rd diagnosis. It is noted that this category is at 12% of claims received which is on par with Industry.

In 2020, Return to Work Services continued to work closely with Manulife to reduce overall claim duration. While received claims have increased in volume, there were 67 claim resolutions in 2020 which was the highest level of claim resolution in the reporting period. As of Dec 2020, 1.5% of all claims were in rehabilitation and 95 referrals were made to rehabilitation services this year. This is the highest level of rehabilitation intervention in the

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reporting period and is consistent with the City's approach of investing in assistance with recovery and return to work and has assisted in achieving a higher claim resolution rate. For 2020, 62.7% of resolutions were for a return to work.

Initiatives to Manage and Support Employee Attendance during COVID-19

In February 2020, as the seriousness of COVID-19 virus began to be understood, Human Resources started to receive the first of many inquiries regarding the impact of COVID-19 on the workplace. Health, Safety & Wellness and RTWS in consultation with Public Health and the City's Emergency Operations Centre started to provide recommendations regarding managing COVID-19 absences. It was clear based on the rising impact of the COVID-19 pandemic, Human Resources would have to respond quickly by implementing new policies and procedures and suspending others to help employees navigate attending work during COVID. The steps Health & Safety & Wellness and Return to work Services have taken in 2020 to manage employee attendance during COVID-19 are outlined below.

Health & Safety & Wellness Initiatives - The City's Occupational Health Nurse played a critical role in managing COVID-19 absences at the City. In March and April 2020, cases were triaged and managed solely by the Occupational Health Nurse. However, by May 2020 it became apparent more assistance was required, and the City's Healthy Workplace Specialist's duties were reassigned to assist with COVID-19 absences and testing.

Table 3: Breakdown of Cases Managed Under the Direction of Occupational Health Nurse

	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Totals
Positive results	4	3	3	0	1	0	4	13	5	32	65
Negative results	20	42	63	53	37	43	113	188	171	213	943
Isolation	132	43	21	10	7	8	23	39	31	59	373
Immunocompromised	31	40	6	1	0	0	0	0	0	0	78
Unrelated illness	82	35	24	16	3	4	17	14	13	8	216
Inquiry	20	14	7	31	15	19	37	58	40	74	315
Incident reports for COVID exposures	147	38	22	6	7	2	4	2	2	15	245
Lodge Surveillance	0	0	503	1013	963	927	1027	1028	1771	2716	9948
paramedic swabbing for Fire/EMS/LTC/PH	0	0	0	0	0	0	8	80	160	148	396

The Occupational Health Nurse with the support of the Health, Safety and Wellness team, undertook the following work in order to manage COVID-19 in the workplace:

COVID-19 Policy/Procedures/Reporting

- Created and updated workplace COVID-19 Screening Tool questions
- Created and/or reviewed policies and procedures related to COVID-19
- Completed Ministry of Labour reports for occupational illnesses related to COVID-19 (with exception of Lodges who do their own reporting)

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- Monitored and reviewed updated Ministry documents regarding managing COVID-19 in the workplace and keep current best practice recommendations

Departmental Support

- Health teaching for staff that have anxiety related to COVID-19
- Reviewing Personal Protective Equipment (PPE) provisions with staff who have concerns over level of PPE provided
- Responding to management questions specific to their workplace operation
- Managing internal contact tracing for staff who test positive and have been in the workplace
- Answer questions from Union Leaders and Management related to COVID-19 concerns and workplace protocols
- Providing recommendations to return to work regarding immunocompromised staff
- Providing direction on coding of absences

General Employee Support

- Receiving calls related to symptoms of COVID-19 or other illnesses, family members that are sick, return from travel, exposures to COVID-19 and advising next steps based upon the City's Screening Tool
- Following up with employees who fail any screening tool questions, ensuring they follow the proper process
- Providing clearance for employees to return to work when they have received their COVID-19 test result or have completed isolation period
- Checking in on employees to ensure a timely return to work if their absence is longer than anticipated
- Providing health teaching and reassurance of Public Health requirements
- Provide resources to manage fear/anxiety related to COVID-19 concerns
- Notify and provide direction to close contacts in the workplace
- Update supervisors and managers respecting confidentiality of staff – reporting fitness to work only
- Take calls from Public Health regarding workplace contact tracing and work collaboratively to ensure contacts are notified

First Responders/Lodges COVID-19 Testing

- Collaborated with external Consulting Physician and Paramedics to get quick testing for First Responders and Lodges employees to support a timely return to work
- Arranged for COVID-19 testing to be conducted by community Paramedics
- Receive all results for COVID-19 testing conducted by Paramedics
- Call employees with test results and next steps to return to work
- If positive, workplace contact tracing is initiated as indicated above

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Medical surveillance (approximately 650 COVID-19 tests completed per week)

- Based on Ontario directives, Lodges staff require testing as well as anyone entering the facility – currently this testing is weekly but was biweekly before we moved to red zone (employees can be swabbed 2x a week if there is an outbreak)
- Arranged for testing of Public Health and Bylaw Staff that are entering Long Term Care homes for inspection or to vaccinate for COVID-19
- Received and reviewed test results weekly for Lodges employees
- Entered testing results into database
- Notify Lodges staff of positive results and next steps
- Contact tracing and notification of contacts, if needed

Assisting during COVID-19 Outbreaks

- Keep workplace up to date on testing of ill staff to assist in managing outbreak
- Work with Public Health to ensure processes are followed or connect them to management for more information
- Provide support and/or direction to management and staff
- Complete Ministry of Labour reporting for outbreak positive cases

Return to Work Services (RTWS) COVID-19 Absences Management Initiatives - RTWS worked in partnership with Health Safety & Wellness and other Human Resources and/or stakeholders to support employees with COVID-19 related absences and all other illness or injuries incurred in 2020.

The following steps were taken to support departments and employees related to COVID-19 absences and accommodation requests:

- Suspension of the City's attendance management process to emphasize the importance of attending work only when fit to do so based on the COVID-19 screening tool.
- Placed full-time employees on a paid leave of absence (P19) so IPP penalty days were not incurred when the employee failed the COVID-19 screening tool and was not fit to attend work.
- Provided part time and casual employees who would not otherwise qualify for income protection benefits for COVID-19 related absences (Coded as P19)
- Approving paid leaves of absence for all employees aged 70 or older.
- Suspension of the requirement to provide doctor's notes and claim forms to support Income Protection Programs as normally required in the CBAs for the period of March to June 2020, to avoid overwhelming the healthcare system with medical requests.
- Providing accommodations to employees with underlying medical conditions which rendered them at higher risk of developing COVID-19 complications if exposed to the virus.
- Engaging Occupational Consulting Physicians to provide expert advice on return to work and accommodation requirements related to COVID-19.

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- Return to Work Support Clerk's duties were reassigned to calling all Lodges' staff who were absent from work greater than 2 days. Absences were then triaged (COVID-19 or Non-COVID-19), and staffing informed of the expected duration of absence to help mitigate staffing challenges.
- RTWS working with Talent to assist in accommodation requests arising from the redeployment process and ensuring a suitable placement.
- Providing employees with EFAP resources newly developed to address COVID-19 related concerns.

RTWS Performance Measures for claims unrelated to COVID-19

- The RTWS team managed 1,099 STD claims submitted by employees in 2020 unrelated to COVID-19.
- The team closed 549 cases for employees requiring accommodation in returning to work after an injury or illness in 2020, down from 588 in 2019. This includes both occupational and non-occupational cases.
- RTWS team assisted in securing modified duties for 459 employees, who then successfully returned to their full-time hours, and regular work duties in 2020.
- The number of employees waiting to be placed in permanent, suitable accommodated work in 2020 remained low (N=10).
- In 2020, 10 employees found permanent accommodation in their own job or another job within the City. This success in finding permanent work is the result of the efforts of the RTWS team, Human Resources staff as well as other management and union stakeholders in working collaboratively to find suitable employment for employees with significant permanent injuries or illnesses.

APPENDICES AND SCHEDULES ATTACHED

Appendix A to Report HUR21002 - Departmental Short-Term Disability Absences

Appendix B to Report HUR21002 - Workplace Accommodation Activity

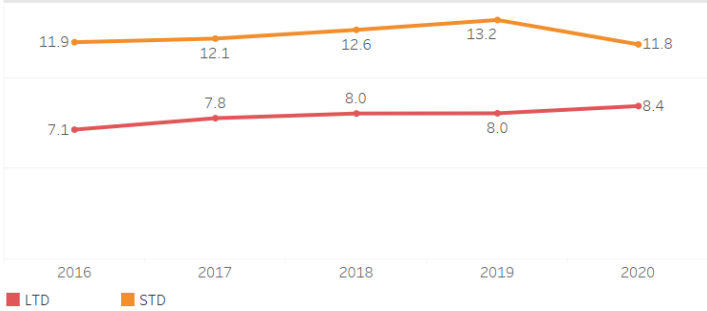
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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

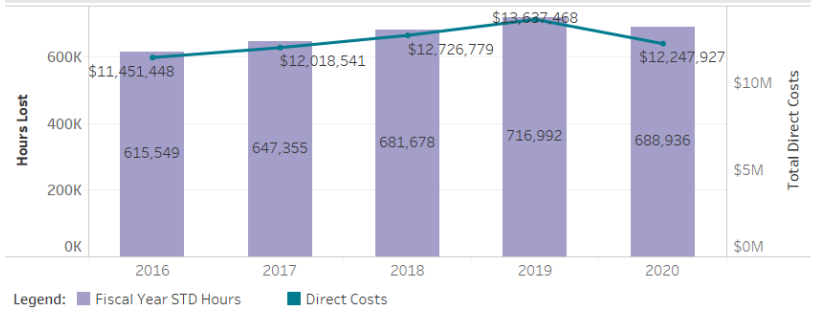
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

City of Hamilton less Fire Absence Summary

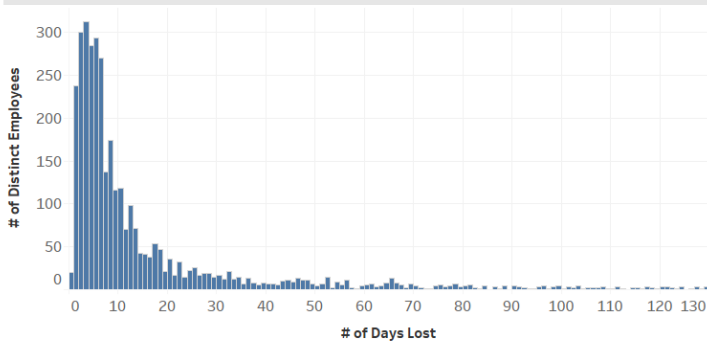
Average Days Lost per Eligible Employee



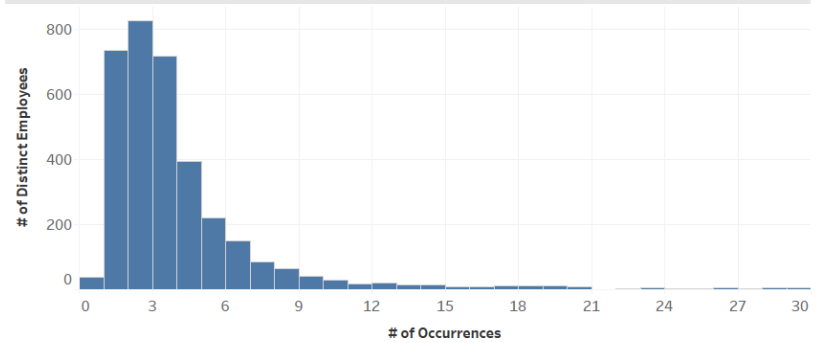
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



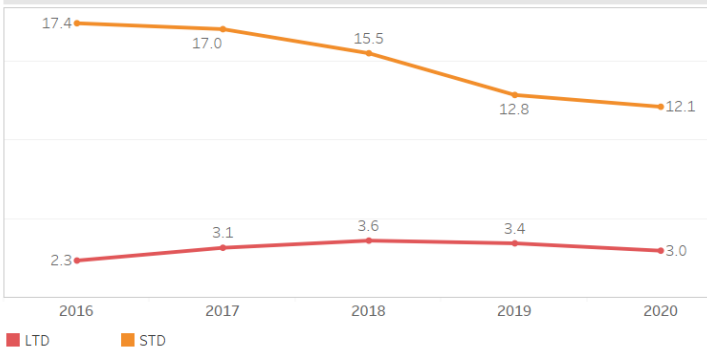
Divisional Absence Summary

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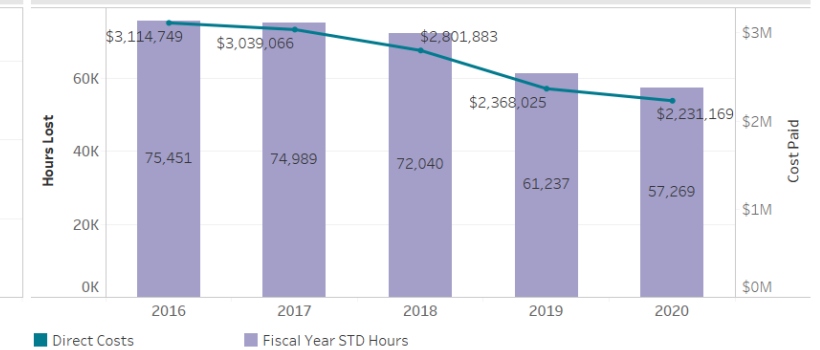
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HamiltonFireDepartment

Section Description
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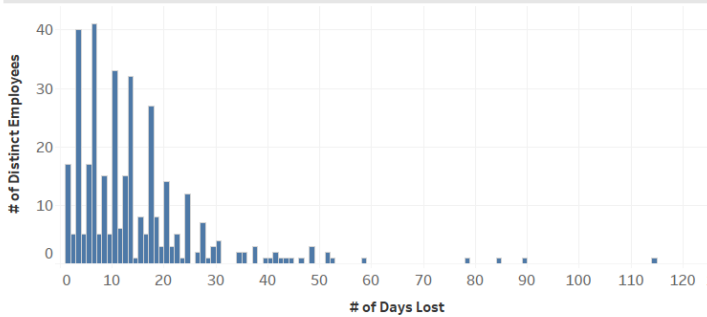
Average Days Lost per Eligible Employee



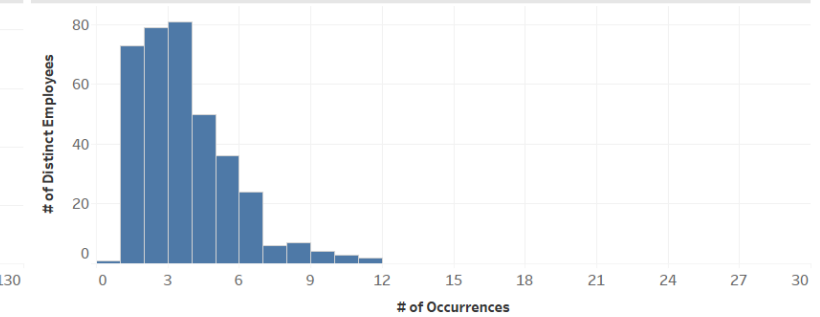
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



Absence Summary by Departments

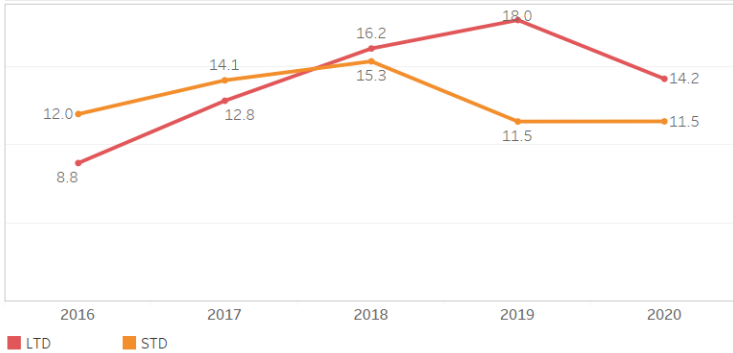
Departmental Absence Summary

Department Description
CityHousingHamilton

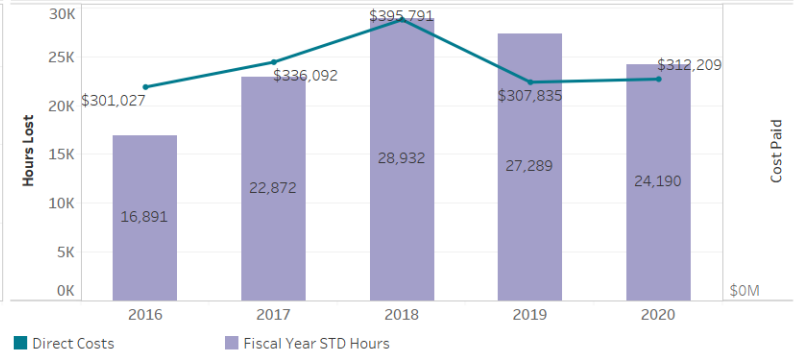
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Section Description
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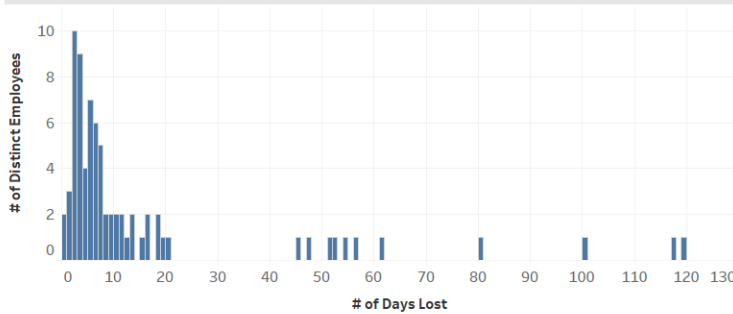
Average Days Lost per Eligible Employee



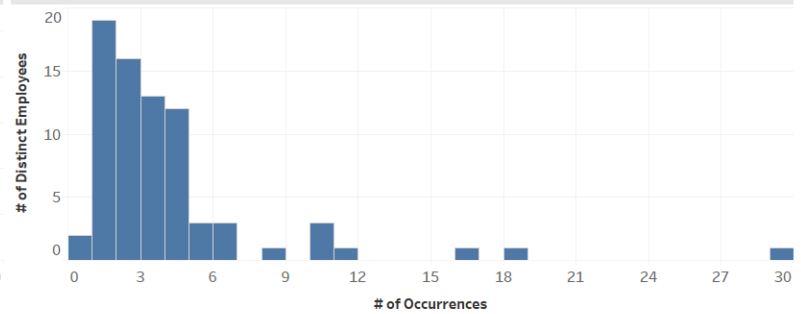
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



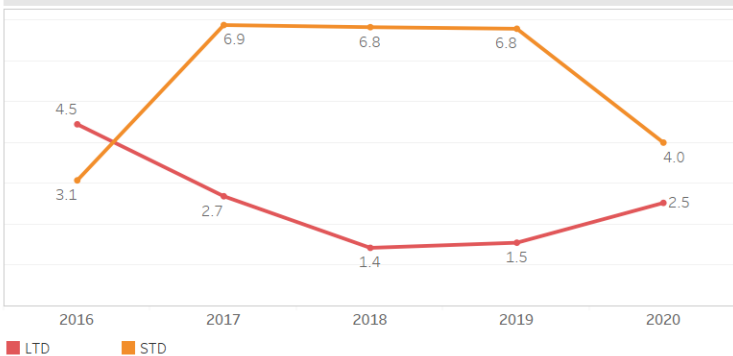
Departmental Absence Summary

Department Description
CityManagersOffice

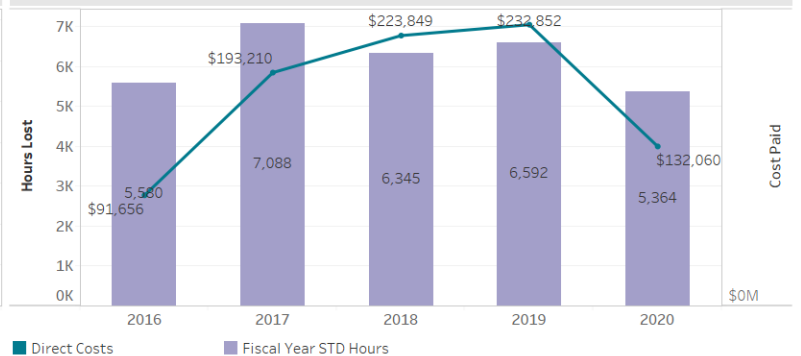
Division Description
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Section Description
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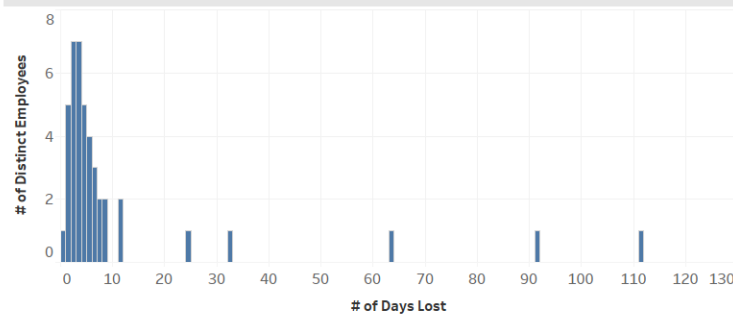
Average Days Lost per Eligible Employee



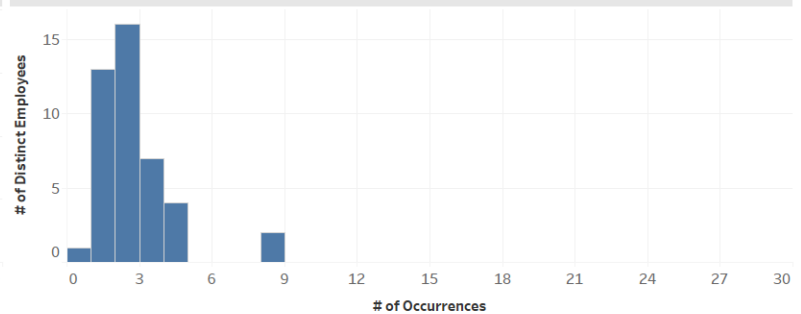
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



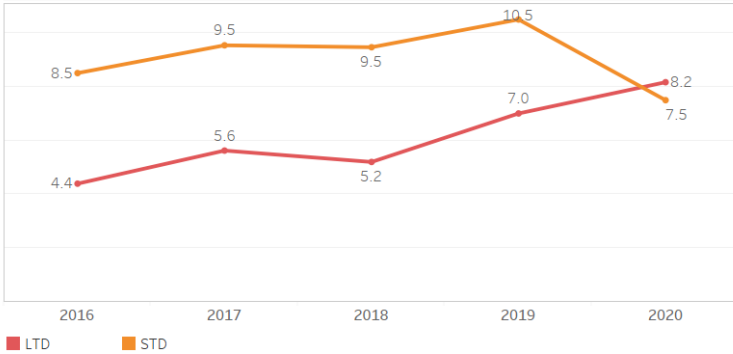
Departmental Absence Summary

Department Description
Planning&EconomicDevelopm..

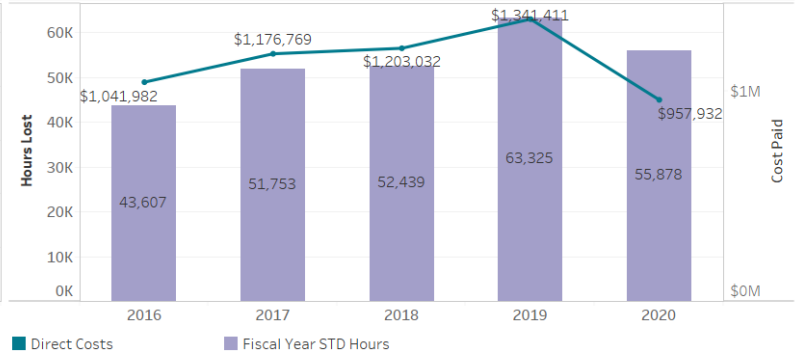
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Section Description
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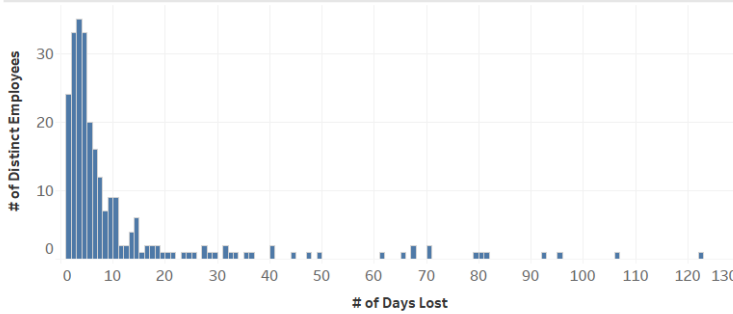
Average Days Lost per Eligible Employee



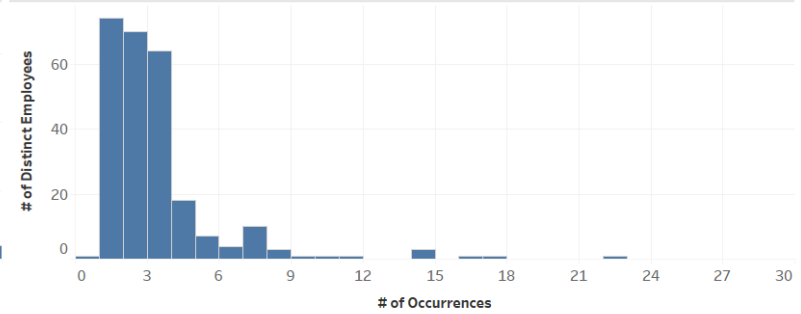
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



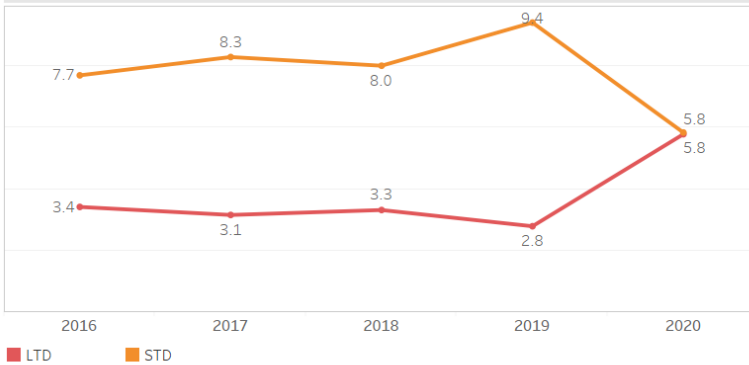
Departmental Absence Summary

Department Description
CorporateServices

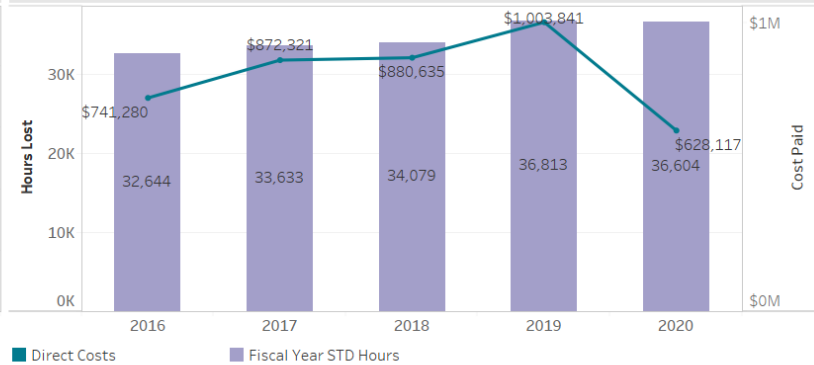
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Section Description
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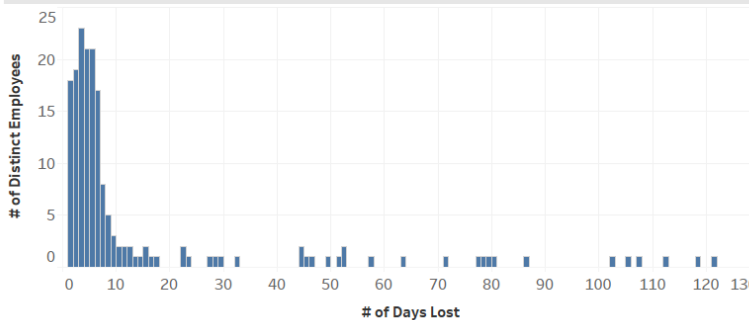
Average Days Lost per Eligible Employee



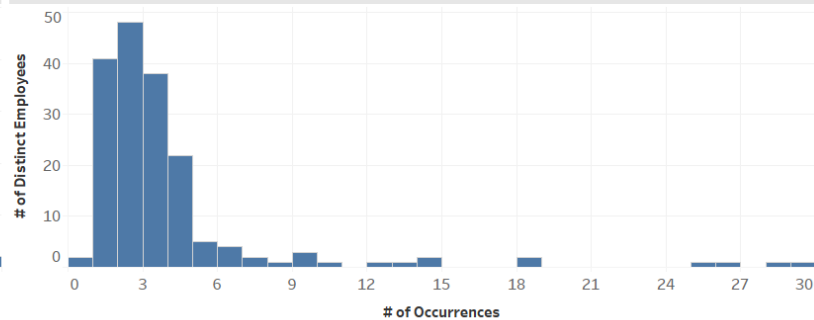
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020

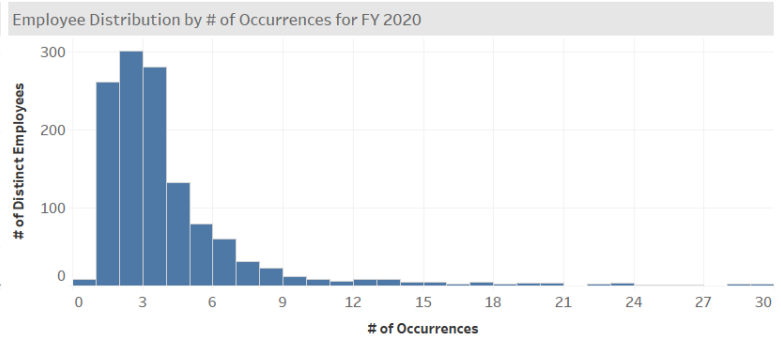
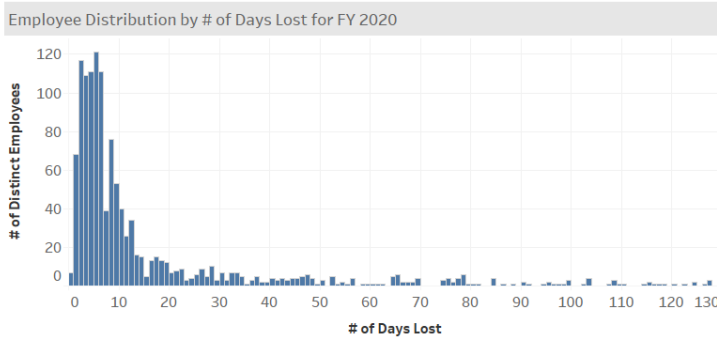
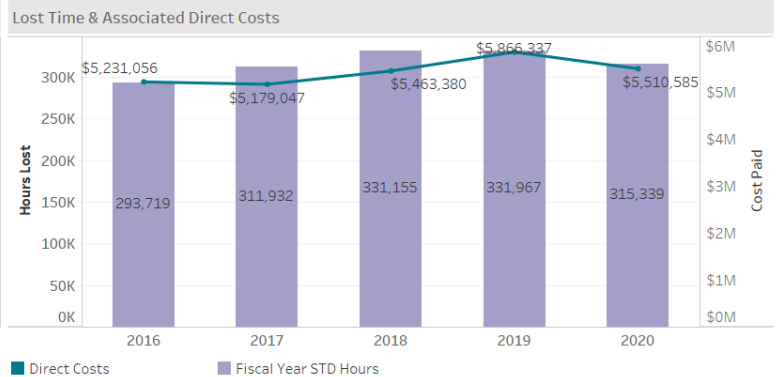
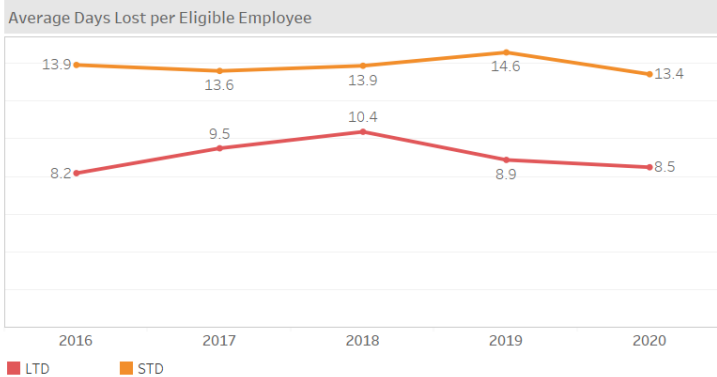


Departmental Absence Summary

Department Description
PublicWorks

Division Description
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Section Description
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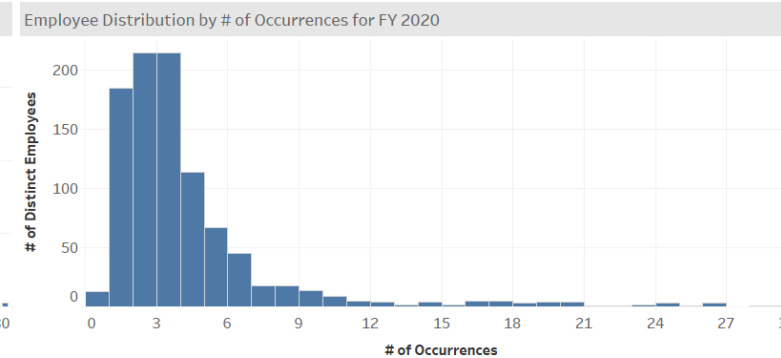
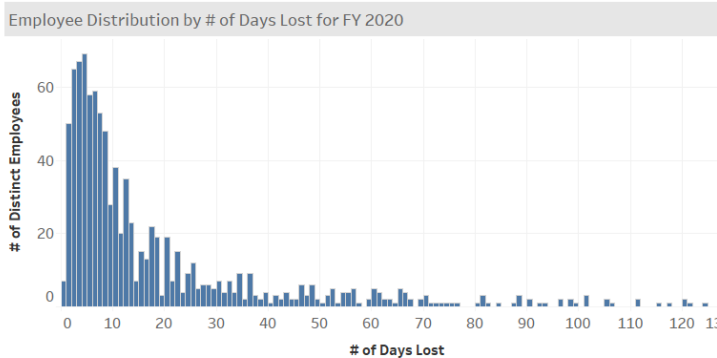
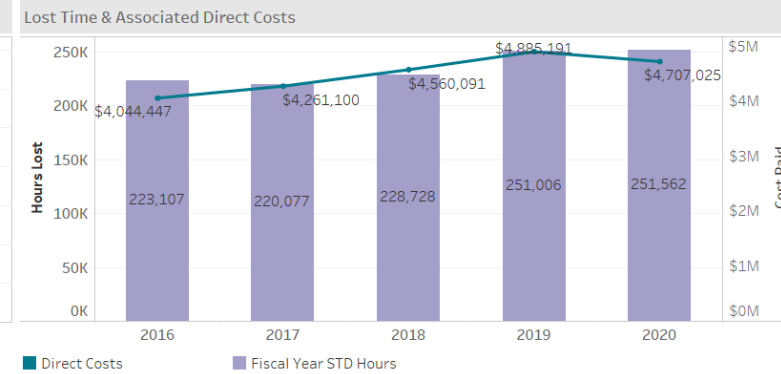
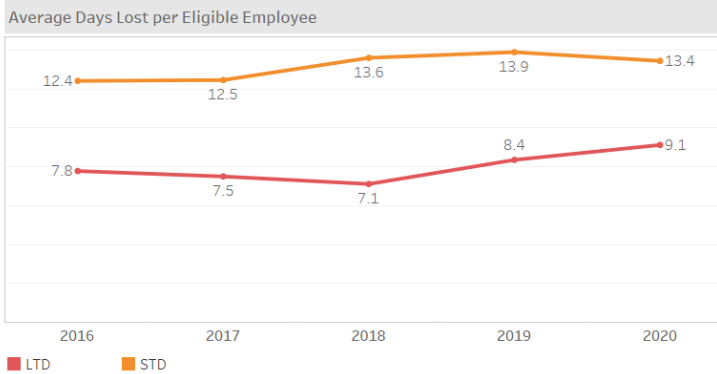


HSC Less Fire Absence Summary

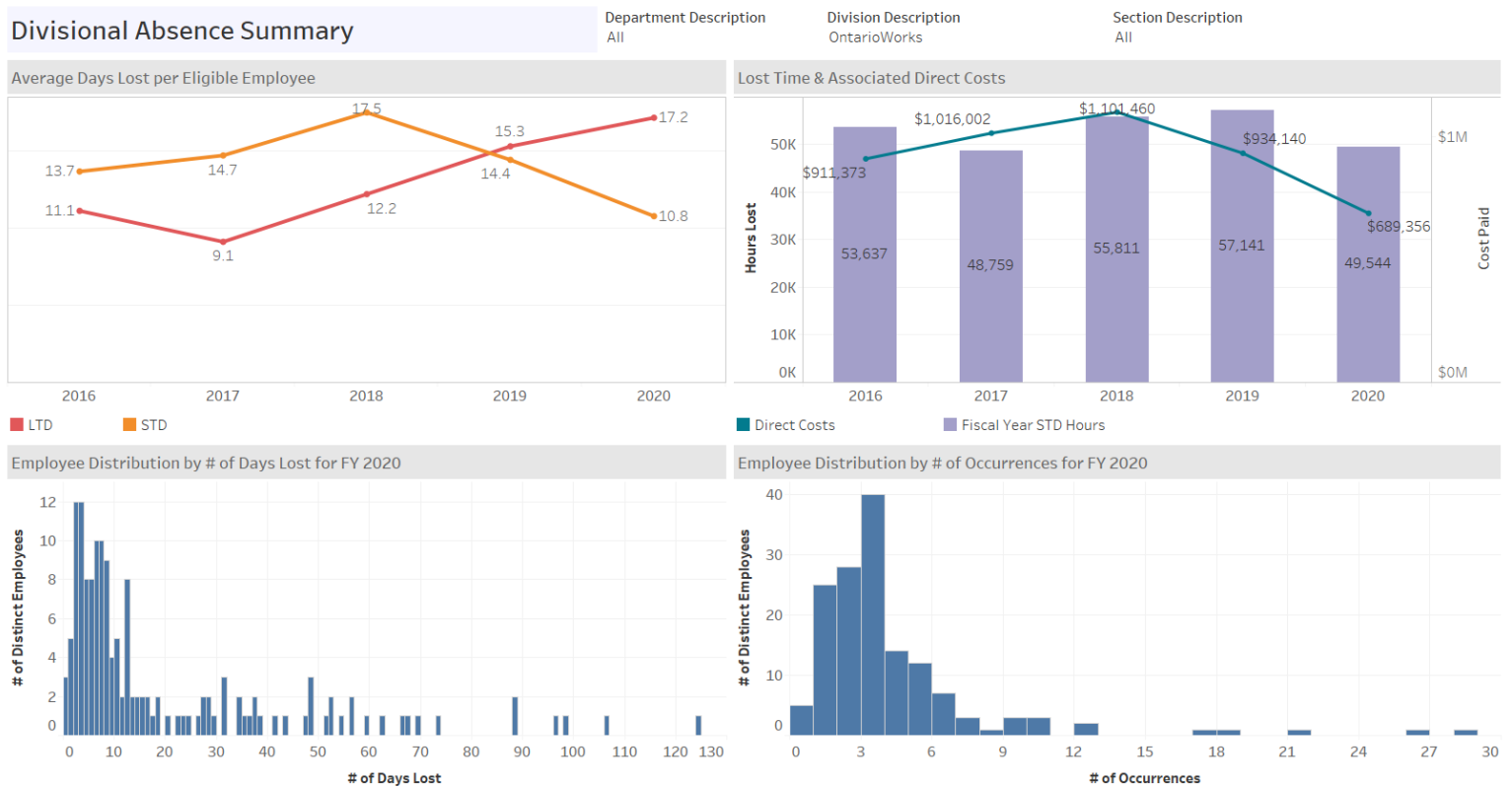
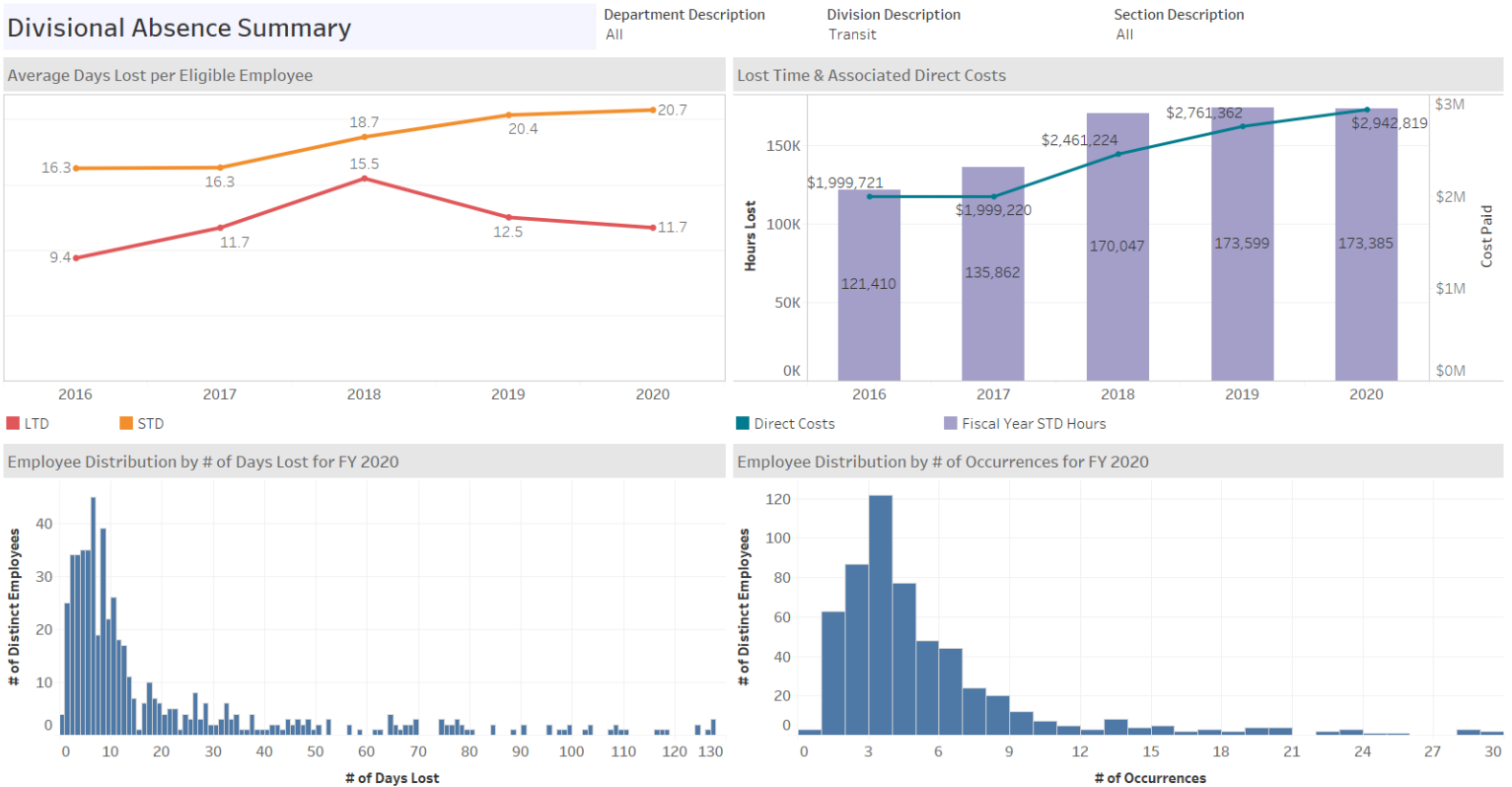
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Healthy&SafeCommunities

Division Description
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Section Description
All



Absence Summary by Top 5 Divisions



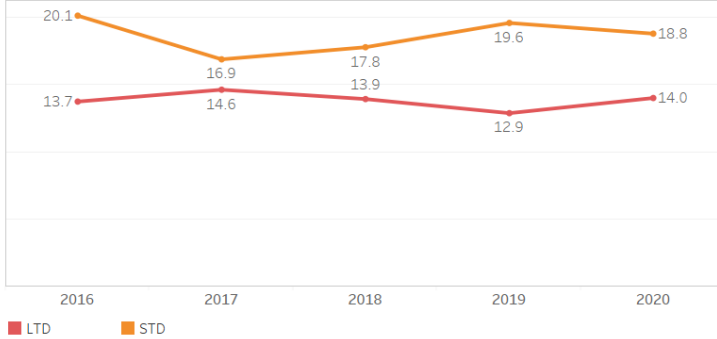
Divisional Absence Summary

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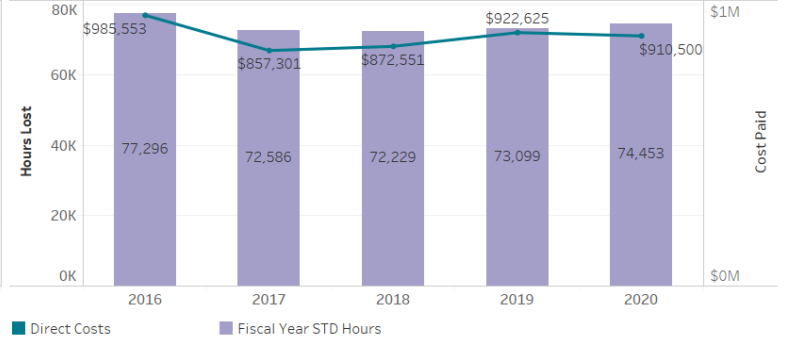
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Section Description
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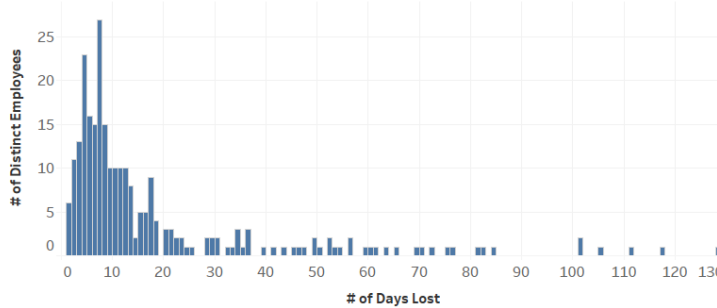
Average Days Lost per Eligible Employee



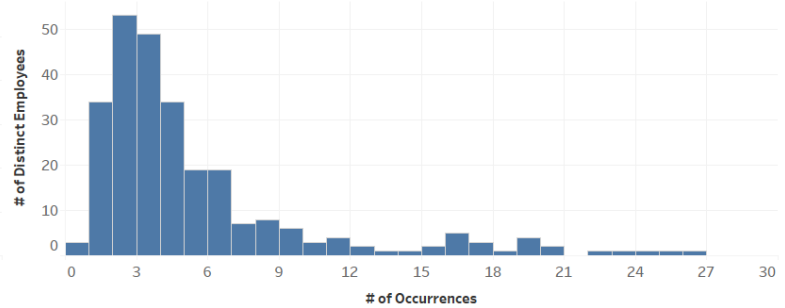
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



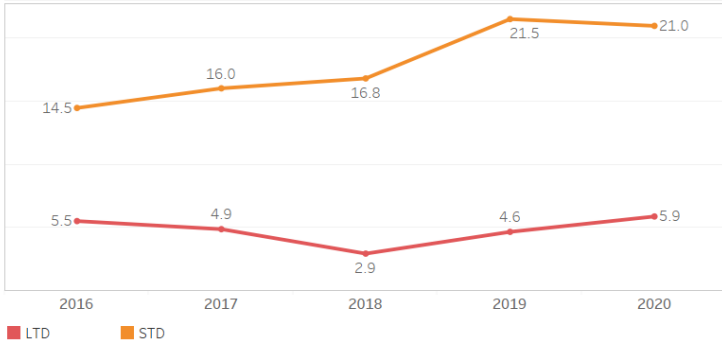
Divisional Absence Summary

Department Description
All

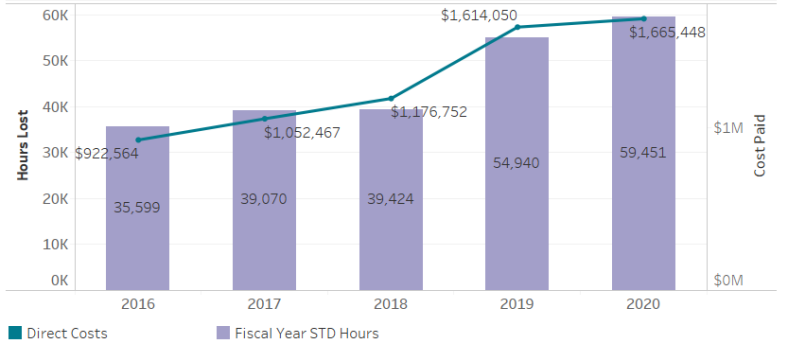
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Section Description
All

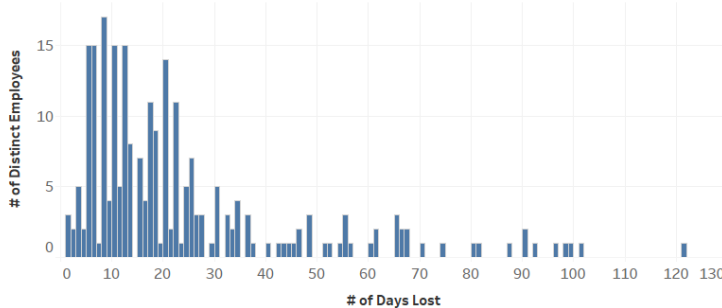
Average Days Lost per Eligible Employee



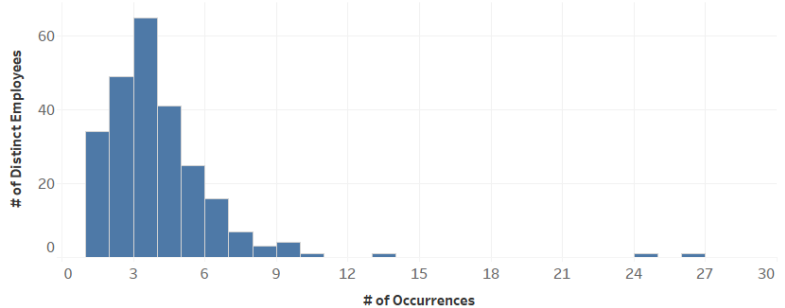
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



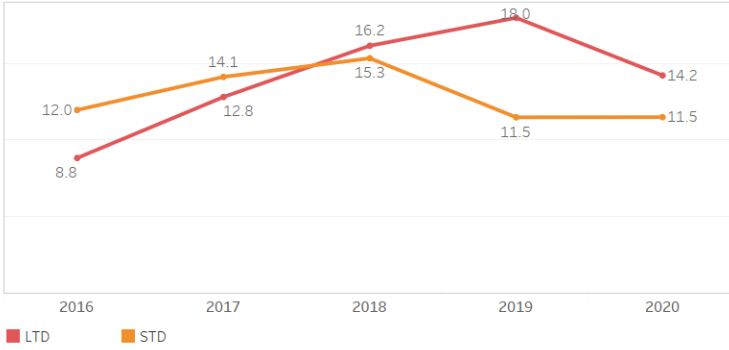
Divisional Absence Summary

Department Description
All

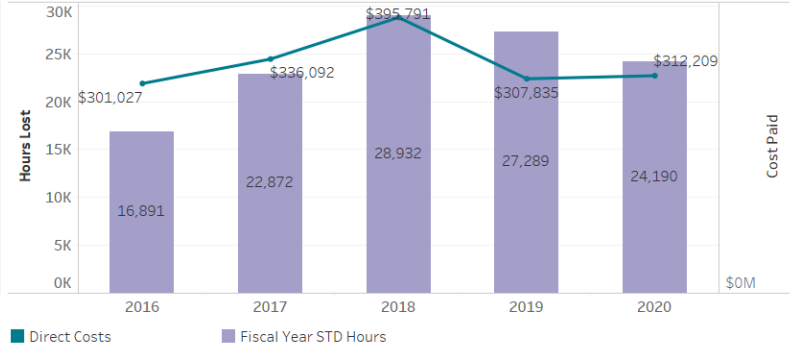
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CityHousingHam

Section Description
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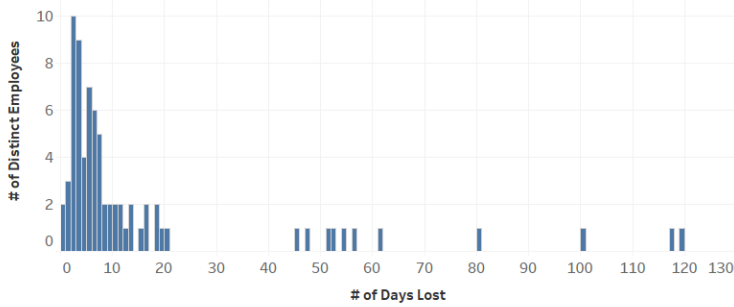
Average Days Lost per Eligible Employee



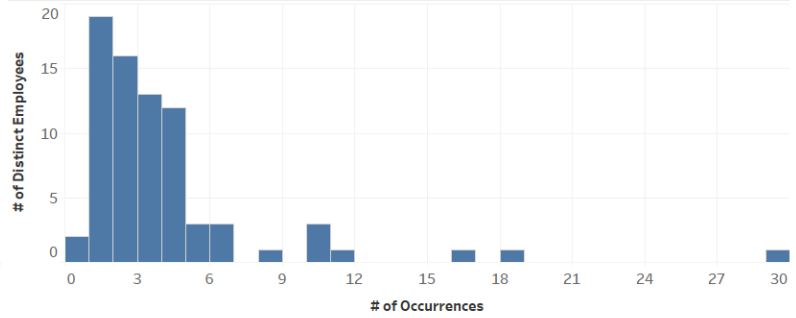
Lost Time & Associated Direct Costs



Employee Distribution by # of Days Lost for FY 2020



Employee Distribution by # of Occurrences for FY 2020



Workplace Accommodation Activity**Table 1: Work Accommodation Activity 2016 to 2020**

	2016	2017	2018	2019	2020
Employees starting work accommodation program (new cases)	628	533	589	533	587
Employees in active work accommodation programs at end of Q4 (all cases)	260	193	240	193	123

Table 2: Overview of Work Accommodation Activity 2016 to 2020

	2016	2017	2018	2019	2020
Return to Work Full Duties Own Position	532	457	457	495	459
Permanent Accommodation Own Position	2	4	2	3	7
Permanent Accommodation New Position	6	8	10	6	3
Accommodation No Longer Available/Not Suitable	16	8	8	10	16
Recurrence/Employee is Totally Disabled	64	50	32	43	42
Other – e.g. retired, maternity leave, resigned	11	23	25	31	22
Total cases closed	631	550	534	588	549

Table 3: Waiting Permanent Accommodation Placement at End of Q4 2014 to 2018

	2016	2017	2018	2019	2020
Awaiting Permanent Accommodation	13	13	17	9	14



CITY OF HAMILTON
CITY MANAGER'S OFFICE
 Digital, Innovation & Strategic Partnerships

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	February 18, 2021
SUBJECT/REPORT NO:	Hamilton Anti-Racism Resource Centre Update CM20007(b) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	John Ariyo (905) 546-2424 Ext. 1564
SUBMITTED BY:	Cyrus Tehrani Chief Digital Officer Digital, Innovation & Strategic Partnerships City Manager's Office
SIGNATURE:	

Discussion of Confidential Appendix "D" to this Report in Closed Session, would be pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

RECOMMENDATIONS

- (a) That the consultant's report detailing HARRC Board recruitment activities and the Community Advisory Panel which supported the process attached as Appendix "A" to Report CM20007(b) be received;
- (b) That the HARRC proposed Governance Structure and Terms of Reference, attached as Appendix 'B' to Report CM20007(b) be approved;
- (c) That the HARRC project next steps attached as Appendix 'C' to Report CM20007(b), which include retaining a consultant to support the new HARRC Board and developing a full budgetary, operational and sustainability requirement report for the centre by July 2021, be approved;
- (d) That the \$50,000 cost estimate for the HARRC project next steps (as outlined in Appendix 'C' to Report CM20007(b)), be funded through the Tax Stabilization Reserve;
- (e) That the recommendations for Appointments to the HARRC Board be approved and released publicly following approval by Council.

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EXECUTIVE SUMMARY

The City of Hamilton retained EMpower Strategy Group in September 2020, following a procurement process, to establish an inaugural Board of Directors for the Hamilton Anti-Racism Resource Centre (HARRC). Specific work requirements included:

- Establish a Community Advisory Panel (CAP) with members from diverse professional backgrounds, lived-experiences and community equity lenses.
- Develop a proposed draft Terms of Reference for HARRC that could be used to guide the governance model of the centre.
- Launch a recruitment campaign, interview and propose potential candidates to form the inaugural HARRC Board of Directors, and submit recommendations to Council for final approval.

EMpower Strategy Group established a nine-member Community Advisory Panel in October 2020 attached as Appendix “A” to Report CM20007(b). The panel worked with the consultant to develop a proposed Governance Structure and Terms of Reference for HARRC attached as Appendix “B” to Report CM20007(b). Furthermore, the panel also provided other strategic supports to the consultant, such as the development of a Board competency matrix, recruitment campaign, interviews and candidate selection processes.

HARRC Board Evaluation Criteria

EMpower Strategy Group and the Community Advisory Panel developed four essential criteria used to assess all potential Board applicants. These included:

- Lived experience and a solid understanding, strong commitment and analysis of anti-racism and anti-oppression principles and practices
- Connections to diverse communities through volunteer work and/or professional associations
- Governance experience with emphasis on candidates who had set up new boards
- Strong skills in key areas such as finance, human resources and fundraising.

Board Recruitment Campaign

A three-week Board recruitment campaign was launched between November 13 and December 4, 2020. The campaign was promoted in the local newspapers, on social media and through other grassroots awareness efforts. Staff also reached out to Council members to support awareness and promotion to their respective constituents.

In the end, 39 candidates applied, out of which a pool of 26 most qualified candidates were selected and interviewed. The interviews were conducted by EMpower Strategy Group and selected members of the Community Advisory Panel. The interviews took place between December 15, 2020 and January 3, 2021. The consultant’s report detailing Board recruitment activities is attached as Appendix “A” to Report CM20007(b).

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HARRC Project Next Steps

If Council approves the recommendations from the consultant and the Community Advisory Panel as attached to this report, the following will be the project next steps:

- Providing onboarding support to the new Board of Directors, including the development of relevant policies, by-laws, articles of incorporation, training and other capacity building efforts.
- Working with the inaugural HARRC Board of Directors to develop a full budgetary, operational and sustainability requirement of the centre (such as the required staffing levels, operating budget, office space, sustainability plan, etc).
- Produce a report detailing the above, and report back to Council by July 2021.

The project next steps as described above are attached as Appendix “C” to Report CM20007(b). The cost estimate is \$50,000, and staff recommend retaining a consultant for this purpose due to the specific skill set involved. Among others, the skills include knowledge of applicable legislation, training and fulfilment of other legislative and fiduciary requirements associated with forming a new community non-profit organization and equipping a new Board of Directors to functionally succeed.

Completion of HARRC Motions as Directed by Council

If the recommendations in this report are approved by Council, that would mean all the initial project directions provided by Council to staff have been accomplished (as per HARRC Council Motions of December 11, 2019 / (HUR18010(c)). These included:

- Securing a consultant to establish an independent HARRC Board of Directors
- Establishing a Community Advisory Panel (CAP) to inform and support the consultant’s work
- Developing a HARRC terms of reference and governance structure
- Determining core competencies and recruit potential candidates for HARRC independent Board of Directors for Council final approval
- Incorporating EDI best practices into the CAP/Board recruitment processes
- Dissolving the existing HARRC funding agreement between McMaster University, Hamilton Centre for Civic Inclusion and the City of Hamilton
- Returning the outstanding balance of \$53,846 from McMaster University back to the City of Hamilton following the dissolution
- Retrieving all related project collaterals, equipment, social media and web accounts associated with HARRC from McMaster University and the Hamilton Centre for Civic Inclusion.
- Providing HARRC project updates to Council for information and approval as required.

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FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Staff recommend retaining a lead consultant to support the new Board of Directors and bring forward a report to Council by July 2021 detailing full HARRC budgetary, operational and sustainability requirements. The total cost estimate is \$50,000, with the specific project activities and associated costs attached as Appendix “C” to Report (CM20007(b).

As an additional financial note. Council previously approved and committed \$300,000 to fund the 3-year HARRC pilot project (\$100,000 per year for 36 months). HARRC stopped operations after 10 months, leaving a \$203,846 or 26-month unused Council funding commitment remaining in the Tax Stabilization Reserve. The \$203,846 amount comprises of \$150,000 in unused funding allocation and \$53,846 returned by McMaster University to the City of Hamilton following the agreement dissolution. The \$203,846 commitment will support HARRC operations for the remainder of the 26-month commitment to facilitate start up and resumption of operations.

The \$50,000 project cost estimate requested in this report for capacity building of the new HARRC Board and developing the full budgetary, operational and sustainability requirements of the centre is separate from Council’s previous/unused funding commitment of \$203,846 as described above.

Staffing: There are no staffing implications related to the recommendations of Report (CM20007(b).

Legal: There are no legal implications related to the recommendations of Report CM20007(b). However, Legal services staff will be consulted by the consultant as part of creating all the necessary by-laws and policies for HARRC as an independent organization fully independent from the City.

HISTORICAL BACKGROUND

The Hamilton Anti-Racism Resource Centre (HARRC) was launched in April 2018 as a pilot project involving the City of Hamilton, McMaster University and the Hamilton Centre for Civic Inclusion. HARRC was established to provide residents experiencing racism with a dedicated space for support and assistance. The City’s Committee Against Racism and other community partners played a key advocacy role in its establishment.

HARRC operated for only ten months before its operations were stopped in February 2019. The pause was aimed at ensuring the centre’s core mandate, activities and other success factors were further refined by community input and best practices. Various

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public engagement activities took place in 2019 to understand the community aspirations for the centre towards its reopening and sustainability. A Council Motion of December 11, 2019 directed staff to hire a consultant, form a Community Advisory Panel and re-establish HARRC as a community-based agency with an independent Board of Directors.

In June 2020, staff launched a survey to gather input from the community on what the key qualifications and experiences of the HARRC consultant and the Community Advisory Panel should be. About 70 residents and stakeholders participated in the survey, which informed project procurement process between July and August 2020. In September 2020, the City retained Hamilton-based EMpower Strategy Group, led by Ms. Evelyn Myrie, as the lead consultant for HARRC (CM20007).

In September 2020, EMpower Strategy Group launched project development by first establishing a nine-member Community Advisory Panel attached as Appendix “A” to Report CM20007(b). Between October 2020 and January 2021, EMpower Strategy Group and the Community Advisory Panel developed a proposed Terms of Reference for HARRC, launched a Board recruitment campaign, conducted interviews and have now submitted their recommendation reports to be received and for Council final approval.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The City of Hamilton has a legislative obligation to ensure that we act and deliver services in compliance with the Ontario Human Rights Code. This requires the corporation to ensure that discrimination against people based on the protected grounds in protected social areas, is prohibited. Protected grounds include age; ancestry, colour, race; citizenship; ethnic origin; place of origin; creed; disability; family status; marital status; receipt of public assistance (in housing only); sex; sexual orientation; and gender identity and gender expression.

The City of Hamilton recognizes the importance of equity, diversity and inclusion to its present and future success as a place to live, work, play and school.

RELEVANT CONSULTATION

Internal consultations

For this report, staff consulted with Finance and Legal Services staff to discuss Financial and Legal implications.

In additional, staff also reached out to Council members to support promoting the HARRC Call for Board Members to their respective constituents and the community at large.

External consultations

The external consultation effort for this work was largely carried out by the Community Advisory Panel and the project consultant.

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In additional, staff also provided social media, newspaper advertisements, grassroots promotion and web information supports for the HARRC Call for Board Members.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

According to the 2016 Census data analysed by the Social Planning Research Council (SPRC) of Hamilton, the city's visible minority population has more than doubled in the last 20 years. In 1996, Hamilton had a population of 41,440 visible minorities, representing nine per cent of the total population. In 2016, the city's visible minority population grew to 100,060, representing 19 per cent of the total city population. Both data sets excluded the city's Indigenous populations (another SPRC report indicated there were 15,840 Indigenous residents in Hamilton in 2011, representing about 3.1 per cent of the city's population at the time).

The 2016 census data also indicated that the five largest visible minority groups in Hamilton were South Asian (22,105), Black (20,245), Arab (10,330), Chinese (10,070) and Latin American (8,425). In addition, the other next largest groups were Filipino, Southeast Asian, West Asian, Korean, Japanese and other visible minority groups.

The SPRC report further put a spotlight on three neighbourhoods of the city with around 40% of residents identifying as visible minorities. These included:

- Downtown Hamilton and surrounding neighbourhoods, including Central and Beasley neighbourhoods, and parts of the Strathcona neighbourhood north of York Boulevard.
- Riverdale West (near Centennial Parkway and Queenston Road), which is one of Hamilton's largest "arrival cities" for immigrants, where about half of residents were born outside of Canada.
- And lastly, the Meadowlands neighbourhood of Ancaster, along with the nearby neighbourhoods on the south Mountain (south of the Lincoln Alexander Parkway and on either side of Upper James Street).

As the city grows in population and neighbourhoods become increasingly diverse, so are the realities, challenges and opportunities posed by equity, diversity and inclusion. A diverse city can greatly activate a positive community identity, support workforce development and promote sustainable social cohesion. On the other hand, a diverse city can also trigger increasing incidents of hate, racism and discrimination that need to be decisively anticipated and addressed by all community stakeholders.

EDI is one of the 2019-2022 Term of Council priorities. The City of Hamilton has shown and continues to show commitments to community inclusion issues over the years on various city projects and community initiatives. Some of these include:

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- The 25-year Our Future Hamilton Community Vision, which engaged nearly 55,000 residents and stakeholders, and approved by Council in 2015, with culture and diversity as a key priority
- A local immigration strategy endorsed by Council in 2017 as part of the Hamilton Immigration Partnership Council
- The Use of Indigenous Medicines Policy approved by Council in 2017, which supports the use of Indigenous sacred medicines in ceremonies such as smudging or prayer pipe ceremonies in municipal facilities
- The Urban Indigenous Strategy approved by Council in July 2019
- A trespass by-law passed by Council in October 2019 to discourage hateful behaviour in the city hall forecourt and other municipal properties
- Housing and Homeless Action Plan approved by Council in October 2020
- Hate Prevention and Mitigation initiative currently under development
- Hamilton Anti-Racism Resource Centre currently under development
- Organizational Equity, Diversity and Inclusion framework currently under development.

These municipal EDI initiatives are in addition to many EDI initiatives run by various community agencies, grassroots associations, partners and advocacy groups. However, and notwithstanding these collective EDI initiatives, a fully operating, community-based anti-racism centre is one of them. A diverse city requires diverse community supports and resources for residents experiencing any form of racism or discrimination.

There was a great community excitement when the Hamilton Anti-Racism Resource Centre first opened in April 2018. The community, and especially equity-seeking and advocacy groups, believed that the dedicated anti-racism support centre would go a long way in supporting residents experiencing racism and discrimination in the city. However, pausing the centre in February 2019 has allowed for more broader community engagement, inclusive conversations, best practices research and understanding all the necessary requirements to ensure the centre is sustainable and further meets community expectation when it reopens.

EMpower Strategy Group and the Community Advisory Panel have followed an inclusive engagement process that produced valuable reports and recommendations that can decisively move HARRC towards its sustainable future. If endorsed by Council, these recommendations will position the centre as a dedicated space where residents experiencing any form of racism or discrimination can get the support they need. HARRC will then be re-joining other community-based organizations that also provide supports to various Indigenous, racialized and other equity-seeking populations.

When residents experiencing racism and discrimination can continue to access additional supports from a dedicated community-based centre like HARRC, that in turn will ensure the City's EDI priorities are further realized and sustained in the community.

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ALTERNATIVES FOR CONSIDERATION – Not applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report CM20007(b) - HARRC Board Recruitment Process and the Community Advisory Panel (CAP), submitted by EMpower Strategy Group

Appendix “B” to Report CM20007(b) - HARRC proposed Governance Structure and Terms of Reference, submitted by EMpower Strategy Group.

Appendix “C” to Report CM20007(b) - HARRC Project Next Steps: Onboarding, Budgetary, Operational & Sustainability Requirements, submitted by staff.

CONFIDENTIAL Appendix “D” to Report CM20007(b) - HARRC Board Candidates

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HARRC BOARD RECRUITMENT PROCESS

AND

THE COMMUNITY ADVISORY PANEL (CAP)

City of Hamilton

Project Lead: Evelyn Myrie, Founder & Principal
EMpower Strategy Group

January 25, 2021

Background

Launched in April 2018, the Hamilton Anti-Racism Resource Centre (HARRC) was a collaborative pilot project with the City of Hamilton, McMaster University and Hamilton Centre for Civic Inclusion (HCCI).

In February 2019, the project was paused to allow time for broader engagement across the community. Hamilton City Council approved the re-establishment of HARRC with an independent board of directors. Clear in this directive was the need to anchor that re-establishment in lived experiences of residents grounded in an equity, diversity and inclusion lens.

Between 2019 and June 2020, the City of Hamilton engaged in extensive consultation with the public regarding the HARRC's future. City Council transferred responsibility for HARRC from Talent and Diversity Division within Human Resources, to Community Initiatives within Strategic Partnerships & Communications Division.

Following an RFP process, EMpower Strategy Group, a local Equity, Diversity and Inclusion consulting firm was selected to support the process, with the end goal of establishing HARRC's first Independent Board of Directors.

In October 2020, a HARRC Community Advisory Panel (CAP) was established with membership from a diverse group of Hamilton's diverse and racialized communities, to recruit and recommend HARRC's inaugural board of directors to City Council.

HARRC Board Skills Assessment

The Community Advisory Panel had many important discussions around the skills that would be required for the inaugural board of directors. Themes included:

- Lived experience and a solid understanding, strong commitment and analysis of anti-racism and anti-oppression principles and practices.
- Connections to diverse communities through volunteer work and/or professional associations
- Governance experience with emphasis on candidates who had set up new boards
- Strong skills in key areas such as finance, human resources, and fundraising

HARRC Board Recruitment Process

Given the mandate of HARRC, it was important to ensure that the Community Advisory Panel received a wide number of applicants that reflected the diversity of Hamilton. The team made a concerted effort to ensure that the posting was widely circulated online and in the media. The posting appeared in the *Hamilton Spectator* and *Share* newspaper, other ethnic media. It was also available on the City of Hamilton's website and disseminated to cultural and racialized community organizations and community leaders, through email outreach, telephone and social media channels. Please see Appendix B for the Board posting.

Applications were accepted over a three-week period. All candidates were mapped against an agreed upon skills, experience, and EDI matrix. From an applicant pool of 39 candidates, a shortlist of 26 candidates was created. CAP then interviewed the shortlist of 26 candidates over six days. These virtual

interviews occurred over six days between December 15, 2020 and January 3, 2021. The interview invitation asked candidates to identify accommodation needs as required. Each candidate had a minimum of 30 minutes and was asked the same set of questions to ensure as much consistency as possible.

Panelists then scored answers to each question. The interview team used an inclusive approach to consider lived experience expertise and diverse representation. Upon completion of the interviews, the interview team met three times more to ensure a fair and equitable selection process.

Community Advisory Panel

Formation

EMpower Strategy Group recruited a Community Advisory Panel via targeted outreach to racialized and diverse leadership groups in Hamilton including Faith based bodies. Nine individuals volunteered their time on this important project. This group reflected the diversity of Hamilton and brought a wide range of skills and expertise to the selection process.

Membership

Panelists included:

- Mouna Bile, Black Justice Coordinator, Hamilton Community Legal Clinic
- Lisa Marie Johnston, Member, LGBTQ Advisory Committee, City of Hamilton
- Dr. Ameil Joseph, Associate Professor, School of Social Work, McMaster University
- Yasmeen Mirza, Assistant Secretary, Muslim Association of Hamilton
- Taimur Qasim, Member, Committee Against Racism
- Gustavo Rymberg, CEO, Hamilton Jewish Federation
- Jean-Jacques Somwe, President, Congolese Community of Hamilton
- Dr. Gary Warner, Order of Canada recipient and Professor Emeritus, McMaster University
- Joanna Webb, Board President, Hamilton Regional Indian Centre

Dr. Ameil Joseph and Mouna Bile agreed to Co-Chair the Community Advisory Panel. The panel met virtually on the following days in 2020-2021: October 15, 29, November 11 and January 4.

Terms of Reference – HARRC Community Advisory Panel

Overview

Launched in April 2018, the Hamilton Anti-Racism Resource Centre (HARRC) was a collaborative pilot project. In February 2019, the project was paused to allow time for broader engagement across the community. Hamilton City Council approved the re-establishment of HARRC with an independent board of directors. Clear in this directive was the need to anchor that re-establishment in lived experiences of residents grounded in an equity, diversity and inclusion lens.

The HARRC Community Advisory Panel is a short-term commitment from the end of September 2020 to January 15, 2021. The panel’s first meeting took place in October. Following are the draft terms of reference for the HARRC Community Advisory Panel.

Purpose/Mandate/Mission

- To oversee the development of the recommended governance structure and mandate for the HARRC board of directors.
- Recruit and select potential HARRC’s inaugural Board of Directors, with support from the City of Hamilton.

Responsibilities

- Inform and facilitate the review of HARRC mission, vision, and objectives
- Review and approve draft recruitment and selection framework
- Support outreach and communications to recruit potential applicants, with support from the City of Hamilton
- Shortlist and interview potential applicants
- Selection of potential candidates for Hamilton City Council’s approval
- Review and approve final report for Hamilton City Council’s approval

Members/Composition

The Advisory Panel will:

- Be comprised of nine to thirteen community representatives including youth
- Reflect the diversity of Hamilton

Inclusion Policy

To support equitable and accessible participation, members may request resources that may be required to participate and contribute effectively. Every effort will be made to fulfill these requests as budget and resources permit. Our work will be guided by the City of Hamilton’s Equity and Inclusion policies.

Conflict of Interest

Members of the advisory panel will be ineligible to serve on the inaugural HARRC board.

Members will be expected to recuse themselves from interviewing candidates who are family members and/or who have a current business relationship with the member. Potential conflicts should be raised with the Chair.

Remuneration

HARRC Community Advisory Panel members shall serve without remuneration in money or time. Participation on this committee is without remuneration and is completely voluntary.

Term of Membership

Each volunteer member is committed to serving for the duration of the expressed timeframe (October 2020 to January 15, 2021).

Co-Chair Roles

The Co-Chairs of the Advisory Panel are responsible for:

- Providing leadership to the panel by guiding, directing and supporting the members
- Leading Advisory Panel meetings
- Delegating responsibilities for Advisory Panel action items, as required
- Ensuring action items are addressed as needed
- Liaising with the consultant team on a regular basis
- Attending and chairing all meetings

Meetings

Based on the short timeframe of the focus of the HARRC Community Advisory Panel, the Panel will have between three and four meetings.

Decision-Making Process

To support an equitable and accessible decision-making process, decisions in this group will be made via the consensus decision-making approach.

Consensus decision-making is based on the premise that everyone’s voice is worth hearing and that all concerns come from a place of integrity and are valid. If a proposal is deeply troubling to one member, that concern is respected.

Approval of Terms of Reference

The HARRC Community Advisory Panel will review and make recommendations on the Terms of Reference and the final copy will reflect the date in the footer and will also receive a sign off below.



HARRC BOARD OF DIRECTORS

PROPOSED
GOVERNANCE STRUCTURE AND
TERMS OF REFERENCE

City of Hamilton

Project Lead: Evelyn Myrie, Founder & Principal
EMpower Strategy Group

January 25, 2021

Recommended Governance Structure

EMpower Strategy Group completed an analysis of the governance structure of similar organizations with a clear mandate for anti-racism. These organizations included: Black Legal Action Centre (Toronto), Brooklyn Movement Centre (New York), Canadian Race Relations Foundations, City of Toronto – Confronting Ant-Black Racism Unit (CABR), Diversity, Inclusion and Anti-Oppression Advisory Committee (London, Ontario), Newcomer Centre of Peel and Peel Regional Diversity Roundtable.

The team also reviewed the work of Dr. Ameil Joseph’s report, “Findings and Analysis: Year 1, April 2018-February 2019,” which identified recommendations for HARRC.

Moving forward, CAP recommends the following governance structure to ensure that HARRC is set up to succeed:

- Board of directors with 13 members
 - Board led by either two Co-Chairs or Chair and Vice Chair to be elected by the Board itself
- Staggered term limits to ensure continuity; maximum of two terms (TBD in bylaws)
 - 5 members 24-month terms
 - 5 members 36-month terms
 - Chair/Co-Chair 36-month term
- Board to hire an Executive Director within first 90 days
- Executive Director to hire key operational and administrative lead
- Physical office in visible, accessible location with strong digital presence
- Funding provided by City of Hamilton initially (36 months)
- Bylaws and board policies to be determined by board

Acknowledgements:

Thank you to the members of CAP who provided their invaluable input into this project as well as our partners at the City of Hamilton for their support and guidance.

Recommended Terms of Reference Hamilton Anti-Racism Resource Centre (HARRC)

Background

Launched in April 2018, the Hamilton Anti-Racism Resource Centre (HARRC) was a collaborative pilot project. In February 2019, the project was paused to allow time for broader engagement across the community. Hamilton City Council approved the re-establishment of HARRC with an independent board of directors. Clear in this directive was the need to anchor that re-establishment in lived experiences of residents grounded in an equity, diversity and inclusion lens.

In October 2020, a HARRC Community Advisory Panel (CAP) was appointed recruit and recommend HARRC’s inaugural board of directors to City Council. Below is a description of the HARRC director role. Successful candidates will have an opportunity to play a leadership role in building a new organization focused on this important work.

The Board of Directors governs through exercising both its formal authority (i.e., to select the Executive Director) as well as its informal authority of influence and persuasion (i.e. to help shape HARRC’s strategic goals).

The Board traditionally delegates the authority to carry out HARRC’s operations and management to its Executive Director and should actively support – as well as hold accountable – the Executive Director in carrying out HARRC’s vision and purpose:

- **Vision:** To serve as a friendly and supportive centre that promotes a sense of belonging for racialized people in Hamilton and where individuals impacted by racism and other forms of race related oppression can access information, support and resources.
- **Purpose:** The Anti-Racism Resource Centre and telephone help line will help fill service gaps that exist in Hamilton relating to anti-racism and anti-oppression. In particular, it will provide support, assistance and information by offering the option for individuals to speak directly to a trained staff member on matters relating to racism, discrimination and oppression or provide referrals to the appropriate service providers.

Responsibilities

Board members will have a unique opportunity to establish a new governance structure and framework for HARRC as its inaugural board of directors.

Working together – and in constructive partnership with management – the Board also has the responsibility for establishing and shaping the vision, mission and goals of HARRC. Board members play a vital role – often in constructive partnership with senior management – in crafting the strategic direction of HARRC. Collectively, the members of the Board are legally responsible for HARRC and all its activities. They also must provide ongoing oversight to ensure financial soundness and sustainability.

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Accordingly, the Board ensures the finances of HARRC are handled properly; approves and monitors its annual budget; establishes and monitors financial policies and practices.

HARRC’s Board will:

- Govern and lead to actively advance the vital mission of HARRC.
- Actively support – and hold accountable – the Executive Director and staff.
- Craft, foster and support the HARRC’s vision, mission, strategic goals, strategic objectives and strategic metrics of success.
- Hold itself accountable to the highest levels of integrity.
- Actively lead and manage its own governance structure, culture and efforts.
- Encourage genuinely diverse ideas, perspectives and opinions.
- Speak as one voice once a decision has been made by the Board.
- Constructively partner with each other, the HARRC Executive Director and staff.
- Diligently and constructively advance HARRC’s relationship with the community.
- Actively oversee HARRC’s ongoing sustainability and operational effectiveness.
- Establish criteria of success and evaluate the overall performance and results of HARRC on an ongoing basis.

Duties

- Develop HARRC’s governing policies and procedures.
- Consistently foster and engage in effective strategic thinking, insights, questions and planning.
- Hire, assist, counsel, oversee and regularly evaluate the Executive Director.
- Foster the Executive Director’s effective leadership and management of HARRC’s personnel, operations and activities.
- Without limiting the general responsibility of the Board, appropriately delegate operational and management authority to the Executive Director of HARRC.
- In constructive partnership with the Executive Director, thoughtfully craft the strategic goals, objectives and metrics of success for HARRC.
- Maintain, monitor and protect the safety and soundness of HARRC and its assets.
- Understand and monitor HARRC’s performance and results.

Time Commitment

Board members will meet regularly. It is likely that the board will need to meet once a month (or more frequently) to get HARRC staffed and up and running. After that, the board may choose to meet less frequently. In the short-term, meetings will take place virtually until social distancing measures are no longer required. Meetings will occur at a time of day that is convenient for the majority of board members. Every effort will be made to ensure full participation.

Remuneration

HARRC directors will serve without remuneration in money or time. Participation is voluntary.

Reasonable expenses such as travel to and from meetings and dependent care may be reimbursed.

Term of Membership

Each director is committed to serve a two-year term (e.g. January 2021 – January 2023). Some directors may have longer terms to ensure board continuity. Terms may be renewable. Board term limit policies will be developed once the board is up and running.

Skills

Board members should be passionate about advancing anti-racism in Hamilton. Experience serving on boards and/or building new not-for-profits is preferred but not a requirement. The Community Advisory Panel will seek to reflect the City of Hamilton’s diversity in HARRC’s board composition.

In addition to the above role profile, there will be key leadership roles on the board:

Chair/Co-Chair

The role of the Chair is to facilitate meetings and act as a champion in moving the mandate forward.

Additional responsibilities will include:

- Ensure that HARRC maintain on file all meeting minutes
- In partnership with Executive Director coordinate meetings, set the date and time, prepare and forward the agenda, and forward any necessary supporting materials to all committee members
- Primary liaison with City of Hamilton and media spokesperson
- Prepare a year-end committee report for inclusion in the Annual Report

Treasurer

The role of the Treasurer is to oversee all financial aspects of HARRC.

Responsibilities will include:

- Oversees finances of the organization
- Oversees fiscal matters of the organization
- Partners with senior staff to create and review annual budget for board approval
- Ensures development and board review of financial policies and procedures

HAMILTON ANTI-RACISM RESOURCE CENTRE

PROJECT NEXT STEPS:

ONBOARDING, BUDGETARY, OPERATIONAL AND SUSTAINABILITY REQUIREMENTS

Staff conducted further engagement, research and best practices to identify the required tasks if the Board of Directors is approved by Council. The tasks would require retaining a consultant to work with the new Board of Directors to complete the following deliverables and submit a report to Council by July 2021:

Tasks	Deliverables	Timelines	Cost estimates
Governance Capacity Building	<ul style="list-style-type: none"> • Onboarding of the new Board of Directors – provide various training sessions for the board to fully understand its roles and responsibilities • Develop onboarding package: HARRC briefing document, new board member checklist, etc • Draft board policies for board approval • Develop bylaws in consultation with legal expertise • Establish required Board committees and their terms of reference • Advance other new Board/organizational requirements, such as incorporation. 	February – May 2021	\$25,000
Short-Long terms Operational Planning	<ul style="list-style-type: none"> • Develop a 5-year operating budget • Develop staffing needs and competencies • Develop space requirements – both long-term and virtually during the COVID-19 pandemic • Facilitate job description development for the inaugural Executive Director • Develop a funding and sustainability plan • Conduct targeted stakeholders’ engagement to inform the above tasks and activities, and with the Board 	April – June 2021	\$15,000
Report to Council	<ul style="list-style-type: none"> • Produce a final report to Council that is clear on full budgetary, operational and sustainability requirements for HARRC • Presentation of report to City Council 	July 2021	\$10,000
Total Cost Estimate			\$50,000