

**Report to
Rapport au:**

**Council
au Conseil
8 February 2017 / 8 février 2017**

**Submitted on February 8, 2017
Soumis le 8 février 2017**

**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2017-CMR-OCM-0001

SUBJECT: BILINGUALISM POLICY – EXEMPTION - GENERAL MANAGER OF PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT – *IN CAMERA* – PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL. – LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS - REPORTING OUT DATE: UPON COUNCIL APPROVAL

OBJET: POLITIQUE DE BILINGUISME – EXEMPTION - DIRECTEUR GÉNÉRAL DE LA PLANIFICATION, DE L'INFRASTRUCTURE ET DU DÉVELOPPEMENT ÉCONOMIQUE – À *HUIS CLOS* – RENSEIGNEMENTS PERSONNELS AU SUJET D'UNE PERSONNE POUVANT ÊTRE IDENTIFIÉE. RELATIONS DE TRAVAIL OU NÉGOCIATIONS AVEC LES EMPLOYÉS. DATE DE LA PUBLICATION DU RAPPORT : SOUS RÉSERVE DE L'APPROBATION DU CONSEIL

REPORT RECOMMENDATIONS

That City Council approve an exemption pursuant to Section R.6.3.1.(i) of the Bilingualism Policy for the successful candidate to the Senior Management Team, Mr. Stephen Willis, as General Manager of Planning, Infrastructure and Economic Development, as described in this report.

RECOMMANDATIONS DU RAPPORT

Que le Conseil approuve l'exemption en vertu de l'article R.6.3.1 (i) de la Politique de bilinguisme pour le candidat retenu pour l'équipe de direction, M. Stephen Willis, à titre de directeur général de la Direction générale de la planification, de l'infrastructure et du développement économique, comme décrit dans le présent rapport

BACKGROUND

On July 13, 2016, Council received an update from the City Manager regarding the Organizational Alignment that was aimed at streamlining the senior management and improving the overall effectiveness of the City's administration. At that time, it was announced that John Moser, would "lead the new Planning, Infrastructure and Economic Development Department on an interim basis while a new General Manager was recruited."

Executive Search for the General Manager of Planning, Infrastructure and Economic Development

The search for a General Manager of Planning, Infrastructure and Economic Development began in the Fall of 2016, following the second phase of the Organizational Alignment in October. The firm of Odgers Berndtson was selected from the Standing Offer list to lead the recruitment and conduct an extensive, global search. Odgers Berndtson was advised that the position was designated bilingual and given direction to ensure that it actively recruited bilingual candidates. Odgers Berndtson did acknowledge that the current labour market is challenging with respect to recruiting prospective candidates with the skills sets required for this position.

Odgers Berndtson indicates that, after over 400 potential sources and candidates were identified and contacted, 150 potential candidates were reviewed for consideration. After further assessment by Odgers Berndtson eighteen candidate profiles were

presented to the City Manager for consideration, of which seven were bilingual. Ultimately, twelve candidates were chosen by the Selection Panel in consultation with Odgers Berndtson to be interviewed, four of whom were bilingual.

In addition to the City Manager, the Selection Panel was comprised of the following members of the City's Senior Leadership Team:

1. John Manconi, General Manager Transportation Services;
2. Marian Simulik, General Manager, Corporate Services and City Treasurer; and
3. John Moser, Acting General Manager, Planning, Infrastructure and Economic Development.

Following three rounds of interviews, the Selection Panel for the position of General Manager of Planning, Infrastructure and Economic Development determined that Stephen Willis was the most qualified candidate for this position.

DISCUSSION

As Executive Director, Capital Planning Branch, for the National Capital Commission, Mr. Willis was responsible for the long range planning and transportation for all federal lands in the National Capital Region; Federal land use and environmental approvals; design and construction projects on a \$30M capital budget; and real estate acquisitions, sales and development. The candidate has already undertaken over three years of French Language Training with the Federal Government. The successful candidate has indicated his willingness to continue his training to achieve the City's bilingual designation and, if Council grants this exemption, his progress will be assessed as part of the annual performance review process.

Bilingualism Policy

On May 9, 2001, Council approved the continuation of the former City of Ottawa's Bilingualism Policy ("Policy"). Section R.6.3.1(i) of the Policy states as follows:

Effective immediately, all external candidates considered for Level 1 to 3 management positions be bilingual. Any exceptions, after having undertaken a comprehensive recruitment effort, shall require Council approval.

As set out above, a Council-approved exemption to the Bilingualism Policy's requirement that "all external candidates considered for Level 1 to 3 management positions be bilingual" has only one express component. In effect, Council's consideration of "*any exceptions*" to this requirement for bilingualism can only be considered "after having undertaken a comprehensive recruitment effort". As the Policy does not expressly define the word, "comprehensive", it is suggested that a plain language lens be used in interpreting same. In this regard, the standard dictionary definition for the word, "comprehensive" means of large scope, covering completely or inclusive and involving much. When the phrase, "a comprehensive recruitment effort" is compared to the actions undertaken by both the City Manager and Odgers Berndtson, it is the opinion of the City Manager, in consultation with the City Clerk and Solicitor, that the selection process in this instance did constitute a "comprehensive recruitment effort" in compliance with the *Bilingualism Policy*.

In light of the above, and the candidate's willingness to become bilingual, the City Manager seeks Council's approval of an exemption to Section R.6.3.1 (i) of the Bilingualism Policy for Mr. Willis.

RURAL IMPLICATIONS

There are no specific rural implications.

CONSULTATION

As this report is confidential and administrative in nature, no public consultation was undertaken.

LEGAL IMPLICATIONS

There are no legal impediments to City Council considering the recommendation in this Report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications.

FINANCIAL IMPLICATIONS

There are no financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with the recommendation in this report.

TERM OF COUNCIL PRIORITIES

There are no Term of Council Priorities associated with the Report.

SUPPORTING DOCUMENTATION

Document 1 – Résumé of Stephen Willis. This document is confidential as it contains information relative to personal matters about an identifiable individual.

DISPOSITION

Should the exemption be granted, the City Manager will notify the candidate accordingly. A biography for Mr. Willis will be available from the City Manager's Office that meets all of the privacy requirements of the *Municipal Freedom of Information and Protection of Privacy Act*.