

VILLE DE MONTRÉAL
BY-LAW
04-061 (Office consolidation)

N.B. This office consolidation was prepared for convenience only and has no official value. No guarantee may be given as to its accuracy. For legal purposes, readers should refer to the official version of the by-law and each of its amendments.

BY-LAW CONCERNING THE COMMISSION DE LA FONCTION PUBLIQUE DE MONTRÉAL

OFFICE CONSOLIDATION OF MAY 24, 2016
(04-061, as amended by 04-061-1)

As the municipal government is committed to a public service that is competent and non-partisan;

As the municipal government values employment equity, transparency and fairness;

In view of sections 57.3, 57.4 and 57.7 of the Charter of Ville de Montréal (CQLR, chapter C-11.4);

At the city council meeting of May 17, 2004, it was enacted:

SECTION I
COMPOSITION

1. The Commission de la fonction publique (“commission”) is made up of a chairman and two vice-chairmen appointed by the city council.

04-061, a. 1.

2. The term of office of the chairman is 4 years. He carries out his duties full-time.

04-061, a. 2.

3. The term of office of a vice-chairman is set out in the appointment resolution of the city council and may not be more than 4 years. If it is not specified in the resolution, the term of office is 4 years.

A vice-chairman carries out his duties part-time.

04-061, a. 3.

4. A vice-chairman of the commission may not carry out other duties at the city.

04-061, a. 4.

SECTION II

FUNCTIONS AND POWERS

5. The object of the commission is to treat complaints regarding staffing and, to that effect, it must ensure that persons subject to the same staffing process are evaluated fairly and without bias, that is according to the same rules and the same assessment tools.

04-061, a. 5; 04-061-1, a. 1.

6. The commission has jurisdiction over decisions of the city council, the executive committee, the borough councils, and any decision by an officer or an employee under a by-law concerning the delegation of powers of one those bodies.

In addition to its duties set out in the Charter of Ville de Montréal (CQLR, chapter C-11.4), in collaboration with the representatives of the *Service des ressources humaines* and of other administrative units, its purpose is to:

- (1) *[repealed]*;
- (2) *[repealed]*;
- (3) treat, as it sees fit, complaints of candidates about the assessment of skills process;
- (4) issue, as it sees fit, notices and recommendations to the administrative unit responsible for the staffing process;
- (5) to share with the administrative unit responsible for the staffing process that is subject of the complaint, all the information relevant to the complaint.

04-061, a. 6; 04-061-1, a. 2.

7. In the exercise of its duties, the commission may gather any information it considers relevant.

As part of its intervention, the commission may look into and make copies of all files, registers and any other document it considers relevant. It may require any information, report or explanation it considers necessary in the exercise of its duties.

04-061, a. 7.

8. The commission must ensure that the information brought to its attention and to that of its employees in the exercise of their duties is kept strictly confidential.

04-061, a. 8.

9. The commission may, when issuing a notice or a recommendation under paragraph 4 of article 6, require that administrative unit responsible for the staffing process submit a report, within a period set by the commission, on the measures taken or to be taken in that regard.

04-061, a. 9; 04-061-1, a. 3.

SECTION III

OPERATING RULES

10. The city council provides the commission with the resources it requires for its operation.

For administrative purposes, the commission is considered a separate administrative unit. But for the management of its human, material and financial resources, it applies the policies and standards set by the city council.

04-061, a. 10.

11. The commission reports to the city council at least once a year on its activities.

04-061, a. 11.

This consolidation of the By-law concerning the Commission de la fonction publique de Montréal (04-061) contains amendments under the following by-law:

- *04-061-1 By-law amending the By-law concerning the Commission de la fonction publique de Montréal (04-061), adopted at the meeting of May 16, 2016.*