

BY-LAW NUMBER 2025-100

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

BEING a By-Law to Amend By-Law 2024-121, a By-Law to adopt a Human Resources Policy.

WHEREAS section 9 of the *Municipal Act, 2001*, SO 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that Act or any other Act;

AND WHEREAS the Municipal Services Committee reviewed Report CAO-2025-12 and recommended that a By-law be passed to amend certain policies with the Human Resources Policy;

NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes hereby enacts as follows:

PART 1 – AMENDMENT

1) HR-400-1: Leave of Absence Policy be amended to add:

- Long-term Illness Leave
 1. Employee has been employed by the Township for at least 13 consecutive weeks.
 2. Employee will not be performing the duties of their position because of a serious medical condition.
 3. A qualified health practitioner issues a certificate stating that the employee has a serious medical condition and setting out the period where the employee will not be working because of the serious medical condition.
 4. The maximum entitlement to long-term illness leave is 27 weeks in a 52-week period.

2) HR-600-02: Workplace Violence and Workplace Harassment Policy – The following definitions be amended as follows:

- Workplace Harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome" and includes workplace sexual harassment.
- Workplace Sexual Harassment means:
 - a) engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or
 - b) making a sexual solicitation or advance where the person making it is in a position to confer, grant or deny a benefit or advancement to the worker and the

person knows or ought reasonably to know that the solicitation or advance is unwelcome.

3) HR-700-04: Statutory / Paid Holidays be amended to add the following:

- Statutory Holiday Pay Calculation for Regular Full-time Employees
 - The greater of the expected wage if a stat day had not fallen on the workday or 1/20th of wages earned in the four weeks immediately before the holiday.
 - Hours included in the 1/20th calculation do not include overtime, leave, vacation or other public holiday hours.
 - If an employee is regularly scheduled for 40 hours per week and on a 5-day schedule, the stat hours minimum is 8.
 - If an employee is regularly scheduled for 40 hours per week and on a 4-day schedule, the stat hours minimum is 10.
 - If an employee is regularly scheduled for 35 hours per week and on a 5-day schedule, the stat hours minimum is 7.
 - If an employee is regularly scheduled for 35 hours per week and on a 4-day schedule, the stat hours minimum is 8.75.
- Holiday falls on a regular workday and is worked
 - Stat calculation for statutory holiday pay when the holiday is not worked AND
 - Time worked at 1.5 regular rate
 - When the banked OT option is applicable, hours worked at 1.5 are banked as straight hours.
 - If you worked 10 hours on a stat day 15 hours is added to banked OT and is taken/paid out as straight time.
 - When banked OT option is not applicable, hours worked at 1.5 are paid out as part of pay period
 - Hours worked on a statutory holiday, paid at a premium rate, are not included when calculating overtime hours for the week.
- Holiday falls on a nonworking day
 - A day off with pay is granted on the workday immediately preceding or following the holiday as per the CAO.
 - One of the following applies
 - Statutory holiday pay when the holiday is not worked rule or:
 - Holiday falls on a regular workday and is worked rule

4) HR-700-04: Statutory / Paid Holidays be amended to delete the following:

- 5) ~~An Employee who agrees to work on one of the above noted holidays will be entitled to be paid at the straight time for hour worked and receive their stat pay for the day. The Employee must work their regularly scheduled day before and after the Statutory Holiday in order to receive statutory pay for the holiday.~~

6) That Policy HR-200-16: Artificial Intelligence (AI), be added.

- 7) That all previous By-Laws, Resolutions, Motions or Actions of Council that are in contravention of this By-Law are hereby repealed.

PART 2 – ADMINISTRATION

Validity

If any section, clause or provision of this By-Law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-Law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-Law shall remain in force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

Force and Effect

This By-Law shall come into force and effect on the date of passing.

That this By-Law be read a first and second time this 5th day of August, 2025.

Arie Hoogenboom
Mayor

Mary Ellen Truelove
Clerk

Read a third time and finally passed this ____ day of _____, 2025.

Arie Hoogenboom
Mayor

Mary Ellen Truelove
Clerk

Human Resources – Artificial Intelligence (AI) (HR-200-16)

Policy

Artificial Intelligence (AI) is rapidly evolving, and complex technologies are quickly becoming embedded into all areas of daily life, including business systems and software used by governments. This policy assists the Township in leveraging AI for the public good and to enhance productivity and efficiency while mitigating potential risks, complying with applicable laws, and respecting privacy, confidentiality and data security.

One of the most rapidly evolving areas is GenAI. GenAI uses Large Language Models (LLM) to generate new output or content through natural language processing. LLM are dependent on “very large volumes of personal information or data sets that may not be properly protected and may not always be lawfully collected at source” (Information and Privacy Commissioner of Ontario, 2024). Lack of data protection, and therefore lack of data privacy, is a significant concern if sensitive, personal or confidential data becomes available to GenAI systems.

GenAI presents many opportunities for Township government operations, research, and decision-making. GenAI is excellent at summarizing vast amounts of information and highlighting key concepts or unique items. It can provide quick answers to any topic it is trained on, and therefore well placed to act as an automated assistant, chatbot, or provide brainstorming services. These are examples of AI helping people be more effective in their work, which should in turn provide value to citizens through improvements in service.

Objective

To establish expectations for responsible, ethical and appropriate use of Artificial Intelligence (AI) and Generative Artificial Intelligence (Gen AI) technology.

Scope

This policy applies to all staff whether employed in a permanent, temporary or contract capacity, including full-time, part-time, casual, seasonal, and temporary.

For the purposes of this policy, the term “staff” refers to all persons identified in the preceding paragraph and the term “Township” refers to the Township of Rideau Lakes.

Definitions

- **Accountability:** the obligation of all staff to explain and take responsibility for the outcomes of the use of AI.
- **Artificial Intelligence (AI):** A computer’s ability to mimic human tasks and decisions; functions that would otherwise require human intelligence to execute.
- **Bias:** Supporting or opposing a thing, person, or group compared with another, in an unfair way. Biases can interfere with impartiality, be conscious or unconscious, and be institutionalized into policies, practices, systems, and structures.

- **Confidential Information:** Information entrusted to the Township of Rideau Lakes to carry-out programs and services which are non-public. It also includes restricted, non-public business information such as personal identifiable information (PII), health information, financial information, intellectual property and proprietary information. If disclosed, it could cause harm and must be treated securely.
- **Fairness:** Impartial and just treatment or behavior without favoritism or discrimination. AI reflects current social relations and contexts and therefore has the potential to reinforce biases, discrimination, and inequities.
- **Generative Artificial Intelligence (GenAI):** A subfield of AI, generates or creates new content through natural language processing (NLP). GenAI created output can be a simple text response or complex, comprehensive, content. New content can be text, images, video, audio, software code, etc. Examples: Open AI's ChatGPT, Google's Gemini, Microsoft's CoPilot.
- **Large Language Models (LLM):** Used by GenAI, massive amounts of information and data are used in training models, making their ability understand and generate content human-like. For example, interpreting inferences from context and contextually relevant responses.
- **Machine Learning (ML):** Imitates how humans learn from data, primarily through estimating patterns to predict or classify results. Results continue to improve through training data sets and reinforcement.
- **Privacy:** Protection of personal data from unauthorized access, ensuring individuals retain control over their personal information.
- **Privacy Breach:** An incident where personal information is collected, retained, used, disclosed or disposed of in ways that do not comply with personal, health, financial, or proprietary information protection requirements.
- **Transparency:** Source materials, decision making process, and use of AI is clear and understandable to staff and citizens.

Guiding Principles

- **Ethical Use:** AI systems and tools should be designed and deployed in ways that are fair, non-discriminatory, and respect human rights. Ethical considerations must be integrated into every stage of AI development and use.

- **Transparency:** The decision-making processes of AI systems must be explainable and understandable. Stakeholders should be informed about how AI is used and how decisions are made.
- **Accountability:** Clear accountability for the outcomes of AI systems must be established. This includes defining roles and responsibilities for those involved in developing, deploying, and monitoring of AI systems and tools.
- **Privacy and Security:** AI use must comply with all applicable data privacy laws and regulations. Data collected and used by AI systems must be protected from unauthorized access and breaches.

Procedures- Selection and Implementation of AI systems and tools

AI systems and tools will be implemented through the ITT Project Intake process, or at a minimum, a ticket with the ITT Service Desk.

A Security Risk Assessment (SRA) and Privacy Impact Assessment (PIA) will be conducted for all AI systems and tools.

Annual reviews of AI systems and tools will be conducted to reassess and confirm use cases for the AI system and tool, including updating any use cases that involve personally identifiable information.

Acceptable Use

- AI will be used in accordance with the Township of Rideau Lakes Employee Code of Conduct.
- AI assisted tools such as chatbots must be supervised in their work and must work from a standard and approved set of processes and information, just as traditional customer service would.

Accuracy and Reliability

- The logic and sources used to produce results are not transparent to the AI user. When the information and data within an AI or GenAI system is inconsistent, incomplete, or incorrect, using the AI generated results indiscriminately can clearly lead to unfair outcomes and perpetuate bias amongst historically disadvantaged groups. (Information and Privacy Commissioner of Ontario, 2024)
- Accountability for AI and GenAI created content and output rests with the user. As such, Township staff are responsible for reviewing for accuracy, bias, and inappropriate disclosure of confidential or private information.
- GenAI created content and output must not be disclosed, circulated, or used in a final product without prior review by Township management.

Prohibited & Unacceptable Use

- Township staff's use of AI is expected to comply with all applicable laws, regulations, policies.
- Confidential or private information or data must not be entered into or used with AI, as there are no guarantees of privacy or confidentiality.
- AI is not meant to replace human expertise or judgement; therefore, AI must not be used to make decisions or recommendations impacting a specific individual or organization. For example, AI should not be used in processes such as performance reviews.
- Use of AI should consider the potential impact on the public and should be avoided or constrained where there may be an impact on public trust and public safety.
- Privacy incidents or breaches must be reported to the CAO immediately.
- Collection, use, or disclosure of confidential or private information or data must not be in contravention of FIPPA, MFIPPA, and PHIPA, Care and Security of Electronic Resources Policy, or any other data protection requirements.

Non-Compliance Allegations of misconduct and/or misuse of AI will be investigated and pending the severity of the allegations, the use of Township technology, devices, and access may be temporarily or permanently revoked. Legal action according to applicable laws and contractual agreements may also be undertaken depending on the issue. Failure to comply with this policy could lead to disciplinary action up to and including termination of employment.

Suspect activity or abuse should be reported to an immediate supervisor and the Chief Administrative Officer (CAO).

Relevant Legislation

Freedom of Information Protection of Privacy Act (FIPPA):

- FIPPA identifies the requirement for institutions "to protect the privacy of individuals with respect to personal information about themselves held by institutions".

Municipal Freedom of Information Protection of Privacy Act (MFIPPA):

- MFIPPA also identifies the requirement for institutions "to protect the privacy of individuals with respect to personal information about themselves held by institutions". MFIPPA defines "institution: as a municipality as well as local boards, commissions, and authorities

- Once personal information has been collected by the Township it is considered within that institution's "custody or under its control". MFIPPA provides clear-cut for use of personal information by institutions:
 - The person "has identified that information in particular and consented to its use"
 - The information is being used in a manner consistent with the intent of the original collection Personal Health Information Protection Act (PHIPA):
- MFIPPA clearly states the permissible reasons for disclosure of personal information under the custody or control of municipalities: disclosure is only acceptable in situations where the person has consented to disclosure of their personal information and is consistent with the original intent.

Personal Health Information Protection Act (PHIPA):

- PHIPA establishes "rules for the collection, use and disclosure of personal health information about individuals that protect the confidentiality of that information and the privacy of individuals with respect to that information". PHIPA includes responsibilities for the custodians of health information.