

CITY COUNCIL OF VANCOUVER

16 April 2023

Mr. xXKenPlays has proposed the following bill:

A BILL TO AMEND THE REVISED EMPLOYEE RIGHTS BYLAW

Be it enacted by the Councilors of Vancouver here assembled,

PREAMBLE

- (a) Whereas, it has been found by the City Council of Vancouver that modifications must be made to permit departments to terminate employees when a reform is necessary.
- (a) Therefore, this amendment to add rights to the Revised Employee Rights Bylaw shall be made.

SECTION I - DEFINITIONS

- (a) In this Act,
 - (i) “**Employee Rights Bylaw**” is defined as [this](#).
 - (ii) “**Division**” is defined as a major subgroup or unit within a department with a clear and unambiguous duty.

SECTION II - AMENDMENTS

- (a) A new Subsection j shall be amended to Section II of the Employee Rights Bylaw between Subsection i and before Subsection j, which shall, after the amendment, be called Subsection k, which will state as follows:

- (j) When the employer of a department or a division sees it necessary to initiate a reform, the employer shall first issue a statement to the department or division respectively stating that a reform has begun, whereupon the employer shall have the power to reorganize the department or division and the employees thereof, including having the authority to issue actions to terminate, demote or reassign employees without following the standard procedures for disciplinary action listed in subsection b of this section.
- (i) A termination, demotion or reassignment of an employee during a reform shall not be considered a disciplinary action on the record of an employee unless the employee is in actual violation of department or divisional policy and standard disciplinary procedures are taken in that specific case.
- (iii) A reform may be initiated when
- (a) a department or division is functioning below expectations as a whole; or
 - (b) department or division leadership has decided to instate significant changes in operating procedures or guidelines that would necessitate a retraining and reorganization of staff; or
 - (c) a department or division displays widespread incompetency necessitating a reorganization of the department leadership; or
 - (d) a department or division displays widespread inactivity that has made operating the division or department a burden.
- (ii) A reform shall not be considered to preclude action under the right to challenge disciplinary action if
- (a) an employee believes the action was made with malice and targeted against them specifically; or
 - (a) an employee believes the action targeted them on the basis of race, sex, political beliefs, religion, or any circumstance or protected group under subsection h of this section; or
 - (b) an employee believes that the proper procedure for initiating a reform was not met, or there was no reason to initiate a reform

SECTION III - TIMEFRAME OF LEGISLATIVE IMPLEMENTATION

- (a) This legislation shall go into effect following the completion of the required procedure.

SECTION IV- MODE OF NULLIFICATION

- (a) This amendment shall be deemed to have been nullified by repealment via an Act of the Council or any section, clause, phrase, or word in the amendment having been found by a judicial body of appropriate and legal jurisdiction to have deemed this amendment in direct contradiction and violation of the City Charter of Vancouver.

Respectfully submitted to the City Council,

xXKenPlays

City Councilor, Sponsor

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City Councilor, Co-Sponsor

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City Councilor, Co-Sponsor