

**CITY OF MONTRÉAL
BY-LAW
04-061**

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

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 the City of Montréal (R.S.Q., 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.

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

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.

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

**SECTION II
FUNCTIONS AND POWERS**

5. The object of the commission is to give the municipal government assurances that persons subject to the same staffing process are evaluated fairly and without bias.

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.

Its purpose is to:

- (1) check and approve beforehand, when required by the city, the tools for the assessment of skills;
- (2) ensure that the rules for the assessment of skills are observed;
- (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 appropriate authorities.

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.

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.

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

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.

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

The public notice relating to this by-law was posted at city hall and published in *The Gazette* on May 28, 2004.