



Fort Smith

NORTHWEST TERRITORIES

SENIOR ADMINISTRATIVE OFFICER EMPLOYMENT

BYLAW NO. 1071

Adopted November 25, 2025

Version 1.0

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Bylaw No. 1071

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BYLAW NO. 1071

A BYLAW of the Council of the Town of Fort Smith in the Northwest Territories to establish the terms and conditions of employment for the Senior Administrative Officer, pursuant to section 41 of the *Cities, Towns and Villages Act, S.N.W.T. 2003, c.C-22*, as amended.

WHEREAS

The Council of the Town of Fort Smith (the “Town”) has the authority under section 48 of the *Cities, Towns and Villages Act* to establish terms and conditions of employment for the Senior Administrative Officer; and

WHEREAS Council wishes to ensure that essential governance provisions unique to the Senior Administrative Officer are set out in bylaw, while adopting a modern policy-based approach for detailed employment terms and conditions;

NOW THEREFORE, the Council of the Municipal Corporation of the Town of Fort Smith, at a duly assembled meeting, enacts as follows:

PART A – GENERAL

Short Title

This bylaw may be cited as the *Senior Administrative Officer Employment Bylaw*.

Purpose

This bylaw establishes:

- The appointment, authority, and key governance requirements unique to the Senior Administrative Officer position; and

- That all other employment terms and conditions for the Senior Administrative Officer are governed by the Town's Excluded Employee Policy Manual, as amended from time to time, except where a written employment contract provides otherwise.

Application

This bylaw applies to the Senior Administrative Officer of the Town of Fort Smith as appointed under the Senior Administrative Officer Establishment Bylaw.

Definitions

In this bylaw:

- *Act* means the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.C-22, as amended.
- *Council* means the duly elected Council of the Town of Fort Smith.
- *Senior Administrative Officer (SAO)* means the individual appointed by Council as the Senior Administrative Officer under the *Act* and the *Senior Administrative Officer Establishment Bylaw*.
- *Policy Manual* means the *Town of Fort Smith Excluded Employee Policy Manual* as adopted and amended by Council.

PART B – GOVERNANCE AND EMPLOYMENT TERMS

1. Council as Employer

Council is the employer of the Senior Administrative Officer. The Mayor provides day-to-day liaison and performance oversight on Council's behalf.

2. Council–SAO Relationship

Council recognizes the Senior Administrative Officer as its sole employee and the primary link between Council and Administration. Council and individual Councillors shall direct administrative inquiries and requests for information through the SAO in accordance with the Town's Council Code of Ethics and Conduct and governance policies.

3. Appointment and Performance Review

- a) The SAO shall be appointed by Council motion and shall report directly to Council.
- b) The Mayor shall conduct a formal performance appraisal at least annually and present it to the Human Resources (HR) Committee for review and recommendation to Council.
- c) The goals and objectives for the performance appraisal shall be mutually agreed upon at

the beginning of the evaluation period, through a Mandate Letter of Expectation, consistent with the Town's Strategic Plan, job description, Council Code of Ethics and Conduct, and governance policies.

d) The SAO shall serve a probationary period of six (6) months. Council may extend the probationary period once, for a maximum of three (3) additional months. At the conclusion of the probationary period, employment status must be confirmed by Council motion.

e) Council may take employment actions, including confirmation, extension, or termination, only by Council motion.

4. Grievance and Discipline

a) The SAO may submit a written grievance regarding the interpretation or application of this bylaw or any employment action to the Human Resources (HR) Committee within ten (10) calendar days of the matter giving rise to the grievance.

b) The HR Committee shall investigate the matter, may hold a hearing, and shall provide a written report and recommendation to Council for final determination.

c) Where suspension or dismissal is being considered, written notice stating the reasons shall be provided to the SAO by the Mayor on behalf of Council. The SAO shall be given the opportunity to appear before the full Council, in camera, to hear the reasons and to present a response prior to any final decision being made by Council.

5. Termination and Severance

a) Terms of severance, notice, or other termination payments shall be as set out in the negotiated employment contract approved by Council at the time of appointment. In the event that employment is terminated by Council for any reason other than just cause, the SAO shall be entitled to severance in accordance with the terms of that contract, which shall not be less than one (1) year's salary, inclusive of all regular compensation and benefits, in lieu of notice or as severance pay.

b) For greater certainty, "just cause" shall mean conduct or circumstances that would, at law, disentitle an employee to reasonable notice of termination, including but not limited to serious misconduct, willful neglect of duty, dishonesty, or breach of trust.

c) Nothing in this bylaw limits Council's statutory authority under the Act to appoint or dismiss the SAO, provided that any dismissal without just cause shall entitle the SAO to the severance described above.

5A. Compensation

The Senior Administrative Officer shall be compensated at a rate approved by Council and set out in a written employment contract. The salary range shall be guided by the Council-approved SAO salary scale attached as Appendix "A," which may be adjusted from time to time by Council resolution to reflect market conditions, responsibility levels, or other relevant factors.

5B. SAO Salary Scale

Council shall maintain and periodically review a salary scale for the Senior Administrative Officer position to support transparency, comparability, and equity in compensation. The current SAO salary scale is attached as Appendix "A" to this bylaw and may be amended or replaced by Council resolution without requiring amendment to this bylaw.

6. Legal Indemnification

- a) If an action or proceeding is brought against the SAO for an alleged act or omission committed in the performance of duties, the Town shall provide legal defence and pay any damages or costs awarded, provided the SAO's conduct did not constitute gross misconduct or neglect of duty.
- b) The SAO shall promptly advise the Mayor of any such action or proceeding and cooperate fully with counsel appointed by the Town.

7. Outside Employment and Conflict of Interest

The SAO shall not engage in any other business, employment, or professional activity outside their duties with the Town without the prior written approval of Council. The SAO shall avoid any conflict of interest, real or perceived, in accordance with the Act and Town policies.

8. Professional Development and Memberships

The Town shall support and directly fund the SAO's membership in relevant professional associations, including the Canadian Association of Municipal Administrators (CAMA) and the Local Government Administrators of the Northwest Territories (LGANT). The Town will also support reasonable professional development activities where there is a clear benefit to both the Town and the SAO, subject to Council approval.

9. Acting Appointment

- a) In the absence of the Senior Administrative Officer, Council may appoint an Acting SAO by resolution in accordance with the Senior Administrative Officer Establishment Bylaw.
- b) For short-term or unplanned absences where immediate administrative continuity is required, Council hereby designates the Director of Corporate Services as Acting Senior Administrative Officer on a standing basis. If the Director of Corporate Services is unavailable, another Director may be designated to act in the role to ensure continued administrative coverage.
- c) The Acting SAO shall have all the powers, duties, and responsibilities of the Senior Administrative Officer during the period of acting appointment.
- d) The Acting SAO shall not make or authorize major strategic, financial, or personnel decisions except where necessary to maintain municipal operations, unless otherwise

directed by Council.

e) Council recognizes that the Acting SAO is also serving full-time in their substantive role as a Director and is assuming the Acting SAO duties as a temporary measure to ensure stability and continuity of municipal operations. Accordingly, the Acting SAO's function during this period is to maintain organizational oversight, provide administrative continuity, and ensure that ongoing projects and statutory obligations are met. The Acting SAO shall not be expected to advance new policy directions, strategic initiatives, or priorities of Council, and Council shall respect the temporary and courtesy-based nature of the appointment.

10. Respectful Workplace

The Town and the Senior Administrative Officer shall conduct themselves in accordance with applicable human rights legislation and the Town's Respectful Workplace Policy. No discrimination, harassment, or coercion shall occur in the administration of this bylaw or in the employment relationship.

11. Confidentiality and Records

All records, correspondence, and communications related to the employment of the SAO, including but not limited to performance evaluations, contract negotiations, grievances, and Council deliberations, shall be treated as strictly confidential. Such information shall be maintained in secure custody by the Mayor or designated official and shall not be disclosed, discussed, or distributed except as required for lawful administrative purposes or by formal resolution of Council. Council members are bound by their duty of confidentiality and shall at all times respect the privacy, dignity, and professional integrity of the SAO in all employment-related matters.

12. Ethical Obligations

The Senior Administrative Officer shall perform all duties in an impartial, professional, and ethical manner consistent with the Town's Code of Conduct and the expectations of the public office entrusted to the position.

13. Reference to Excluded Employee Policy Manual

Except as otherwise set out in this bylaw or the SAO's employment contract, all other terms and conditions of employment, including but not limited to leave entitlements, benefits, allowances, and workplace policies, shall be governed by the *Excluded Employee Policy Manual* as amended by Council from time to time.

PART C – ADMINISTRATION AND REPEALS



1. Conflict and Interpretation

Where a conflict exists between this bylaw and the *Excluded Employee Policy Manual*, this bylaw prevails.
Interpretation of this bylaw rests with Council.

2. Forms and Procedures

The forms, agreements, and procedures required for administration of this bylaw shall be as determined from time to time by the SAO's employment contract and Council resolutions.

3. Review of Bylaw

This bylaw shall be reviewed by Council prior to the appointment of a new Senior Administrative Officer or at least once every five (5) years to ensure continued alignment with Town policies and best practices.

4. Severability

Each provision of this bylaw is independent of all others. If a court of competent jurisdiction declares any provision invalid, the remainder shall remain in force.

5. Repeals

Bylaw No. 1019, Bylaw No. 1055, and any other amendments or related bylaws pertaining to the employment of the Senior Administrative Officer are hereby repealed.


6. Effect

This bylaw shall come into force and effect upon its third reading.

READ a First Time this 18th day of November, 2025

READ a Second Time this 18th day of November, 2025

READ a Third Time and Finally Passed this 25th day of November, 2025



MAYOR



SENIOR ADMINISTRATIVE OFFICER