



**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 1064**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH IN THE NORTHWEST TERRITORIES, TO ESTABLISH THE CONDITIONS OF EMPLOYMENT FOR EXCLUDED EMPLOYEES, PASSED PURSUANT TO SECTION 48 OF THE CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, c.C-22

WHEREAS the Council of the Town of Fort Smith has the authority to establish terms and conditions of employment for employees excluded from a collective agreement.

AND WHEREAS Council supports the use of a formal Policy to guide the detailed administration of excluded employee roles;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, in regular session, is duly assembled, enacts as follows:

1. SHORT TITLE

The By-law may be cited as “ The Excluded Employee Bylaw”.

2. APPLICATION

- a. The Policy applies to all excluded employees unless otherwise stated in legislation or individual employment agreements.
- b. The Policy shall be approved and amended by Council motion.
- c. The Policy shall be reviewed periodically to ensure alignment with legislation, collective agreement benchmarks, and best practices.

3. DEFINITIONS

Excluded Employee: An employee not covered by the collective agreement

Policy: The Excluded Employee Policy Manual, as adopted and amended by Council

4. PURPOSE

This bylaw establishes the authority of the Policy as the guiding document for the employment of excluded employees, including matters of compensation, leave, performance, discipline, and related terms.

5. ROLES AND RESPONSIBILITIES

The Senior Administrative Officer (SAO) is responsible for the administration of the Policy.

6. CONFLICT AND INTERPRETATION

Where this bylaw conflicts with the Policy, the bylaw shall prevail. Interpretation of this bylaw rests with Council.



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7. REPEALS

By-law No. 1020, as amended, is hereby repealed.

READ A FIRST TIME THIS 23 DAY OF SEPTEMBER, 2025 A.D.

READ A SECOND TIME THIS 7 DAY OF OCTOBER 2025 A.D.

READ A THIRD TIME THIS 7 DAY OF OCTOBER, 2025 A.D.

MAYOR

SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this bylaw has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith.

Senior Administrative Officer