

Category: Human Resources

## **Salary Administration - Legal Counsel Market Premium for Legal Counsel Positions**

Policy Number: HRM-230  
Approved by: CAO/CLT – July 27, 2023  
Administered by: Human Resources - Total Compensation  
Effective Date: August 1, 2023

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## **1. Background**

The Corporation of the City of Brampton (the “City”) is committed to attracting and retaining a high-performing and engaged workforce while remaining competitive in a global market.

## **2. Purpose**

The purpose of this Administrative Directive is to implement a standardized and transparent process for market premium to internal employees and external candidates for the Grade 9 Legal Counsel positions.

## **3. Application and Scope**

This Administrative Directive applies to Legal Counsel Positions in the Non-Union Grade 9 in the Legal Services Division of the Legislative Services department.

### **3.1 Exceptions**

3.1.1 This Administrative Directive does not apply to Legal Counsel Positions or grades not listed above.

3.1.2 Market premium will not apply to employees in the Legal Counsel positions that have red-circled job rates.

## **4. Outcomes**

4.1 Incentivize internal candidates and retain talent within the Legislative Services department.

4.2 Attract the best candidates for Legal Counsel roles through competitive Total Compensation.

4.3 Acknowledge the competitive talent market for the Legal Counsel roles.

## **5. Principles**

### **5.1 Equity and consistency**

5.1.1 Salary administration promotes equity and a performance-based culture that builds accountability, fairness, and consistency.

### **5.2 Transparency**

5.2.1 Salary administration procedures and practices are communicated in an open, honest, transparent, and clearly articulated manner.

### **5.3 Market competitiveness**

5.3.1 Prevailing market conditions, comparators, and benchmarks are regularly reviewed. The City collects relevant information to inform salary administration practices and processes, and to ensure salary structures are, and remain, competitive.

5.4 Performance contributions

5.4.1 Employees are actively engaged to support performance and growth through salary administration and total compensation systems that value and recognize performance contributions.

5.5 Fiscal responsibility

5.5.1 Recruitment and retention of valued staff is balanced with fiscal responsibility as a public sector employer.

## 6. Policy Statements

6.1 A market premium is paid as a supplementary 'top-up' to an employee's base salary and is meant to be temporary in nature. It is not indicative of the internal value of a particular position, as established through the City's non-union job evaluation process. Rather, it is based on external market pressures.

6.2 A market premium of \$7674 will be paid on an annual basis to the applicable Legal Counsel roles. Rate is calculated as a 5% of the 2023 Non-Union Grade Midpoint.

6.3 The premium is paid on a bi-weekly basis.

6.4 Market premium will be applied effective August 1<sup>st</sup>, 2023.

6.5 No retroactivity will apply.

6.6 The same market premium rate will be applied for the entire term of this Administrative Directive until the next scheduled review.

6.7 Market Premium will be reassessed every two years by Human Resources and in consultation with the Chief Administrative Officer (CAO) as per the scheduled review to verify whether the market premium remains relevant.

6.8 In that event a decision is made to amend or discontinue the market premium, a written notice will be provided to the impacted employees.

6.9 Performance based increases (Merit & Economic adjustments) will be based on employees' base salary only, excluding the market premium.

6.10 There will be no change in the Market Premium due to Salary increases outside of the Performance based increases (Merit and Economic Adjustments) in the Legal Counsel position due to reasons such as critical business case.

- 6.11 Market Premium will apply to subsequent internal promotions to the applicable Legal Counsel position as of the effective date of the promotion of employee.
- 6.12 Market premium will apply to subsequent new hires, as of the effective date of the hire.
- 6.13 Market Premium will be applied as per the following provisions in case of the [Temporary transfers](#):
  - 6.13.1 When an employee is on a temporary assignment in the applicable Legal Counsel position, from a role that does not have a market premium, their salary increase will be based on the home position base salary.
  - 6.13.2 Employee will be eligible to receive a market premium which will be calculated on their temporary assignment salary in the Legal Counsel role with an effective date of the temporary transfer
  - 6.13.3 Market premium will not be paid during the temporary assignment where an employee in the applicable Legal Counsel position as their home assignment takes up a temporary assignment in another position which does not have a market premium attached to the position.

## **7. Roles and Responsibilities**

### **7.1 Human Resources**

- 7.1.1 The establishment, administration, governance and maintenance of the annual Market premium review, in accordance with the principles and procedures provided herein, as well as in compliance with legislated requirements.
- 7.1.2 Providing professional guidance and advice on salary administration matters.
- 7.1.3 Reviewing and providing advice on salary considerations.
- 7.1.4 Reporting to the CAO with general information on the application of this Administrative Directive.

### **7.2 Commissioner, Legislative Services**

- 7.2.1 Ensuring that compensation policies, and procedures are adhered to at all times.
- 7.2.2 Consulting with Human Resources on salary administration policies, administrative directives and procedures.

- 7.2.3 Ensuring salary changes have been approved through Human Resources as per policy to support the values of equity and transparency.
- 7.2.4 Ensuring recommendations for salary changes are supported and approved as per policy.
- 7.2.5 Prompt submission of information in order to avoid any delay in salary adjustments to employees.
- 7.2.6 Treating all employees fairly, consistently and equitably under the Salary Administration Policy.
- 7.2.7 Providing business case proposals and securing budget approval, where required.
- 7.2.8 Adhering to approval process and obtaining required approval levels for considerations.

### 7.3 Approvals

- 7.3.1 All changes recommended by Management must be approved by the CAO and sent to Human Resources for appropriate documentation management.

## **8. Monitoring and Compliance**

- 8.1 Human Resources will partner with Legal Services to assess the effectiveness of this Administrative Directive every 2 years.
- 8.2 Annual report will be provided to the CAO for review detailing results of the market premium data.
- 8.3 Human Resources will conduct periodic reviews of internal promotions and external hires' files to verify compliance with the provisions outlined on an ad hoc basis.
- 8.4 Consequences of non-compliance
  - 8.4.1 Failure to follow this Administrative Directive may include: lack of consultations with HR (where appropriate; and/or lacking CAO approval). These may result in regulatory action and immediate corrective action including disciplinary action up to and including termination.
- 8.5 Alternate Approach
  - 8.5.1 Circumstances may exist where the provisions of this Policy may not apply or may require an alternate course of action. In these circumstances, written approval from the Chief Administrative Officer

and Director, Human Resources, is required prior to any alternate action. Such circumstances may include situations where, in the view of the City Solicitor, an employee receives some other form of special compensation (such as a critical retention, higher starting salary for New Hires, etc.).

## 9. Definitions

- 9.1 **Market Premium** - A supplementary 'top-up' to an employee's base salary and are meant to be temporary in nature.
- 9.2 **Base Salary**: An employee's salary for their home position.
- 9.3 **Temporary Transfer**: An internal opportunity where an employee is temporarily assigned to an existing position in an "acting" capacity, for a minimum duration of two weeks. The employee may or may not be required to continue to perform the responsibilities of their home position.
- 9.4 **Grade** – A fixed framework of a salary range represented by a minimum and maximum salary amount.
- 9.5 **Grade Minimum** – The lower limit of the salary range, or the minimum salary amount.
- 9.6 **Grade Midpoint** – The halfway point of the salary range and is considered "Job Rate" for the purposes of Union to Non-Union Salary Range comparison.
- 9.7 **Grade Maximum** – The upper limit of the salary range, or the maximum salary amount.
- 9.8 **Internal equity** – The comparison of employee salaries at the same Grade in relation to knowledge, skills, years of service, performance and experience within the section or division, based on the nature of the position.
- 9.9 **Red-circle** – When an employee's salary exceeds the Grade Maximum of the position. In these cases, the employee's salary remains the same until such time that their base salary places within the salary range.
- 9.10 **Legal Counsel Positions** – For the scope of this Administrative directive the Legal Counsel positions refer to the all the Legal Counsel positions in Non-Union, Grade 9 of the Legal Services Division of the Legislative Services department. The scope of the Administrative directive applies to the following active Legal Counsel position titles:
  - 9.10.1 Legal Counsel, Real Estate & Planning Law
  - 9.10.2 Legal Counsel, Litigation & Municipal Law
  - 9.10.3 Legal Counsel, Commercial Law

9.10.4 Legal Counsel, Labour & Employment Law

9.10.5 Legal Counsel & Mgr., Prosecutions

## 10. References and Resources

This Administrative Directive should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publicly available.

10.1 References to related Council policies and administrative directives

- [Salary Administration Policy HRM-210](#)
- Recruiting & Retaining Top Talent Policy – HRM-160

10.2 Related corporate-wide procedures, forms, and resources

- [Critical Business Case Template - Attraction, Retention & Promotion](#)
- New Hires
- Job Evaluation
- [Permanent Transfers](#)
- Pay-for-Performance
- Salary Ranges – Union & Non-Union
- [Temporary Transfers](#)

## 11. Revision History

Date	Description
2025/08/01	Next Scheduled Review