# Giving References Procedure

## PURPOSE
This Procedure outlines how the City of Hamilton (“the City”) handles requests for references received from external organizations as well as internal requests for references on current employees in a job competition.

## SCOPE
This Procedure applies to all City employees and previous employees whether full-time, part-time, permanent, and temporary.

Where applicable, if there are any discrepancies between this Procedure and the governing collective agreement for unionized employees, the collective agreement will prevail.

See the corresponding Procedure on “Conducting Reference Checks” for details on how to perform a reference check.

## DEFINITIONS

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Referee(s)</td>
<td>Current or previous supervisors / managers with first-hand knowledge of the employee or previous employee’s work and abilities</td>
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<tr>
<td>Candidate</td>
<td>Job applicant, whether a current employee applying for an internal role; or previous employee applying to an external organization</td>
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<tr>
<td>Hiring Manager</td>
<td>The manager who has requested that a position be filled and to whom the new employee will report when hired</td>
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<tr>
<td>Internal Request</td>
<td>A reference request from a current City of Hamilton employee who is applying for an internal position</td>
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</table>
| External Request      | A request that comes from:  
  a) An external candidate applying for a position at the City of Hamilton; or  
  b) A current City of Hamilton employee who is applying for a position at an external organization |

## STEPS
1) For candidates applying to internal positions at the City of Hamilton, references can be provided by the employee’s supervisor / manager or other managerial employee with exposure to the employee’s work. Peer-to-peer based references are not recommended due to the nature of the reference check questions.

2) Candidates should ask their Referee(s) if they are comfortable providing a reference for them in advance of submitting the Referee(s) names as references. This is in the Candidate’s best
interest so that the Referee(s) can be prepared to take a reference call. If the Referee agrees to provide a reference, it is recommended that a Candidate provide the Referee with the job posting and a current copy of their resume in advance.

3) Before disclosing any information on an internal Candidate, the Referee needs to ask to see the Candidate's signed “Authorization for Release of Information Form” or obtain equivalent permission from the Candidate directly.

4) For external reference requests, the Referee contacted should first seek permission from the Candidate prior to the reference being given.

5) Before disclosing information, Referees need to:
   - gather together the most current information about the Candidate, such as the employee’s file, performance review documents (if available)
   - ensure that any information disclosed is factual, objective, given in good faith, without malice, and not based on rumor or other employees’ perceptions
   - offer only facts related to the job that the Candidate is applying for and do not disclose any irrelevant or personal information, even if asked
   - qualify what you say such as “in our experience” or “in this situation"
   - refer to specific tasks or projects when answering questions
   - make notes on what information was disclosed.

6) As per the Ontario Human Rights Code, information provided should not make specific comment to the Candidate’s race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.

7) There may be circumstances where a letter of reference is requested by an employee for general use. Providing a general letter of reference is not recommended. Should a letter be required for a specific purpose please consult with Human Resources. Please note that any such letters will be deemed to be considered personal reference letters and not work related reference letters.

8) In accordance with the Municipal Freedom of Information and Protection of Privacy Act, all internal Candidates must sign off on an “Authorization for Release of Information Form” that provides
consent for the City to proceed to contact the Referees that the Candidate provides.

9) The Referee must verify the name and organization with whom the caller is associated with; and if it is a third party who he or she represents.

10) The Referee should consult with a Workforce Planning Specialist in Human Resources if the Referee has any concerns about the reference request; or the nature of any of the questions asked. This is especially critical for any references that involve terminations or if there are any bona fide job requirements that may prevent the Candidate from filling the requirements. If you have any concerns, tell the caller that you will return their call at another time.

11) As per the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Candidate can request to see reference information provided about them by Referees

<table>
<thead>
<tr>
<th>ROLES AND RESPONSIBILITIES</th>
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<tbody>
<tr>
<td><strong>Candidate</strong></td>
</tr>
<tr>
<td>o Request permission of Referees in advance of providing names to a potential employer</td>
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<tr>
<td>o Provide all relevant information pertaining to the job and resume to the prospective Referee</td>
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<tr>
<td>o Provide a signed copy of “Authorization for Release of Information” form to the Referee</td>
</tr>
<tr>
<td><strong>Referee</strong></td>
</tr>
<tr>
<td>o Request to see a signed copy of the “Authorization for Release of Information” form prior to providing reference</td>
</tr>
<tr>
<td>o Abide by the Ontario Human Rights Code when providing a reference</td>
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<tr>
<td>o Answer only the questions asked and provide factual information</td>
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<tr>
<td>o Consult with Human Resources should there be any concerns</td>
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<tr>
<td><strong>Human Resources</strong></td>
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<tr>
<td>o Provide advice and guidance for Referees in responding to reference requests</td>
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<tr>
<td>o Update and maintain the Giving References Procedure</td>
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**COMPLIANCE**

Any attempt of Referees to improperly influence a recruitment or selection decision will be reviewed by management and, if verified, result in appropriate disciplinary action.

Internal or external candidates applying for internal positions who do not provide permission to perform reference checks by signing off on
the “Authorization for Release of Information Form” or equivalent measures will be disqualified from the selection process.

<table>
<thead>
<tr>
<th>RELATED DOCUMENTS</th>
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<tbody>
<tr>
<td>1. Recruitment &amp; Selection Policy</td>
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<tr>
<td>2. Authorization for Release of Information Form</td>
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<tr>
<td>3. Conducting References Procedure</td>
</tr>
<tr>
<td>4. Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)</td>
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<tr>
<td>5. Ontario Human Rights Code</td>
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<td>6. Code of Conduct</td>
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<tr>
<td>7. Anti-Nepotism Policy</td>
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HISTORY

This procedure was developed by Human Resources in consultation with the Corporate Policy Review Group 2013-02-22

APPROVAL

Approved by Human Resources Leadership Team 2013-04-09
APPENDIX A: AUTHORIZATION FOR RELEASE OF INFORMATION FORM

Please Print:

Candidate’s Full Name: ____________________________________________
Position: _______________________________________________________
Department/Division: _____________________________________________

As part of the assessment process, we ask that you complete this reference consent form that authorizes the City of Hamilton to contact the references you list as part of the final stage of our selection process. Please note that the City of Hamilton may use an external agency to conduct references. That agency must keep all information confidential as between the agency and the City of Hamilton authorized representatives.

Please provide at least three (3) employment and/or professional references. **Please note these employment references must be people that you have reported to and at least one of the references must be someone you have reported to within the last three (3) years. Personal references are not acceptable.**

Current Organization/Employer: ______________________________________
Name of Contact Person: ___________________________________________
Telephone Number: _______________________________________________
Relationship of Contact Person: _____________________________________
Position & Title of Contact Person: __________________________________

Current Organization/Employer: ______________________________________
Name of Contact Person: ___________________________________________
Telephone Number: _______________________________________________
Relationship of Contact Person: _____________________________________
Position & Title of Contact Person: __________________________________

Previous Organization/Employer: _____________________________________
Name of Contact Person: ___________________________________________
Telephone Number: _______________________________________________
Relationship of Contact Person: _____________________________________
Position & Title of Contact Person: __________________________________

The City of Hamilton’s **Anti Nepotism Policy** prohibits any employee from being placed in a direct or indirect reporting relationship; or in a position of influence over an employed family member or significant social relationship.

Are you aware of any family or person with whom you hold a significant social relationship currently working as a City employee or elected official? Yes ________ No ________

Please indicate the name of any spouse, child, or parent currently employed at the City of Hamilton or serving as a City elected official: ____________________________________________

I authorize the City of Hamilton, or its agent, pursuant to Section 29(1) of the **Municipal Freedom of Information and Protection of Privacy Act**, to contact the aforementioned person(s) and/or organization(s) for the purpose of obtaining reference information, including information in my personnel file(s). By signing this waiver, I acknowledge full understanding of its content and meaning.

Candidate Signature: _______________________________________________
Date: ____________________________________________________________

Personal information on this form is collected under the legal authority of the **Municipal Act, 2001**, S. 270. The information is being collected to assess your suitability for a position with the City of Hamilton and for no other purpose. If you have any questions, please contact the Human Resources Division, 905-546-4462.