



# SCUGOG MEMORIAL PUBLIC LIBRARY

<b>POLICY TYPE / NUMBER:</b>	<b>BOARD 'B03'</b>		
<b>POLICY TITLE:</b>	<b>'Executive Limitations'</b>		
<b>AUTHORITY / CREATED:</b>	<b>Board</b>	<b>March 19, 2009</b>	<b>Reviewed: Mar 16, 2023</b>

## POLICY STATEMENT:

This policy outlines limitations on the actions and practices of the Board's Chief Executive Officer.

## PRINCIPLES

1. **General Executive Constraint:** The CEO shall not cause or allow any practice, activity, decision or organizational circumstance which is unlawful, imprudent or in violation of commonly accepted business and professional ethics, the *Public Libraries Act, RSO 1990, c.P.44*, other relevant statutes, contractual agreements the Board has made with the bargaining unit, or any other contractual agreements.
  
2. **Customer Relations:** With respect to interactions with customers, or those applying to be customers, the CEO shall not cause or allow conditions, procedures, or decisions which are unsafe, undignified, unnecessarily intrusive, or which fail to provide appropriate confidentiality and privacy. Accordingly, **the CEO shall not:**
  - a. Use application forms or procedures that elicit information for which there is no clear necessity.
  - b. Use methods of collecting, reviewing, transmitting or storing customer information that fail to protect against improper access to the information elicited.
  - c. Fail to establish with customers a clear understanding of what may be expected and what may not be expected from the service offered.
  - d. Fail to provide a complaint resolution process to those who believe they have not been accorded a reasonable interpretation of their rights under this policy.
  - e. Fail to provide a safe, clean, organized and welcoming library environment.
  
3. **Staffing and Staff Relations:** With respect to the treatment of paid and volunteer staff, the CEO shall not cause or allow conditions that are unfair, undignified, unsafe, or are in violation of any labour and/or human rights

legislation, and shall maintain appropriate Scugog Memorial Public Library policies. Accordingly, **the CEO shall not:**

- a. Fail to seek out, hire, train and develop the most suitable staff for all positions.
- b. Operate without administrative policies and procedures which clarify rules for staff, protect against wrongful conditions, and preserve the confidentiality of personal information.
- c. Prevent staff from complaining to the Board when:
  - i. Internal complaint procedures have been exhausted and
  - ii. The employee alleges either:
    - That library policy has been violated to his or her detriment or
    - That library policy does not adequately protect his or her human rights.
- d. Fail to educate staff about their rights under this policy, or fail to operate with current adequate training of managers and staff in the policies and procedures in these matters, and their role in these procedures.
- e. Fail to develop and foster means of employee and volunteer recognition to ensure the talents and skills brought to the workplace are recognized and rewarded.

4. **Staff Conduct:** The CEO may not cause or allow conditions of employment that fail to spell out the expectations for employee behavior and which do not enforce these expectations in a fair and due process manner. Further, without limiting the scope of the foregoing by this enumeration, **the CEO shall not:**

- a. Fail to provide to staff a definition of prohibited behavior, including disrespectful behaviour and conflict of interest.
- b. Fail to have and enforce a workplace harassment prevention policy.
- c. Allow any employee to accept gifts, payments or services which might appear to compromise the unconflicted position of staff.
- d. Allow any employee to claim as his or her own products which have been developed using the time and resources of the employer.

5. **Budgeting/Forecasting:** Budgeting in any fiscal year or the remaining part of any fiscal year shall not deviate materially from Board priorities, the requirements of the *Public Libraries Act, 1990, c. P.44* and other relevant legislation, risk fiscal jeopardy, or fail to show a generally acceptable level of foresight. The CEO is authorized to work with the Township's Financial Services Department to prepare budget estimates for Council approval. The CEO submits operating and capital budget requirements for the ensuing year by the October Board meeting.

Accordingly, **the CEO shall not cause or allow budgeting which:**

**a. Operating Budget**

- i. Contains too little information to enable accurate projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.

- ii. Provides inadequate information to support a full line or program budget presentation.
  - iii. Plans the expenditures in any fiscal year of more funds than are conservatively projected to be received in that period.
  - iv. Fails to provide resources for Board governance, such as costs of fiscal audit, Board development, and Board and committee meetings.
- b. **Capital Budget**
- i. Provides capital budget estimates which lack sufficient detail to credibly describe the nature, scale and scope of the proposal, nor shall they fail to disclose full consideration of the costs to acquire, install/build, operate, support, maintain and repair/replace for the life expectancy of the capital item.
  - ii. Fails to project accurate financing options and annual repayment costs if they are applicable.
  - iii. Presents comprehensive capital estimate to the Board without following established Township of Scugog policies.
  - iv. Causes or allows budgeting for a capital item which plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period.
6. **Financial Condition:** With respect to the actual, ongoing financial condition and activities of the organization, the CEO shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from board priorities and under the *Public Libraries Act*, RSO 1990, c. P.44. Accordingly, **the CEO may not:**
- a. Expend more funds than have been received in the fiscal year to date unless the debt guidelines (see section b) are met.
  - b. Indebt the organization in an amount greater than can be repaid by certain, otherwise unencumbered revenues within 60 days, or hold the controllable expenditures to avoid overspending funds.
  - c. Fail to process payables for timely submission to the accountant retained by the Board.
  - d. Withhold, nor otherwise delay, from the Board the results and recommendations of the auditors and any response thereto.
  - e. Acquire, lease, rent, encumber or dispose of real property.
  - f. Fail to pursue receivables, fines and fees, after a reasonable grace period.
7. **Asset Protection:** The CEO shall not allow assets to be unprotected, inadequately maintained, unnecessarily risked, or substantially disposed.
- a. **Property Assets** - The CEO shall not fail to secure facilities and Board assets, including electronic assets, from risk of theft, damage, or substantial disposal. Accordingly, **the CEO shall not:**
    - i. Subject facilities and equipment to improper use.
    - ii. Fail to provide procedures to protect intellectual property, information and files from loss or significant damage.

- iii. Fail to take all appropriate action in response to theft of or damage to Board assets.
  - iv. Fail to provide for the long-term preservation of primary and secondary sources of the Libraries' collections.
  - v. Agree to substantial disposition of assets without the Board's consent.
  - vi. Agree to the naming or renaming of any Board asset without the prior approval of the Board.
- b. **Financial Assets** - The CEO shall not:
- i. Make any purchase:
    - Wherein normally prudent protection has not been given against conflict of interest.
    - That fails to follow the Township's Purchasing By-law.
  - ii. Allow unbonded personnel access to material amounts of funds.
  - iii. Receive, process, or disburse funds under controls which are insufficient to meet the Board-appointed auditor's standards.
  - iv. Fail to insure against theft and major casualty losses to full replacement value less deductible, and against liability losses to Board members, staff, or the organization itself in an amount consistent with the coverage of the Township of Scugog.
  - v. Unnecessarily expose the organization, its Board, or staff to claims of liability.
  - vi. Fail to report any theft or vandalism of assets worth \$1,000 or more, to the Board.
8. **Protection of Services:** The CEO shall not fail to protect the services delivered to the customers of the Scugog Memorial Public Library without Board approval. Accordingly:
- a. **Hours** - The CEO shall not change the total hours of the Library system, with the exception of scheduling statutory holidays and holiday periods, emergencies, and incidents that affect health and safety.
  - b. **Facilities** - The CEO shall not close, or relocate the library branch, without approval of the Board.
  - c. **Services** - The CEO shall not fail to evaluate the level of service on a regular basis to ensure that service levels are effective and efficient.
    - i. Physically Challenged - The CEO shall not contravene the *Ontarians with Disabilities Act, 2001* or the *Accessibility for Ontarians with Disabilities Act, 2005* and the Township of Scugog accessibility standards:
      - All facilities will be barrier-free for ingress, egress, and interior movement, including washrooms.
      - Aisles between shelving units shall be no less than 36" in width.
9. **Community Relations:** With respect to the Board's reputation and standing in the community, the CEO shall not cause or allow conditions, procedures or

decisions that solicit undue negative publicity, damage, repudiation, or that fail to promote positive, effective relations with the community. Accordingly, **the CEO shall not:**

- b. Fail to adequately recognize the generosity of donors, commensurate with the size of the respective gift(s).
- c. Endanger the organization's public image or credibility, particularly in ways that would hinder its accomplishment of mission.
- d. Fail to take all reasonable steps to ensure the safe and appropriate use of the Internet.
- e. Fail to accept gifts, sponsorships, or donations which are appropriate to the Library's mission, goals, policies, and best interests.
- f. Fail to provide to the public prompt electronic access to:
  - i. The agenda of each upcoming regular public Board meeting,
  - ii. The approved Board minutes of public Board meetings and
  - iii. Links to Board reports at the discretion of the CEO.

**10. Compensation and Benefits:** With respect to employment, compensation and benefits to employees, consultants, and contract workers, the CEO shall not cause or allow jeopardy to fiscal integrity or public image. Accordingly, **the CEO may not:**

- a. Change his or her own compensation and benefits.
- b. Promise or imply permanent or guaranteed employment.
- c. Establish current compensation and benefits which:
  - i. Deviate materially from the geographic or professional market for the skills employed.
  - ii. Create obligations over a longer term than revenues can be safely projected, subject to losses of revenue and legally imposed restraints.

**11. Communication and Counsel to the Board:** The CEO shall not permit the Board to be uninformed or unsupported in its work. Accordingly, **the CEO shall not:**

- a. Neglect to submit data required by the Board in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies.
- b. Let the Board be unaware of relevant trends, significant changes in provincial or municipal policies, anticipated adverse media coverage, material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established.
- c. Fail to advise the Board if, in the CEO's opinion, the Board is not in compliance with its own policies relating to governance and Board-CEO Linkage, particularly in the case of Board behaviour that is detrimental to the work relationship between the Board and the CEO.
- d. Fail to marshal for the Board as many staff and external points of view, issues and options as needed for fully informed Board choices.

- e. Present information in a format that is unnecessarily complex or lengthy.
- f. Fail to provide a mechanism for official Board, officer or committee communications.
- g. Fail to respond to telephone calls and emails from Board members within 2 business days.
- h. Fail to deal with the Board as a whole except when:
  - i. Fulfilling individual requests for information or
  - ii. Responding to officers or committees duly charged by the Board.
- i. Fail to report in a timely manner an actual or anticipated non-compliance with any policy of the Board.
- j. Fail to inform the Board of complaints identified by customers which in the judgment of the CEO are of pressing concern.
- k. Fail to have awareness of Board members' expertise that may be useful to the CEO, thus enabling the CEO to request advice, if desired.

Contact Person: Board Chair, Chief Executive Officer  
Cross Manual Reference: Board B02 – Board-CEO Linkage  
Relevant Forms: N/A  
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Approved by: