



Clarington Library
Museums & Archives

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Table of Contents

1. General 5

 1.1 Authority..... 5

 1.2 Purpose..... 5

 1.3 Head Office 5

 1.4 Regulations 5

 1.5 Reference 5

 1.6 Alternate Formats..... 6

2. Composition of the Board 6

 2.1 Members (*P.L.A. – Section 9(1)*) 6

 2.2 Appointments..... 6

 2.3 Eligibility/Qualification (*P.L.A. – Section 10(1)*) 6

 2.4 Term of Appointment (*P.L.A. – Section 10(3)*)..... 6

 2.5 Resignations/Vacancies (*P.L.A. – Section 12*) 6

 2.6 Disqualification (*P.L.A. – Section 13 and Section 10(1)*) 7

 2.7 Board Liability 7

3. Duties and Responsibilities of the Board..... 7

 3.1 Chief Executive Officer 7

 3.2 Policies..... 8

 3.3 Planning..... 8

 3.4 Strategic Planning..... 9

 3.5 Advocacy..... 9

 3.6 Funding and Financial Accountability..... 9

 3.7 Reporting 10

4. Officers of the Board 10

 4.1 Orientation 10

 4.2 Election of Chair and Vice Chair (Officers) 10

 4.3 Chair (*P.L.A. - Section 14(3)*) 11

 4.4 Vice-Chair 11

 4.5 Executive Committee 12

 4.6 Secretary (*P.L.A. - Section 15(3), 15(5)*)..... 12

4.7	Treasurer of the Board (<i>P.L.A. - Section 15(4), 15(5)</i>)	13
4.8	Chief Executive Officer (<i>P.L.A. – Section 14 (2)</i>)	13
4.9	Board Spokesperson.....	14
4.10	External Appointments.....	14
5.	Committees of the Board	14
5.1	Duties of Committees.....	14
5.2	Types of Committees.....	14
5.2.1	Standing Committees:	14
5.2.2	Ad-Hoc Committees.....	14
5.3	Election of Committee Chair	14
5.4	Membership	14
5.5	Meetings.....	15
5.6	Committee Proceedings	15
5.7	Report to the Board.....	15
6.	Meetings of the Board.....	15
6.1	Types of Meetings	15
6.1.1	Open (<i>P.L.A. - Section 16.1 (2)</i>).....	15
6.1.2	Regular (<i>P.L.A. – Section 16(1)</i>)	15
6.1.3	First Meeting in a New Term (<i>P.L.A. – Section 14(1)</i>).....	15
6.1.4	Closed (<i>P.L.A. – Section 16.1 (4)</i>)	15
6.1.5	Special Meetings (<i>P.L.A. - Section 16 (2)</i>)	16
6.1.6	Educational or Training Sessions (<i>Municipal Act – Section 239 (3.1)</i>).....	16
6.2	Schedule of Meetings	17
6.3	Notification of Meetings.....	17
6.4	Minutes.....	17
6.5	Attendance (<i>P.L.A. - Section 13(c)</i>)	18
6.6	Quorum (<i>P.L.A. - Section 16(5)</i>).....	18
7.	Procedure for Meetings	19
7.1	Rules of Order.....	19
7.2	Conduct of the Chair.....	19
7.3	Rules of Debate	20
7.4	Conduct of Members (<i>P.L.A. - Section 16.1</i>)	20
7.5	Conduct of the Public (<i>P.L.A. - Section 16.1 (3)</i>).....	21

7.6	Voting (<i>P.L.A. - Section 16 (6)</i>)	21
7.7	Order of Business	22
7.8	Delegations	22
7.8.1	Citizen Request to Present	22
7.8.2	Permission to Participate	23
7.8.3	Presentation	23
7.8.4	Board Follow-Up	23
8.	Financial Control and Oversight	23
8.1	Fiscal Year	23
8.2	Bank Accounts (<i>P.L.A. section 15(4b)</i>)	24
8.3	Signing Officers	24
8.4	Budget (<i>P.L.A. – Section 24(1)</i>)	24
8.5	Financial Monitoring and Audit	24
8.6	Expenses	25
9.	Review and Amendments to Bylaws	25
9.1	Conflict, In the Event of	25
9.2	Review	25
9.3	Amendments	25
9.4	Repeal of Previous Bylaw	25
Appendix A	26
	Code of Conduct for Individual Board Members.....	26
Appendix B.....		27
	Succession Plan.....	27
Appendix C.....		28
	Board Agenda Guidelines	28
Appendix D		30
	Policy Committee	Error! Bookmark not defined.
	Museum & Archives Advisory Committee	32
	Finance Committee	34
	Community Relations Committee	Error! Bookmark not defined.
	Executive Committee	36
Appendix E.....		38
	Board Member Position Profile.....	38

Appendix F 41
 Chief Executive Officer Position Profile 41
10. Policy Resolution 48

1. General

1.1 Authority

The Clarington Library, Museums and Archives (hereafter called the CLMA) is established in accordance with the *Public Libraries Act, Revised Statutes of Ontario 1990, chapter P.44*, and is under the management and control of the Municipality of Clarington Public Library Board, hereafter called the Board.

The Board recognizes that the Act sets out procedures for the appointment of members of the Board, the qualifications of members, term of membership, disqualification of members, and vacancies on the Board.

In cases in which the Bylaws of the Board are in conflict with the provisions of provincial legislation for libraries, the legislation shall take precedence.

1.2 Purpose

The purpose of the Board is to provide public library, museum and archival services to the residents of Clarington as set out in the Ontario *Public Libraries Act* and as further defined by Board policies and the Municipality of Clarington Bylaws and resolutions of Council.

1.3 Head Office

The head office of the Board shall be located at the The Municipality of Clarington Public Library Board 163 Church Street, Bowmanville, ON L1C 1T7

1.4 Regulations

The following rules and regulations of the Board as outlined in this document shall be observed for the order and dispatch of business and shall regulate the conduct and duties of its members and officers.

1.5 Reference

Where possible, references to applicable Acts, motions or procedures have been made. The following reference materials were used and are indicated throughout the document. The actual wording has been identified in quotations and italics:

- Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
- *Robert's Rules of Order*, Newly Revised, 11th ed;
- *The Municipal Conflict of Interest Act*;
- *The Public Libraries Act, R.S.O., 1990, Chapter P.44* as amended, (P.L.A.); and
- the Board's own Policies.

1.6 Alternate Formats

The CLMA is committed to meeting the needs of those with disabilities and will provide, upon request, alternate formats and communication supports, in compliance with the *Integrated Accessibility Standards Regulation, Ontario Regulation 191/11* and the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*.

2. Composition of the Board

2.1 Members (P.L.A. – Section 9(1))

The Municipality of Clarington approves the composition of the Library Board pursuant to the *Public Libraries Act, R.S.O., 1990, Chapter P.44* and appoints Members by resolution at one of the first meetings of each new Council.

The Clarington Library Board is composed of no less than nine (9) members:

- One (1) Member of Council
- Eight (8) approved by the Municipal Council from the public at large

2.2 Appointments

The Municipality of Clarington Council appoints all members to the Library Board.

2.3 Eligibility/Qualification (P.L.A. – Section 10(1))

“A person is qualified to be appointed as a member of a board who is a member of the appointing council or,

- *is at least eighteen years old;*
- *is a permanent resident of Canada;*
- *is a resident of the municipality for which the board is established in the case of a public library board, a resident of one of the municipalities for which the board is established in the case of a union board, a resident of one of the participating municipalities in the case of a county library board, or a resident of the area served by the board in the case of a county library co-operative board,*
- *is not employed by the board or by the municipality...”*

2.4 Term of Appointment (P.L.A. – Section 10(3))

“A board member shall hold office for a term concurrent with the term of the appointing council, or until a successor is appointed, and may be reappointed for one or more further terms.”

2.5 Resignations/Vacancies (P.L.A. – Section 12)

“Where a vacancy arises in the membership of a board, the appointing council shall promptly appoint a person to fill the vacancy and to hold office for the unexpired term, except where the unexpired term is less than forty-five days. R.S.O. 1990, c. P.44, s. 12.”

The Clarington Public Library Board interprets a vacancy as when the Board numbers are below the minimum number as stated in the Clarington Public Library Board Bylaws, or when the number of Board members is below the maximum number and the Board decrees that a vacancy exists that should be filled as long as the total number of Board members does not exceed the maximum.

2.6 Disqualification (P.L.A. – Section 13 and Section 10(1))

“If a board member,

- a) is convicted of an indictable offence;*
- b) becomes incapacitated;*
- c) is absent from the meetings of the board for three consecutive months without being authorized by a board resolution;*
- d) ceases to be qualified for membership under clause 10 (1) (c); or*
- e) otherwise forfeits his or her seat,*

the member’s seat becomes vacant and the remaining members shall forthwith declare the seat vacant and notify the appointing council accordingly.”

2.7 Board Liability

Every member of the Board, in exercising the powers and discharging the duties, shall act honestly and in good faith with a view to the best interests of the CLMA, and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Subject to the foregoing, the Municipality of Clarington shall indemnify all members of the Board against all costs, charges and expenses reasonably incurred by them in their personal capacity in respect of any civil or administrative action or proceeding to which they are made a party solely by reason of being a member of the Board; such costs to be reviewed periodically by the Municipality, and not to be incurred by Board member(s) without prior written notice to, and prior written approval of the Municipality of Clarington.

3. Duties and Responsibilities of the Board

Responsibilities of the Board of Directors are categorized by the following actions:

3.1 Chief Executive Officer

- The Board shall employ a qualified Chief Executive Officer.
- The Board shall establish a job description (Appendix F), hours of work, salary and benefits for this position.
- The Board shall ensure that an annual evaluation of the performance of the Chief Executive Officer is conducted.
- This performance evaluation shall be based on:
 - Board objectives;
 - the job description for the position of Chief Executive Officer;
 - concerns or criticisms raised during the previous evaluation or at Board meetings during the current year;
 - the Chief Executive Officer’s written statement of yearly objectives and how they were met.
- The Board shall prepare a written evaluation, presenting one copy to the Chief Executive Officer and placing another in the CEO’s personnel file.

3.2 Policies

- The Board will determine and adopt written policies to govern the operation and programs of the CLMA. Such policies should include those dealing with personnel, public service, materials selection, and financial authorities.
- The Board will develop a policy review plan to ensure that policies are updated on a regular basis.

3.3 Planning

The Clarington Public Library Board shall maintain an effective planning process for the CLMA in order to fulfill its mandate under the *Public Libraries Act*, RSO 1990, c. P44, s. 20(a): *“A board shall seek to provide, in co-operation with other boards, a comprehensive and efficient public library service that reflects the community’s unique needs”*.

The planning process ensures that:

1. the vision of the CLMA is realized
2. the CLMA is able to respond to changing needs and trends in the community
3. services available elsewhere in the community are not unnecessarily duplicated
4. CLMA funds are responsibly expended in a deliberate and accountable manner
5. continuity of services is maintained regardless of personnel changes in the board or staff

Process

To this end, the Board shall:

1. In the final year of its four-year term, create a legacy document for the new Library Board outlining success, challenges, and future outlooks.
2. In the first year of its four-year term, develop a Strategic Plan which includes the mission and vision statements and priorities. The Strategic Plan will encompass the term of the Library Board.
3. Ensure the CEO reports to the Board on:
 - a. Customer needs in the community served by the CLMA
 - b. The services of the CLMA in the light of customer needs and feedback
 - c. The priorities of the municipality
4. Report to the community on the CLMA’s progress in fulfilling its plan by means of:
 - a. Distribution of an annual report
 - b. Presentations to Council, service groups and community organizations
5. Ensure public information and communication about the planning process and the plan are accessible to persons with disabilities.

Reviewing and assessing the CLMA’s current environment will be addressed through a situational analysis which may include:

- Community analysis: A range of community-related information with possible implications for CLMA service, including demographic data, municipal planning documents, and information on local agencies and services, is gathered and formally analyzed at least once every four years, and the results used in the planning of CLMA services.

- Consultation with users: CLMA users are consulted regularly concerning CLMA service (e.g., by means of surveys, focus groups, formal and informal interviews, open houses, suggestion box, website, etc.). The CLMA ensures that the invitation to comment and the feedback process are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communications supports, upon request.

3.4 Strategic Planning

- The Board will formulate the goals of the CLMA and approve plan(s) for meeting the CLMA 's goals. The Board will actively work with the CEO in the development and approval of the CLMA's Strategic Plan and Master Plan. These Plans will be considered living documents and will be evaluated and revised on a regular basis.
- The Board will seek to understand the requirements of the CLMA in relation to the community. This will be facilitated through regular community surveys and keeping abreast of trends and standards.

3.5 Advocacy

- Members will actively advocate on behalf of the CLMA at community events, Council meetings, and at every opportunity.
- The Board will establish, support, and participate in planned programs to meet community needs.
- The Board will understand the role of Municipal Council in CLMA service and communicate to the Mayor and Council the value and requirements of CLMA service.
- The Board will understand local and other laws affecting CLMA operations and governance; play a role in initiating and supporting beneficial relevant legislation; interact with provincial agencies.
- The Board will be aware of the activities of regional, provincial, and national library and museum organizations.

3.6 Funding and Financial Accountability

- The Board will work with the Chief Executive Officer to prepare and recommend to Municipal Council the CLMA's annual operating budget and capital forecast.
- The Board will receive and implement the budget, once it has been approved by Council.
- An audit will be completed annually following the end of the fiscal year.
- The Board will seek diversified sources of revenue such as grants and fundraising, in support of CLMA service enhancements.
- The Chair and the Vice-Chairs shall have signing authority on the CLMA's bank account.
- The CLMA's real and personal property shall be insured under the Municipality.
- The Board shall take proper security for the treasurer by:
 - conducting a police background check on the treasurer prior to their appointment;
 - instituting proper safeguards to ensure the treasurer's (or delegate's) safety in handling monies;

- having financial procedures in place that demonstrate due diligence in terms of protecting the CLMA's monies.

3.7 Reporting

- The Board will ensure that accurate public records are kept on file at the CLMA and with appropriate local, provincial, or national bodies.
- The Board will be legally responsible for the CLMA to Council.
- The Board will report regularly to governing officials and the general public.
- The Board will evaluate the performance of the CLMA annually through in depth review of annual and quarterly reports supplied by staff.

4. Officers of the Board

4.1 Orientation

The Chair of the Board, with the assistance of the Chief Executive Officer, shall provide orientation for the new Board members. The Chief Executive Officer shall ensure that all new Board members receive the Board Trustee Kit produced by the Ontario Library Service. Local information shall also be provided including:

- the CLMA's Bylaws and policies
- the CLMA's current budget
- the CLMA's latest audited financial statements
- the names, addresses and telephone numbers of other Board members
- guidelines for the position of Library Board Member (Appendix E).

The Chief Executive Officer will give all new Board members an introduction to the CLMA, its facilities, staff, and services.

4.2 Election of Chair and the 1st and 2nd Vice-Chair positions

The Clarington Public Library Board adopted an election procedure which follows parliamentary rules to elect its officers by accepting nominations (and acceptances to stand) from the floor, closing nominations, then voting to elect from that proposed slate of officers.

Officers shall serve for the entire term of the Board.

- Nominations shall require a mover, and a seconder, both of whom must be current Members of the Board.
- If more than one person has been nominated, Officers shall be elected by secret ballot.
- Should no member receive a clear majority, the Chief Executive Officer shall so declare and balloting shall proceed with the member's name receiving the smallest number of votes being dropped.
- Following elections, the Chair shall assume the chair and call for nominations for the 1st and 2nd Vice-Chair positions.
- If the Chair is not present, the Chief Executive Officer shall continue the process until all Officers/Representatives of the Board have been elected.

- All ballots will be destroyed following the completion of the voting process.

4.3 Chair (P.L.A. - Section 14(3))

"A board shall elect one of its members as chair at its first meeting in a new term." The Chair will hold office for the full term of the board and may be reappointed for one or more further terms. The Chair may be removed from office by a two-thirds majority vote of the Board. If the Chair resigns or is removed from office, the 1st Vice-Chair shall serve as Acting Chair until the appointment of a new Chair by the Board at its next meeting. If the 1st Vice-Chair is unable or unwilling to serve as Acting Chair, the 2nd Vice-Chair shall serve as Acting Chair.

Duties and Responsibilities of the Chair

The primary role of the Chair of the Board is to ensure the proper functioning of the Board and the proper conduct of board business, in accordance with appropriate legislation and prescribed rules of procedure.

The Chair of the Board:

- Shall preside at all meetings of the Board, preserve order, and decide all questions of order subject to appeal to the Board
- Vote on any question before the Board. *"Any question on which there is an equality of votes shall be deemed to be negative."* (P.L.A. - Section 16(6)).
- Serves as an ex-officio member of all standing and ad hoc committees of the Board and will attend meetings as necessary;
- Is one of five signing officers for all accounts held in the name of the Board in a chartered bank, trust company or credit union approved by the Board;
- Signs any contracts, documents or instruments pertaining to Board business;
- Acts as the official representative of the Board, alone or with other members, at any public or private meeting for the purpose of conducting, promoting or completing the business of the Board;
- Determines the responsibility of committees to deal with matters which arise where it is unclear which committee has the responsibility, subject to eventual confirmation by the Board;
- Initiates the process for the Chief Executive Officer's annual performance review, as defined by the Board.
- Advises the Board Vice-Chairs, if for any reason the Chair is temporarily unable to perform these functions;
- Ensures that vacancies on Board committees are filled as soon as possible
- Shall not commit the Board to any course of action in the absence of the specific authority of the Board.

4.4 Vice-Chairs

The 1st Vice-Chair and 2nd Vice-Chair will hold office for the full term of the board and may be reappointed for one or more further terms. A Vice-Chair may be removed from office by a two-thirds majority vote of the Board. If a Vice-Chair resigns or is removed from office, the successor will hold office for the balance of the term.

Duties and Responsibilities of the First Vice-Chair and Second Vice-Chair

The primary role of the 1st Vice-Chair of the Board is to ensure the proper functioning of the Board and the proper conduct of Board business, if for any reason the Chair is not available. The primary role of the Second Vice-Chair is to ensure the proper functioning of the Board and the proper conduct of Board business, if for any reason the Chair and Vice-Chair are not available.

- A Vice-Chair presides at Board meetings for any periods during which the Chair is present at the meeting but temporarily leaves the chair, and/or for the discussion of any item in which the Chair has declared a pecuniary or conflict of interest.
- In the absence of the Chair, a Vice-Chair:
 - exercises all powers and performs all duties of the Chair listed above and,
 - exercises such duties as may, from time to time, be assigned by the Board.
- Should the Chair resign or be unable to continue to preside, the 1st Vice-Chair shall act as Chair until the appointment of a new Chair by the Board. Should the 1st Vice-Chair be unable or unwilling to serve as Chair, the 2nd Vice-Chair shall act as Chair until the appointment of a new Chair by the Board.

In the absence of the Chair and the Vice-Chairs, the Board may appoint one of its members as Acting Chair. The Acting Chair adopts all of the duties of the Chair for the duration of the meeting for which they were appointed.

4.5 Executive Committee

The Executive Committee consists of three board members, the Chair of the Board, 1st Vice-Chair of the Board and 2nd Vice-Chair of the Board. The CEO will attend all Executive Committee meetings, apart for performance discussions. The Executive Committee:

- a) May determine matters of an emergency nature provided actions taken are communicated to the Board;
- b) May be authorized by motion of the Board to act for the Board from time to time;
- c) Ensures the continuity of the work of the Board during the summer months;
- d) Is responsible for annual performance review and compensation of the CEO
- e) Responsible for regular board evaluation and development

However, matters so determined under (a), (b) and (d) shall be ratified by the Board at its next regular or special meeting. This authority does not supersede the calling of meetings of committees or of a special meeting of the Board if necessary.

4.6 Secretary (P.L.A. - Section 15(3), 15(5))

"A board shall appoint a secretary who shall, conduct the board's official correspondence; and keep minutes of every meeting of the board."

"The same person may be both the secretary and the treasurer, and the chief executive officer appointed under Section 15, subsection (2) may be the secretary and may be the treasurer."

Duties and Responsibilities of the Secretary

- maintains the Board's Bylaws, policies, minutes, correspondence, list of members, meeting schedules and other official records;

- advises the Chair on meeting procedures;
- facilitates meeting arrangements;
- keeps minutes of every Board and Committee meeting;
- gives notice of Board and Committee meetings;
- in the absence of the Chair and Vice-Chairs, calls the meeting to order and conducts the immediate election of an Acting Chair.

The Secretary or designate will be present at all meetings of the Board. The Secretary or designate will be present at Committee meetings as required or requested by the Board.

4.7 Treasurer of the Board (P.L.A. - Section 15(4), 15(5))

"A board shall appoint a treasurer who shall,

- *receive and account for all the board's money;*
- *open an account or accounts in the name of the board in a chartered bank, trust company or credit union approved by the board;*
- *deposit all money received on the board's behalf to the credit of that account or accounts;*
- *and disburse the money as the board directs."*

"The same person may be both the secretary and the treasurer, and the chief executive officer appointed under Section 15, subsection (2) may be the secretary and may be the treasurer."

Duties and Responsibilities of the Treasurer of the Board

- Receive, keep safely and account for all money of the CLMA;
- Open bank accounts, deposit money into those accounts; and
- Disburse funds as required by provincial and federal legislation, Municipal and CLMA Bylaws, and Board resolutions.

4.8 Chief Executive Officer (P.L.A. – Section 14 (2))

"A board shall appoint a chief executive officer who shall have general supervision over and direction of the operations of the public library and its staff, shall attend all board meetings and shall have the other powers and duties that the board assigns."

Duties and Responsibilities of the Chief Executive Officer

- reports directly to the Board;
- is not a voting member of the Board;
- shall be responsible to the Board for the efficiency of the administration and shall have control of the employees of the Board in accordance with the personnel policies adopted by the Board;
- Interprets and communicates the Board's decisions to the staff
- interprets and implements the policies of the Board in accordance with applicable legislation;
- advises the Board on all matters pertinent to the administration of the system and makes appropriate recommendations;

- assists and supports the Board in the preparation and presentation of the CLMA budget before council;
- sits on all Board Committees and acts as a resource person and Secretary/Treasurer.
- Provides support to all board activities

4.9 Board Spokesperson

The Chief Executive Officer, Chair or Vice-Chairs are authorized to act as Board spokesperson for statements to the media regarding the CLMA's operations and policies. The Chair or Vice-Chairs can authorize other trustees to make statements to the media. Whenever practical, the Chief Executive Officer should first consult with the Chair of the Board prior to releasing statements to the media.

4.10 External Appointments

The Board shall make appointments to any other body on which it is entitled to have representation.

5. Committees of the Board

5.1 Duties of Committees

The purpose of committees is to facilitate the business of the Board. Committees shall adhere to the terms of reference established and approved by the Board. The terms of reference may be amended by a 2/3 majority vote of the Board.

5.2 Types of Committees

The Board *"may appoint such committees as it considers expedient."* (P.L.A. – 20(i))

5.2.1 Standing Committees:

- Executive
- Finance and Community Relations
- Policy and Human Resources

5.2.2 Ad-Hoc Committees

As required, ad-hoc committees may be established by a motion of the Board to deal with specific, non-regular items of business. An ad-hoc committee may have any number of members who are interested in the issue at hand. Ad-hoc committees will report recommendations to the Board. Upon completion of its assignment, an ad-hoc committee shall be discharged by motion of the Board.

5.3 Election of Committee Chair

At the first meeting of each committee each year, a Chair shall be elected from the committee members appointed.

5.4 Membership

Every Board Member shall serve on one of the Standing Committees, excluding the Executive Committee. The Chair of the Board shall be an ex-officio member of all committees.

5.5 Meetings

Meetings of the committee may be called by the Chair of the committee or by a majority of the members of a committee.

5.6 Committee Proceedings

The Chair of each committee will designate a secretary to record minutes of the committee proceedings.

5.7 Report to the Board

The Chair of the Committee or, in the Chair's absence, another member of the committee shall report to the Board as required.

6. Meetings of the Board

6.1 Types of Meetings

6.1.1 Open (*P.L.A. - Section 16.1 (2)*)

"all board meetings will be open to the public unless the subject matter being considered falls within the parameters of the Public Libraries Act, s. 16.1(4)."

6.1.2 Regular (*P.L.A. – Section 16(1)*)

The Clarington Public Library Board shall hold 9 meetings per year, once a month from September – June.

"the library board shall hold regular meetings once a month at least 7 months each year and at such other times as it considers necessary."

6.1.3 First Meeting in a New Term (*P.L.A. – Section 14(1)*)

In accordance with the Act, the first meeting shall be called by the Chief Executive Officer (CEO) of the CLMA, in each new term, upon receipt of the confirmation of appointments from the municipal clerk. This inaugural meeting shall be held as soon as possible, after the appointments are made by municipal council.

At this first meeting, the CEO oversees the elections of the officers. The elections begin with the position of Chair.

6.1.4 Closed (*P.L.A. – Section 16.1 (4)*)

"a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- *the security of the property of the board*
- *personal matters about an identifiable individual*
- *a proposed or pending acquisition or disposition of land by the board*
- *labour relations or employee negotiations*
- *litigation or potential litigation, including matters before administrative tribunals, affecting the board*
- *advice that is subject to solicitor-client privilege, including communications necessary for that purpose*

- *a matter in respect of which a board or committee of a board may hold a closed meeting under another Act”*

In accordance with the *Public Libraries Act*, Section 16.1 (5) and (6), a meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M56, if the board or committee of the board is the head of an institution for the purposes of that Act. Closed sessions shall be chaired by the 1st Vice-Chair or, in their absence, the 2nd Vice-Chair. Should both Vice-Chairs be absent, the Chair shall chair the closed session.

Before holding a meeting or part of a meeting that is to be closed to the public, the library board or committee of the board shall state by resolution:

- the fact of the holding of the closed meeting
- the general nature of the matter to be considered at the closed meeting

The resolution shall contain the general nature of the matters to be considered in the closed session and must be adopted by a majority of Board members present.

The Chair of the Closed Session should call for Disclosure of Pecuniary Interest and announce the general nature of the meeting once the agenda for the closed session is presented. No motions are permitted "in-camera". A motion to move back into public session for the purpose of adopting any recommendations must be made at the end of the closed session. Upon returning from the "in-camera" session, the Board shall "Rise and Report". At that point, the Board may move and consider any motions emanating from the closed session.

6.1.5 Special Meetings (P.L.A. - Section 16 (2))

"The chair or any two members of a board may summon a special meeting of the board by giving, through the Secretary, at least two days' notice in writing to each member, specifying the purpose for which the meeting is called."

No business shall be transacted at such meeting other than that specified in the notice without the unanimous consent of the members of the Board present and the concurrence of those absent.

6.1.6 Educational or Training Sessions (Municipal Act – Section 239 (3.1))

"A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

- 1. The meeting is held for the purpose of educating or training the members.*
- 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business of the local board or committee. 2006, c. 32, Sched. A, s. 103 (1)."*

At a meeting open to the public, the Board may decide to convene an informal gathering of its members and designate a time and place for this gathering, the general purpose or

purposes for which the "workshop" is to be held, and that no other matters may be considered by the assembly.

A workshop or assembly shall not be deemed to be a meeting of the Board and shall not be subject to the rules and regulations applicable to meetings contained in the Bylaws.

No motion, resolutions, bylaw, debate, agreement in principle, consensus, straw-vote, report, and recommendations or other action or decision may be proposed, discussed, decided upon, adopted, taken or made at this assembly.

All members of the Board are entitled to attend the workshop together with designated staff and/or consultants retained by the Board or the Municipality.

6.2 Schedule of Meetings

The schedule of dates for Board meetings for the year will be provided to members by the beginning of each year.

Regular meetings of the Board shall be held at 6:30 p.m. on the fourth Thursday of each month from January to June and from September to November. The Board may re-schedule board meetings as necessary. At the discretion of the Chair a meeting can be scheduled to be in-person, virtually or hybrid using a video meeting application (e.g., Zoom).

6.3 Notification of Meetings

The notice shall be in the form of a written agenda accompanied by its supporting documents. This package is prepared by the Chief Executive Officer, in consultation with the Chair of the Board. Any Board member wishing to place an item on the agenda may make a request to do so through the Chair or Chief Executive Officer no later than fifteen (15) days prior to the meetings. Such requests shall then be considered at the Chair of the Board's discretion.

No item not included in the Agenda can be introduced at the meeting without the unanimous consent of members present.

Minutes of the previous regular meeting and any special meetings shall be provided to the members in the same manner as the agenda. The package shall be available digitally on the Wednesday preceding the upcoming Board meeting.

Immediately following, the package shall be available for the appropriate CLMA Staff and the agenda posted for the public. Lack of receipt of the notice of a regular or special meeting shall not affect the validity of holding the meeting or any action taken thereat provided a quorum is obtained.

6.4 Minutes

- Once approved, minutes of meetings are the official record of decisions and provide direction for officers and employees in their subsequent actions.
- Minutes are approved at the next meeting of the Library Board and signed by the chair.

- Minutes (excluding in-camera minutes) are public documents and shall be made available to the public.
- Minutes of closed meetings are kept separately and held to be confidential.
- Minutes shall be retained and posted digitally with the Municipality of Clarington's document repository in accordance with the Municipal bylaws.

6.5 Attendance (*P.L.A. - Section 13(c)*)

Members shall notify the Secretary or designate if they are not able to attend the regular board meeting. Attendance of members at meetings shall be recorded.

Any member absent from meetings of the Board for three consecutive months without a resolution authorizing the absence having been recorded in the minutes shall be deemed to have resigned, and the Board shall notify the Council that the seat has become vacant.

Board members are expected to physically attend in-person Board meetings or to attend virtual on-line Board meetings using the appropriate application with both video and audio engaged.

As all Board meetings are open to the public, these meetings must be conducted in such a way that all members participating can hear each other, at the same time, and that the public can also hear the deliberations.

Quorum applies to the members attending in person and remotely.

6.6 Quorum (*P.L.A. - Section 16(5)*)

At all Board meetings, "*a majority of the board*" must be present to establish a quorum for regular business.

No business of the Board shall be transacted except at a meeting in which a majority of the Board is present.

When a quorum is not present within fifteen (15) minutes after the time fixed for the meeting, the Secretary shall record the names of the Board members present and the meeting shall stand adjourned until the next meeting or until a special meeting is called.

Nothing in the preceding subsection shall prohibit the members in attendance for a regular meeting when no quorum is present, from constituting themselves as a committee and dealing with such agenda items as they see fit. However, no decisions taken at such a meeting may be executed until ratified by a motion at a regular meeting of the Board or until written approval of such decisions is obtained from a majority of the members of the Board.

If notified by a majority of board members of their anticipated absence from a meeting, the Chief Executive Officer shall notify all members of the Board that the meeting is cancelled.

7. Procedure for Meetings

The Chair will preside at all meetings of the Board, maintain order, decide whether motions are in order, and rule on all procedural matters. If the Chair is not present at the time for the meeting to begin, the 1st Vice-Chair will call the meeting to order and will preside for that meeting or until the arrival of the Chair. Should the 1st Vice-Chair also not be present, the 2nd Vice-Chair will call the meeting to order and preside.

If both the Chair and Vice-Chairs are not present within fifteen (15) minutes after the time for the meeting to begin, the Secretary will call the meeting to order and will preside for the election of an Acting Chair. The Secretary will conduct the election. While presiding, the Acting Chair will have all the rights, duties and responsibilities of the Chair.

7.1 Rules of Order

- The CLMA will retain a copy of the most recent edition of Robert's Rules of Order
- All decisions will be made on the basis of motions.
- To make a motion, a member must obtain the floor first.
- Every motion must be seconded by another member.
 - A motion will not be debated until it has been moved and seconded and put on the floor by the Chair.
 - There will be only one substantive motion before the meeting at any one time. An amendment may be made to a motion, but may not negate the main motion or materially alter the intent.
 - After members debate the motion the Chair puts the question (puts it to a vote) and announces the result of the vote.
- A motion that has been moved and seconded can be withdrawn or modified (modifications that would not occasion debate if proposed as amendments) with the agreement of the mover.

7.2 Conduct of the Chair

It shall be the duty of the Chair of the Clarington Library Board to:

- open meetings of the Board by calling the members to order;
- determine the presence of a quorum;
- announce the business before the Board in the order in which it is to be acted upon;
- put to a vote all motions which are moved and seconded in the course of the meeting and announce the results;
- decline to put to vote motions which infringe the rules of procedure;
- expedite business;
- exclude any person from a meeting for improper conduct;
- enforce the observation of decorum and order among the members;
- authenticate, by signing, all bylaws, resolutions and minutes of the Board;
- inform the board, when necessary or when asked, on a point of order or usage;
- receive all messages and communications and announce them to the Board;
- appoint members to committees, and
- ensure that the decisions of the Board are in conformity with the laws and bylaws governing the activities of the Board;
- declare the meeting adjourned when the Board so votes.

7.3 Rules of Debate

In directing the rules of debate, the Chair shall:

- preserve order and decide questions of order;
- designate the member who has the floor when two or more members wish to speak;
- state all motions presented or require the Secretary to read the motion before permitting debate on the question, and
- put the question to vote when all members wishing to speak to it have spoken once, or when further debate will not serve to advance the business before the Board.

In addressing the Board, no member shall:

- speak outside the question in debate;
- reflect upon any prior decision of the Board, except to conclude such remarks with a motion to rescind such a decision;
- interrupt the member who has the floor except to raise a point of order; and
- speak more than once to the same question except upon the consideration of a report referred by a committee to the Board for a decision, in explanation of a statement which may have been interpreted incorrectly, or with permission of the Board after all other members so desiring have spoken.

Any member may require the question of motion under discussion to be read at any time during the debate. Every member present, when a question is put, shall vote thereon unless the member has declared a pecuniary interest.

7.4 Conduct of Members *(P.L.A. - Section 16.1 (3))*

A member will be courteous and will not engage in any action which disturbs the meeting.

A Member who wishes to speak will signal the Chair by a raised hand and will wait for recognition by the Chair. All remarks and questions, including questions intended for another Member or staff, will be addressed to the Chair.

A Member will not:

- use unparliamentary or offensive language, including any expressions or statements in debate or in questions that attribute false or undeclared motives to another Member, charge another Member with being dishonest, be abusive or insulting, or cause disorder;
- make any noise or disturbance that prevents Members from being able to participate in the meeting;
- interrupt a Member who is speaking, except to raise a Matter of Privilege or a Point of Order;
- disobey the rules of the Board or disobey a decision of the Chair of the Board on questions of order or practice or on the interpretation of the rules of the Board.

The Chair may deny a Member the right to speak on a particular topic if the Member is disruptive or persistently interrupts others.

The Chair may exclude a Member from the meeting who has been given a warning but continues to disregard the rulings from the Chair. *"The board chair may expel any person for improper conduct at a meeting."*

7.5 Conduct of the Public (P.L.A. - Section 16.1 (3))

Members of the public will be courteous and will not engage in any action which disturbs the meeting. Members of the public will not:

- make any noise or disturbance that prevents members from being able to participate in the meeting;
- address the Board without a prior appointment, or without the permission of the Board at the meeting;
- use unparliamentary or offensive language. *"The board chair may expel any person for improper conduct at a meeting."*

7.6 Voting (P.L.A. - Section 16 (6))

Voting is carried out by a show of hands, unless otherwise indicated. *"The chair or acting chair of a board may vote with the other members of the board upon all questions, and any question on which there is an equality of votes shall be deemed to be negative."*

Only committee members may move and second motions and vote in committee meetings. All Board members may participate in discussions of matters before the committee.

Upon the request of a member present when the motion is made, a recorded vote shall be taken.

An abstention shall be considered a nil vote.

Board members must disclose any pecuniary interest they may have in any matter that comes before the Board and shall abstain from the decision-making process on the matter in accordance with the Municipal Conflict of Interest Act.

As the Chief Executive Officer is not a member of the Board, the CEO does not vote.

Voting on Motions

- A motion must be seconded before it can be debated, put to a vote or recorded in the minutes.
- A motion properly before the Board must receive disposition before any other motion to amend, adjourn, extend the hour of proceedings or on a matter of privilege is received.
- Only one motion to amend the main motion shall be allowed.
- A motion to adjourn is not debatable, cannot be amended and if it is resolved in the negative, cannot be made again until some immediate proceeding shall have been completed by the Board.
- A motion for reconsideration of a question which has been decided upon but not acted upon may be made at any time by a member who voted on the question with

the majority and until the motion for reconsideration has received disposition, no further discussion of the question shall be allowed.

- A motion containing distant proposals may be divided with agreement of the Board.
- A motion to reconsider a lost motion shall require a two-thirds majority of those present and formal notification of such a motion must be provided in writing prior to the meeting.

7.7 Order of Business

The following order of business for all regular meetings of the Board are recommended:

- Call to order
- Land Acknowledgement Statement
- Declarations of Interest
- Changes to and Adoption of the Agenda
- Presentation(s)
- Consent Items
- Discussion Period
- Board Development
- Committee/Liaison Reports
- Business Arising from Prior Month's Minutes
- New Business
- In-Camera
- Adjournment

7.7.1 Land Acknowledgement Statement

In recognition of a necessary first step towards honouring the original occupants of a place, and to recognize the traditional First Nations, Metis and/or Inuit territories of a place, and to commemorate Indigenous peoples' principal kinship to the land, the following Land Acknowledgement Statement shall be read following the Call to Order:

"The Municipality of Clarington is situated within the traditional and treaty territory of the Mississaugas and Chippewas of the Anishinabeg, known today as the Williams Treaties First Nations. Our work on these lands acknowledges their resilience and their longstanding contributions to the area now known as the Municipality of Clarington."

All business shall be dealt with in order of the agenda unless otherwise decided by the Board (Board Agenda Guidelines - Appendix C).

7.8 Delegations

Although all meetings of the Board and its committees are open to the public, the public may address the Board only through delegations.

7.8.1 Citizen Request to Present

- A written request to make a presentation to the Board must be submitted to the Chair, through the CEO, at least ten (10) business days in advance of a Board meeting and include the name of the presenter, topic of the presentation, background details, handout materials (if any), and contact information.

- Topics for delegations must pertain to the mandate of the Clarington Public Library Board
- The request may be mailed, faxed, or emailed.

7.8.2 Permission to Participate

- The Board Chair will determine whether this will be added to a Board agenda.
- The person/group requesting an audience with the Board will be informed of the Chair's decision and will be given details of the time and location of the meeting.

7.8.3 Presentation

- Presentations must be relevant to the Board's mandate and cannot speak disrespectfully of Board members nor CLMA staff.
- The presenter will have ten (10) minutes to address the Board unless the time limit is extended by the Board at the meeting.
- When a Citizens' group or association appears as a delegation, one spokesperson must be selected to make the presentation.
- Delegates may only present on the topic approved for their appearance on the Board agenda.
- Delegates must adhere to the User Expectation policy during their appearance before the Board.

The following information must be provided by the spokesperson:

- Name of spokesperson (and name of group or association, if applicable) and topic of presentation;
- The purpose of the presentation;
- The solution or action being sought;
- The reason(s) for the request.

Library Board members may ask for clarification after the presentation.

The presenter should understand that the Board will consider the presentation based on its own policies already created. The Board may not be able to make an immediate decision regarding the issue because it might need an opportunity to research the topic or because current Board policies do not address the issue being presented.

7.8.4 Board Follow-Up

The presenter will be sent a follow-up report summarizing the Board's decision regarding the issue.

8. Financial Control and Oversight

8.1 Fiscal Year

The financial year of the Board is from January 01 to December 31.

8.2 Bank Accounts (P.L.A. section 15(4b))

“the treasurer who shall open an account or accounts in the name of the board in a chartered bank, trust company or credit union approved by the board.”

8.3 Signing Officers

The Board shall appoint six signing officers: the Chair, the 1st and 2nd Vice-Chairs, the Chief Executive Officer, the Director of Strategy and Innovation and the Manager of Business Administration.

Bank accounts required for the business of the Board shall be opened in the Board’s name by the signing officers of the Board, in branches of chartered banks, trust companies or credit unions as the Board may from time to time decide by formal motion.

All cheques or other orders for the payment of money in the name of the CLMA shall be signed by any two signing officers.

The Chief Executive Officer shall have spending authority in accordance with the Board-approved *Purchasing Policy* last reviewed and approved at the February 24, 2022, Regular Board Meeting in Board Motion No. LB00422.

The Board will review payment of bills and a financial statement at each monthly meeting.

8.4 Budget (P.L.A. – Section 24(1))

“the board shall submit to council, annually on or before the date and in the form specified by council, estimates of all sums required during the year.”

The Board prepares, for council approval, annual estimates of an annual budget which supports the CLMA’s approved long-term goals.

The board will provide sufficient information to support the estimates.

8.5 Financial Monitoring and Audit

The Board monitors the finances to ensure that the ongoing financial position of the CLMA is consistent with the priorities approved by the Board. The Board shall monitor the monthly financial report as prepared by the treasurer, at each meeting.

In accordance with the *Public Libraries Act*, s. 24(7), *“the accounts of the board shall be audited, by a person appointed under section 296 of the Municipal Act, S.O. 2001, c. 25 and submitted to the council annually on or before the date specified by the council.”*

The accounts of the Board shall be audited by auditors appointed by the Board at the conclusion of each financial year and at such times as the Board shall direct.

The Chief Executive Officer shall receive copies of the CLMA’s audited financial statement for the Municipality annually and distribute a copy to each Board member and file two (2) copies with the CLMA’s official records.

An audit may also be undertaken, upon the death, resignation, dismissal or other termination of the treasurer of the Board, and at such other times as the Board shall direct.

8.6 Expenses

Board members serve without remuneration, but upon submission of receipts, members will be reimbursed for expenses incurred in carrying out their assigned duties as members of the Board.

Any reimbursement to Library Board members will be in line with the Business Expenses policy.

9. Review and Amendments to Bylaws

9.1 Conflict, In the Event of

In the event of a conflict between this Bylaw and the provision of either the *Public Libraries Act* or an applicable Bylaw of the Municipality of Clarington, the provisions of the *Public Libraries Act* or the Municipality of Clarington Bylaw shall prevail to the extent of any conflict.

9.2 Review

Revisions to any of the guiding authorities (Public Libraries Act, Robert's Rules of Order, or Municipality of Clarington's Bylaws) will necessitate a review of the Board Bylaws. A review or amendment can be put forth by any member at a Board meeting

9.3 Amendments

Amendments to the Bylaws require a two-thirds vote by the membership, based on thirty (30) days notification. The Bylaws or amendments to the Bylaws are effective at the time of approval by Board motion.

9.4 Repeal of Previous Bylaw

Upon this Bylaw coming into force, the previous bylaw is repealed in its entirety.

Approved Date: April 27, 2023 Motion #: LB024-23
Effective Date: April 27, 2023

Appendix A

Code of Conduct for Individual Board Members

The Library Board expects its members to understand the extent of their authority and to use it appropriately. This section sets out the obligations of individual board members. While an individual board member has a number of responsibilities, outside of a meeting of the library board they have no authority to make decisions

Each board member is expected to become a productive participant in exercising the duties of the board as a whole.

Individual members of the library board are responsible for exercising a **Duty of Diligence** as follows:

- be informed of legislation under which the CLMA exists, board bylaws, mission, vision and values
- be informed about the activities of the CLMA and the community and issues that affect the CLMA
- be prepared for all board meetings and
- attend board meetings regularly, contribute from personal and professional experience, and use meeting time productively

Individual members of the library board are responsible for exercising a **Duty of Loyalty**, as follows:

- adhere to the regulations of the *Municipal Conflict of Interest Act*. R.S.O. 1990, c. M50
- act in the interest of the CLMA members and community over and above other interest group involvement, membership on other boards, council or personal interest
- speak with “one voice” once a decision is reached and a resolution is passed by the library board
- represent the CLMA positively to the community

Individual members of the library board are responsible for exercising a **Duty of Care**, as follows:

- promote a high level of CLMA service
- consider information gathered in preparation for decision making
- offer personal perspective and opinions on issues that are subject to library board discussion and decisions
- show respect for the opinions of others
- assume no authority to make decisions outside of board meetings
- know and respect the distinction in the roles of the library board with regard to governance and the employees, management, and operations
- refrain from individually directing the Chief Executive Officer (CEO) and the employees
- respect the confidential nature of CLMA service to users while being aware of, and in compliance with, applicable laws governing freedom of information
- resist censorship of CLMA materials by groups or individuals

Appendix B

Succession Plan

An effective board is comprised of people who collectively have the knowledge, the skills, and background necessary to govern with excellence and to lead the CLMA in the realization of its vision. Municipal council appoints members to the library board, however, to assist the council and as advocates for the CLMA, the library board works to influence and shape appointments to the board. This policy sets out the requirements for recruiting board members and planning for board succession.

The Library Board recognizes that the *Public Libraries Act*, R.S.O. 1990, c. P44, s. 10(4) requires that the council appoint library board members. To support the appointment process, the Library Board Chair will collaborate with council on a preliminary selection process.

Six months prior to the end of the current term, the Library Board will:

- undertake a review of the board's effectiveness in governing and accomplishing the strategic plan
- solicit input from the Chief Executive Officer (CEO)
- match the board's needs with the expertise and interests of the current members and identify the gaps that will need to be filled
- develop a board member's position description to highlight qualities and desired skills
- identify suitable candidates and solicit their willingness to serve
- inform the potential candidates of the imminent appointment process
- meet with council to discuss needs of the CLMA and provide the council with a list of recommended candidates

Potential candidates will be provided with briefing materials and information about CLMA governance and services, which may include:

- information on the CLMA's vision, purpose, and values
- information on the role, structure, code of conduct, and function of the library board
- an introduction to the *Public Libraries Act*
- a tour of the CLMA
- a copy of the current planning document(s)
- a copy of the Municipal Committee Application form

Appendix C

Board Agenda Guidelines Clarington Public Library Board

Call to Order

The Chair will call the meeting to order stating the time. The Minute taker will record the time. The Chair will then lead the meeting.

Declaration of Interest

At the time any Board member must declare an interest in any Agenda item up for discussion. This is most commonly used when there is a cheque issued to the Board member for CLMA-related expenses.

Changes to and Adoption of the Agenda

At this time the Chair will ask if anyone would like to re-order the items listed in the Agenda, i.e., moving consent items for discussions or delaying a presentation if the presenter will be late.

Presentations

The Chair or CEO will introduce the speaker or topic. There will be a motion to receive the presentation or report as applicable. See guidelines for motions below.

Discussion Period

At the time the Chair will call for discussion on previously identified Agenda items. This is usually used for items either requiring a decision or action from the Board or need for in depth discussion to determine a direction or update on individual Board member activities on behalf of the Board. It is recommended that the Board establish a time limit for discussion items in order to keep the meeting moving in an efficient manner. If discussion appears to need more time, the Board can then decide to either request more information from staff, strike a special Committee, defer to a Special meeting, etc. If there is no prior motion, the Chair can call for a motion on any topic. Discussion will be a length of time as deemed necessary by the board. The CEO can provide high level overview on key items and provide answers to any Board member questions regarding these items.

Board Development

This section allows room for Board training/development related topics, presentations, activities. Generally speaking, no motion is required.

Committee Minutes

The Secretary will forward the Minutes to the Manager of Business Administration by the Monday PRIOR to the Board meeting, to be added to Consent Items.

Consent Items

The items are generally information presented for information to the Board. They do not require any further action on the part of the Board other than to receive it. These items remain as

Consent unless a Board member believes they contain information that would prevent him/her from voting to approve it.

Business Arising from Minutes

This can include pre-identified items for follow-up or new matters raised by Board members as it pertains to the Minutes of the previous meeting. The Chair can call for a motion if needed.

New Business

At this time any Board member can raise new topics for discussion, information, or review. The same guidelines for Discussion Period items will apply.

In-Camera

Generally, this item is pre-populated by the Chair/CEO. But other Agenda items can be moved here if the rules for in-camera are found to apply to them. No motions can be passed in-camera however the Board can review, receive, and discuss reports. The time in/out of in-camera is recorded. The Chair will then call for a vote on the motion(s) related to in-camera discussion(s).

Adjournment

The Chair can call for a motion to adjourn if there are no new matters to be discussed. The time is recorded.

Motions

All resolutions will be listed in the Agenda and the Chair will call for a mover and seconder when the meeting reaches that point. Moving a motion does not imply agreement, it might be the opposite.

Process:

- Chair reads out the motion
- Chair calls for a mover and seconder. Names are recorded.
- Chair call for discussion, ensuring that all sides of a topic are covered, and all Board members have equal opportunity to speak.
- Based on informal discussion the Board may decide to Amend the motion. The Chair reads aloud the Amended Motion.
- Chair calls for a vote:
 - All in favour – hands up. Hands down.
 - All against – hands up. Hands down.
- Chair announces the result of the vote.
- If the motion passes, then staff is directed to follow through.
- If the motion is defeated nothing further happens.

Any motion for New Business raised at the Board meeting and not listed in advance in the Agenda requires a 2/3 majority of the Board to pass.

Appendix D

Policy and Human Resources Committee Terms of Reference

Authority: Library Board

Date Created:

Date Reviewed:

Name

Clarington Public Library Board – Organizational Development Policy Committee.

Purpose

The purpose of the Organizational Development Policy Committee is to review and develop bylaws, policies, and procedures to ensure the CLMA aligns people, structure and strategy. The committee ensures processes and policies are in place to reflect the current needs of the CLMA, employees, and its users.

Responsibility

The committee, working in collaboration with the Chief Executive Officer and senior staff, will;

- review HR matters, with the exception of matters relating to CEO Performance Evaluation
- develop a policy review plan to ensure that policies are updated on a regular basis.
- review and support the development of organizational structures, people planning and succession planning
- review all CLMA policies per established schedule and recommend revisions or new policies as per best industry and/or municipal practices.
- receive and consider proposed Board Bylaw changes and recommend on the same to the Board

Composition

Membership of the Policy Committee will be composed of four Board members, plus the Board Chair as an ex-officio member.

The CEO or designate will attend all meetings.

Chair and Secretary

A Chair and Secretary will be appointed at the first meeting of the year.

Quorum

A majority of committee members constitutes a quorum.

Meetings

Meetings will be scheduled at the call of the Chair.

All Board members are invited to attend committee meetings and may participate in the committee's discussion. However only members of the committee may vote on items.

Record Keeping and Reporting

- The Secretary shall record minutes of the proceedings and resolutions of all meetings of the Committee, including recording the names of those in attendance
- All documents (agendas, draft minutes, etc.) will be circulated a minimum of three (3) business days prior to the meeting within the constraints of established privacy and confidentiality policies
- All documents of the Committee shall be kept by CLMA Staff and distributed to the Board as a whole within the constraints of established privacy and confidentiality policies
- The Committee Chair will report to the Board when Board approval is required and/or to present progress reports as appropriate

Amendments and Revocations of Terms of Reference

- Amendments to these Terms of Reference may be made at any time by the Board following consultation with the Committee.
- The Terms of Reference will be reviewed on an annual basis.

Museum & Archives Advisory Committee

Authority: Library Board

Date Created:

Date Reviewed:

Name

Clarington Public Library Board – Museum & Archives Advisory Committee

Purpose

The Board may, at its discretion, establish a Museum and Archives Advisory Committee (MAAC) in order to meet the Standards for Community Museums in Ontario, and comply with Regulation 877, Grants for Museums, under the Ontario Heritage Act.

Responsibility

Should the Board choose to create a Museum and Archives Advisory Committee, the following protocol will be observed:

1. the Board will adopt Terms of Reference for the operation of the MAAC;
2. the Board authorizes the MAAC to approve policy pertinent to museum standards in order to ensure continued qualification for the provincial museum operating grant;
3. the CEO is deemed to be the ultimate operational authority with the Curator providing expertise pertinent to museum management;
4. the MAAC will maintain a formal record of committee meetings. The approved minutes will be forwarded to the Board on a regular basis.

Composition

The Board will appoint no less than three (3) and no more than five (5) voting members to the Committee, with a minimum of one elected official, one board member, and one public member. In accordance with the provisions of the Ontario Public Libraries Act, the maximum number of public members appointed to the MAAC will be limited to two.

Where vacancies for public members are required to be filled, the Board will establish an Ad Hoc Committee.

The CEO or designate will attend at the request of the Chair.

Chair and Secretary

- The Library Board Chair or Vice Chair will serve as Chair of Museum & Advisory Committee

- A Secretary will be appointed at the first meeting of the year

Quorum

A majority of committee members constitutes a quorum.

Meetings

Meetings will be scheduled at the call of the Chair or CEO.

All Board members are invited to attend committee meetings and may participate in the committee’s discussion. However only members of the committee may vote on items.

Record Keeping and Reporting

- The Secretary shall record minutes of the proceedings and resolutions of all meetings of the Committee, including recording the names of those in attendance
- All documents (agendas, draft minutes, etc.) will be circulated a minimum of three (3) business days prior to the meeting within the constraints of established privacy and confidentiality policies
- All documents of the Committee shall be kept by CLMA Staff and distributed to the Board as a whole within the constraints of established privacy and confidentiality policies
- The Committee Chair or designate will report to the Board when Board approval is required and/or to present progress reports as appropriate

Amendments and Revocations of Terms of Reference

- Amendments to these Terms of Reference may be made at any time by the Board following consultation with the Committee.
- The Terms of Reference will be reviewed on an annual basis.

**Finance and Community Relations Committee
Terms of Reference**

Authority: Library Board

Date Created:

Date Reviewed:

Name

Clarington Public Library Board - Finance and Community Impact Committee.

Purpose

The purpose of the Finance and Community Impact Committee is to provide financial oversight and community impact to ensure the long-term economic health and sustainability of the CLMA. The committee will be engaged to raise the profile of the CLMA to generate additional funding and other resources for the CLMA to enhance and enrich services and operations

Committee decisions are not binding on the Board.

Responsibility

The committee, working in collaboration with the Chief Executive Officer (CEO), will:

- Receive and review annual budget/resource allocation related to the development of the CLMA's operating and capital budgets and recommend on same to the Board;
 - Staff provide a report of how each budget is developed, criteria, priorities, pressures, etc. to assist the committee in guiding the development of the capital and operating budgets;
 - Staff will develop a presentation on Board approved budget with input from Committee for Council approval
- Consider, on behalf of the Board, any requests for significant variations to the planned operating budget and to make recommendations accordingly
- Review all proposals with significant financial implications as per the Purchasing Policy.
- Develop and recommend to the Board appropriate procedures to guide the financial affairs of the CLMA as per Board Bylaws.
- Work with community groups and stakeholders to further our fundraising efforts
- Mandate from Community Relations Committee

Composition

Membership of the Finance and Community Relations Committee will be composed of four Board Members (one of whom shall be the Council Rep), plus the Board Chair as an ex-officio member.

The CEO or designate will attend all meetings.

Chair and Secretary

- *A Chair and Secretary will be appointed at the first meeting of the year.*

Quorum

A majority of committee members constitutes quorum

Meetings

The Committee Chair or CEO will call a meeting of the Finance and Community Impact Committee as needed.

All Board members are invited to attend committee meetings and may participate in the committee's discussion. However only members of the committee may vote on items.

Record Keeping and Reporting

- The Secretary shall record minutes of the proceedings and resolutions of all meetings of the Committee, including recording the names of those in attendance
- All documents (agendas, draft minutes, etc.) will be circulated a minimum of three (3) business days prior to the meeting within the constraints of established privacy and confidentiality policies
- All documents of the Committee shall be kept by CLMA Staff and distributed to the Board as a whole within the constraints of established privacy and confidentiality policies
- The Committee Chair or designate will report to the Board when Board approval is required and/or to present progress reports as appropriate

Amendments and Revocations of Terms of Reference

- Amendments to these Terms of Reference may be made at any time by the Board following consultation with the Committee.
- The Terms of Reference will be reviewed annually.

Executive Committee Terms of Reference

Authority: Library Board

Date Created:

Date Reviewed:

Name

Clarington Public Library Board – Executive Committee

Purpose

The purpose of the Executive Committee is to determine matters of an emergency or urgent nature on behalf of the Board, and to administer the review process for the CEO.

Responsibility

- a. May determine matters of an emergency nature provided actions taken are communicated to the Board; and
- b. May be authorized by motion of the Board to act for the Board from time to time;
- c. Ensures the continuity of the work of the Board during the summer months;
- d. To review and evaluate the performance of the Chief Executive Officer (CEO) as per Board Bylaws;
- e. To ensure a fair and equitable compensation program is established and maintained that aligns with the Municipality's Pay Equity Plan and works within the constraints of the CLMA's budget process
- f. Conduct mid-year and annual performance appraisals of CEO, including establishing objectives and professional development plans; two members of Committee will serve as liaison between committee and CEO
- g. Conduct Board self-evaluations and Board Development
- h. Conduct Board evaluations and development
- i. Recommend to the Board appointments to board committees at the beginning of the term, the mid-point of the term, and whenever vacancies arise.

This authority does not supersede the calling of meetings of committees or of a special meeting of the Board if necessary.

Composition

The Executive Committee consists of three members, the Chair of the Board, 1st Vice-Chair of the Board and the 2nd Vice Chair of the Board. The Chair of the Library Board shall be the Chair of the Executive Committee. The CEO shall be the Secretary, apart from matters of performance reviews.

Quorum

A majority of committee members constitutes a quorum. The Chair is permitted to move or second motions. If only two committee members are present, the Chair shall have the ability to move and second motions.

Meetings

The Executive Committee shall schedule at minimum 4 meetings per year.

Record Keeping and Reporting

- The Secretary shall record minutes of the proceedings and resolutions of all meetings of the Committee, including recording the names of those in attendance
- All documents (agendas, draft minutes, etc.) will be circulated a minimum of three (3) business days prior to the meeting within the constraints of established privacy and confidentiality policies
- All documents of the Committee shall be kept by CLMA Staff and distributed to the Board as a whole within the constraints of established privacy and confidentiality policies
- The Committee Chair will report to the Board at regular intervals when Board approval is required and/or when progress reports as appropriate

Amendments and Revocations of Terms of Reference

- Amendments to these Terms of Reference may be made at any time by the Board following consultation with the Committee.
- The Terms of Reference will be reviewed on an annual basis.

Appendix E

Board Member Position Profile



Position Classification

Position Title: Library Board Member	Division: Library, Museums and Archives
Department: Board	Classification: Volunteer (unpaid)
Branch:	Reports to (Direct):
Position Supervised Directly: Chief Executive Officer	Positions Supervised Indirectly:
Effective Date:	Revision Date:
Equivalency Code: N/A	Hours Per Week:



Position Synopsis and Purpose

Public Library Boards are governing boards, legal corporations with the authority to make policy and to govern the CLMA's affairs under the *Public Libraries Act*, RSO 1990, c. P.44. The Board:

- Sets the vision, mission, values and, strategic direction for the CLMA and Museum through strategic planning techniques, determining a strategy map to reach those goals
- Make policies within the framework of legislation and regulations
- Oversees the organization's finances in accordance with public accounting principles and requirements and municipal budget policy and procedures
- Monitors overall effectiveness of the Library and Museum in meeting community needs in an efficient and responsive manner and evaluate progress on the strategic plan
- Hires and evaluates a qualified Chief Executive Officer to implement the strategic plan and to manage the daily operations of the CLMA.

The Library Board has the authority to act on behalf of the Library and Museum. Individual board members have no authority to act on their own. The board speaks with "one voice."



Major Responsibilities

**Note: All activities will be performed in a safe manner, in accordance with the Occupational Health and Safety Act and its Regulations, along with Corporate Safety policies, procedures and programs.*

As a member of a Library Board, a member must act honestly and in good faith and in the best interests of the library and museum. This means the interests of the library and museum take precedence over personal interests or those of any group with which the member is associated and or may favour.

Along with the governance, legal and fiscal roles, Library Board members are expected to support and participate in community engagement by:

- Sustaining the CLMA as an essential community service
- Advocate the CLMA's role in the community
- Maintain an open dialogue with the community
- Build strong relationships with municipal council
- Be aware of the municipal planning context
- Develop strategic partnerships with community groups and leaders.

In order to fulfill the above responsibilities, Clarington Public Library, Museum and Archives requires a well-rounded Library Board with competent, experienced members. The Board should also reflect the diversity of the Municipality and the surrounding communities that it serves. The member's job is not an easy one: it requires the ability to work towards a vision and to think in broad, future oriented terms while maintaining a commitment to move vision to reality. This requires understanding and discussing the philosophical aspects of CLMA service while implementing the necessary governance measures to achieve desired services. Each member must uphold the overall vision, purpose and values of the Library and Museum while acting strategically in the best interests of the public good.

Time Commitment

The Library Board holds 9 regular monthly meetings a year. The time commitment includes preparation time to read and consider reports and other information on other systems and public trends. Board meetings are generally one hour in length.

Board members are also required to participate on a variety of committees of the board. These are established to deal with specific matters such as the evaluation of the Chief Executive Officer, recruitment and/or dismissal etc. Also, Board members are encouraged to represent the CLMA on external bodies and committees such as the Ontario Library Boards' Association, OLS etc. if possible. Time commitments may vary.



Competencies

The core competencies and qualifications for a Clarington Library Board Member are:

Belief that the CLMA provides a unique and essential service to all citizens

- Ability to seek and listen to input from all stakeholders
- Ability to approach people and problems with an open mind
- Ability to actively participate in discussion and deliberation and to attain positive outcomes; and
- Time and energy



Minimum Qualifications

The *Public Library Act* defines the governance of public libraries in Ontario. According to the Act, a person is qualified to be appointed as a member of a board who is:

- a member of the appointing council
- at least eighteen years old
- a permanent resident
- a resident of the municipality for which the board is established
- is not employed by the board or by the municipality.



Preferred Qualifications

<p>NETWORKING Direct experience with local groups related to the CLMA Other board experience</p>	<p>BUSINESS Knowledge and skills related to corporate and/or small businesses e.g. information, organization, management, finance.</p>	<p>PROFESSIONAL Knowledge and skills in one or more of the following: finance, accounting, public relations, architecture, engineering, education and literacy</p>
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Appendix F
Chief Executive Officer Position Profile

Position Title: Chief Executive Officer (CEO)	Division: Library, Museums and Archives
Department:	Classification:
Branch: Bowmanville	Reports to (Direct): Chair, CPL Board of Directors
Position Supervised Directly: <ul style="list-style-type: none"> • Director, Strategy and Innovation • Director, Neighbourhood Services • Manager, Business Administration • Administrative Assistant • Human Resources Associate 	Positions Supervised Indirectly: <ul style="list-style-type: none"> • Manager, Collections • Manager, Public Service • Manager, Marketing & Community Engagement • Manager, Programs • Manager, IT • Curator and Heritage Services Manager
Effective Date:	Revision Date:
Equivalency Code: N/A	Hours Per Week: Full time



Position Synopsis and Purpose

As principal advisor and Secretary-Treasurer to the Legislatively Mandated Library Board, the Chief Executive Officer is accountable for the strategic leadership, and operational and financial management of the CLMA (added to CEO responsibilities in 2020).

- Executive leadership of the organization, including strategic and long-range planning for business operations, financial planning, fiscal accountability, facility development, policy development, implementation of Board decisions, and staff leadership.
- Leads the in the design, development and execution of strategies related to finance, HR development and performance measurement, policy development, issues management, technology, programming, community understanding and engagement, outreach and partnership development, marketing and internal communications, and sound stewardship of the assets, collections, facilities and records of the Library, Museum & Archives.
- Leads the development and improvements to workplace culture of service excellence, teamwork and innovation and establishes operational plans that positions CLMA services in ways that adds value to the community.

- Champions and leads the development and execution of Strategic Plan, Master Plan and the vision of the Library, Museum & Archives.



Major Responsibilities

**Note: All activities will be performed in a safe manner, in accordance with the Occupational Health and Safety Act and its Regulations, along with Corporate Safety policies, procedures and programs. In addition, all necessary personal protective equipment must be used and maintained in good condition.*

Description	Approx. Time Spent (%)
<p>General Administration: The Chief Executive Officer is the Executive Leader for the organization; leads and directs the strategic vision, financial management, and operational administration of the public library, museum and archives. Works with the Board to create its Strategic Plan, and aligns multi-year operational and financial plan to facilitate it’s achievement. Plans, organizes, directs, controls and evaluates CLMA operation along clear channels of responsibility and accountability by:</p> <ul style="list-style-type: none"> • Assesses information needs of the community and developing plans and financial forecasts for CLMA services to meet those needs • Recommends policy to the Board • Implements the Board's decisions and developing procedures for the implementation of Board policy • Communicates Board policy to the staff and community • Provides regular reports to the Board and to the public and Municipal Council on the Board's behalf as requested • Provides annual statistical and financial reports to designated government departments • Carries out the Board's and the CLMA's correspondence with the public, the Municipal Council, other libraries, other professional and service personnel as necessary • Ensures that professional standards that relate to CLMA services are fulfilled 	%25
<p>Financial: The Chief Executive Officer is the Treasurer for the Clarington Public Library, Museum & Archives and ensures compliance to the Public Accounting (PSAB).</p> <ul style="list-style-type: none"> • Develops and implements the financial strategy that facilitates the Strategic Plan, capital programs, growth forecasting and sustainability of operations. 	%20

Description	Approx. Time Spent (%)
<ul style="list-style-type: none"> • Prepares and delivers the Budget presentation to Council • Performs the duties of Treasurer to the Board in accordance with the provisions of the <i>Public Libraries Act</i> • Oversees the recording of accounts and the preparation of the budget • Oversees operating and capital expenditures • Administers financial grants • Provides the Board financial updates • Oversees the financial audit and ensures compliance with all necessary legislation 	
<p>Human Resources: The Chief Executive Officer manages human resources, employee and labour relations by:</p> <ul style="list-style-type: none"> • Establishing and maintaining personnel practices, policies and recommending compensation and salary administration policies to the Board • Maintaining the organizational structure and making changes to improve operational efficiency • Overseeing the labour management process, collective bargaining and union matters • Acting as the Board's representative in all Union matters • Hiring, training and developing staff; establishing performance appraisals and job evaluation; discipline and dismissal of staff at all levels • Establishing work standards for staff • Developing position profiles • Directly supervising administrative and operational staff and indirectly responsible for all other staff 	%15
<p>Board Liaison The Chief Executive Officer is the chief liaison and principal advisor to the Library Board:</p> <ul style="list-style-type: none"> • Performing the duties of Secretary in accordance with the provisions of the Public Libraries Act • Providing information and statistics to the Board, ensuring that the Board is well informed • Preparing and issuing notices, agendas, Minutes and correspondence • Ensuring the preparation and distribution of reports to the Board and others • Advising the Board of relevant changes in legislation and of new developments in library, museum & archives services • Advising the Board and recommending policies for the development of the Library, Museum & Archives system to ensure the goals and objectives of the Board and the needs of the Clarington community are met 	%20

Description	Approx. Time Spent (%)
<p>Lead Liaison: The Chief Executive Officer implements various and increased means for cooperation with municipal departments and with other libraries, museums & archives on a local, area and provincial basis by:</p> <ul style="list-style-type: none"> • Developing working relationships with the Municipality of Clarington administration, elected officials and the Ontario Ministry responsible for public libraries, museums & archives in Ontario • Establishing and maintaining contact with other systems, professional associations and government agencies • Representing the Library, Museum & Archives at area meetings • Participating in professional committees, workshops, seminars and conferences • Representing the Library, Museum & Archives at Municipality of Clarington Department Head and other meetings as is appropriate given the Board's policies and its separate legal status • Ensuring that citizens are made aware of the role and services of the Library, Museum & Archives • Establishing and maintaining contact with community organizations • Consulting with key officials and community organizers on specific issues as required 	<p>%20</p>



Competencies

- Board Engagement & Development
- Budget & Finances
- Collaborative Relationships
- Communication
- Community Relations
- Customer Service Champion
- Ethics & Values
- Facilities
- Funding Development
- Learning & Growth Mindset
- Municipal Relations
- Ontario’s Public Library Sector
- Organizational Leadership
- Personnel Management
- Planning
- Project Management
- Laws, Policies & Procedures
- Staff Training & Development
- Technology Core Competencies



Minimum Qualifications

Education (degree/diploma/certifications)

- Master of Library Science degree from an ALA accredited institution.

Experience

- Five (5) years significant senior-level experience in public library administration including experience working successfully with a Board, municipal government, staff and community stakeholders.

Knowledge/Skill/Ability

- Accomplished in working proactively with Board and other high stake decision makers to ensure library operations are maintained while enhancing service excellence in all arenas relevant to the Library.
- Excellent interpersonal, project/time management, analytical, communication, presentation, problem-solving, facilitation, negotiation, and staff leadership skills. Strong financial/business acumen.
- Ability to think and act strategically in a political and community service environment, to foster corporate thinking, and a healthy workplace environment, to build strong and enthusiastic staff teams and external alliances/partnerships, to align programs and services with the Board's strategic direction, and to champion the Vision, Mission, and values of the Library.
- Thorough working knowledge of legislation/regulations affecting public libraries in Ontario, and especially as they relate to Board governance, responsibilities as Secretary-Treasurer, employer obligations, freedom of information and protection of privacy, accessibility, and reporting requirements.
- Sound knowledge of contemporary issues facing public libraries and municipal government in Ontario and those of an urban growth environment; funding programs/opportunities; contemporary human resources policies and practices; finance/accounting and asset/risk management principles; community outreach/engagement and service excellence techniques; marketing and promotional methods; and contemporary leadership and staff management practices.
- Demonstrated knowledge of library services, operations, programming, and collection development; proficiency in MS Office Suite, and media software applications; competence with social media; and an awareness and understanding of technology trends.
- Valid Province of Ontario driver's license and use of a reliable personal vehicle is required.
- Recent Police Check



Preferred Qualifications

Education (degree/diploma/certifications)

Master of Library/Information Science Degree from an ALA accredited program. Additional studies in business, Finance, Human Resources, and Leadership preferred.

Experience

Seven (7) years of experience in library administration and staff leadership; preferably in a public library.

Experience in a growth environment preferred.

Knowledge/Skill/Ability

1. Ability to provide leadership in a changing environment, to plan and work cooperatively, and to build effective teams.
2. Strong planning, strategy, and marketing skills.
3. Strong relationship building, partnership and management skills
4. Ability to understand municipalities and communities, changing dynamics and demographics and develop sustainable, innovative programs.
5. Comfort with risk, failure and ambiguity as well as the skills to mitigate risk but move forward in a planned manner.
6. Excellent organizational and time management skills. Able to manage shifting priorities in a busy environment with frequent interruptions and a proven ability to work to deadlines and set priorities.
7. Excellent English language oral, written, and presentation skills including the ability to teach and present to community groups, partners, boards, and town council. French or other language skills an asset.
8. Strong problem solving, mature judgment, and exceptional customer service and interpersonal skills.
9. Ability to manage staff, assess development and training needs and develop plans to improve on a team and individual basis, as well as to evaluate staff and team performance.
10. Demonstrated knowledge of library services, operations, programming, contemporary marketing and communications, and collection development; proficiency with desktop publishing and media software applications; competence with social media; and an awareness and understanding of technology trends.
11. Valid Province of Ontario driver's license and use of a reliable personal vehicle is required.



Work Setting

Contacts

Frequency Legend	
Constant – every day for most of the day	Occasional – bi-weekly to monthly
Frequent – daily	Rare – once in a while
Regular – weekly	

Contact	Frequency	Nature of Interaction
Library Board	Occasional	Reports to
Management Team	Frequent	Supervises/Directs their activities
Council	Occasional	Regular updates on library activities, budget requests, community events
SMT/EMT	Occasional	Bi-Monthly planning meetings, partnership of joint projects with various departments
CAO and Mayor	Occasional	Monthly library /Annual Board meeting. Discuss and review key library issues
Regional Library CEOs	Occasional	Weekly communications/Quarterly meetings, direct/share in joint activities or consortia purchases
Durham Region Staff	Rare	Active partnerships on Library Settlement projects, Health initiatives, and Maker Space/Intelligent community activities.
Ministry of Tourism Culture and Sport	Rare	Reports annual statistical and financial operations to
Media	Regular	Press Releases, Articles, Social Media posts
Community Groups	Occasional	Monthly reports/Quarterly events, attends special events
Chamber of Commerce	Occasional	Attends Quarterly meetings/Special Events
Public	Regular	Address issues with library policies/procedures, emcee at large scale library events, participant in community activities.

Working Conditions

In compliance with the *Accessibility for Ontarians with Disabilities Act*, Clarington Public Library will develop accessibility accommodation plans as needed. Supervisors will consult with employees to develop an individual accommodation plan that adjusts or modifies the work environment or the method of doing work, in order to address the needs of the employee.

Physical Requirements:

- Manual dexterity to operate computers and office equipment.
- Continuously lift objects under 1 kg. for up to 1 hour; occasionally lift loads under 10 kg.
- Occasionally push loads under 100 kg.
- Required to sit at a desk for prolonged periods, up to 3 hours.
- Required to view a computer screen for prolonged periods, up to 3 hours.
- Required to stand for prolonged periods, for up to 3 hours when on public service duty.
- Reach, bend, walk, and maneuver in aisles/stairs.

Physical Environment: (nature of physical environment, exposure to hazards/risk of injury)

- Work mainly indoors in a clean, climate-controlled environment.
- Work in a public building in a joint-use facility with public meeting rooms with an increased risk of violent behaviour.
- May be exposed to electric charge, book dust, printer's ink from new books, and moulds as well as illness, tobacco smoke residue, and other chemicals from the public.
- Required to sit at a desk for prolonged periods, up to 3 hours.
- Required to view a computer screen for prolonged periods, up to 3 hours.
- Required to stand for prolonged periods, for up to 3 hours when on public service duty.
- Required to drive between the Branches on a regular basis.

Mental Environment: (frequency of interruptions, contact with public, deadlines, control of work schedule):

- Work in a sometimes noisy, customer-driven environment, with frequent interruptions.
- Works with diverse demographics including infants, children, teens, adults and older residents – some of whom have special needs.
- Works with senior and other town staff, external partners, school staff and faculty, local associations and businesses, as well as board trustees and elected officials.
- Maintain effective public service when staff levels are temporarily down.
- Work to deadlines for planning and implementing special projects, programs, services, and reference responses.
- Occasionally exposed to unpredictable, intimidating, belligerent, or unpleasant behaviour by members of the public with potential to escalate into an unsafe situation. Frequently may be the senior staff on duty, so required to take action to resolve the problem.
- Work schedule is pre-determined, Saturday and evening shifts are required, and may be altered based on service needs or to cover staff absences.

10. Policy Resolution

Any questions, concerns, or requests for clarification regarding the interpretation or application of this policy can be directed to the CEO at ceo@cplma.ca

If the matter remains unresolved or the party is not satisfied with the CEO's determination, the issue may then be formally escalated to the Library Board for review at chair@cplma.ca

The decision of the Library Board shall constitute the final authority on all matters related to the interpretation and application of this policy.