

Board of Directors Resource Manual



P.O Box 416, 70 Hughes Lane

Marmora, ON

KOK 2MO

Phone: 613-472-3137

Fax: 613-472-5516

www.crowevalley.com

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The Crowe Valley Conservation Authority Background Information

Conservation Authorities

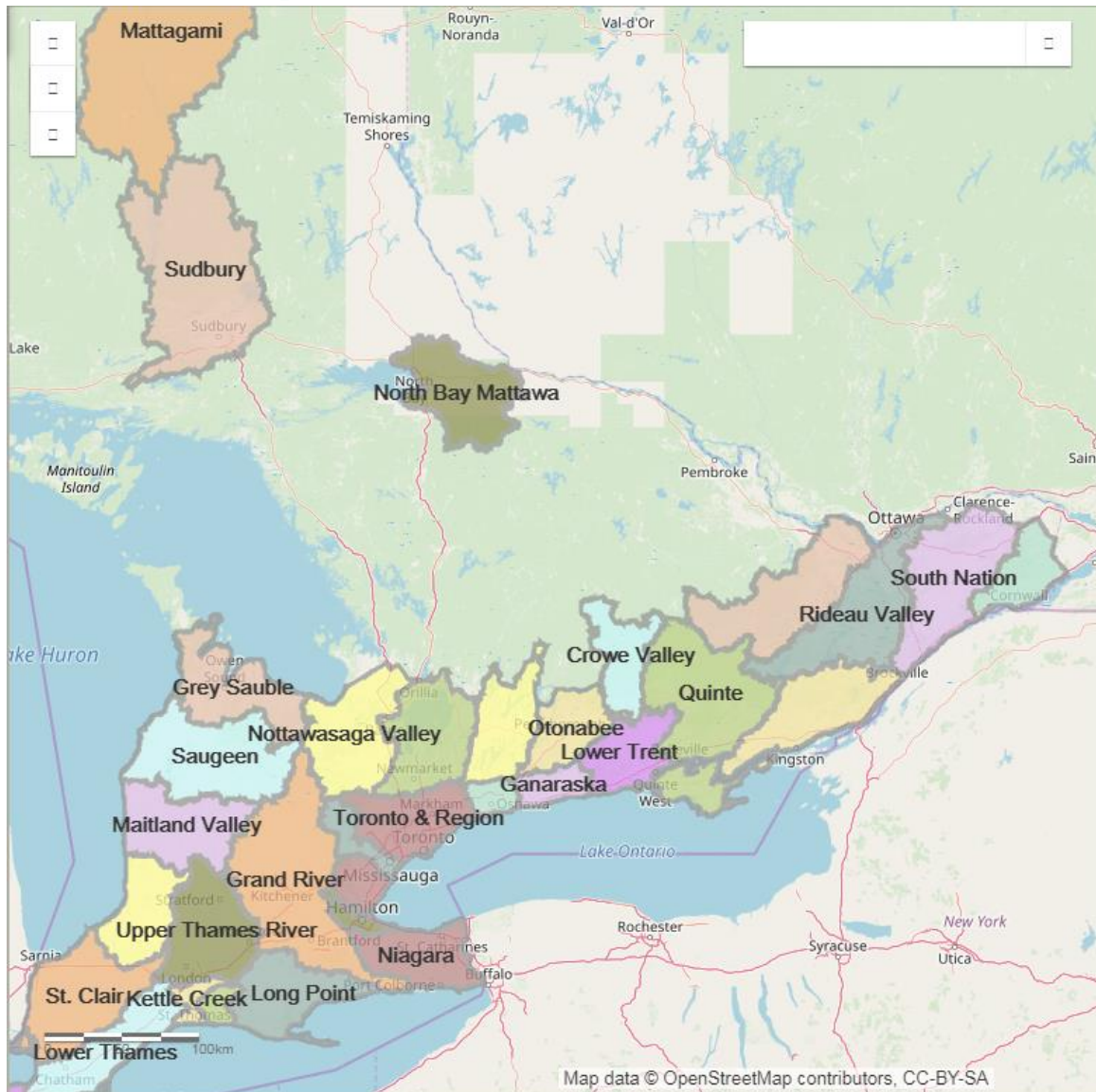
The formation of the Federation of Ontario Naturalists (FON) in 1931 was one of the most significant events to occur in the history of the conservation movement. The FON began by effectively lobbying the provincial government for binding environmental legislation. Then on April 25, 1941, the FON held a meeting at the Ontario Agricultural College in Guelph. Representatives from any organization active in conservation were invited to take part in what was dubbed the 'Guelph Conference'. The primary purpose of the meeting was to formulate a consistent program of conservation upon which corresponding policies could be based.

Ultimately in 1944, the Ontario Ministry of Planning and Development established a Conservation Branch to implement a conservation program that called for co-operation between municipalities and the provincial government. This led to the passing of the Conservation Authorities Act in 1946 and to the establishment of the first Conservation Authority in the same year.

The Ministry of Natural Resources and Forestry (MNRF) is a liaison between the Province of Ontario and Conservation Authorities. Before a Conservation Authority may begin a project or program, it must be approved by MNRF. MNRF also provides policy and technical assistance, representing the provincial concerns to Conservation Authorities.

There are now a total of 36 Conservation Authorities in Ontario (See Conservation Authorities of Ontario Map for locations). Since its inception, Conservation Authorities have become involved in a wide range of activities. Some of the programs include; Community Relations; Flood Control; Hydro Generation; Outdoor Recreation; Tourism; Waterfront Development; Water Quality Monitoring; Flood Plain Management; Etc.

Map of Ontario's Conservation Authorities



Conservation Authorities Mandate

Conservation Authorities were created in 1946 by an Act of the Provincial Legislature. As per Section 20 (1), “The objects of an authority are to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.” R.S.O. 1990, c. C.27, s. 20; 2017, c. 23, Sched. 4, s. 18. This object ensures Ontario’s water, land and natural habitats will be administered through programs that balance human environmental and economic needs.

Goals:

- To ensure that Ontario's rivers, lakes and streams are properly safeguarded, managed and restored.
- To protect, manage and restore Ontario's woodlands, wetlands and natural habitat.
- To develop and maintain programs that will protect life and property from natural hazards such as flooding and erosion.
- To provide opportunities for the public to enjoy, learn from and respect Ontario's natural environment.

The History of the Crowe Valley Conservation Authority

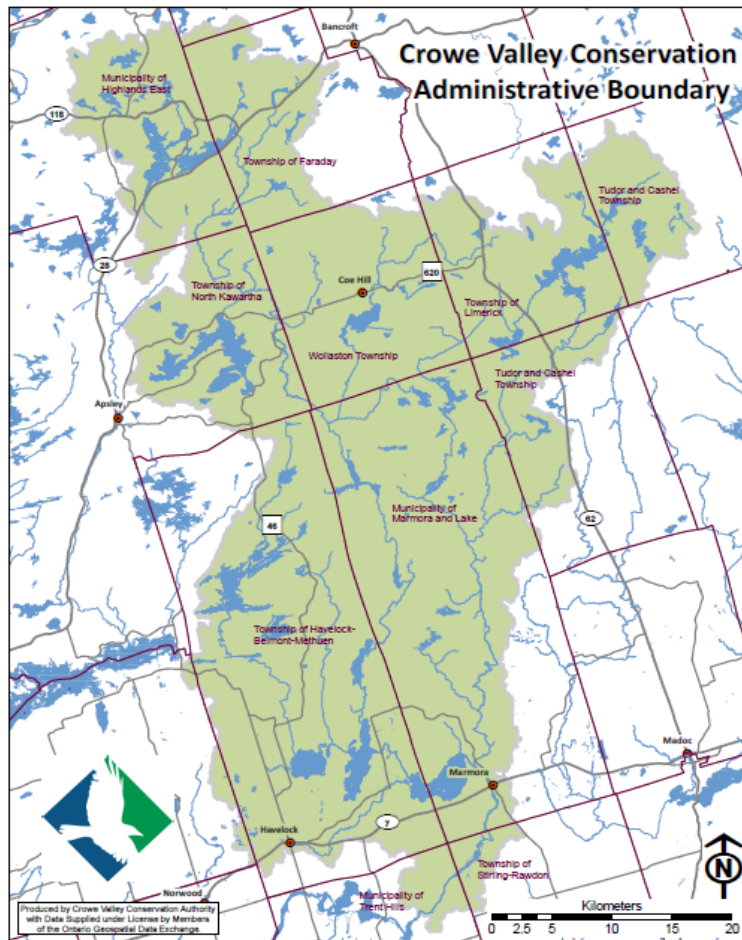
The Crowe Valley Conservation Authority was formed on November 6, 1958. Its purpose and goal remains the same as stated in Section 20 of *The Conservation Authorities Act*, with a primary focus on water management, source water protection, flood forecasting and warning, monitoring and conservation of land for public education and recreational usage.

Upon inception, the CVCA's office was located in Peterborough through a shared venture with the Otonabee Region Conservation Authority. Soon, it became apparent the CVCA's office needed to move to its own location, which the Authority did by locating to the home of the Secretary-Treasurer in Havelock. From there the office was relocated in the old post office building, (presently occupied by the Village of Havelock's Administrative Offices) to the basement of the town hall, and finally in 1979, to where it is presently situated in Marmora overlooking the Crowe River.

The Crowe Valley Conservation Authority's Administrative office was constructed in the latter part of 1952 for the Marmora Mining Company as a "Guest House". After the closing of the Marmoraton Mining Company in 1978, the building was sold to the Village of Marmora, who re-sold the building to the Crowe Valley Conservation Authority for \$75,000.00.

The Crowe Valley Conservation Authority has a watershed of approximately 2,006 square kilometers or 774.5 square miles. It encompasses all or parts of the municipalities: Havelock-Belmont-Methuen, Marmora & Lake Townships, Municipality of Trent Hills, Township of Faraday, Municipality of Highlands East, Township of Limerick, Township of Stirling-Rawdon, Tudor and Cashel Townships, Wollaston Township and the Township of North Kawartha. (See CVCA Administrative Boundary Map)

Crowe Valley Conservation Boundary Map



Since its founding, the Crowe Valley Conservation Authority (CVCA) has primarily been responsible for water control. The Crowe Valley Conservation Authority covers the area drained by the Crowe River and its tributaries, the North River and Beaver Creek. The CVCA operates and maintains a system of dams on the Crowe River and its tributaries for the purpose of releasing water during high periods, sustaining summer levels and drawing down the lakes to winter levels. Dams owned and operated by the CVCA are located at: Wollaston Lake, Belmont Lake, Allan Mills on the Crowe River, Marmora, Cashel Lake and Oak Lake. CVCA also owns a weir dam located at Crowe Bridge Conservation Area. Also located within the boundary of the Crowe Valley Conservation Authority are the following dams which are owned by the Ministry of Natural Resources and Forestry: Paudash Lake Dam, St. Ola/ Limerick Dam, Cordova Lake Dam, Round Lake Dam and Kasshabog Lake Dam. The CVCA has an operating agreement to make stop log adjustments at Cordova, Round and Kasshabog dams, which are owned by the Ministry of Natural Resources and Forestry. Paudash and St. Ola stop log adjustments are conducted by MNRF, but at the discretion of the CVCA. The CVCA also operates the Steenburg Lake Dam

which is owned by the Township of Limerick. As well, the weir at Lasswade Lake was constructed by the CVCA in 1989 but is not owned by the CVCA.

The Crowe Valley Conservation Authority also operates the Shaman Power Hydro Generation Station located at the dam in Marmora. The authority has operated the hydro station on their behalf since September of 1992.

Crowe Valley Conservation Authority also owns four Conservation Areas, Crowe Bridge Conservation Area, Callaghan's Rapids Conservation Area, The Gut Conservation Area and McGeachie Conservation Area. In addition, the CVCA owns the Agreement Forest, which was an MNRF property given to the CVCA.

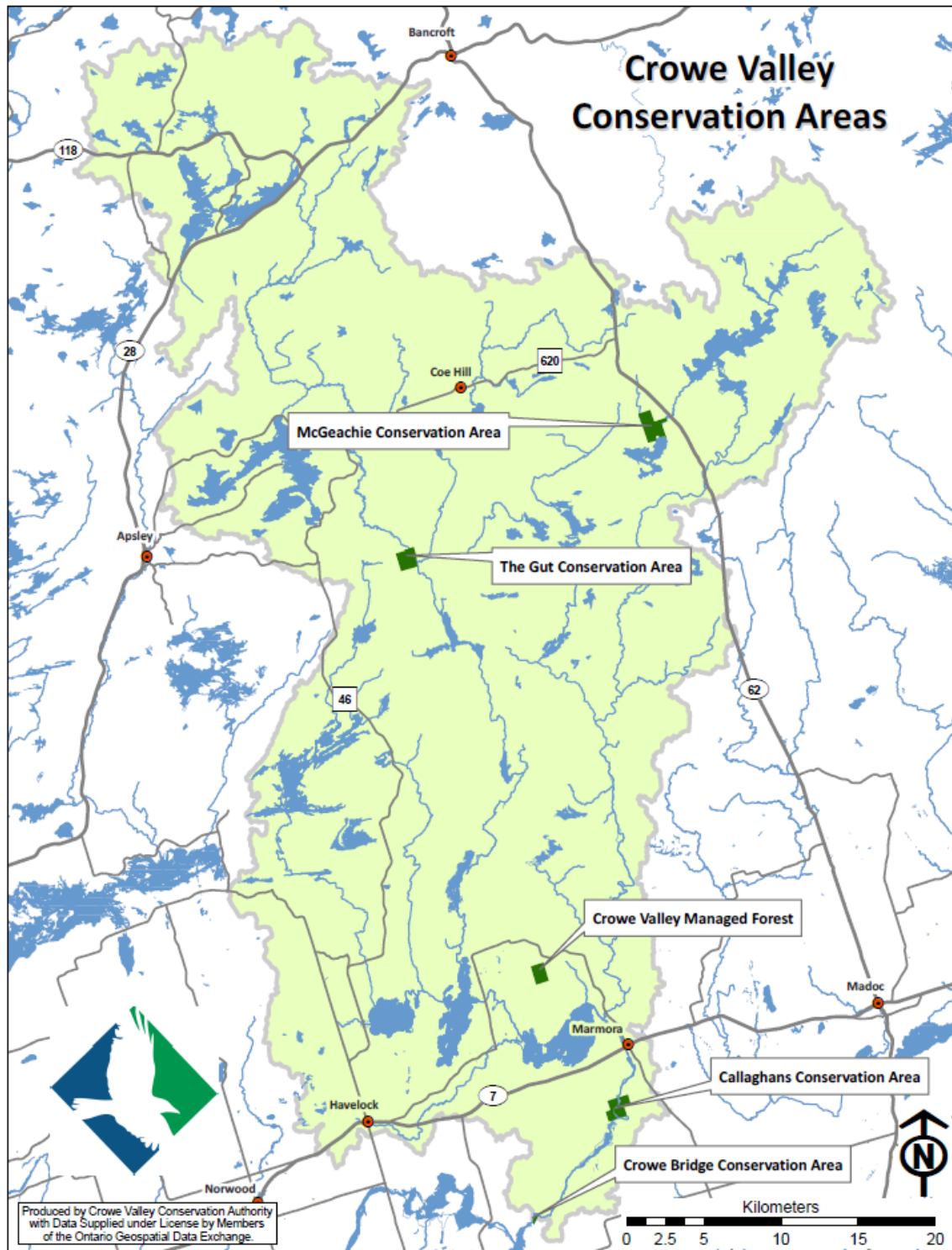
Crowe Bridge Conservation Area was purchased in 1965 and it is a 26 acre parcel of land located at the Southern portion of the watershed, approximately 24Km southeast of Havelock (See CVCA Conservation Area Map for location). Crowe Bridge is leased to the Municipality of Trent Hills.

Callaghan's Rapids Conservation Area was purchased by the Conservation Authority in 1974. Callaghan's Rapids is a 162 Hectare/ 400acre wood lot located 3 Km south of Marmora (See CVCA Conservation Area Map for location).

The Gut Conservation Area was purchased in 1976 and is approximately 400 acres of very rugged land located in the extreme northern corner of Marmora and Lake Township (See CVCA Conservation Area Map for location).

The McGeachie Conservation Area is approximately 500 acres of land located on Steenburg Lake in Limerick Township (See CVCA Conservation Area Map for location). The original property of approximately 330 acres was donated to the Conservation Authority in October of 1994 by Jack and Ethel McGeachie. A number of years later, Bob McGeachie's (Jack's brother) estate was donated by his nephew's Robert and Lloyd McGeachie. As well, a 20 acre parcel was donated by Mrs. Lee a few years later to bring the entire land holding to its current total.

The Authority also owns a 225 acre block of land in Marmora Township known as the Agreement forest, which was given to the authority by the Ministry of Natural Resources and Forestry in 1963.



Operations of the Crowe Valley Conservation Authority

Dam & Hydro Plant Operations

The Crowe Valley Conservation Authority operates the dams and weirs throughout the Crowe Valley watershed in order to minimize the effects of flooding and to maintain seasonal water levels primarily for recreational purposes, fish habitat and environmental issues. There are also two hydro plants in the watershed – one at Cordova Lake which is owned and operated by Algonquin Power Ltd. and one at the Marmora Dam which is operated by the Authority and owned by Shaman Power Ltd.

The primary dam operators for the CVCA are the Water Technician and Land Technician. The remaining dam operators are drawn from the remaining staff complement as required. Stop log manipulations comprise of logs placed in, out, jacked or replaced in the dam gains. There are over 200 logs in the CVCA network of dams and on any given day depending on weather conditions, many of this total could be taken out or placed into the dams.

The forecast must be done at least once a day, 365 days a year. Three CVCA staff members share on call duties for the Shaman Power hydro plant 24 hours a day, 365 days a year. In addition, the duty forecast work for the weekends is also currently shared with three staff. During a flood warning, the office is manned 24 hours per day until the flood event has subsided and hazardous conditions do not pose a serious threat to watershed residents or property.

Conservation Areas

The Crowe Valley Conservation Authority currently maintains four conservation areas within the watershed; Crowe Bridge Conservation Area, The Gut Conservation Area, McGeachie Conservation Area and Callaghan's Rapids Conservation Area.

Crowe Bridge Conservation Area

Crowe Bridge Conservation Area (CBCA) is approximately 26 acres. Crowe Bridge



Conservation Area was purchased in 1965. It is located approximately 24 kilometers southeast of Havelock in Seymour Township. The park is located right on the Crowe River and has sections of rapids and small waterfalls with sections of limestone bottom. The road divides the park into two 13 acre sections. Originally, one side was a day-use facility the other as a campground. Over the years, a number of improvements and structural

additions were made.

The day use side of the conservation area offered mini-golf, swimming, picnicking and hiking. The campground side of the park had 50 secluded campsites. The campground side of the park was not operated during the 2006 season and the day use side was closed in 2007 due to escalating expenditures resulting in losses to the CVCA of approximately \$30,000 in the final year of operation. Ultimately, Crowe Bridge was leased to the Municipality of Trent Hills.



McGeachie Conservation Area

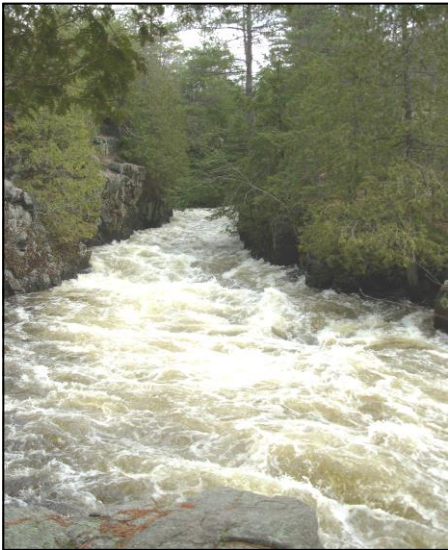
The McGeachie Conservation Area is 500 acres of land located on Steenburg Lake in the Limerick Township. The property was donated to the Conservation Authority in October of 1994 by Jack



and Ethal McGeachie. An additional 100 acres was later donated by Robert McGeachie. The property has a cottage on it that the authority rents out to the public, with the most rentals in the summer season.

The cottage sleeps eight people comfortably and is equipped with most of the amenities for an extended stay.

There is a dock and a canoe for use as well. A public beach is less than a 5 minute walk from the cottage. The McGeachie Conservation Area is a day-use park only – unless people are renting the cottage. The property is ideal for cross country skiing, hiking, biking and so much more.



The Gut Conservation Area

The Gut Conservation Area is located approximately 11 kilometers east of Apsley on Concession 1 in the extreme northern corner of Lake Township. This Conservation Area is 162 hectares of rugged terrain and many outcrops of Precambrian rocks interspersed with dense bush and a mixed hardwood forest. The Gut encompasses a prominent geological feature, locally known as the 'Gut', which is a large gorge through which the Crowe River flows for about 230 metres. The fissure that forms the gorge is over 30 metres high and varies from 5 metres to 10 metres in width. The property was previously owned by lumber companies who used the Crowe River to transport their logs to market. Some local residents remember the Pearce Lumber Co. (1850-1950) and the Armstrong Lumber Co. (1950-1976) as previous owners of the property. A fire in 1913 combined with the logging operations reduced the amount of big timber present on the site, but natural regeneration has returned the majority of the property to a lush forest once again. The Gut Conservation Area is open to the public as a day use park only.

Callaghan's Rapids Conservation Area

Callaghan's Rapids Conservation Area was purchased by the Conservation Authority in 1974. Callaghan's Rapids is a 162 hectare/400acre wood lot located 3 km south of Marmora. The Conservation Area encompasses a section of rapids on the Crowe River. The property is almost



completely wooded with a mix of hardwoods and conifers and supports a diverse array of flora and fauna. The area is ideal for passive outdoor activities such as swimming, hiking and cross country skiing. The Conservation area is open to the public as a day use park only. However, the past few years the Conservation Authority has been faced with increasing problems at Callaghan's with illegal

camping, ATV use, garbage and vandalism. As a result the people who are committing these acts are making the area less enjoyable for others. CVCA staff can lay charges under Section 29 under the Conservation Authorities Act (see the attached act), however limited staff resources do not permit this activity.

Source Water Protection

On behalf of its member municipalities, CVCA participates in a provincial program to protect drinking water from contamination and overuse, referred to as Drinking Water Source Protection. Legislation to protect our sources of drinking water, the *Clean Water Act*, was introduced in the Ontario legislature in December of 2005, and received Royal Assent on October 19, 2006. After the tragedy of Walkerton, ON in 2000, where E. coli contamination of municipal drinking water caused several deaths and made nearly half the town seriously ill, a subsequent Inquiry led to the recommendation of a 5 barrier approach to ensure drinking water is safe. The first of which is protecting it at its source – Drinking Water Source Protection. This first barrier is the most crucial and cost effective, as water that is cleaner when it is drawn to begin with requires less treatment to decontaminate water.

The Ministry of Environment, Conservation and Parks (MECP) leads the provincial program and provides technical guidance to participating municipalities and conservation authorities.

Crowe Valley is a partner in what is known as a source protection region, named the Trent Conservation Coalition (TCC). The largest in the province, the TCC source protection region is a collaborative partnership of five conservation authorities (Crowe Valley, Ganaraska Region, Kawartha, Lower Trent, and Otonabee Conservation Authorities). Regular meetings are held to plan and share resources in completing drinking water source protection initiatives. For general information on source water protection in the region, follow this link:

<http://trentsourceprotection.on.ca/resources/educational-resources>

The TCC's Source Protection Committee, comprising of municipal and various sectoral representatives, acquired technical information and developed policies that led to the creation of two Source Protection Plans (SPP) for the region: the Trent SPP and Ganaraska SPP. The Trent SPP applies to Crowe Valley's jurisdiction. The Trent SPP was approved in October of 2014 and became effective on January 1st, 2015. Therefore, Crowe Valley is entering into its 4th year of implementation of the SPP policies. Municipalities, Conservation Authorities, Risk Management Officials and the MECP report on implementation of the Trent SPP policies annually. At the present nearly all of the Trent SPP policies are being effectively implemented across all municipalities.

Watershed Characterization Report:

In efforts to initiate specific activities aimed at protecting the sources of drinking water within a watershed, it is necessary to understand the physical, sociological, and economic characteristics of the watershed. The purpose of the watershed characterization report of the technical assessment is to achieve a sufficient understanding of these characteristics that contribute to the threat, vulnerability, and risk assessment phases.

These watershed reports include several chapters such as: watershed description, water quality, water quantity (water use), vulnerable areas, threats inventory, issues and concerns, data gaps, as well as an annotated bibliography and a series of about 40 maps. These reports contain the technical information and are the first step in the source water protection plan.

Water Budget

Water budget analysis is undertaken in a watershed to measure and characterize the contribution of each component of the hydrologic cycle/system (eg. precipitation, evapotranspiration, groundwater inflow and outflow, surface water outflow, change in storage, water withdrawals, etc.) A water budget provides information about how water flows onto, through, and below the surface of the ground. Water budgets can be used to:

- Set qualitative hydrological targets (water allocation, recharge rates, etc)
- Evaluate the implications of existing and proposed land/water uses
- Evaluate the cumulative effects of land and water uses.
- Provide a framework for site-scales (hydro geological evaluation or a sewage and water plan).
- Help in designing environmental monitoring programs
- Assist in setting target for water conservation
- Assist in establishing long term water supply plans.

The water budget encompasses all three sub-watershed systems in the Crowe Valley watershed.

Requests for proposals

Surface water intake studies were completed in summer of 2006. Dye tests were completed to estimate the time of travel and capture zones for the municipal surface water intake in Marmora. Applications for municipal grant proposals for surface water and groundwater were developed and submitted.

What we're doing now?

Crowe Valley Conservation Authority includes is part of a team of technical staff which have gathered the scientific data and relevant information to aid in the development of policies. Fortunately, the implementation plan has been approved by the Province and is now in the implementation stage.



Provincial Groundwater Monitoring Network (PGMN)

Crowe Valley Conservation Authority has been actively involved in the provincial groundwater monitoring network since 2000. Seven well sites monitor ambient groundwater level and quality data throughout the watershed. The collection of this data allows conservation authority staff to understand how land uses affect the groundwater and groundwater use. PGMN data is also used in source water protection planning and the calculation of water budget. Dedicated pumps have been installed in four of the seven sights for fall sampling of groundwater.

Through the PGMN, conservation authorities have an agreement with the Ministry of the Environment Conservation and Parks where CVCA is responsible for the field operations, maintaining field equipment, collecting water and data samples, chemical analysis of the fall samples and data analysis and reporting on a local level.



Provincial Water Quality Monitoring Network (PWQMN)

The Crowe Valley Conservation Authority has partnered with the Ministry of the Environment and Conservation and Parks (MECP) to participate in the Provincial Water Quality Monitoring Network (PWQMN). The PWQMN involves taking monthly surface water samples from May to November for chemical analysis. The samples are analyzed by the MOECP lab for parameters including, temperature, pH, conductivity, suspended solids, metals, nutrients, turbidity and temperature.

The Crowe Valley Conservation Authority has 5 sites throughout the watershed. MECP has an [interactive map](#) with locations of sample sites available for the public.

Flood Warning Plan

As part of the Authority's flood forecasting and warning system, the CVCA issues a yearly updated Flood Warning Plan. This is a manual with emergency contact information. The Flood Warning Plan outlines the Authority's role and the municipality's role in the event that a major flood should occur within the watershed. The flood warning plan gets distributed to the municipalities in the watershed, each board member, neighboring conservation authorities, MPPs, Ontario Provincial Police contacts, CVCA staff members, Ministry of Natural Resources and Forestry, Trent Severn Waterway and the Department of Fisheries and Oceans. The flood warning plan does not get distributed until after the annual meeting in February due to changes with Board members.

CVCA Watershed Regulation

In 2006, Ontario Regulation 159/06 was made under the Conservation Authorities Act. It is the CVCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulation was implemented and enforced by the Authority in 2007. Its purpose is to protect the public, property and the environment. This is accomplished by acquiring approval through permits for work that could negatively impact natural hazards.

Natural hazards are processes such as flooding and erosion that could be worsened if development (buildings and structures) and site alterations (i.e. filling, excavating and grading) are not conducted in a manner that accounts for potential impacts. The CVCA's review process under the regulation ensures that impacts related to natural hazards will be negated. However, the regulations are also permissive in nature and offer flexibility to the Authority in order to accommodate watershed residents' development proposals as much as possible while meeting the objectives of the regulation.

Erosion:

Erosion is the process that occurs when the land surface is worn away. The CVCA is primarily concerned with erosion along valleys, slopes next to waterbodies and the channels of watercourses.

If a structure is built at the top of a slope without consideration for slope stability, it is possible that the slope could erode over time and the structures may be damaged or lost. Through the permit process the CVCA makes sure that all structures are located outside of areas subject to erosion.

Flooding:

The land next to a watercourse or water body that is anticipated to flood is called a floodplain. This area is determined through a study that accounts for weather, topography, soil types, etc. and determines how high the water will rise during a major storm and/or spring melt. CVCA protects people and property from the regulatory flood (a flood that has one percent chance of happening in any year) in part by making sure that all structures are outside of the floodplain and the floodplain is not decreased by filling. If filling takes place in the floodplain without excavating the same volume elsewhere in the vicinity, the water that used to flow in that area during flood conditions is displaced into areas that did not previously flood. Personal loss and property loss can result.

The areas covered by the regulation are limited to watercourses, shorelines, valleys (usually next to watercourses), wetlands and lands next to these features. If any work is planned in these areas, you can refer to the screening criteria that follow to determine if a permit is required.

A permit may be required if your project is:

- In the channel of a watercourse or in a waterbody.
- Within 30 m of the floodplain associated with a watercourse or waterbody.
- Within 15 m of the top of a bank of a watercourse or waterbody.
- In a wetland.
- Within 120 m of a Provincially Significant Wetland.
- Within 120 m of all other wetlands greater than 2 hectares.
- Within 30 m of all wetlands less than 2 hectares.

Permits are required for:

- Placing, removal or grading of fill material.
- Erecting structures including, but not limited to, buildings (both habitable and non-habitable), docks, decks and retaining walls.
- Altering a watercourse or waterbody including, but not limited to, culvert or bridge installation or repair, “clean out”, channelization and erosion control.

The public is encouraged to contact the Crowe Valley Conservation Authority for pre-consultation so the application you submit has all the required information and identifies all of the natural hazards on your project site. Generally applications are approved, but the Authority may attach certain conditions to your permit to make sure that the resulting work is safe for people and the environment.

The CVCA generally permits the following projects:

Grading and filling that does not negatively impact wetlands, floodplains and watercourses.
Structures that are safe from flooding and erosion hazards. Alterations to watercourse and shorelines that do not aggravate flooding or erosion, negatively impacts fish habitat or degrade water quality.

Frequently Asked Questions

What is Conservation Ontario?

Conservation Ontario is a non-government organization representing the 36 Conservation Authorities at the provincial level. It is the umbrella organization assisting Ontario's authorities meeting ongoing and future issues affecting the conservation authority movement.

What is a Conservation Authority?

Conservation authorities are local, community based environmental agencies. They represent municipalities that are in part or wholly situated in a shared watershed and work in partnership with others to manage their respective watersheds. The Conservation Authorities Act provides the means by which the Province and Municipalities of Ontario could join together to form a conservation authority within a specific watershed (or sometimes a collection of smaller watersheds to create a region) to undertake programs of natural resources management. Today, conservation authorities operate in watersheds in which 90% of the provincial population resides.

Key areas of Authority activity include:

Environmental Protection - The Conservation authorities of Ontario protect local ecosystems and contribute to the quality of life in communities throughout the province.

Water Resource Managers - The Conservation Authorities are Ontario's community based environmental experts, who use integrated, ecological sound environmental practices to manage Ontario's water resources on a watershed basis, maintain secure supplies of clean water, protect communities from flooding and contribute to municipal planning processes (that protect water).

Lifelong Learning – The Conservation Authorities of Ontario create educational experiences in a natural environment that enriches the lives of peoples of all ages, by instilling an appreciation of our diverse natural heritage.

What is a watershed?

A watershed is an area of land that catches rain and snow which then drains or seeps into a marsh, river, lake, or groundwater. Homes, farms, cottages, forests, small towns, big cities, and more can make up watersheds.

Some cross municipal, provincial and even international borders. They come in all shapes and sizes and can vary from millions of acres, like the land that drains into the Great lakes, to a few small acres that drain into a pond.

What is Watershed Management?

Watershed management encompasses a broad spectrum as water quality and quantity issues are considered. Water managers in the conservation authority “business” must take into account upstream decisions and how it will affect downstream ecosystems and users for water quality and quantity. Watershed management at the CVCA must try to balance the needs of the environment with human requirements.

The Conservation Ontario model has received worldwide recognition over its 50 plus year history and the watershed is now recognized as one of the premier natural ecosystem units on which to manage resources.

What is Conservation Ontario’s vision/mission?

Vision: The Conservation Authorities of Ontario have as their vision, watersheds where human needs are met in balance with the needs of natural environment.

Mission: The Conservation Authorities of Ontario have as their mission, to provide leadership through coordination of watershed planning, implementation of resources management programs and promotion of conservation awareness, in cooperation with others.

What do Conservation authorities do?

Conservation Ontario works on behalf of conservation authorities to do the following:

Raise awareness: Through local, regional and provincial media relations and speaking engagements, Conservation Ontario raises awareness of conservation authorities with key audiences at a watershed community and provincial level.

Build relationships with opinion leaders and decision makers through one-on-one contact, information resources and shared profile building, create opportunities to: become a “value-

added” resource to key influencers and decision makers, cultivate “champions” – exports or authorities – who can provide third-party endorsement of conservation authorities and their roles in safeguarding Ontario’s environment and natural heritage resources.

Influence decision making and the outcomes of decisions on conservation authorities. Conservation Ontario promotes conservation authorities’ expertise in managing Ontario’s environment and contributes to the quality of life that we enjoy. Lives and property are saved, limiting further exposure to hazards (thereby reducing the overall economic impact on the provincial taxpayer) attracting economic development to healthy communities and increasing tourism.

Other Information Resources:

Conservation Ontario Website:

<http://conservation-ontario.on.ca/>

Crowe Valley Conservation Authority Website:

www.crowevalley.com

For a list of all of the Conservation Authorities in Ontario:

<http://www.svca.on.ca/calinks.htm>

Ministry of Natural Resources and Forestry Website:

<https://www.ontario.ca/page/ministry-natural-resources-and-forestry>

Ministry of the Environment, Conservation and Parks Website:

<https://www.ontario.ca/page/ministry-environment-conservation-parks>

Crowe Valley Conservation Authority

Administrative By-Law No. 2018-01

Approval Date: 20 September 2018

Renewal Date: 2022 (or as necessary)

Preface

The Conservation Authorities Act, as amended by the Building Better Communities and Conserving Watersheds Act, 2017, provides direction for conservation authorities to make such by-laws as are required for its proper administration. Section 19.1 of the Act, sets out the requirements for by-laws. This Administrative By-law Model and Best Management Practices for Code of Conduct and Conflict of Interest are designed to ensure compliance with the requirements of Section 19.1.

Where municipal legislation conflicts with any part of this by-law (e.g. Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those Acts), the provision of that Act or regulation prevails.

CONSERVATION AUTHORITY

Best Management Practices (BMP) and Administrative By-Law Model

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I. Background

1. Amendments to the *Conservation Authorities Act*

The *Conservation Authorities Act*, as amended by the *Building Better Communities and Conserving Watersheds Act, 2017*, provides direction for conservation authorities to make such by-laws as are required for its proper administration. The new bylaws will replace administrative regulations created under the repealed Section 30 of the Act. Current administrative bylaws will cease to be in force upon the earlier of a) December 12, 2018 (one year after Section 19.1 came into force), or b) the day the regulation is revoked by the authority.

Section 19.1 of the Act, sets out the requirements for by-laws as follows:

By-laws

19.1 (1) An authority may make by-laws,

- (a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
 - (i) the termination of the services of the secretary-treasurer,
 - (ii) the power to raise money, and
 - (iii) the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the authority;
- (e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;
- (f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;
- (g) requiring accountability and transparency in the administration of the authority including,
 - (i) providing for the retention of records specified in the by-laws and for making the records available to the public,
 - (ii) establishing a code of conduct for the members of the authority, and
 - (iii) adopting conflict of interest guidelines for the members of the authority;

- (h) respecting the management of the authority's financial affairs, including auditing and reporting on the authority's finances;
- (i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and
- (j) respecting such other matters as may be prescribed by regulation.

Conflict with other laws

(2) If a by-law made by an authority conflicts with any provision of the *Municipal Conflict of Interest Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or a provision of a regulation made under one of those Acts, the provision of the Act or regulation prevails.

Periodic review of by-laws

(3) At such regular intervals as may be determined by by-law, an authority shall undertake a review of all of its by-laws to ensure, amongst other things, that the by-laws are in compliance with any Act referred to in subsection (2) or any other relevant law.

By-laws available to public

(4) An authority shall make its by-laws available to the public in the manner it considers appropriate.

Transition

(5) An authority shall make such by-laws under this section as are required for its proper administration,

- (a) in the case of an authority that was established on or before the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of that day; and
- (b) in the case of an authority that is established after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of the day the authority is established.

Same

(6) Despite the repeal of section 30 by section 28 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, a regulation that was made by an authority under that section continues in force after the repeal until the earlier of,

- (a) the day that is one year after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force; and
- (b) the day the regulation is revoked by the authority.

Direction by Minister

(7) The Minister may give an authority a written direction to make or amend a by-law on any matter described in subsection (1), in accordance with the direction, within such period of time as may be specified in the direction.

Compliance

(8) The authority that receives a direction under subsection (7) shall comply with the direction within the time specified in the direction.

Regulation where failure to comply

(9) If an authority fails to adopt a by-law in accordance with the direction made under subsection (7), the Minister may make regulations in relation to the matters set out in the direction that are applicable in the area of jurisdiction of the authority.

Same

(10) Any regulation made by the Minister under subsection (9) prevails over any conflicting by-law that the authority may have adopted.

2. Purpose of Best Management Practices (BMP) and Administrative By-law Model

This document is intended to provide a model for an Administrative By-law and the Best Management Practices associated with the By-laws required under Section 19.1 of the *Conservation Authorities Act*. It is a guideline which can be used as the basis for such governing documents to be adopted by individual conservation authorities.

The Administrative By-law Model and Best Management Practices for Code of Conduct and Conflict of Interest are designed to ensure compliance with the requirements of Section 19.1.

Some wording in the Administrative By-law Model is suggested, but not required. Other sections are recommended, but the final wording will be specific to individual authorities. Those sections are highlighted, with explanations included.

It is a goal of this Administrative By-law Model and Best Management Practices to ensure a high level of consistency among conservation authorities, with respect to governance. One way to increase this consistency, is for all conservation authorities to adopt Administrative By-laws and Best Management Practices that are based on a single model. Alternatively, individual authorities may develop and approve their own versions of these documents, as long as these versions are compliant with the *Act* and other relevant legislation. A checklist is included, in Section IV, to assist conservation authorities in ensuring that their Administrative By-law and Best Management Practices will comply with Section 19.1 of the *Act*.

3. Basis of Best Management Practices (BMP) and Administrative By-law Model

By-laws are considered a legal governing document. In the spirit of best management practices of transparency and accountability, the approach to the

language and layout of the Administrative By-law Model is to ensure it is understandable to the general public.

All existing conservation authority by-laws received by Conservation Ontario in July and August 2017 were reviewed during the preparation of the Administrative By-law template. The Conservation Ontario Working Group provided additional input in order to prepare that draft for review by all conservation authorities.

Where municipal legislation conflicts with any part of this by-law (e.g. *Municipal Conflict of Interest Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or a provision of a regulation made under one of those Acts), the provision of that Act or regulation prevails.

Along with the issues identified by the Working Group the following resources were used as reference to research and analyze best management practices:

- Existing conservation authorities By-laws/Members Guidebooks/Policy and Procedures received by Conservation Ontario:
 - Sault Ste. Marie Conservation Authority
 - Toronto Region Conservation Authority
 - Upper Thames River Conservation Authority
 - Central Lake Ontario Conservation Authority
 - Essex Region Conservation Authority
 - Kawartha Region Conservation Authority
 - Hamilton Conservation Authority
 - Lower Thames Conservation Authority
 - Nottawasaga Conservation Authority
 - Saugeen Valley Conservation Authority
 - Catfish Creek Conservation Authority
 - Grand River Conservation Authority
- Provincial and other best management practices for board governance: *Ontario Not-for-Profit Corporations Act*, Ministry of Municipal Affairs, Association of Municipalities Ontario, Board of Health Governance Toolkit, other local boards under the Municipal Act, Ontario Ombudsman Municipal Meetings FAQ, Ontario Ombudsman investigations, British Columbia Integrity Office
- Not for Profit best management practices for board governance: First Reference Policy Pro, Board Governance Classics, *Canada Not-for-Profit Corporations Act*
- Ontario legislation:
 - *Conservation Authorities Act*;
 - *Municipal Act*, *Municipal Conflict of Interest Act*;
 - *Municipal Freedom of Information and Protection of Privacy Act*;
 - and
 - *Accessibility for Ontarians with Disabilities Act*.

4. Legal Review and Finalization of this Document

Bill 139, *Building Better Communities and Conserving Watersheds Act*, 2017 came into force on December 12, 2017. Each conservation authority will have until December of 2018 to have Section 19.1 compliant by-laws in place. Due to timing of the 2018 municipal elections (October 22, 2018), conservation authorities should plan on adopting their new By-laws in the late summer or fall of 2018, prior to a significant turnover in their membership.

The draft BMP and Administrative By-law Model was circulated to all 36 conservation authorities in November 2017 and amendments were made further to the comments received. It was presented to Conservation Ontario Council on December 11, 2017, and received endorsement in principle.

South Nation Conservation coordinated a legal review of the document in February 2018.

Ministry of Natural Resources and Forestry staff reviewed the document and sought feedback from the Ministry of Municipal Affairs and the Association of Municipalities of Ontario. The requested changes resulting from those discussions have been incorporated. A 'final' version of the BMP and Administrative By-law Model was forwarded to MNRF staff on March 7, 2018 and minor edits (e.g. wording changes, elimination of duplication) were undertaken at their request on April 5, 2018. This final version was brought to the April 16, 2018 Conservation Ontario Council meeting for endorsement. Beginning in April 2018, training and assistance will be available to individual conservation authorities so they can adopt their own version of the BMPs and Administrative By-law in 2018.

Any information provided in this document, including the Administrative By-law Model, is not intended to be a substitute for legal advice. Individual conservation authorities are recommended to obtain an independent legal review of their by-laws before final General Membership approval.

II. Administrative By-Law Model

Introduction

Crowe Valley Conservation Authority is a non-share corporation, established under Section 3 of the *Conservation Authorities Act*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, coal and minerals.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. The purpose of the Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario. The Authority is comprised of its Members, appointed as representatives by the following Participating Municipalities:

Municipality of Faraday
Township of Havelock-Belmont-Methuen
Municipality of Highlands East
Township of Limerick
Municipality of Marmora and Lake
Township of North Kawartha
Township of Stirling-Rawdon
Municipality of Trent Hills
Township of Tudor & Cashel
Township of Wollaston

Vision/Mission –

The Members of the Conservation Authority form the General Membership of the Conservation Authority. The Members are bound by the Act and other applicable legislation. The Authority must always act within the scope of its powers. As a non-share corporation, the Authority has the capacity and, subject to the Act and other applicable legislation, the rights, powers and privileges of a natural person. The powers of a conservation authority to accomplish its objects are set out in the Act, including those identified under subsection 21(1):

Powers of authorities

21 (1) For the purposes of accomplishing its objects, an authority has power,

- (a) to study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed;
- (b) for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land and survey and take levels of it and make such borings or sink such trial pits as the authority considers necessary;
- (c) to acquire by purchase, lease or otherwise and to expropriate any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired;
- (d) despite subsection (2), to lease for a term of five years or less land acquired by the authority;
- (e) to purchase or acquire any personal property that it may require and sell or otherwise deal therewith;
- (f) to enter into agreements for the purchase of materials, employment of labour and other purposes as may be necessary for the due carrying out of any project or to further the authority's objects;
- (g) to enter into agreements with owners of private lands to facilitate the due carrying out of any project;
- (h) to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them;
- (i) to erect works and structures and create reservoirs by the construction of dams or otherwise;
- (j) to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof;
- (k) to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole;
- (l) to use lands that are owned or controlled by the authority for purposes, not inconsistent with its objects, as it considers proper;
- (m) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;

(m.1) to charge fees for services approved by the Minister;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 21 (1) (m.1) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 19 (3))

(n) to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations and individuals;

(o) to plant and produce trees on Crown lands with the consent of the Minister, and on other lands with the consent of the owner, for any purpose;

(p) to cause research to be done;

(q) generally to do all such acts as are necessary for the due carrying out of any project or as may be desirable to further the objects of the authority.

A. Definitions

“Authority” means the Crowe Valley Conservation Authority

“Act” means the *Conservation Authorities Act*, R.S.O. 1990, chapter C.27

“Chair” means the Chairperson as referenced in the Act as elected by the Members of the Authority.

“Chief Administrative Officer” means the General Manager or Chief Administrative Officer of the Authority, and which may, by resolution of the Authority, include the responsibilities of the Secretary-Treasurer if so designated by resolution of the Authority.

“Fiscal Year” means the period from January 1 through December 31.

“General Membership” means all of the Members, collectively.

“Levy” means the amount of costs apportioned to participating municipalities in accordance with the Act and Regulations under the Act.

“Majority” means half of the votes plus one.

“Members” shall mean the members appointed to the Authority by the participating municipalities in the Authority’s area of jurisdiction.

“Minister” means the Minister responsible for administration of the Act.

“Non-matching Levy” means that portion of an Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.

“Officer” means an officer of the Authority empowered to sign contracts, agreements and other documents on behalf of the Authority in accordance with section 19.1 of the Act, which shall include the Chair, Vice-Chair(s) the Chief Administrative Officer and the Secretary-Treasurer (or the CAO/Secretary-Treasurer, if applicable).

“Participating Municipality” means a municipality that is designated by or under the Act as a participating municipality in a conservation authority.

“Pecuniary Interest” includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family.

“Secretary-Treasurer” means Secretary-Treasurer of the Authority with the roles specified in the Act.

“Staff” means employees of the Authority as provided for under Section 18(1) of the Act.

“Vice-Chair” means the Vice-Chairperson as elected by the Members of the Authority. If a first and second Vice-Chair are elected, they shall be called First Vice-Chair and Second Vice-Chair.

“Weighted Majority” means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation 139/96 for Municipal Levies.

B. Governance

1. Members

a) Appointments

Participating Municipalities within the jurisdiction of the Crowe Valley Conservation Authority may appoint Members in accordance with Section 14 of the Act.

Appointed Members must reside in a Participating Municipality within the Authority’s area of jurisdiction and may include citizens as well as elected members of municipal councils.

Based on Section 2(2) of the Conservation Authorities Act, the Participating Municipalities (listed below) currently appoint the following number of members:

Municipality of Faraday	1 Member
Township of Havelock-Belmont-Methuen	1 Member
Municipality of Highlands East	1 Member
Township of Limerick	1 Member
Municipality of Marmora and Lake	1 Member
Township of North Kawartha	1 Member
Township of Stirling-Rawdon	1 Member
Municipality of Trent Hills	1 Member
Township of Tudor & Cashel	1 Member
Township of Wollaston	1 Member

The total number of members of the Authority, and the number of members that each participating municipality may appoint, shall be adjusted as required to ensure compliance with the Conservation Authorities Act, Section 2(2) if the municipalities that are participating municipalities change or the population of a participating municipality changes to the degree that it would affect membership allotment.

Collectively, the appointed Members comprise the Authority, and for the purposes of this by-law are also referred to as the General Membership.

b) Term of Member Appointments

In accordance with Section 14 of the Act, a Member shall be appointed for a term of up to four years at the discretion of the appointing municipal council; such term beginning at the first meeting of the Authority following his or her appointment and ending immediately before the first meeting of the Authority following the appointment of his or her replacement. The Secretary-Treasurer shall notify the

appropriate municipality in advance of the expiration date of any Member's term, unless notified by the municipality of the Member's reappointment or the appointment of his or her replacement. A Member is eligible for reappointment. A Member can be replaced by a Participating Municipality at the municipality's discretion prior to the end of their term by advising the General Manager Officer/Secretary-Treasurer in writing prior to permitting voting privileges for any newly appointed member.

There are no provisions for alternates to participate as voting members on the Authority or any other committee of the Authority.

c) Powers of the General Membership

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all of the powers prescribed to the Authority under the Act. In addition to the powers of an authority under s.21 of the Act for the purposes of accomplishing its objects, as referenced in the introduction of this By-law model, the powers of the General Membership include but are not limited to:

- i. Approving by resolution, the creation of Committees and/or Advisory Boards, the members thereof and the terms of reference for these Committees and/or Advisory Boards;
- ii. Appointing a General Manager and/or Secretary-Treasurer;
- iii. Terminating the services of the General Manager and/or Secretary-Treasurer.
- iv. Approving establishing and implementing regulations, policies and programs;
- v. Awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.
- vi. Appointing an Executive Committee and delegate to the Committee any of its powers except:
 - i. The termination of the services of the General Manager and/or Secretary-Treasurer,
 - ii. The power to raise money, and
 - iii. The power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority.
- vii. Approving by resolution, any new capital project of the Authority;
- viii. Approving by resolution, the method of financing any new capital projects;
- ix. Approving details on budget allocations on any new or existing capital projects;
- x. Approving of the total budget for the ensuing year, and approving the levies to be paid by the Participating Municipalities;
- xi. Receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
- xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiii. Approving by resolution, any proposed expropriation of land or disposition of land, subject to the requirements under the Act;

- xiv. Approving permits or refusing permission as may be required under any regulations made under Section 28 of the Act, including the delegation of this responsibility to staff consistent with Ontario Regulation 159/06;
- xv. Holding hearings required for the purpose of reviewing permit applications, and advising every applicant of their right to appeal the decision to the Minister through the Mining and Lands Tribunal;

d) Member Accountability

Participating Municipalities appoint Members to the Authority as their representatives. Members have the responsibilities of Directors of the corporation that is the Authority. While the administration is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place.

The Board of Directors must ensure the financial stability of the Crowe Valley Conservation Authority. While the General Manager/Secretary-Treasurer provides day-to-day leadership in fiscal affairs, the Board bears the ultimate responsibility for financial soundness. This includes approving an annual budget, receiving and approving reports on financial performance of the Crowe Valley Conservation Authority and ensuring policies are in place for financial soundness.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and Conflict of Interest Policy (Appendix 2), as adopted by the Authority.

Members are responsible for:

- i. Attending all meetings of the Authority;
- ii. Understanding the purpose, function and responsibilities of the authority;
- iii. Being familiar with the Authority's statutory and other legal obligations;
- iv. With the administration, setting strategic direction for the Authority.
- v. Supporting the goals and objectives of the Authority's programs and policies;
- vi. Keeping his/her respective municipality informed of Authority programs, projects and activities;
- vii. Being prepared to discuss issues at Authority meetings.

e) Applicable Legislation

In addition to the Act, the Members are subject to other legislation including, but not limited to:

- *Municipal Conflict of Interest Act*
- *Municipal Freedom of Information and Protection of Privacy Act*

If any part of the by-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those acts, the provision of that act or regulation prevails.

f) Relationship Between Members and Staff

The General Membership relies on the General Manager and/or Secretary-Treasurer to manage the operations of the organization, including all employees of

the Authority. The Board of Directors will also count on the General Manager/Secretary-Treasurer to inspire, lead and manage the Crowe Valley Conservation Authority. The Board will forge a strong partnership with the General Manager/Secretary-Treasurer, working cooperatively to achieve the goals of the Crowe Valley Conservation Authority. The Board regularly evaluates the General Manager/Secretary-Treasurer, measuring his/her performance against the Crowe Valley Conservation Authority's strategic plan and financial and human resources goals of the organization.

2. Officers

The Officers of the Authority, and their respective responsibilities, shall be:

Chair

- Is a Member of the Authority;
- Presides at all meetings of the General Membership (and Executive Committee if applicable);
- Calls special meetings if necessary;
- Acts as a public spokesperson on behalf of the General Membership;
- Serves as signing officer for the Authority;
- Ensures relevant information and policies are brought to the Authority's attention;
- Keeps the General Membership apprised of significant issues in a timely fashion;
- Performs other duties when directed to do so by resolution of the Authority.
- Provides direction to the General Manager/Secretary-Treasurer with respect to setting agendas for Board meetings, as required;
- Provides direction and support, as may be required, to the General Manager/ Secretary-Treasurer to ensure policies, programs, and projects adopted by the Authority and/or prescribed by legislation are implemented;

Vice-Chair(s)

- Is/are a Member(s) of the Authority;
- Attends all meetings of the Authority (and Executive Committee if applicable);
- Carries out assignments as requested by the Chair;
- Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;
- Serves as a signing officer for the Authority.

General Manager/Secretary-Treasurer

Responsibilities of the General Manager/Secretary-Treasurer as assigned by the Authority include, but are not limited to the following:

- Is an employee of the Authority;
- Attends all meetings of the General Membership (and Executive Committee if applicable) or designates an acting CAO if not available;

- Works in close collaboration with the Chair and Vice-Chair(s) and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and Implements short and long-range goals and objectives;
- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the Authority are implemented in a timely fashion;
- Develops and maintains effective relationships and ensures good communications with Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholders, community groups and associations;
- Serves as a signing officer for the Authority.
- Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
- Attends all meetings of the General Membership (and Executive Committee, if applicable);
- Is the custodian of the Corporate Seal;
- Serves as a signing officer for the Authority.

3. Absence of Chair and Vice-Chair(s)

In the event of the absence of the Chair and Vice-Chair(s) from any meeting, the members shall appoint an Acting Chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

4. Representatives to Conservation Ontario Council

The Authority may appoint up to three Representatives to Conservation Ontario Council ("Council"), designated as Voting Delegate and Alternate(s). Council will consist of the Voting Delegates appointed by each Member Conservation Authority. The Voting Delegate and Alternates shall be registered with Conservation Ontario annually.

5. Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held in accordance with the Authority's Procedures for Election of Officers (Appendix 3).

6. Appointment of Auditor

The General Membership, at its Annual Meeting, shall appoint an auditor for the coming year in accordance with Section 38 of the Act.

7. Appointment of Financial Institution

The General Membership shall appoint a financial institution to act as the Authority's banker by Resolution.

8. Appointment of Solicitor

The General Membership, at its Annual Meeting, shall appoint a solicitor to act as the Authority's legal counsel by Resolution.

9. Financial Statements and Report of the Auditor

The General Membership shall receive and approve the Audited Financial Statements and Report of the Auditor annually for the previous fiscal year which is based on the calendar year.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister in accordance with Section 38 of the Act and will make the Audited Financial Statements available to the public.

10. Borrowing Resolution

If required, the Authority shall establish a borrowing resolution by March 31 of each year and such resolution shall be in force until it is superseded by another borrowing resolution.

11. Levy Notice

The levy due to the Authority from participating municipalities shall be communicated to those municipalities in accordance with the Act and any applicable Regulations.

12. Signing Officers

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority shall be signed by the signing officers of the Authority, as follows:

The signing officers for the Crowe Valley Conservation Authority be one of the General Manager/Secretary-Treasurer and Administrative Assistant/Recording Secretary and one of the Authority Chair or Vice-Chair.

Payments incidental to all works, services, or goods purchased by the Authority will be signed or authorized by any one of either the General Manager/Secretary-Treasurer and Administrative Assistant/Recording Secretary and one of either the Chair or Vice-Chair.

The General Manager/Secretary-Treasurer is empowered to authorize transfer of funds between the authority bank accounts.

The General Manager/Secretary-Treasurer may sign documents on behalf of the Authority which create obligations within approved spending authorizations as set out in the Purchasing Policy and, as necessary, may sign agreements and documents for the ongoing operations of the Authority.

All deeds, land transfers, assignments, contracts, and obligations entered into by the Authority not specified above, will be signed by one of the Chair or Vice-Chair and one of the General Manager/Secretary-Treasurer or Manager, Corporate Services.

The borrowing of funds necessary for the approved projects and programs of the Authority may be arranged, pursuant to the borrowing resolution, by one of the Chair or Vice-Chair and one of the General Manager/Secretary-Treasurer or Manager, Corporate Services.

Signing authority may be delegated to staff by the General Manager/Secretary-Treasurer for purchases within approved budgets and/or as set out in the Purchasing Policy of the Authority.

Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this by-law.

13. Executive Committee

The Authority may appoint an executive committee at the first meeting of the General Membership each year in accordance with the Section 19 of the Act and Section 1(c)(vi) of this by-law.

14. Advisory Boards and Other Committees

In accordance with Section 18(2) of the Act, the Authority shall establish such advisory boards as required by regulation and may establish such other advisory boards or committees as it considers appropriate to study and report on specific matters.

The General Membership shall approve the terms of reference for all such advisory boards and committees, which shall include the role, the frequency of meetings and the number of members required.

Resolutions and policies governing the operation of the Authority shall be observed in all advisory board and committee meetings.

Each advisory board or committee shall report to the General Membership, presenting any recommendations made by the advisory board or committee.

The dates of all advisory board and committee meetings shall be made available to all Members of the Authority.

15. Remuneration of Members

The Authority may establish a per diem rate from time to time to be paid to Members for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the General Manager/Secretary-Treasurer.

A single per diem will be paid for attendance at more than one meeting if they occur consecutively on the same day.

The Authority shall reimburse Members' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. A per-kilometre rate to be paid for use of a personal vehicle shall be approved by Resolution of the General Membership from time to time. Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

If no quorum is present at a General Meeting, or any other meeting of the Authority, the per diem and travel expenses shall be paid to those in attendance.

The per diem rate and travel allowances will be reviewed at least every four years, or at the request of the Authority.

16. Records Retention

The Authority shall keep full and accurate records including, but not limited to:

- i. Minutes of all meetings of the Authority, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*;
- ii. Assets, liabilities, receipts and disbursements of the Authority and Financial Statements and Reports of the Auditors;
- iii. Human Resources Files for all employees and Members as applicable;
- iv. Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, etc.;
- v. Electronic Communications including emails
- vi. Contracts and Agreements entered into by the Authority;
- vii. Strategic Plans and other documents providing organizational direction
- viii. Projects of the Authority;
- ix. Technical Studies and data gathered in support of Programs of the Authority;
- x. Legal Proceedings involving the Authority;
- xi. Incidents of personal injury or property damage involving the Authority and members of the public.

Such records shall be retained and protected in accordance with all applicable laws and the Records Retention Policy of the Authority as approved by the General Membership from time-to-time.

17. Records Available to Public

Records of the Authority shall be made available to the public, subject to requirements of the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA).

The Authority shall designate a either a Member, a committee of Members or the General Manager/Secretary-Treasurer to act as head of the Authority for the purposes of MFIPPA.

18. By-law Review

In accordance with the Act, these by-laws shall be reviewed by the Authority every four years or earlier if required to ensure the by-laws are in compliance with the Act and any other relevant law. The General Membership shall review the by-laws on a regular basis to ensure best management practices in governance are being followed.

19. By-law Available to Public

In accordance with the Act, the Authority shall make its by-laws available to the public on the Authority's website. By-laws shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

20. Enforcement of By-laws and Policies

The Members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*.

- an investigation will be conducted regarding the alleged breach;
- an opportunity will be provided to the affected member to respond to the allegation;
- the findings of the investigation and the affected member's response will be communicated to the General Membership in a closed meeting;
- the appointing municipality shall be notified of the outcome of the investigation

21. Indemnification of Members, Officers and Employees

The Authority undertakes and agrees to indemnify and save harmless its Members, Officers and Employees and their heirs and legal representatives, respectively, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred by any such Member, Officer or Employee in respect of any civil, criminal or administrative action or proceeding to which any such Member, Officer or Employee is made a party by reason of being a Member, Officer or Employee of the Authority (except in respect of an action by or on behalf of the Authority to procure a judgment in its favour) if;

- such Member, Officer or Employee acted honestly, in good faith with a view to the best interests of the Authority and within the scope of such Member's, Officer's or Employee's duties and responsibilities, and,
- in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty that such Member, Officer or Employee had reasonable grounds for believing that the conduct was lawful.

C. Meeting Procedures

The Meeting Procedures below governing the procedure of the Authority shall be observed in Executive Committee and Advisory Board meetings, as far as they are applicable, and the words Executive Committee or Advisory Board may be substituted for the word Authority as applicable.

1. Rules of Procedure

In all matters of procedure not specifically dealt with under the Act and this By-law, the current edition of Bourinot's Rules of Order shall be binding.

The Authority may choose to conduct its business as a committee of the whole.

2. Notice of Meeting

The General Membership shall approve a schedule for regular meetings in advance. The Secretary-Treasurer shall send Notice of regular meetings to all Members at least seven calendar days in advance of a meeting. Notice of all regular or special meetings of the General Membership or its committees shall be made available to the public as soon as possible after its delivery to General Membership.

Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Secretary-Treasurer 14 days in advance of the meeting where it is to be dealt with.

The chair may, at his/her pleasure, call a special meeting of the Authority as necessary on three calendar days' notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Authority and the Chair will not refuse.

The Chair or the Secretary-Treasurer may, by notice in writing or email delivered to the members so as to be received by them at least 24 hours before the hour appointed for the meeting, postpone or cancel any meeting of an Advisory Board or other committee until the next scheduled date for the specific Advisory Board or committee affected.

The Chair or the Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising as many members as can be reached. Postponement shall not be for any longer than the next regularly scheduled meeting date.

3. Meetings Open to Public

All meetings of the General Membership and Executive Committee, if applicable, shall be open to the public.

A meeting or part of a meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda and the subject matter meets the criteria for a closed meeting as defined in this by-law.

4. Agenda for Meetings

Authority staff, under the supervision of the Secretary-Treasurer, shall prepare an agenda for all regular meetings of the Authority that shall include, but not necessarily be limited to, the following headings:

- Disclosure of pecuniary interests
- Approval of the Agenda
- Delegations
- Adoption of the Minutes
- Business arising from the minutes
- Correspondence
- Staff Reports
- Other Business
- In-camera Session (as required)

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

Agendas for meetings shall be forwarded to all Members at least seven calendar days in advance of the meeting. Such agendas shall be made available to the public on the Authority's website at the same time, unless the meeting is closed to the public in accordance with this by-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

5. Quorum

At any meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Participating Municipalities, except where there are fewer than six such Members, in which case three such Members constitute a quorum. At any Executive Committee (if applicable), advisory board or committee meeting, a quorum consists of one-half of the Members of the Executive Committee (if applicable), advisory board or committee.

If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If during an Authority or Advisory Board or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.

Where the number of Members who are disabled from participating in a meeting due to the declaration of a conflict of interest is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

6. Order of Business

The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority of those Members present.

No Member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

7. Debate

The Authority shall observe the following procedures for discussion/debate on any matter coming before it:

- a) A Member shall be recognized by the Chair prior to speaking;
- b) Where two or more Members rise to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
- c) All questions and points of discussion shall be directed through the Chair;
- d) Where a motion is presented, it shall be moved and seconded before debate;
- e) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
- f) No Member shall speak more than 5 minutes without leave of the Chair;
- g) Any Member may ask a question of the previous speaker through the Chair;
- h) The Member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
- i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings;
- j) When a motion is under consideration, only one amendment is permitted at a time.

8. Matters of Precedence

The following matters shall have precedence over the usual order of business:

- a) a point of order;
- b) matter of privilege;
- c) a matter of clarification;

- d) a motion to suspend a rule of procedure or to request compliance with the rules of procedure;
- e) a motion that the question be put to a vote;
- f) a motion to adjourn.

9. Members' Attendance

The Authority shall provide a listing of Members' attendance at scheduled meetings of the Authority to the Participating Municipalities at least annually.

Upon a Member's vacancy due to death, incapacity or resignation occurring in any office of the Authority, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

If a Member is unable to attend any meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or Secretary-Treasurer such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Secretary-Treasurer without comment or explanations.

Should a Member be absent from three (3) consecutive meetings or five (5) meetings in a year, the General Manager/Secretary-Treasurer, under direction of the Authority, will consult with the Member and perspective municipality regarding the absence.

10. Electronic Participation

There are no provisions for participating in Board meetings via conference call or other telecommunications unless the meeting itself is established as a teleconference meeting.

Discussions held by electronic means (e.g., video conferencing, conference call, E-mail polls) may be used to provide direction to the General Manager/Secretary-Treasurer, in special cases to address time-sensitive matters, when an in-person meeting is not feasible.

When the Authority has provided direction via electronic means, the General Manager/Secretary-Treasurer, or designate, will confirm the direction provided in writing.

When the Authority has provided direction via electronic means, the matter will be discussed at the next Authority meeting, and a resolution passed to ratify the decision.

An official meeting of the Authority may be held through electronic means, if a time-sensitive decision is required and an in-person meeting is not practical.

Members may participate in a meeting that is open to the public by telephonic or other electronic means that permits all participants to communicate adequately with each other during the meeting. A Member participating in a meeting electronically shall not be counted in determining quorum.

A Member shall not participate electronically in a meeting that is closed to the public.

11. Delegations

Any person or organization who wishes to address the Authority may make a request in writing or email to the Secretary-Treasurer. The request should include a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s). If such request is received 14 calendar days in advance of a scheduled meeting, the delegation shall be listed on the published agenda.

Any person or organization requesting an opportunity to address the Authority, but not having made a written request to do so in the timelines specified above, may appear before the meeting if approved by the Chair or the majority of Members present, or shall be listed on the published agenda for the following meeting.

Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than 10 minutes.

Members of the public are to submit a written request to the General Manager/ Secretary-Treasurer at least 7 business days prior to the scheduled Authority meeting, should they wish to address or ask questions about items on the agenda, and must indicate the business to be discussed, number of delegates, and other pertinent information.

Generally, no more than three (3) delegations will be heard at a meeting; in the event of an extraordinary number of delegations, the Chair may call a Special Meeting.

Members of the public in attendance at a meeting will be provided an opportunity to speak on any matter of their choosing. The speaker will be limited to one topic and presentations are not to exceed 5 minutes in length.

12. Annual Meeting

The Authority shall designate one meeting of the General Membership each year as the annual meeting. It will be scheduled before the 1st day of March and will generally be the first meeting of the Authority in the calendar year. The Annual Meeting shall include the following items on the agenda, in addition to the normal course of business:

- a) the introduction of new members;

- b) the election of a Chair and Vice-Chair;
- c) the Financial Statements and Auditor's Report for the Prior Year
- d) consideration of the proposed budget and levies
- e) appointment of a solicitor, external auditor, financial institution, Signing Officers, and representation on Conservation Ontario.

13. Meetings with Closed "In Camera" Sessions

Every meeting of the General Membership, Executive Committee and Advisory Boards, if applicable, shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- a) The security of the property of the Authority;
- b) Personal matters about an identifiable individual, including employees of the Authority;
- c) A proposed or pending acquisition or disposition of land by the Authority;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority;
- f) Advice that is subject to solicitor-client privilege;
- g) A matter in respect of which the General Membership, Executive Committee, Advisory Board or committee or other body may hold a closed meeting under another act;
- h) information explicitly supplied in confidence to the Authority by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Authority, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority.

The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the Authority is the head of an institution for the purposes of MFIPPA.

Before holding a meeting or part of a meeting that is to be closed to the public, the Members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting. Once matters have been dealt with in a closed meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a meeting that is closed to the public, unless:

- a) the meeting meets the criteria outlined in this by-law to be closed to the public; and
- b) the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of Authority.

Any materials presented to the General Membership during a closed meeting shall be returned to the Secretary-Treasurer prior to departing from the meeting and shall be treated in accordance with the Authority's procedures for handling confidential material.

A meeting of the Authority, executive committee, advisory board or other committee may also be closed to the public if:

- a) the meeting is held for the purpose of educating or training the Members, and
- b) at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the authority, the executive committee, advisory board or other committee.

14. Voting

In accordance with Section 16 of the Act:

- a) each Member, including the Chair is entitled to one vote, and
- b) a majority vote of the Members present at any meeting is required upon all matters coming before the meeting.

If any Member who is qualified to vote abstains from voting, they shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Interrelated motions shall be voted on in the order specified in Bourinot's Rules of Order

Unless a Member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested.

If a member present at a meeting at the time of the vote requests immediately before or after the taking of the vote that the vote be recorded, each member present taken alphabetical by surname with the Chair voting last, except a member who is disqualified from voting by any Act, shall announce his or her vote openly answering "yes" or "no" to the question, and the Secretary-Treasurer shall record each vote.

At the meeting of the Authority at which the Non-Matching Levy is to be approved, the Secretary-Treasurer shall conduct the vote to approve of Non-Matching Levy

by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 139/96.

Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

Except as provided in Section B, Paragraph 6 of this By-law (Election of Chair and Vice-Chair), no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

There are no provisions for proxy voting for any meetings of the Authority.

15. Notice of Motion

Written notice of motion to be made at an Authority, executive committee, advisory board or committee meeting may be given to the Secretary-Treasurer by any Member of the Authority not less than fourteen business days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.

Recommendations included in reports of advisory boards or committees that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate advisory board or committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of a majority of the members of the Authority present.

16. Motion to Reconsider

If a motion is made to reconsider a previous motion, a two-thirds majority vote shall be required in order for reconsideration to take place. If a motion to reconsider is passed, the original motion shall then be placed on the agenda at a future meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede.

17. Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any meetings over which he/she presides, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members;

- c) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the Authority;
- d) Announce the results of the vote on any motions so presented;
- e) Adjourn the meeting when business is concluded.

18. Conduct of Members

Members shall maintain a high standard for conduct and at all times comply with applicable laws and the Authority's Code of Conduct (Appendix 1).

No Member at any meeting of the Authority shall:

- a) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- b) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared;
- c) Interrupt a Member while speaking, except to raise a point of order or a question of privilege;
- d) Speak disrespectfully or use offensive words against the Authority, the Members, staff, or any member of the public;
- e) Speak beyond the question(s) under debate;
- f) Resist the rules of order or disobey the decision of the Chair on the questions or order or practices or upon the interpretation of the By-laws.

19. Expulsion from Meeting

The Chair shall have the power to expel from a meeting any member of the Authority or other person who is guilty of improper conduct at such meeting and, in the case of the exclusion of a member of the Authority, the reasons for such exclusion shall be entered in the minutes.

In the case of an apology being made by the offender, Member may, by vote of the Authority, be permitted to retake their seat.

19. Minutes of Meetings

The Secretary-Treasurer shall undertake to have a recording secretary in attendance at meetings of the Authority, the Executive Committee and each advisory board or committee. The recording secretary shall make a record in the form of minutes of the meeting proceedings and in particular shall record all motions considered at the meeting.

If a recording secretary is not present in a closed session, the Secretary-Treasurer shall take notes of any direction provided, for endorsement by the Chair and Vice-Chair.

Minutes of all meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder and voting results.

The Secretary-Treasurer or designate shall include draft minutes of the previous meeting available to each member of the Authority at the same time as agendas for the next meeting are distributed or no later than 30 days after the meeting.

Minutes will be reviewed and approved, with or without amendments, at the next meeting.

After the minutes have been approved by resolution, original copies shall be signed by the Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. Such minutes shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

All matters arising out of Authority meetings, and supporting technical reports, shall form part of the public record and shall be available for public review immediately upon request. Exceptions to the foregoing include matters discussed in closed sessions.

21. Hearing Board Meetings

- a) Subject to the Conservation Authorities Act, the Hearing Board is empowered and instructed to conduct Hearings for regulations passed pursuant to Section 28(1) of the Conservation Authorities Act.
- b) The Hearing Board shall consist of all members of the Authority, and meetings of the Hearing Board shall be scheduled, as required, at the call of the Chair.
- c) Unless provided for under the Crowe Valley Conservation Authority's Hearing Guidelines, the regulations, policies, and procedures governing the Authority shall be observed in Hearing Board meetings, as far as they are applicable, and the words Hearing Board shall be substituted for the word Authority, where such is applicable.

D. Approval of By-law and Revocation of Previous By-law(s)

The Governance and Administrative Policies & Procedures, approved by the Crowe Valley Conservation Authority on 26 February 2015, Full Authority Motion G34/15 is hereby repealed;

By-law number 2018-01 shall come into force on the 20th day of September, 2018.

Introduced on 21 June 2018
Date

Approved on 20 September 2018
FA Motion G84/18 Date

Signed: Catherine Redden
Chair

Date

Tim Pidduck
General Manager/Secretary-Treasurer

Date

E. Appendices to the Administrative By-law

Appendix 1 - Code of Conduct

1. Background

The Crowe Valley Conservation Authority demands a high level of integrity and ethical conduct from its General Membership. The Authority's reputation has relied upon the good judgement of individual Members. A written Code of Conduct helps to ensure that all Members share a common basis for acceptable conduct. Formalized standards help to provide a reference guide and a supplement to legislative parameters within which Members must operate. Further, they enhance public confidence that Members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws which govern the behaviour of Members, and it is not intended to replace personal ethics.

This Code of Conduct will also assist Members in dealing with confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures.

2. General

All Members, whether municipal councillors or appointed representatives of a municipality, are expected to conduct themselves in a manner that reflects positively on the Authority.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

It is expected that Members adhere to a code of conduct that:

- i. upholds the mandate, vision and mission of the Authority;
- ii. considers the Authority's jurisdiction in its entirety, including their appointing municipality;
- iii. respects confidentiality;
- iv. approaches all Authority issues with an open mind, with consideration for the organization as a whole;
- v. exercises the powers of a Member when acting in a meeting of the Authority;
- vi. respects the democratic process and respects decisions of the General Membership, Executive Committee, Advisory Boards and other committees;
- vii. declares any direct or indirect pecuniary interest or conflict of interest when one exists or may exist; and
- viii. conducts oneself in a manner which reflects respect and professional courtesy and does not use offensive language in or against the Authority or against any Member or any Authority staff.

3. *Gifts and Benefits*

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties, except compensation authorized by law.

4. *Confidentiality*

The members shall be governed at all times by the provisions of the *Municipal Freedom and Information and Protection of Privacy Act*.

All information, documentation or deliberations received, reviewed, or taken in a closed meeting are confidential.

Members shall not disclose or release by any means to any member of the public, either in verbal or written form, any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons, other than those who are entitled thereto, to have access to information which is confidential.

In the instance where a member vacates their position on the General Membership they will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- ix. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

5. *Use of Authority Property*

No Member shall use for personal purposes any Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.

6. *Work of a Political Nature*

No Member shall use Authority facilities, services or property for his/her election or re-election campaign to any position or office within the Authority or otherwise.

7. Conduct at Authority Meetings

During meetings of the Authority, Members shall conduct themselves with decorum. Respect for delegations and for fellow Members requires that all Members show courtesy and not distract from the business of the Authority during presentations and when others have the floor.

8. Influence on Staff

Members shall be respectful of the fact that staff work for the Authority as a whole and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence.

9. Business Relations

No Member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent before the Authority, the Executive Committee or an advisory board or committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

10. Encouragement of Respect for the Authority and its Regulations

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.

11. Harassment

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Harassment of another Member, staff or any member of the public is misconduct. Members shall follow the Authority's Harassment Policy as approved from time-to-time.

Examples of harassment that will not be tolerated include: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. The Authority will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited grounds under the provisions of the *Ontario Human Rights Code*.

12. Breach of Code of Conduct

Should a Member breach the Code of Conduct, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the Secretary-Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Code of Conduct, the said breach shall be communicated to the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Code of Conduct, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

13. Complaints

If a Member has questions or issues surrounding reports, projects, operational concerns or complaints, such questions should be directed through the General Manager/Secretary-Treasurer.

If a Member is approached by the public with inquiries/complaints regarding operational matters, the Member is encouraged to contact the General Manager/Secretary-Treasurer who, in turn, can contact the individual for review/resolution.

Appendix 2 - Conflict of Interest

1. *Municipal Conflict of Interest Act*

The Authority Members commit themselves and the Authority to ethical, businesslike, and lawful conduct when acting as the General Membership. The Authority is bound by the *Municipal Conflict of Interest Act*. This appendix to the by-law is intended to assist Members in understanding their obligations. Members are required to review the *Municipal Conflict of Interest Act* on a regular basis.

2. *Disclosure of Pecuniary Interest*

Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority, Executive Committee, Advisory Board or committee at which the matter is the subject of consideration, the Member:

- a) shall, prior to any consideration of the matter at the meeting, disclose the pecuniary interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and,
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

3. *Chair's Conflict of Interest or Pecuniary Interest*

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed to chair that portion of the meeting by Resolution.

4. *Closed Meetings*

Where a meeting is not open to the public, a Member who has declared a conflict of interest shall leave the meeting for the part of the meeting during which the matter is under consideration.

5. *Member Absent*

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority, Executive Committee, Advisory Board or Committee, as the case may be, attended by them after the particular meeting.

6. *Disclosure Recorded in Minutes*

The recording secretary shall record in reasonable detail the particulars of any disclosure of conflict of interest or pecuniary interest made by Members and whether the Member withdrew from the discussion of the matter. Such record shall appear in the minutes/notes of that particular meeting of the General Membership, Executive Committee, advisory board or committee, as the case may be.

7. Breach of Conflict of Interest Policy

Should a Member breach the Conflict of Interest Policy, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the said breach shall be communicated to the Chair, with a copy to the Secretary Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the said breach shall be communicated the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 3 - Procedure for Election of Officers

1. Voting

Voting shall be by secret ballot and no Members may vote by proxy.

2. Acting Chair

The General Membership shall appoint a person, who is not a voting Member, as Acting Chair or Returning Officer, for the purpose of Election of Officers.

3. Scrutineer(s)

The appointment of one or more scrutineers is required for the purpose of counting ballots, should an election be required. All ballots shall be destroyed by the scrutineers afterwards. The Acting Chair shall call a motion for the appointment of one or more persons, who are not Members or employees of the Authority, to act as scrutineers. A Member, who will not stand for election, may be appointed as an additional scrutineer if requested.

4. Election Procedures

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act as follows:

- a) The elections shall be conducted in the following order:
 - i. Election of the Chair, who shall be a Member of the Authority
 - ii. Election of one or more Vice-chairs, who shall be Members of the Authority.
- b) The Acting Chair shall ask for nominations to each position;
- c) Only current Members of the Authority who are present may vote;
- d) Nominations shall be called three (3) times and will only require a mover;
- e) The closing of nominations shall require both a mover and a seconder;
- f) Each Member nominated shall be asked to accept the nomination. The Member must be present to accept the nomination unless the Member has advised the Secretary-Treasurer in writing or by email in advance of the election of their willingness to accept the nomination.

If one Nominee:

- g) If only one nominee the individual shall be declared into the position by acclamation.

If More than One Nominee:

- h) In the event of an election, each nominee shall be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing by surnames.
- i) Upon the acceptance by nominees to stand for election to the position of office, ballots shall be distributed to the Members by the scrutineers for the purpose of election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair who was elected with more than 50% of the vote.

A majority vote shall be required for election. If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes shall be removed from further consideration for the office and new ballots shall be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots shall be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the Acting Chair or designate.

The Acting Chair for the election shall hand over control of the meeting to the newly elected Chair following election of the Chair.

TERMS OF REFERENCE

For the Crowe Valley Conservation Authority's

Executive Committee

Approved by the Crowe Valley Conservation Authority *Board*

June 18, 2015

PREPARED BY:

Crowe Valley Conservation

***c/o Crowe Valley Conservation Authority, 70 Hughes Lane, P.O. Box 416,
Marmora, ON K0K 2M0***

Crowe Valley Conservation Authority

Executive Committee

Terms of Reference

June 18, 2015

1.0 Preamble

The Crowe Valley Conservation Authority (CVCA) Board has created the Executive Committee (hereafter “the Committee”) for the 2015 fiscal year. During this time, the CVCA Board has authorized the Committee to perform the following:

- 1) engage in preliminary budget discussions with the CVCA General Manager and Administrative Assistant.
- 2) conduct a performance review of the General Manager.

Once these subject matters are examined, they will be summarized with recommendations for the review and discussion of the greater Crowe Valley Conservation Authority Board.

2.0 Executive Committee Role

- 2.1 The Committee is to act only in an advisory capacity to the Crowe Valley Conservation Authority Board as per Section 1.0
- 2.2 The Committee will provide a forum for information exchange, an avenue by which upcoming budgetary issues can be brought to the attention of the Board

and a means through which the Committee can solicit input and feedback on its proposed approaches and recommendations.

- 2.3 During the budget planning phase, Committee members will facilitate the development/review of the proposed draft budget.
- 2.4 The Committee is encouraged to be proactive and bring recommendations forward to the Board.
- 2.5 The Committee representatives will be responsible for reporting back to the CVCA Board.

3.0 Executive Committee Composition

- 3.1 Three members will sit on the Committee: the CVCA Chair, the CVCA vice Chair and one Board member at large.
- 3.2 The General Manager is appointed to the Committee to act solely in an advisory capacity to ensure appropriate support for specific discussions.
- 3.3 The CVCA Board will request a volunteer for the member at large to participate on the Committee.
- 3.4 If the Committee deems it necessary, it shall seek information from other Board Members, staff or consultants as required to assist the committee to arrive at a decision for recommendation to the Board.

4.0 Rules of Procedure

- 4.1 The CVCA Board Chair will also serve as the Committee Chair.
- 4.2 Meeting dates, times, location and frequency will be at the call of the Chair.
- 4.3 The Committee will meet two times per year at a minimum or at the call of the Chair.
- 4.4 The Committee may establish from time to time guidelines in respect to the use of teleconferencing under exceptional circumstances.
- 4.5 In the absence of the Chair, the vice Chair will assume the role of the Chair for the proceedings of the meeting.
- 4.6 Email notice of all committee meetings shall be sent to each member of the committee.
- 4.7 The Committee shall strive to make decisions by consensus among the members.
- 4.8 Quorum shall be attained with two of the three members present.
- 4.9 References to formal rules of procedure, where necessary, will be in accordance with Bourinot's Rules of Order.
- 4.10 Minutes will be recorded and circulated to the CVCA Board for approval.
- 4.11 The Committee members shall be governed at all times by the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

5.0 Support Services

- 5.1 Conservation Authority staff shall provide administrative, technical and procedural support to the Committee. This includes preparing agendas and minutes of each meeting.
- 5.2 The role of recording secretary will be carried out by the CVCA Administrative Assistant.
- 5.3 The CVCA shall provide meeting space for the Committee as required.

CROWE VALLEY CONSERVATION AUTHORITY



PERSONNEL POLICY
MADE BY THE
CROWE VALLEY CONSERVATION AUTHORITY
UNDER THE
CONSERVATION AUTHORITIES ACT, R.S.O 1990

Crowe Valley Conservation Authority

P.O. Box 416, 70 Hughes Lane

Marmora, Ontario K0K 2K0

Phone: (613) 472-3137

fax: (613) 472-5516

www.crowevalley.com

Revised December 2002

The CVCA Personnel Policy-Who is it for? How is it Organized?

The main purpose of this personnel policy is to outline employment policies as they relate to full time employees. However, sections have been included for part time/seasonal staff, contract employees and volunteers.

The personnel policy is divided into different sections, each of which describe policies as they apply to a specific employment category, i.e.

Section A - applies to **all** employees (Full Time, Part Time/Seasonal and Contract);

Section B - applies to all **Full Time** employees;

Section C - applies to all **Part Time/Seasonal** employees

Section D - applies to the **Volunteers** who work on specific CVCA projects and programs.

The above employment categories are defined as follows:

Full Time: employees who are hired on a long-term basis, with a regular work schedule. **Full Time** employees are those who work on a regularly-scheduled basis, 52 weeks a year and 35 hours per week or more, with the expectation of employment continuity.

Part Time/Seasonal: employees who are hired for relatively short periods during the year, OR work on a year-round basis for less than 30 hours per week. Generally, this employment category covers all employees other than “Full Time” and “Contract”.

Contract: employees who are hired to complete a specific task within a specific time period.

Volunteers: individuals who, with paid staff, participate implementing the goals and objectives of the CVCA without remuneration.

This Personnel Policy outlines the regulations to guide the human resource element of the Authority’s program.

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SECTION A – All Employees

Policies in Section A apply to **all** employees, whether they be full time, part time, seasonal or contract. These policies also serve as guidelines for volunteers and to municipal appointments to the Crowe Valley Conservation Authority.

A1 GENERAL

The Crowe Valley Conservation Authority is referred to in this policy as the “Conservation Authority”. The full Conservation Authority membership is referred to as “Full Authority”.

All employees of the Conservation Authority shall be governed by the policies set forth in this Personnel Policy. Changes may be made from time to time at the discretion of the Full Authority, and such changes will be made known to the employees at least one month before they become effective. The Finance and Personnel Ad Hoc Committee deal with all matters related to this Personnel Policy for recommendation to the Full Authority.

The Conservation Authority is required to adhere to various Federal and Provincial employment legislation, which shall take precedence over this Personnel Policy (e.g. Human Rights, Sexual Harassment, Pay Equity, Employment Equity, Freedom of Information & Privacy, etc.).

A2 CODE OF BUSINESS ETHICS

Employees owe their first business allegiance to the Conservation Authority and they must therefore remain free of interests or relationships that are harmful or detrimental to the Conservation Authority’s best interests. Employees should avoid not only a real conflict of interest, but also the appearance or perception of one, which could tarnish

their own and the Conservation Authority's image. More specifically, employees of the Conservation Authority shall:

- a) Carry out their duties in an efficient manner that will reflect credit on the Conservation Authority.
- b) Use good judgement to ensure that the Conservation Authority gets good value for every dollar that is spent.
- c) Treat the general public and other employees with courtesy and respect.
- d) Observe and comply with the laws of Canada, Ontario and Conservation Authority rules and regulations.
- e) Not, unless legally required, disclose or give any person any information or document of a confidential nature.
- f) Not use employment with the Conservation Authority as a means of negotiating discounts for personal orders.
- g) Not add personal orders to Conservation Authority bulk purchases.
- h) Not carry out personal business during hours of work unless approved by the General Manager.
- i) Report irregular work-related incidents to his/her supervisor.
- j) Pay for using Authority facilities and services during off work hours unless approved

by the General Manager.

k) Not abuse any noxious, addictive or intoxicating substances when on duty.

l) Not borrow, take away, use, destroy, lend, give away or have in their possession any equipment, tools, materials, vehicles and supplies, regardless of condition, unless specifically authorized and except as provided for under Section A3 (d) of this Personnel Policy.

A3 CONFLICT OF INTEREST

a) Business with the Conservation Authority

An employee of the Conservation Authority shall not have a direct interest in a business, other than a publicly traded corporation, which sells goods or services to the Conservation Authority.

Employees having a direct interest in such a business shall declare such interest to the General Manager in writing, and shall refrain from selling or tendering those goods or services to the Conservation Authority. Where circumstances make it impractical to adhere to the above policy, the matter shall be brought to the attention of the General Manager for a decision.

b) Outside Activities

An employee is permitted to act as a consultant, lecturer, adviser or work in his/her trade and accept remuneration for such activity provided such activity:

1. Does not interfere with the complete performance of his/her duties as a Conservation Authority employee.

2. Does not in any way conflict with the interests of the Conservation Authority.

An employee receiving remuneration for consulting services, lectures and other advisory services that relate to Conservation Authority activities will be required to reimburse the Conservation Authority. In case of unusual circumstances, the employee may request the General Manager to approve the retention of the received remuneration. The General Manager may, at his/her discretion, rule in favour of the employee's request.

c) Gifts and Hospitality

Employees are not permitted to receive gifts or hospitality unless it is of a nominal or token value (such as calendars or modest business meals). Employees who are offered gifts or hospitality, which exceeds nominal value, are expected to refuse such an offer as tactfully as possible by advising the donor of the Conservation Authority policy on such matters. Where unusual circumstances make it impractical to adhere to this policy, the matter shall be brought to the attention of the General Manager.

d) Purchasing, Renting, Leasing and Using Equipment and Other Real Property from the Conservation Authority

Employees may **only** lease, purchase, rent and use equipment and other real property for personal use if the same privilege is available to the general public and under the same conditions. (Instances where an employee is specifically granted housing accommodation by the Conservation Authority for security or other reasons are

exempted.) Where circumstances make it impractical to adhere to this policy, the matter shall be brought to the attention of the General Manager for a decision.

e) Use of Personal Equipment, Tools, etc. for Authority Use.

An employee using his/her equipment, tools and other personal belongings for Conservation Authority use shall be fully responsible for damage, loss, and wear and tear. Specific requests can be made by the affected employee to have items included in the Conservation Authority's insurance policy with a \$500 deductible. In case of a claim, the employee is responsible to pay the deductible. If a lower deductible is desired by the employee, he/she will reimburse the Conservation Authority for additional premium costs.

This policy does not apply to circumstances under which an employee is permitted – **in writing** – by his/her immediate supervisor, to use personally owned tools and equipment, in which case the Conservation Authority shall pay the deductible.

A4 HARASSMENT

It is the policy of the Conservation Authority that every employee can expect a work environment free from harassment. No employee can be harassed in the workplace by the employer, or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, record of offences, marital status, family status, physical disability or mental impairment.

Procedures to deal with Harassment:

1. ASK THE HARASSER TO STOP

You can do this verbally and/or with a warning letter. Be serious and blunt. As an example you could say “I object to what you are saying. Please stop.”

2. KEEP A WRITTEN RECORD OF THE HARASSMENT

Write down dates, times and particulars of the incident, what was said, and/or done, where and by whom. This kind of documentation will reinforce your complaints.

3. SPEAK TO YOUR SUPERVISOR/SUPERIOR

If your efforts to stop harassment do not work, or if you are not satisfied with the actions taken by the alleged harasser, you should report the problem to your supervisor, in writing, or to any other person who is in a management position within the Conservation Authority. The person who is made aware of the alleged harassment is to report details to the General Manager. In the case the alleged harasser is the General Manager, the problem should be reported to the Chairman of the Conservation Authority.

Once management has received a verbal or written complaint, the following steps will be taken:

1. Interview the complainant;
2. Interview the alleged harasser;
3. Interview the witnesses;
4. Document the information, in writing;
5. Maintain confidentiality;
6. Try to resolve the issue between the individuals involved.

If there is **NO** satisfactory evidence of harassment, no written record of the complaint will be kept in any person's file.

If there **IS** satisfactory evidence of harassment, a written record will be kept in the alleged harasser's personnel file, and appropriate disciplinary action will be taken. This may include a warning of suspension, suspension and/or discharge.

In case the complaintant is not satisfied with the way the issue was dealt with by management, the matter can be referred to the Full Authority membership through its Finance and Personnel Ad Hoc Committee.

A5 RESIGNATIONS

Employees are required to give the General Manager or his designate a minimum of two weeks notice in writing of their intention to terminate their employment.

The General Manager is required to give a minimum of one-month notice in writing to the Full Authority.

A6 OVERTIME

For the purpose of this section, overtime shall be defined as **approved work beyond regular working hours** in excess of 30 minutes per day. Overtime hours shall be calculated at time plus one-half (1-1/2). In order to properly administer this policy, a record of overtime hours shall be maintained on work reports.

- a) Each employee shall plan his/her work schedule in such a way as to avoid the need for overtime.
- b) The Conservation Authority may require employees to be on standby. However, overtime policies only apply if the employee is required to perform actual work during the standby period.
- c) Call back and duty forecasting time shall be at a minimum of the equivalent of four (4) hours pay at straight time. (example: 1.0 hour x 1.5 = 1.5 hours, claim min.4 hours, 4 hours x 1.5 = 6 hours, claim 6 hours).

- d) Should an employee attend a one day conference/meeting, overtime will be granted if the time required, including additional travel, is greater than the employee's usual work day. If the employee is staying overnight to attend either a one day conference/meeting, or a conference/meeting which covers more than one day, the employee shall not be entitled to receive compensation for any overtime.
- e) Compensation will be in the form of time off in lieu of accumulated overtime. If so desired, an employee may request to receive payment for one half of accumulated overtime if the amount is in excess of 20 hours. Employees must make this request before the final pay of the calendar year. All remaining accumulated overtime may be carried over to the following year and must be used during that year. (Example 10 hrs. carried over from 2002 must be used in 2003).
- f) Compensating time off shall be at the discretion of the employee's choosing with the approval of the General Manger.

A7 USE OF EMPLOYEE OWNED VEHICLES

The Conservation Authority will pay compensation to employees for the use of their vehicles based on distance traveled while transacting the business of the Conservation Authority. The compensation rate established by the Conservation Authority (tied to the provincial mileage rate) is intended to cover all possible costs and losses the affected employee may incur while using his/her vehicle for approved Conservation Authority business. Therefore, this will be the only compensation paid to the affected staff. The employee shall certify that public liability and property damage insurance of at least \$1,000,000 covers the vehicle.

The Authority will pay to the employee, for the use of his/her equipment other than a vehicle, a rental rate as determined by the Full Authority.

A8 USE OF AUTHORITY OWNED VEHICLES AND EQUIPMENT

- a) No person in the services of the Conservation Authority shall use or permit the use of Conservation Authority vehicles and equipment for any purpose other than the authorized business of the Conservation Authority.
- b) The driver or operator will be responsible for the payment of any and all fines imposed for traffic violations.
- c) The driver or operator is required to report any and all accidents, damage occurrences and traffic violations to his/her immediate supervisor, and is also required to complete an accident damage report for submission to and review by the General Manager.
- d) The General Manager, or his/her designate, shall take appropriate disciplinary action for the careless operation, maintenance and care of vehicles and equipment. The action may include training requirements, temporary work suspension or employment termination.

Generally, the following procedure will apply:

- 1. Issue a written warning to employee, with possible training requirement;
 - 2. Suspend employee without pay for 3 days if misuse continues;
 - 3. Terminate employment if misuse continues after 3 day suspension;
 - 4. Reckless misuse may result in immediate suspension or termination of employment.
- e) Unauthorized personnel shall not operate vehicles and equipment of the Conservation Authority. Supervisory staff has the responsibility to fully acquaint employees with the safe operation of vehicles and equipment.
 - f) Rental or loan of Conservation Authority owned vehicles and equipment to Conservation Authority staff shall only be permitted as is offered to the general public.
 - g) Accidents and injuries are to be reported to supervisory personnel as quickly as possible. Details of accidents or injury shall be reported in accident reports signed by the affected employee, his/her immediate supervisor, as well as the General Manager.

A9 AUTHORITY UNIFORMS

- a) All personnel performing field related duties must wear the Conservation Authority uniforms designated for their position.
- b) Uniforms may be worn to and from the employee's work area, but must not be worn at any other time or place.
- c) The employee is responsible for keeping uniforms and other related items of clothing in clean condition and in good repair at his/her own expense. The Conservation Authority insignia should be shown on clothing as directed.
- d) All full time employees shall be allotted \$150 per year for the purchase of uniforms and safety boots. This amount or any unused portion is non-transferable from year to year. The employee will be reimbursed upon presentation of an invoice to the Conservation Authority.
- e) All contract staff shall be issued with two shirts that are to be worn at all times when on duty.

A10 SAFETY

As required by legislation, the Conservation Authority abides by the following Health and Safety Policy Statement:

SAFETY POLICY STATEMENT

(SECT.25 (2), (j) (k), Occupational Health and Safety Act)

The Health and Safety of its employees is of vital importance to the

CROWE VALLEY CONSERVATION AUTHORITY

OBJECTIVE: TO PROTECT ALL EMPLOYEES FROM INJURY AND OCCUPATIONAL DISEASE

Every effort shall be made to provide for a safe, healthy work environment.

Health and Safety forms an integral part of the organization from General Manager to all Workers.

The **GENERAL MANAGER** is committed to taking every reasonable precaution to protect the health and safety of all staff.

SUPERVISORS are accountable for the health and safety of their staff and shall ensure that machinery and equipment are safe and that their staff work and compliance with safe work practices.

All **STAFF** are dedicated to reducing risk of injury, shall receive adequate training in their specific work tasks, shall work in a safe and healthy manner, and shall comply with the law and safe work practices and procedures that are recognized by the Conservation Authority.

The Conservation Authority has several health and safety policies which are summarized as follows.

- a) The use of personal protective equipment such as footwear, glasses, helmets, leggings, etc., as required by law or the work being performed, is a condition of employment for all personnel. Respecting footwear, all staff (full time, part time/seasonal, contract) shall wear protective footwear that conforms to CSA standard Z195-M1984, Grade 1 (green triangle patch with CSA symbol stamped in centre of the triangle) if so required by the Occupational Health and Safety Act. When there is the potential for ankle injury, the footwear shall include ankle protection. At all other times, all staff are encouraged to wear safe footwear.

- b) Every supervisor is responsible to ensure that safety procedures used by employees working under his/her supervision are strictly adhered to. The supervisor must ensure that safety policies and procedures are made clear to all before commencement of employment. All Conservation Authority employees are responsible for their own personal behavior as it relates to safety and are required to observe all safety regulations and to discuss with their supervisor any hazard which they themselves cannot eliminate.
- c) The Conservation Authority shall loan to employees or volunteers, free of charge, safety equipment such as safety helmets, working gloves, safety goggles, rainwear, hip and chest waders, whenever deemed necessary by the General Manager or the person to whom the General Manager has delegated such authority.
- d) Supervisors are responsible to ensure that Workplace Safety and Insurance Board (WSIB) approved first aid kits are available in their areas.
- e) If a work related accident occurs, it is the employee's and employee's supervisor's responsibility to ensure that prompt and proper medical treatment is obtained. If the injury requires a doctor's or hospital treatment, the employee must notify the doctor or hospital that it is a work related injury.

If there is any possibility that the accident will result in lost time from work, the injury must be examined by a doctor. To receive entitlement for WSIB benefits, the period of lost time must be supported or approved by an attending doctor. This is a specific requirement of the WSIB.

ALL work related accidents must be reported in detail on the WSIB report form after medical treatment and forwarded to the administration office on the same day. The Secretary-Treasurer, or his/her designate, will report all serious accidents to the Ontario Ministry of Labour. The Conservation Authority will not pay any salary, wages, annual or statutory vacation or sick leave payments to an employee who is receiving WSIB benefits.

NOTE: The Conservation Authority has a member on the Eastern Regional Joint Health & Safety Committee. The Committee monitors health and safety issues in the workplace.

A11 EXPENSE ACCOUNTS

- a) The Conservation Authority will reimburse staff for reasonable, documented expenses incurred on the Authority's behalf. "Documented" means a dated receipt issued by the supplier of merchandise or service. Receipts are to clearly show GST charges. A charge card receipt is acceptable. In certain cases, receipts are not obtainable, e.g. GO Train tickets. Such costs will be reimbursed upon specific approval by the General Manager or his/her designate.

Meal costs incurred by employees when attending approved seminars/workshops/conferences can be claimed. Employees are to use good judgment as to the amounts claimed for meals, and the General Manager reserves the right to adjust claims if the same are to be considered excessive. Gratuities up to 15% of the cost of the meal can be claimed.

The cost of meals will be reimbursed when the employee is entertaining guests for the Conservation Authority on official business. Names of guests, the dining location and the occasion must be identified on the expense account. Gratuities up to 15% of the cost of the meal can be claimed. Costs will also be reimbursed when the employee is required to work three (3) hours beyond his/her normal hours of work.

The Conservation Authority will not reimburse employees for expenses incurred in maintaining licenses, permits and certificates required to carry out assigned duties unless specifically authorized by the General Manager. Also, no reimbursement will be provided for professional membership fees and related expenses.

Prior approval of the Full Authority, Conservation Authority Chairman, or General Manager, as applicable, is required before any expense is incurred. All expense accounts are to be carefully reviewed by the designated officer before they are submitted for payment.

- b) The Conservation Authority **will not** subsidize the following costs, unless authorized by the Conservation Authority Chairman or the General Manager as applicable:

Floral Gifts, Staff Retirement Gifts, Other Gifts, Liquor, Wine, Beer, Member Gifts, Personal Telephone Calls, Bartenders, Personal Entertainment, Service Awards and Donations.

- c) Regarding travel allowances, the following policies apply:

1. Whenever possible Conservation Authority owned vehicles must be used. A credit card will be supplied for fuel if required. This card must be returned with the vehicle.
2. In many instances, it is less expensive to travel back and forth daily from your residence than to stay overnight in a hotel or motel. In these instances, the employee is to use his/her best judgment as to which approach is in the best long-term interest of the Conservation Authority.
3. The most efficient means of travel must be used unless otherwise authorized by the General Manager. Toll road charges are eligible for reimbursement if, in the opinion of the General Manager, the use of toll roads is considered to be cost effective.
4. If an employee uses his/her own vehicle, he/she must have a minimum of \$1,000,000 public liability and property damage insurance.
5. The cost of parking will be reimbursed subject to the availability of a dated receipt. The cost of parking meters and parking fines will not be reimbursed.
6. Travel between home and work is not eligible except for attending evening and weekend meetings and/or events.

- d) In most cases, the Conservation Authority can purchase office supplies, equipment and books at less than the retail price and with no delivery charge. Accordingly, staff should check with appropriate staff prior to making and claiming these purchases.

A12 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

On January 1, 1991, the Freedom of Information and Protection of Privacy Act came into effect.

The two main objectives of the Act are to provide the public with a legal right of access to information but at the same time, protect the privacy of employees.

The Act applies to the Conservation Authority, and every effort will be made to retain and dispose of personal information records in a way which will ensure that the confidentiality of records is maintained at all times.

A13 EMPLOYEE DATA

All employees are required to notify the Supervisor, Corporate Services, within five days of any change in their address, home telephone number, emergency telephone number, marital status, etc.

A14 WAGES AND BENEFITS ADMINISTRATION

- a) Each employee shall be interviewed annually by the Finance and Personnel Ad Hoc Committee regarding wages, benefits and any concerns.
- b) Wages and benefits shall be reviewed annually, after the aforementioned meeting, by the Full Authority and at such other times as may be deemed necessary by the Chairman and the General Manager.
- c) The pay period shall be on a bi-weekly basis.

A15 CIRCUMSTANCES AND EVENTS NOT INCLUDED IN THIS POLICY

Circumstances and events not mentioned in this policy are subject to a ruling by the General Manager.

A16 SMOKING IN THE WORKPLACE

Smoking is not permitted in confined facilities, unless properly vented smoking areas have been designated. Smoking is not permitted in Conservation Authority owned vehicles.

A17 LEGISLATIVE STATUTES

In the event of any discrepancy between any applicable Federal or Provincial statutes and this Personnel Policy, then the applicable Federal or Provincial statute will take precedence over this policy.

SECTION B – FULL TIME EMPLOYEES

In addition to policies noted in Section A of this personnel policy, the following policies apply to Full Time employees.

The **Full Time** employment category consists of two (2) subcategories, as follows:

Full Time – Full Year: Employees who work on a regularly-scheduled basis, 52 weeks a year and 35 hours per week or more, with expectation of employment continuity.

Full Time – Part Year: Employees who work on a regularly scheduled basis, 35-51 weeks per year and 35 hours per week or more, with expectation of employment continuity.

B1 EMPLOYMENT CONDITIONS

Respecting **employment conditions**, there is a difference in policies between “ Full Time – Full Year” and “Full Time – Part Year” employees. Section B1 – (1) applies to the “Full Time – Full Year” employment category. Section B1 – (2) applies to the “ Full Time – Part Year” employment category.

B1 – (1) Employment Conditions: “Full Time – Full Year” Employees

Applicants for employment and employees in the Full Time – Full Year employment category:

- a) Shall be hired in accordance with the Conservation Authority's Personnel Policy, and any and all other regulations/guidelines that may be in place.
- b) Subject to the provisions of Federal and Provincial Human Rights legislation, shall be medically examined prior to employment at Conservation Authority expense by a medical doctor designated by the Conservation Authority if so requested. When an employee is requested by the Conservation Authority to have a medical examination during the probationary period, the employee shall be given reasonable time off with pay if no evening appointments can be made.
- c) Subject to the provisions of Federal and Provincial Human Rights legislation, shall be checked as to character and financial responsibility.
- d) Shall serve a probationary period of six months. Previous part time/seasonal or contract employment with the Conservation Authority will not be considered as part of the probationary period, unless decided otherwise by the General Manager. Depending on circumstances, the General Manager may require a longer probationary period.
- e) Shall be interviewed by the General Manager at least two weeks prior to completion of the probationary period to review progress. A report on this interview, signed by the affected employee and the General Manager, must be filed with the Finance and Personnel Ad Hoc Committee prior to the expiration of the probationary period.
- f) May be released from employment by the General Manager prior to the completion of the probationary period for failure to meet the requirements of the position.
- g) Shall be confirmed by the General Manager as a Full Time – Full Year employee after the aforementioned probationary period.
- h) May be suspended without pay for just cause by the General Manager, pending action by the Full Authority. Suspensions are to be reported by the General Manager to the Finance and Personnel Ad Hoc Committee. If there is no resolution at the committee level, the matter will be taken to the Full Authority for action. Suspensions may be levied for, but are not exclusive to; failure to comply with attendance regulations and directives, absence without permission, reporting to

work but incapable of performing assigned duties, misuse of Conservation Authority property, failure to obey instructions of supervisor, violation of Personnel Policy, fraud, theft, dishonesty, general incompetence or failure to comply with safety regulations.

- i) The General Manager may discharge an employee at his/her discretion.
- j) Shall be required to work at locations as designated by the General Manager or his/her designate.
- k) Shall direct all complaints and concerns to their immediate supervisor for resolution. In the event that a resolution cannot be achieved or the complaint/concern involves the supervisor, the employee must direct his/her concern to the General Manager. Only in the event that the complaint/concern deals specifically with the conduct/actions of the General Manager may the employee approach the Full Authority through the Finance and Personnel Ad Hoc Committee for resolution.
- l) Through the Finance and Personnel Ad Hoc Committee shall have the right to appeal to the Full Authority on matters relating to this Personnel Policy.
- m) Shall be entitled to vacation credits and Public Holidays and three “other holidays” in accordance with Section B2 and B7 of this policy, and be required to participate in approved benefit programs in accordance with Appendix A of this policy unless otherwise requested and approved by the General Manager. The probationary period will be considered part of the required waiting periods.
- n) Shall have their performance reviewed and documented on an annual basis. The purpose of the evaluation is to formally review and evaluate prior performance and targets. The General Manager will perform the evaluation.

B1 – (2) Employment Conditions: “Full Time – Part Year” Employees

Applicants for employment and employees in the “Full Time – Part Year” employment category shall be subject to the same conditions as “Full Time – Full Year” employees as outlined in Section B1 – (1) (a) to (f), (h) to (l) and Section B1 – (1) (n). Other conditions for “Full Time – Part Year” employees are as follows:

- a) Shall be confirmed by the General Manager as a Full Time – Part Year employee after the aforementioned probationary period.
- b) Shall be entitled to paid public holidays and three “other” holidays during the work period as per Section B7 of this Personnel Policy, subject to Employees Standards legislation, and shall be entitled to a vacation period as per Section B2 of this Personnel Policy.

B2 VACATION CREDITS AND ANNUAL VACATIONS

Respecting **vacation credits and annual vacations**, there is a difference in policies between “Full Time – Full Year” and “Full Time – Part Year” employees. Section B2-(1) applies to “Full Time – Full Year” employees and Section B2-(2) applies to the “Full Time – Part Year” employment category.

All annual vacation periods are based on a calendar year. The employees affected should resolve any conflicts in vacation overlaps. In a case where no resolution can be achieved, the General Manager will make the final decision. All eligible employees shall be allowed at least half of his/her vacation time to be at his/her choice for time of year (e.g. summer vacation). No vacation days may be taken during the probationary period of an employee’s service. Vacation credits are non-transferable from year to year unless otherwise permitted by the General Manager.

This regulation is applicable to full time employees only.

B2-(1) Full Time – Full Year Employee Vacation Credits

- a) Full Time- Full Year employees shall be entitled to an annual vacation period, with pay, as follows:
 - 1) 1 day per unbroken month if the first calendar year is less than 12 months;

- 2) three weeks (15 working days) for the first full calendar year of service and during the first five (5) years of service;
 - 3) four weeks (20 working days) in each year of service after five (5) years, up to and including ten (10) years of service;
 - 4) five weeks (25 working days) in each year of service after ten (10) years, up to and including twenty years (20) of service;
 - 5) six weeks (30 working days) in each year of service thereafter;
 - 6) any additional vacation time shall be at the discretion of the Full Authority.
- b) Full Time – Full Year employees whose service terminates during the year, and who have not taken their annual vacation shall be paid for annual vacation, pro rated for the full months worked.
- c) When an employee is given a leave of absence without pay for any reason and for any period of time, and returns to the service of the Conservation Authority upon expiration of such leave of absence, etc., he/she shall receive a pro rated vacation credit for that month, and retain his/her accumulative credit, if any, existing at such time of such leave.
- d) While no vacation shall be taken during a probationary period, the probationary period shall be considered as part of the vacation credit accumulation period.
- e) Vacation with pay credits are accumulated from the beginning of the first month of unbroken service after the starting date of the probationary period.
- f) When a statutory holiday falls on a day of the scheduled vacation, an employee shall be entitled to an additional day of vacation.
- g) Employees shall submit their request for vacation to the General Manager for approval.
- h) The General Manager shall submit his/her request for vacation to the Chairman of the Conservation Authority unless the period requested is four (4) days or less.
- i) Employees may be permitted to forward a **maximum** of five (5) days vacation time to the following year at the discretion of the General Manager. Forwarded vacation days **must** be used during the following year.

B2-(2) Full Time – Part Year Employee Vacation Credits

Full Time – Part Year employees shall be entitled to an annual vacation period, with pay, as follows:

- 1) 1 day per unbroken month if the first calendar year is less than 12 months (not exceeding 10 days);
- 2) Two weeks (10 working days) for the first calendar year of service and during the first five (5) years of service;
- 3) Three weeks (15 working days) in each year of service after five (5) years, up to and including ten (10) years of service;
- 4) Four weeks (20 working days) in each year of service after ten (10) years, up to and including twenty (20) years of service;
- 5) The Full Authority shall approve any additional vacation time.

All other regulations under B2- (1) will apply to Full Time – Part Year employee vacation credits and annual vacations.

B3 BENEFITS

- a) All full time employees will be entitled to the benefits as defined in the Group Benefits Plan following the completion of their probationary period. Please refer to the Insurance Coverage Booklet (Appendix A) for specific details of this package.
- b) All Full Time Employees will receive a Registered Retirement Savings Plan (RRSP) contribution from the Conservation Authority to a Conservation Authority approved account based on a percentage of their regular wage. Full Time employees also have the option to make contributions to their RRSPs via a regular deduction from their wages.

- c) All employee categories must contribute to the Employment Insurance Plan and the Canada Pension Plan as required by Federal regulations. The Conservation Authority will provide the premiums for the Employer Health Tax and the Workplace Safety and Insurance Board (WSIB).
- d) The Conservation Authority will pay the full cost for coverage under the Group Benefits Package and also provide an additional amount up to, but not exceeding, \$200/year for any prescription medication not covered by the package for all Full Time employees.
- e) In the event of a disability, benefits shall remain in effect for two years, or until WSIB Long Term Disability and Life Insurance coverage comes into effect.
- f) The Conservation Authority shall reimburse Full Time employees for successfully completed, job-related courses, at the discretion of the Chairman and of the General Manager.

B4 HIRING

Promotions, relocations, resignations, retirement and expansion/cutbacks of Conservation Authority operations will, from time to time, require staff reductions, replacements and/or additions. Unless there are extenuating circumstances, employment opportunities will be advertised in the local print media and employment agencies, and such advertisements will be posted internally on staff bulletin boards to enable staff to apply.

When hiring, care must be taken to ensure that no preference is given to persons related to or recommended by present staff or members of the Conservation Authority, and that persons be hired for a position based purely on education, work ethic, experience and merit.

An applicant for employment or advancement in employment will not be hired, transferred or promoted to a position that would place such an applicant in a direct supervisory/subordinate reporting relationship with a spouse, child or parent of the applicant, or in a compromising position with the spouse, child or parent in a financial or administrative matter. Similar provisions will apply where employees become related while in the employ of the Conservation Authority. Extenuating circumstances may be considered subject to the approval of the General Manager.

The Finance and Personnel Ad Hoc Committee shall be involved in the interview and selection process of new employees hired for the General Manager or Secretary-Treasurer positions. Hiring for all other positions is the responsibility of the General Manager or designate unless otherwise requested by the Chairman of the Authority.

B5 RETIREMENT

Unless otherwise dictated by Federal and Provincial legislation, or by special Full Authority resolution, all employees shall retire on the last day of the month in which they have reached their sixty-fifth (65th) birthday. Subject to mutual agreement, the Full Authority may retain an employee beyond this date on a “Part Time/Seasonal Basis” or “Contract Basis”, with the understanding that all employment related benefits cease on the retirement date.

Notwithstanding the above paragraph, all employees in the Conservation Authority’s service shall retire at the end of the month in which he/she reaches the age of seventy (70) years.

B6 TERMINATION OF SERVICE

- a) Unless otherwise stipulated in the Conservation Authorities Act and/or in the regulations of the Authority, the General Manager may:

- 1) Dismiss any employee who does not observe or comply with the Regulations of the Conservation Authority; or
 - 2) Release from employment any employee during the probationary period of employment for failing to meet the requirements of the position.
- b) All Full Time and Part Time employees shall be given termination notice/pay in accordance with the Employment Standards Act.
- c) All monies outstanding shall be paid to the employee upon termination (i.e. vacation pay, overtime accumulated, termination pay etc.).
- d) When dismissing any employee for cause or removing him/her from employment for cause, the General Manger shall advise the Chairman in writing.
- e) Any Full Time employee may appeal the decision to the Full Authority.
- f) Any employee leaving the Conservation Authority at any time during a pay period shall receive his/her final payroll cheque on the regular payday and any monies in accordance with section B6-(c).

B7 PUBLIC HOLIDAYS

- a) Employees shall be entitled to the following eleven (11) paid holidays: New Years Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day.
- b) When any of the aforementioned holidays fall on a Saturday or Sunday, the General Manager will designate a day in lieu of the holiday.
- c) When reporting holidays on time sheets, they must be identified as such so as not to confuse them with vacation time or time off.
- d) If the time between Christmas Eve and New Years Day makes it impractical for the normal operation of the Conservation Authority, the Full Authority can recommend

that the office be closed for that period and that staff be compensated. All duties of the Conservation Authority (flood forecasting) **MUST** be covered during that period by designated staff.

- e) While not public holidays, inclement weather closings will be at the discretion of the General Manager on an as needed basis. Employees sent home shall not suffer a loss of pay on this occasion. Any other special closings will be dealt with on an as needed basis.

B8 SICK PAY CREDITS

- a) Each Full Time employee shall receive five (5) sick day credits per year. These days **CANNOT** be accumulated from year to year.
- b) Each Full Time employee shall receive coverage under the Short-Term Disability plan commencing on the first day of an accident or the eighth day of illness for a fifteen (15) week duration.
- c) Each Full Time employee shall receive coverage under the Long-Term Disability plan commencing after fifteen (15) weeks of illness until age 65 if necessary.

B9 HOURS OF WORK AND ATTENDANCE

- a) Full Time salaried employees shall work Monday to Friday inclusive, 8:30 am to 4:30pm with one hour off for lunch. Therefore, a 35-hour work week.
- b) Full Time hourly rated employees shall work Monday to Friday inclusive, 8:00am to 4:30pm with one-half hour lunch and two ten minute breaks. Therefore, a 40-hour work week.

- c) Part time employees shall work Monday to Friday inclusive.
- d) All seasonal and contract employees shall work a schedule devised by the requirements of the program or by their direct supervisor.
- e) All employees shall maintain daily attendance and work records in the form of time sheets. These time sheets shall show the employee's name and location, days and hours worked, type of work, and any periods of absence. The time sheets shall be submitted to the bookkeeper at the beginning of each bi-weekly pay period in order to receive his/her pay cheque and general purpose records.
- f) Conservation Authority employees must be prepared to be "called back" during any emergency threatening the well being of the citizens in the watershed. Emergency situations requiring assistance will be designated by the General Manager and/or the Chairman, but shall, in general, be identified with any natural event (flood, fire, windstorm etc.)

B10 LEAVE OF ABSENCE

a) Bereavement

Employees who, during their work period, are bereaved due to death of one of their immediate family, will be granted a leave of absence with pay of three (3) working days. Immediate family is defined as a current spouse, current common law spouse, children, step children, father, mother, step father, step mother, sister, brother, step sister, step brother, father-in-law, mother-in-law, and one (1) day in the case of death of an employee's (not by marriage) immediate family which is defined as grandmother, grandfather, grandchild, aunt or uncle.

b) Service as Jurors

Employees who, during their work period, are summoned to serve as jurors in any court shall be granted leave of absence for this purpose. Such leave of absence shall not constitute a break of service. The employee on returning to duty following service as a juror, shall present a certificate to the General Manager showing the period of service and the amount of compensation received. If the employee deposits with the Conservation Authority the total amount received for service as a juror, excluding mileage or travelling expenses, the General Manager shall authorize the payment of full salary or wage for the period the employee was absent while serving as a juror. If an employee refuses to pay the Conservation Authority the monies received for the period of service, he/she shall forfeit the right of claim any part of his/her salary, wage or benefits for the period he/she was absent from duty.

c) Service as a Witness

Time spent by an employee to serve as a witness with respect to a Conservation Authority project or action shall be considered as part of his/her regular hour's work, and he/she will be entitled to claim compensating time, if required, as per Conservation Authority policy. The affected employee will also be eligible for a reimbursement of incurred expenses.

d) Pregnancy

- 1) An employee is entitled to 17 weeks of unpaid leave of absence for pregnancy where she has been employed by the Conservation Authority for at least 13 weeks immediately preceding the estimated due date (the date the baby is expected to be born, **not** the actual date the baby is born). An employee may choose to take less time, or in special cases, the leave may be longer.
- 2) As required by Provincial legislation (Employment Standards Act, 2000) an employee who qualifies for pregnancy leave cannot be terminated, disciplined, suspended or laid off because of her pregnancy. Accrual of seniority and employment benefits, including employee contributions (if any) will continue throughout the maternity leave. Employment benefits include the continuation of the vacation day accumulation where applicable. However, periods of pregnancy leave will not be counted towards completion of probationary periods of employment.

- 3) An employee must give at least two weeks notice in writing indicating the date when she plans to begin her pregnancy leave. She must also include a letter from the doctor indicating the due date. If there is no return to work date mentioned in the letter, it will be assumed that the employee is taking the full 17 weeks pregnancy leave.
- 4) An employee can start her pregnancy leave any time during the 17 weeks before her baby is due. The choice as to when the leave starts is a decision made only by the employee. An employee can plan to work right until her due date, but no later. If the baby is born earlier, her leave starts the day the child was born.
- 5) When the employee returns to work, the employee, in most cases, will be given the same job and pay she had before she went on leave. If the wage for the job has gone up while the employee was away, then the employee will receive the higher wage. If the job was changed while the employee was away, the employee will be offered a comparable job with the wages being at least equal to, or better than, the wages for the previous job. If an employee is dismissed for legitimate business reasons that are completely unrelated to the pregnancy, the employee does not have to be reinstated.
- 6) This benefit applies to all employees whether Full Time – Full Year, Full Time – Part Year, Part Time Seasonal, or Contract.
- 7) While the employee is on pregnancy leave, the Conservation Authority will continue to make employer contributions to all benefit and RRSP plans, unless the employee advises in writing that she does not wish to continue to make employee contributions (if any) to such plans.
- 8) An employee who suffers a miscarriage or stillbirth within the 17 weeks before her due date is still eligible for pregnancy leave. In such cases, pregnancy leave will end 17 weeks after it started or six weeks after the miscarriage or stillbirth, whichever is later.
- 9) An employee who has already taken 17 weeks pregnancy leave, but has not yet given birth continues to stay on pregnancy leave until the baby is born. The pregnancy leave will end, and parental leave will begin when the child is born.
- 10) An employee, who, for medical reasons which may or may not be related to her pregnancy, has to stop work prior to the intended pregnancy leave, has a right to benefits under the Conservation Authority's Short-Term Disability plan until she

starts her pregnancy leave, which could be the actual date the baby is born, or the due date, or the date she intended to start pregnancy leave.

e) Parental Leave

- 1) Parental Leave is a right that enables natural and other new parents up to 18 weeks of unpaid leave from work when a baby or child first comes into their care. Birth parents are entitled to this leave. Parental leave is not part of pregnancy leave. A birth mother can take both pregnancy leave and parental leave. Parental leave is not part of pregnancy leave. A birth mother can take both pregnancy leave and parental leave for a total of 52 weeks off work.
- 2) For an employee to be eligible for parental leave, the employee must have been an employed by the Conservation Authority for at least 13 weeks before the date the leave is expected to start.
- 3) A mother's parental leave usually starts when her pregnancy leave ends. If her baby is not yet in her care when the pregnancy leave ends, she may start her parental leave after the child comes into her care for the first time. Parental leave shall be for a maximum of 35 weeks in addition to pregnancy leave or 37 weeks in otherwise.
- 4) A natural father, adopting parent or step parent will decide when to take parental leave. Parental leave for a father shall last no longer than 37 weeks. They must start no later than 52 weeks after the baby is born, or the child first comes into their custody, care or control.
- 5) Parental leave must be taken all at one time.
- 6) An employee must provide written notification, at least two weeks before an employee plans to start parental leave. The notice should give the date that they plan to start the parental leave. If no date is given indicating when the employee plans on returning to work, then the employer will assume that the employee will take the full 18 weeks of parental leave.
- 7) Parental leave is not available to an employee if she suffers a miscarriage or stillbirth, or if the child dies before the pregnancy leave ends.

- 8) As with pregnancy leaves, an employee who is entitled to take parental leave cannot be terminated or laid off, disciplined or suspended because he/she is so entitled, or had in fact applied for or taken a parental leave. Accrual of seniority and employment benefits, including employee contribution (if any), will continue throughout the parental leave. Employee benefits include the continuation of the vacation day accumulation where applicable. However, periods of parental leave will not be counted towards completion of probationary periods of employment.
- 9) When the employee returns to work, the employee, in most cases, will be given the same job and pay he/she had before he/she went on leave. If the wage for the job has gone up while the employee was away, then the employee will receive the higher wage. If the job was changed while the employee was away, the employee will be offered a comparable job with wages being at least equal to, or better than, the wages for the previous job. If an employee is dismissed for legitimate business reasons which are completely unrelated to the parental leave, the employee does not have to be reinstated.

f) Elected Office

- 1) When an employee is running for federal or provincial office, they must disclose this to the employer and take steps to prevent conflict of interest. Employees running for these offices must take an unpaid leave of absence (with benefit payments as per the Personnel Policy), commencing on the day after the writ for the election is issued or on the day that their candidacy is publicly announced, whichever is the latter;

Employees who are elected for federal or provincial office must resign their position, effective the last day before the commencement of the leave of absence without pay;

An employee who seeks election and is not elected shall be entitled to return to the same or similar position effective the day after the election.

- 2) Employees seeking municipal and other offices are not required to take an unpaid leave of absence, provided that the campaign does not impact their attendance at work and it poses no conflict of interest. This also applies to those employees who are elected to the office for which they ran.

Note: the employee is required to clearly note the purpose of the leave of absence on applicable work reports.

B11 PURCHASING PROCEDURE AND USE OF CORPORATE CREDIT CARD

All purchases for the Conservation Authority shall be made in accordance with the following policies and procedures. Limits may change over time.

- a) All purchases shall be within budget limits unless otherwise directed by the Full Authority.
- b) All purchases shall be made with the issuance of a purchase order signed by the Secretary-Treasurer, General Manager, or his/her designate, or by the Conservation Authority Credit Card, or by letter of the General Manager. Minor purchases may be made through petty cash.
- c) Purchases shall be made only by those persons who have been authorized by the General Manager to do so.
- d) Purchases up to \$2,500, plus GST & PST, require the approval of the General Manager and must be pre authorized in the Conservation Authority budget.
- e) Purchases between \$2,500 and \$10,000, plus GST & PST, require the approval of the Finance and Personnel Ad Hoc Committee. Three quotations shall be obtained whenever possible.
- f) Purchases over \$10,000, plus GST & PST, must be advertised by public tender and be approved by the Full Authority.
- g) In emergency situations or when time is of the essence, the Conservation Authority Chairman shall have discretionary power to approve purchases up to \$25,000, plus GST & PST, subject to a telephone poll of Full Authority board members. All such purchases shall be reported at the next Full Authority meeting.

- h) When quotes/tenders are received which are identical to one another in every respect, the location of the bidder may be taken into account.

B12 TRAINING

- a) Employees wishing to take part in special job related training courses/conventions/seminars shall submit a request to the General Manager.
- b) Approvals are to be limited to yearly budget allocations. In case no funds are available, the General Manager may grant time off with pay, with the employee to pay for all expenses.
- c) No overtime can be accumulated when participating in a course, convention, seminar etc., even though the hours per day may be beyond regular working hours.

B13 GRIEVANCES

Employees are entitled to present a grievance in connection with salary, wages, dismissals or the application of this policy as per Section B1 (1) k of the Personnel Policy. If that process has not proven satisfactory and the matter remains unresolved, then an appeal can first be made to the Finance and Personnel Ad Hoc Committee and if the matter still remains unsettled, the Full Authority.

SECTION C –PART TIME/SEASONAL EMPLOYEES

In addition to policies noted in Section A of this Personnel Policy, the following policies apply to Part Time/Seasonal employees.

The Part Time/Seasonal employment category is defined as follows:

Part Time/Seasonal employees are hired on for relatively short periods during the year,

OR work on a year-round basis for less than thirty (30) hours per week.

Generally, this employment category covers all employees other than “Full Time – Full Year”, “Full Time – Part Year” and “Contract”.

C1 EMPLOYMENT CONDITIONS FOR PART TIME/SEASONAL EMPLOYEES

Applicants for Part Time/Seasonal employment and employees in this category:

- a) Shall be hired at the discretion of the General Manager or such person whom the General Manager has designated this authority. Hiring procedures shall be in accordance with the Conservation Authority’s Personnel Policy, and any and all other regulations/guidelines that may be in place.
- b) Shall be required to sign an Employment Acknowledgement Form, which sets out basic employment requirements and confirms that they have read and understood this Personnel Policy and agree to abide by its requirements. Sample copy is attached as Appendix A.
- c) Shall be discharged for cause (e.g. failure to comply with attendance regulations and directives, absent without permission, reporting to work but incapable of

- performing assigned duties, misuse of Conservation Authority property, failure to obey instructions of immediate supervisor, violation of Personnel Policy, fraud, dishonesty, general incompetence, etc.) at the discretion of the General Manager. Discharges are to be recommended by the designated supervisor. Severance terms, if any, shall be set by the General Manager.
- d) Shall receive remuneration only for actual time worked or as per special funding program requirements.
 - e) Subject to Employment Standards legislation, shall be paid for public holidays as per Section C3 of this Personnel Policy.
 - f) Shall be required to work at locations as designated by the General Manager or designate.
 - g) Shall receive vacation pay at the rates stipulated in the Employment Standards Act 2000 of Ontario as per Section C4 of this Personnel Policy.
 - h) Subject to terms of employment, are not entitled to benefits other than mandatory benefits as per Federal and Provincial legislation (see Section C6 of the Personnel Policy).
 - i) Shall be required to contribute towards the Canada Pension Plan, Employment Insurance and Income Tax as required under Federal regulations.
 - j) Where applicable, shall have their performance reviewed and documented on an annual basis. The purpose of the evaluation is to formerly review and evaluate prior performance and targets. The evaluation will be performed by the General Manager.

C2 HOURS OF WORK

- a) Hours of work shall be set by the General Manager or his/her designate.

- b) Depending on work requirements and location, hours of work and work periods differ from position to position.
- c) Due to work demands, supervisory staff may require employees to work beyond their regular working period.
- d) If an employee, because of weather conditions, decides he/she is unable to report to work or must leave work prior to his/her regular departure time, the employee shall not be paid for the lost time. Subject to the approval of their immediate supervisor, affected employees may elect to make up lost time within the next thirty (30) working days, as long as this does not result in exceeding a 44 hour work week.
- e) Seasonal staff may be sent home for the day based on weather conditions or other factors at the discretion of their supervisor. The employee will not be paid for such a situation.

C3 PUBLIC HOLIDAYS

- a) Employees will be eligible for the same public holidays as outlined in Section B7 of this Personnel Policy.
- b) Employees will be paid for the public holidays in accordance with the Employment Standards Act 2000 of Ontario. If the employee is eligible and required to work on any of these holidays, he/she shall be entitled to a day's pay (or a lieu day) plus regular wages for hours worked as applicable.
- c) When any of the above noted holidays fall on a Saturday or Sunday, the General Manager will designate a day in lieu of the holiday.

C4 VACATION CREDITS

A vacation period is granted as per the requirements of the Employment Standards Act. In this connection, 4% of income will be added to pay cheques. The vacation period is to be taken outside the employment period unless specifically authorized by the General Manager.

C5 WAGES

- a) Wage scales shall be reviewed periodically to ensure that hourly rates are not unreasonable when comparing same with hourly rates offered to Part Time/Seasonal staff for comparable work by comparable employers.
- b) All employees are required to complete work reports on a weekly or bi-weekly basis as directed by their supervisor. The employee's signature on the report attest to the accuracy of the work performed during the current pay period. The completed and signed work report will be the sole basis for payment of wages.
- c) Pay periods for hourly paid employees shall be on a bi-weekly period, i.e. every other Tuesday.
- d) Any employee leaving the Conservation Authority services at any time during a pay period shall be paid his/her wage and other entitlements on the next applicable pay date.

C6 BENEFITS

Employees are not eligible for benefits, except those benefits that are mandated by Provincial and/or Federal legislation, or otherwise specifically provided for in Section C of this Personnel Policy.

SECTION D – CONTRACT STAFF

In addition to policies noted under Section A of this Personnel Policy, the following policies apply to Contract Staff.

The Contract category is defined as follows:

Contract employees are hired to complete a specific task within a specific term related to a specific program or project.

D1 EMPLOYMENT CONDITIONS FOR CONTRACT EMPLOYEES

Applicants for Contract positions and contract employees:

- a) Shall perform tasks and adhere to conditions as specified in contract agreements.
- b) Are hired and dismissed as per contract terms.
- c) Are not eligible for benefits, except those benefits that are mandated by Provincial and/or Federal legislation. Specific benefits may be granted by the Conservation Authority, which will be listed in the contract agreement. Premium payments for these benefits, if any, are to be paid for the contract employee, unless other terms are negotiated.
- d) Depending on circumstances, may receive vacation entitlement in accordance with Provincial legislation. If a vacation entitlement is granted, it shall consist of 4% being added to each pay cheque, unless otherwise agreed to by the General Manager.
- e) Where applicable, Contract employees shall have their performance reviewed and documented on an annual basis. The purpose of the evaluation is to formally review

and evaluate prior performance and targets. The evaluation will be performed by the General Manager.

- f) Are required to complete work reports on a bi-weekly basis as directed by supervisor. The employee's signature on the work report attests to the accuracy of work performed during the current pay period. The completed and signed work report will be the sole basis for payment and wages.
- g) The pay periods for Contract employees will be on a bi-weekly period, i.e. every other Tuesday.
- h) A Contract employee leaving the Conservation Authority services anytime during a pay period shall be paid his/her wage or salary and other entitlements on the next applicable payday.

SECTION E – VOLUNTEERS

In addition to policies noted in Section A of this Personnel Policy, the following policies are to be adhered to by volunteers. In some cases, strict adherence is a requirement, while in other cases the policies are to be considered as sensible guidelines.

The Volunteer category is defined as follows:

Volunteers are individuals who participate, without compensation, with paid staff in implementing the goals and objectives of the Conservation Authority.

E1 VOLUNTEERS – GENERAL OVERVIEW

It is recognized that volunteers are an integral component of the work of the Conservation Authority and that – participating in cooperation with paid staff – they

may assist greatly in implementing the goals and objectives of the Conservation Authority, as well as the goals and objectives of the projects/programs in which the volunteer is involved. Therefore, the Conservation Authority may utilize the help of volunteers when and where same is considered to be of benefit to the Conservation Authority. Generally, volunteers will not receive compensation, other than the payment of authorized expenses and/or a token honorarium.

E2 APPOINTMENTS AND TERMINATIONS

- a) A volunteer shall be appointed at the discretion of the General Manager or such person to whom the General Manager has designated this authority, and the appointment shall be in conformity with applicable volunteer appointment procedures.
- b) A volunteer shall have a clearly identified supervisor for each Conservation Authority activity in which he/she is involved.
- c) An individual will no longer be allowed to volunteer as a result of failure to abide by instructions of supervisor, violation of applicable sections of the Personnel Policy, fraud, theft, dishonesty, and/or general incompetence.
- d) Should a volunteer not be performing according to the supervisor's expectations, the volunteer will be made aware of his/her expected performance and, if performance is not improved, how the volunteer is to be relieved of duties. This is a three step process, as follows:
 - 1) The volunteer is interviewed by the General Manager or such person to whom the General Manager has designated authority. Areas where performance is lacking will be identified with remedial action taken. The interview must be documented, with a written memorandum outlining the areas of concern and action to be taken, normally with a time limit when improvement must be seen.
 - 2) Should there be no improvement, then the General Manager or designate will meet with the volunteer to outline the problems.

- 3) The applicable supervisor may set an additional time period to effect improvement, OR the matter may be referred to the General Manager for action to “relieve the volunteer of duties”.

There may be certain instances where, at the discretion of the General Manager, volunteers are relieved of their duties immediately.

NOTE: There may be circumstances under which qualified volunteers may offer to undertake specific administrative services. These volunteer services can be considered subject to the following guidelines:

- *no compensation*
- *not to replace existing staff*
- *to carry out supplementary duties only*
- *to act as temporary replacement when full time Conservation Authority staff are absent due to vacation, sickness, pregnancy, etc.*

E3 LIABILITY INSURANCE COVERAGE

The Conservation Authority provides general liability insurance coverage if a volunteer is sued by a third party for actions by the volunteer which were not malicious, physical or criminal.

The policy is subject to a cross-liability clause, that enables one volunteer to pursue legal action against another volunteer or the Conservation Authority based on an allegation of negligence where an injury has occurred.

The policy provides coverage to pay, on behalf of the Conservation Authority, any medical expenses incurred by a volunteer as the result of an accident, where such expenses are not covered by any other form of hospital or medical insurance plan.

Crowe Valley Conservation Authority Personal Health Care Spending Account Policy

Effective 1 January 2018, Crowe Valley Conservation Authority's health benefit program experienced changes that reduced the amount of coverage for CVCA employees from 100% to 80% for some health and dental benefits through Sunlife group benefit program. Due to these changes, during the 2018 budget deliberations, the CVCA Board approved staff recommendations to implement a Personal Health Care Spending Account (PHCSA) for CVCA full time employees to help offset the additional costs employees will incur due to the changes made from Sunlife group benefit plan.

Who is Covered?

The CVCA Personal Health Care Spending Account will cover additional expenses for health care and dental care incurred by CVCA employees and their dependents registered under the Sunlife Group Benefits Program.

What is covered?

The remaining amount left after Sunlife has paid the employee for their health or dental claim.

Only health care, dental care services and/or supplies will be reimbursed to CVCA employees after the employee has been reimbursed by Sunlife under the group benefit plan.

How will it work?

1. CVCA will allocate a predetermined amount of funds to each employee's Personal Health Care Spending Account (PHCSA), which will be dependent on approval of the funds in the annual CVCA budget.
2. To utilize funds in the employee's PHCSA, receipts for the dental/health care will be submitted to the Administrative Assistant and the amount not covered by Sunlife will be eligible for reimbursement.
3. Items not covered under the Sunlife plan will not be eligible for this program (ie. over the counter medication).
4. Once approval from the General Manager has been granted, a cheque will be provided to the employee for the claim amount.
5. Cheques will be issued semi-annually, in June and December unless otherwise authorized by the General Manager.

6. Claim amounts will not exceed the total amount in the employee's PHCSA.
7. The CVCA Administrative Assistant will keep detailed records of each employee's PHCSA balance available.

Personal Health Care Spending Account Carry Over

CVCA employees will be permitted to carry forward any unused funds to the next year in their PHCSA. Employees may carry forward unused balances for 2 years. The PHCSA will not exceed a maximum amount of three years of contributions.

General Information

The CVCA Personal Health Care Spending Accounts will be made available to Full Time Employees who are eligible for group benefits through the Sunlife group benefit program. The PHCSA is not redeemable in cash and will not be cashed out to employees at any time. If an employee decides to resign from the CVCA or if they are terminated, any remaining amount in the PHCSA will not be paid as part of their compensation package and the employee forfeits any outstanding claims not submitted prior to the termination date.

Conservation Authorities Act & Regulations

The Conservation Authorities Act was recently reviewed with several changes being made to the act. Use this link to access the updated version on the [Conservation Authorities Act](#).

CVCA Ontario Regulation 159/06 – Conservation Authorities Act Regulations 28) Regulations of Development, Interference with Wetlands and Alterations to Shorelines & Watercourses

Use this link to access [Regulation 159/06](#).

CVCA Ontario Regulation 103 – Conservation Areas

Link: <https://www.ontario.ca/laws/regulation/900103>

CVCA Watershed Ontario Regulation 159/06 Policy Manual

This document is intended to provide Crowe Valley Conservation Authority (CVCA) with a working Regulations Policy and Procedures Manual for the purposes of administering CVCA's "Regulation of Development, Interference With Wetlands and Alterations to Shorelines and Watercourses" regulation (Reg. 159/06). This policy will also assist Crowe Valley Conservation Authority in fulfilling its watershed management objectives.

This manual has been written to compliment The Provincial Flood Planning Policy Statement and Implementation Guidelines and define the criteria against which CVCA administers its regulatory responsibilities under Ontario Regulation 159/06. It is intended to provide guidance and direction to CVCA staff that receive, review and evaluate applications against the policies contained within this document. The Manual also provides information to the development community who can utilize these policies in preparing proposals for approval. Municipalities and community stakeholders can also use this Manual to coordinate their own administration or interests and can be confident that matters of stated Provincial interest have been accurately interpreted and are being applied appropriately.

This document is intended to be read in its entirety and all relevant policies are to be applied to each situation. While specific policies sometimes refer to other policies for ease of use, these cross-references emphasize the need for reading this document as a comprehensive and integrated suite of policies. It should be noted that this document does not address the approval requirements for other potentially affected agencies.

The [Regulations Policy and Procedures Manual](#) can be found on CVCA website.