

002 - OPLB Delegation of Authority

Background and Principles

In keeping with the *Public Libraries Act, RSO 1990, c.P.44 (the Act)*, other relevant statutes, laws, and good governance practices, the Board retains accountability for the full range of decisions affecting the organization. The Board has decided, however, to use a policy or strategic model of governance that focuses most of the attention of the Trustees on setting strategic direction and objectives, making decisions on major projects and monitoring performance.

In keeping with section 15 of the *Act*, the Chief Executive Officer (CEO) shall have general supervision over, and direction of, the operations of the public library and its staff and shall have the other powers and duties that the Board assigns to him or her from time to time.

Table 1 provides the framework regarding the range of decisions that may be required to operate the library and whether the Board retains decision-making powers or delegates them to the CEO or his/her designate. The Board may impose such terms and conditions upon any delegation as it sees fit, and this shall include the power to vary such terms or rescind the delegation in question.

Policy Interpretation and Details

2.1 Secondary Delegation of Authority

The CEO is authorized to further delegate and to authorize further delegations of any powers, duties and functions delegated to the CEO by the Board under this or any other policy to any member of OPL staff provided such delegations are authorized in writing. Where authority is delegated to a specific employee in this policy, the authority may be further delegated by the authorized person to other employees provided that such delegation is authorized in writing and does not exceed the authority delegated to the authorized person. The CEO maintains a list of secondary delegations of authority (i.e. to other levels of management), and reports such further delegations, in the annual CEO Delegation of Authority Amendments reporting.

2.2 Emergency or Special Circumstances

In cases of emergency or special circumstances where it is necessary to act within or outside the normal mandate of the OPL, but such action is not strictly within the terms of a delegated authority, the CEO may take such action as necessary to rectify the situation and all such actions shall be reported immediately to the Chair and then the Board.

2.3 Resolution of Conflicts

The Board retains the power to resolve any conflict or ambiguity regarding the delegation of decision-making authority. The CEO is authorized to resolve any conflict or ambiguity regarding the delegation of the CEO's decision-making powers to OPL staff.

Delegation of Authority Framework

The following table provides a summary of the range of decisions and authority for each decision.

Table 1: Delegation of Authority

Approval / Decision	Board	CEO ¹
Purchase and Finance		
1. Transfer budget funds to, or from, the City of Ottawa.	X	
2. Approve and recommend annual Budget Estimates to City Council, and receive capital forecasts. ²	X	
3. Set new or modify purchasing and contracting policies.	X	
4. Approve general competitive and non-competitive operational expenditures as per the City of Ottawa Purchasing By-Law No. 50 of 2000 (as amended from time to time) including, but not limited to: <ul style="list-style-type: none"> • Operational expenses • Leases (single or multi-year with total expenditure within financial authority) • Single or multi-year tenders or 	≥\$500,000 ³	<\$500,000

¹ Includes the CEO or the CEO's designate

² Excludes purchases for materials / collections as noted in item 5.

³ Includes GST / HST and other taxes as appropriate. Spending authority for Deputy CEO <\$250,000; Division Managers \$100,000.

contracts (including any contingencies) per vendor		
<ul style="list-style-type: none"> • Settlement and lawsuit payments • Software license agreements 		
Approval / Decision	Board	CEO
5. Exercise approved spending authority for all OPL collections ⁴ up to the annual approved operating budgets.		X
6. Approve the Development Charges (DC) project listing.	X	
7. Exercise approved spending authority for all capital projects up to the annual approved capital budget.		X
8. Approve additional expenditures to amend previously approved projects based on the deviation from the originally approved amount.	≥10%	<10%
9. Apply for grants and other funding.		X
10. Approve, amend, extend and execute agreements with the federal, provincial, and international governments and agencies.		X
11. Approve, amend, extend and execute service agreements, contribution agreements and grant agreements.		X
12. Negotiate and sign contracts for capital projects once required Board approval is obtained.		X
13. Approve trustee attendance at conferences and conventions.	X	
14. Set or change fees for services.	X	
15. Set or change fees for merchandise. ⁵		X
16. Approve fundraising activities performed by third parties for the library's purposes and coordinate issuance of donation receipts with the City of Ottawa's finance department charitable donations through fundraising to OPL, assuring due diligence in gift acceptance.		X
17. Approve cash or near-cash prizes.	>\$300	≤\$300

⁴ Includes collections and materials in all formats.

⁵ Formula to be set at cost + up to 10%.

Policies and plans		
18. Approve OPL Board policies and position statements. ⁶	X	
19. Approve OPL Strategic Directions and Priorities.	X	
Approval / Decision	Board	CEO⁷
20. Approve strategic frameworks for key OPL services ⁸ .	X	
21. Implement and manage Board position statements and strategic frameworks.		X
22. Set or modify administrative and operational policies ⁹ .		X
23. Approve facility naming rights.	X	
24. Permanently close branches, modify bookmobile stops, or modify kiosk services.	X	
25. Temporarily close or relocate branches in keeping with the branch closure policy; temporarily modify bookmobile stops, or temporarily modify kiosk services.		X
26. Approve sites for new branches, buildings, bookmobile stops, or kiosk services.	X	
27. Approve architectural designs for new buildings.		X
28. Approve OPL corporate brand and visual identity. ¹⁰	X	
Human Resources		
29. Recruit, compensate, dismiss the CEO; monitor and evaluate the performance of the CEO.	X	
30. Set general compensation policies and salary levels for the organization.	X	
31. Set the organizational structure for the organization, including the structure of departments and the number of staff, including Senior Staff.		X
32. Assess the performance of, and set salaries for individual staff.		X
33. Hire, appoint, promote, suspend, dismiss and manage the performance of individual staff ¹¹ .		X

⁶ Policies to support governance will be defined by Board policy. This would include a policy determining CEO reporting requirements as per the delegation of authority.

⁷ Includes the CEO or the CEO's designate.

⁸ Examples include Revenue Generation, Alternative Services, Materials Selection, Technology Roadmap: (advocacy, fundraising, and major sponsorships).

⁹ Administrative and operational policies include, but are not limited to: hours of operation, borrowing rules, loan periods.

¹⁰ Specifically, the OPL logo and colour scheme.

34. Set bargaining mandates and ratify negotiated collective agreements.	X	
35. Negotiate collective agreements.		X

Policy Review

This policy will be reviewed every four years in the first quarter of the second year of the term of the Board, or as required in order to ensure consistency and alignment with related City of Ottawa policies.

Effective Date: March 9, 2021	Last Review Date: December 2018
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¹¹ The CEO shall advise the Board of any hiring and/or dismissal of senior staff (Deputy CEO, Division Managers).