

## AGENDA

### Committee of the Whole Meeting #2023-02

#### Kingston Frontenac Public Library Board

**May 10, 2023 at 5:00 PM**

**Meet 1, Central Branch**

The Kingston Frontenac Public Library acknowledges that our work takes place on the traditional territories of the Algonquin, Anishinaabe, Haudenosaunee and Huron-Wendat and is home to Shabot Obaadjiwan First Nation, one of ten communities that make up the Algonquins of Ontario. We acknowledge the Mohawks of the Bay of Quinte and recognize that our region is home to First Nations, Métis, and Inuit from across Turtle Island, as well as Indigenous Peoples from other areas of the world.

1. Call to Order
2. Policy Review
  - 2.1. Health and Safety (report and policies attached)
    - 2.1.1. Occupational Health and Safety
    - 2.1.2. Workplace Harassment
    - 2.1.3. Workplace Violence Prevention
  - 2.2. Procurement of Goods and Services (report and policy attached) (brought forward from March 2023)
  - 2.3. KFPL Board Bylaws (report and policy distributed separately)
3. Other Business
  - 3.1. Board Education: Department Overviews
  - 3.2. Ownership Linkages: Discussion and Planning

#### **Adjournment and Next Meeting**

Regular Board Meeting, Wednesday, May 24, 2023 at 5:00 PM, Meet 1, Central Branch.

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Kingston Frontenac Public Library exists so that both urban and rural residents have access to resources, services, and programming that support personal enrichment, digital equity, information literacy, and meaningful societal participation through effective stewardship of public resources.

## **KFPL Report to the Board**

**Subject:** Health and Safety Policies  
**Prepared by:** S. Quigley, Director, Human Resources  
**Date of meeting:** May 10, 2023

### **Background:**

The *Occupational Health and Safety Act*, R.S.O. 1990 c. 0.1 requires employers to review health and safety policies at least annually. Section 32.2 of the Act stipulates that “the Minister may approve a code of practice and the approved code of practice may be followed to comply with a legal requirement specified in the approval”. In 2016, the Ministry of Labour issued a Code of Practice to address workplace harassment including a template for policy, workplace investigations etc. KFPL policies were amended to follow the Code of Practice.

The following policies were last reviewed and approved at the May 2022 Library Board meeting:

- Occupational Health and Safety
- Workplace Harassment
- Workplace Violence Prevention.

### **Analysis:**

The policies were reviewed by members of the Joint Health and Safety Committee at their last meeting and no significant changes are required or recommended.

A minor edit is recommended in Appendix A of the Workplace Violence Prevention Policy to accurately reflect the committee title (Joint Health and Safety Committee).

In the Workplace Harassment Program, on page 4, a title was lost in a previous version. 3.5 Results of the Investigation is being added back in.

### **Recommendations:**

That the policies be approved.

# Occupational Health and Safety (DRAFT)

## 1. Purpose

The Kingston Frontenac Public Library is dedicated to continuing to meet or exceed the requirements of the *Occupational Health and Safety Act (OHSA)*.

## 2. Scope

This policy applies to all workers of the Kingston Frontenac Public Library.

## 3. Definitions

Under the *OHSA*, “**worker**” includes a person who performs work or supplies services for monetary compensation. “**Worker**” includes library employees working full-time, part-time, or casual, in unionized, non-unionized, supervisory or management positions. Students and student interns involved in work experience programs are also included in the definition of worker. “**Worker**” does not include contractors, sub-contractors or volunteers.

## 4. Guiding Principles

Through a comprehensive occupational health and safety program, management of the Library will ensure that operational activities remain safe and productive.

## 5. Policy

- 5.1. The management of the Kingston Frontenac Public Library is responsible for developing and implementing standards to ensure a hazard free workplace.
- 5.2. Workers will have ongoing training programs provided to familiarize them with safety regulations.
- 5.3. A healthy and safe workplace is everyone’s responsibility. Workers of the Kingston Frontenac Public Library will report any unsafe condition to management and/or a member of the Joint Occupational Health & Safety Committee and management will respond by correcting the situation as required.
- 5.4. This Policy Statement, officially signed, has been posted on all Branch Health & Safety Bulletin Boards.
- 5.5. This policy will be reviewed annually by the Board of the Kingston Frontenac Public Library.

**6. Appendices**

Not applicable.

**7. Authorities**

*Occupational Health and Safety Act*, R.S.O. 1990, Chapter 0.1

**8. Document Control**

Last Reviewed: May 2023

Changes made: no changes

Next Review: May 2024

**9. Signatures**

Signed / date: \_\_\_\_\_  
Chief Librarian / CEO

Signed / date: \_\_\_\_\_  
Chair, KFPL Board

Signed / date: \_\_\_\_\_  
Joint Health and Safety Committee – Union Representative

# Workplace Harassment (DRAFT)

The Kingston Frontenac Public Library is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace including patrons, customers, clients, volunteers, other employers, contractors, supervisors, workers and members of the public.

**Workplace harassment** means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment.

**Workplace sexual harassment** means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workers are encouraged to report any incidents of workplace harassment to the appropriate person (e.g., supervisor, Manager or Director, Union).

Management will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

Managers, supervisors and workers are expected to adhere to this policy, and will be held responsible by the employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.

If a worker needs further assistance, they may contact a member of the Joint Health and Safety Committee, the Union, the Ministry of Labour or the library Employee Assistance Program provider.

**Related Documents:**

KFPL Workplace Harassment Program

**Document Control:**

Last Reviewed: May 2023

Changes made: no changes

Next Review: May 2024

**Signatures:**

Signed / date: \_\_\_\_\_  
Chief Librarian / CEO

Signed / date: \_\_\_\_\_  
Chair, KFPL Board

Signed / date: \_\_\_\_\_  
Joint Health and Safety Committee – Union Representative

# Workplace Harassment Program (DRAFT)

The Kingston Frontenac Public Library is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace including customers, patrons, clients, volunteers, other employers, contractors, supervisors, workers, and members of the public.

The workplace harassment program applies to all workers including managers, supervisors, temporary employees, students and subcontractors.

## 1. Workplace Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment. (See [Appendix A](#) for more definitions and examples).

Workplace sexual harassment means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment (e.g., scheduling, annual performance review).

## 2. Reporting Workplace Harassment

### 2.1. How to Report Workplace Harassment

Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the workplace harassment complaint form (see [Appendix B](#)). When reporting verbally, the reporting contact, along with the worker complaining of harassment, will fill out the complaint form.

The report of the incident should include the following information:

- a) Name(s) of the worker who has allegedly experienced workplace harassment and

contact information.

- b) Name of the alleged harasser(s), position and contact information (if known).
- c) Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known).
- d) Details of what happened including date(s), frequency and location(s) of the alleged incident(s).
  - Any supporting documents the worker who complains of harassment may have in their possession that are relevant to the complaint.
  - List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

## 2.2. Who to Report Workplace Harassment To

An incident or a complaint of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

Report a workplace harassment incident or complaint to your manager. If the worker's supervisor or reporting contact is the person engaging in the workplace harassment, contact the Director, Human Resources. If a manager or director is the person engaging in the workplace harassment, contact the Chief Librarian/CEO. If the Chief Librarian/CEO is the person engaging in the workplace harassment, contact the Chair of the KFPL Board. (Note: The person designated as the reporting contact should not be under the direct control of the alleged harasser.)

Human Resources shall be notified of the workplace harassment incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances. If the incident or complaint involves a senior executive or KFPL Board member, an external person qualified to conduct a workplace harassment investigation who has knowledge of the relevant workplace harassment laws will be retained to conduct the investigation.

All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

## 3. Investigation

### 3.1. Commitment to Investigate

The Kingston Frontenac Public Library will ensure that an investigation appropriate in the circumstances is conducted when the employer, human resources, a manager or



supervisor becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment. (See [Appendix C – Investigation Template](#))

### 3.2. Who Will Investigate

The Director, Human Resources will determine who will conduct the investigation into the incident or complaint of workplace harassment. If the allegations of workplace harassment involve a Manager, Director or Chief Librarian/CEO, the employer will refer the investigation to an external investigator to conduct an impartial investigation.

### 3.3. Timing of the Investigation

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e., illness, complex investigation) warranting a longer investigation.

### 3.4. Investigation Process

The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

- a) The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- b) The investigator must thoroughly interview the worker who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is a worker of the employer. If the alleged harasser is not a worker, the investigator should make reasonable efforts to interview the alleged harasser.
- c) The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
- d) The investigator must interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
- e) The investigator must collect and review any relevant documents.
- f) The investigator must take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser and any witnesses.

- g) The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

### 3.5. Results of the Investigation

Within 10 days of the investigation being completed, the worker who allegedly experienced the workplace harassment and the alleged harasser, if they are a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address workplace harassment.

### 3.6. Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

### 3.7. Handling Complaints

If an investigation confirms that an offence has occurred and remedial action is warranted it will be initiated without delay. This may include counselling, education and training, review and modification of policies and practices, or other disciplinary action up to and including dismissal. Where applicable, the relevant disciplinary procedures set out in the Collective Agreement or other employee agreements will be followed. In no circumstances shall this remedial action in a substantial case of harassment penalize the complainant.

## 4. Record Keeping

The employer (human resources or designated person) will keep records of the investigation including:

- a) a copy of the complaint or details about the incident;

- b) a record of the investigation including notes;
- c) a copy of the investigation report (if any);
- d) a summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
- e) a copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

Records will be kept for six years.

**5. Appendices**

- a) Types and Examples of Harassment
- b) Workplace Harassment Complaint Form

**6. Document Control**

Original Policy Date: January 2017  
Last Reviewed: May 2023  
Changes made: no changes  
Next Review: May 2024

**7. Signatures:**

Signed / date: \_\_\_\_\_  
Chief Librarian / CEO

Signed / date: \_\_\_\_\_  
Chair, KFPL Board

Signed / date: \_\_\_\_\_  
Joint Health and Safety Committee – Union Representative

## Appendix A: Types and Examples of Harassment

### 1. Sexual Harassment

#### 1.1. Unwelcome Behaviour

Examples of this type of harassment include, but are not limited to:

- unwelcome physical contact such as touching, kissing, patting, or brushing up against a person
- suggestive staring or other obscene or offensive gestures
- physical assault
- display of pornographic materials, including graffiti
- unwelcome remarks, jokes, or taunting about a person's body, dress, or sex
- isolating or making fun of a person because of gender identity or gender expression
- enquiries or comments about a person's sex life, sexual preferences, etc.
- circulation or posting of sexist jokes or cartoons

#### 1.2. Sexual Advances

This second type of sexual harassment occurs when a person in a position of power or authority makes unwanted sexual advances or requests for sexual relations.

### 2. Racial Harassment

Racial slurs and harassment and racial jokes are a form of discrimination that violate the Ontario *Human Rights Code* (the Code). The term "race" includes all race-related grounds: race, ancestry, place of origin, colour, ethnic origin, citizenship and creed.

Examples of this type of harassment include, but are not limited to:

- unwelcome remarks, jokes, innuendoes, or taunting about a person's racial or ethnic origin, colour, place of birth, citizenship or ancestry
- racist, ethnic or religious graffiti or the display of racist material
- practical jokes based on racial, ethnic or religious grounds which cause awkwardness or embarrassment
- refusal to work or converse with an employee because of their racial or ethnic background
- use of racially derogatory nicknames

### 3. Poisoned Work Environment

Conduct or comments not directed at a specific individual can nonetheless create a

degrading or offensive "poisoned" work environment and may therefore be considered a form of harassment. Examples of this type of harassment include, but are not limited to:

- display of material which degrades or denigrates a person or group on the grounds of gender, race, ethnic origin, disability, or sexual orientation
- patronizing behaviour, language or terminology which reinforces stereotypes and undermines other workers' self-respect or adversely affects work performance or working conditions
- intimidating behaviour by a person in authority which negatively affects the work performance of employees and is generally detrimental to the working environment
- a poisoned work environment constitutes harassment whether or not employees complain about the display of offensive materials, joking, or name-calling.

#### **4. Personal Harassment**

Personal harassment is improper conduct and/or comment, not related to a legitimate work purpose, directed at and offensive to another person or persons in the workplace and that the individual knows or ought to reasonably know would offend, harm or is derogatory, demeaning or causes humiliation or embarrassment.

Personal harassment often involves a course or grouping of behaviours. However a single serious incident of such behaviour that has a lasting harmful effect on an employee may also constitute personal harassment. Examples of this type of harassment include, but are not limited to:

- frequent angry shouting/yelling or blow-ups
- regular use of profanity and abusive or violent language
- physical, verbal or email threats, intimidation
- violent behaviours – slamming doors, throwing objects, knocking over chairs
- targeting individual(s) in humiliating practical jokes
- excluding, shunning, impeding work performance
- spreading gossip, rumours, negative blogging
- insults, name calling
- retaliation, sabotaging
- repeated offensive or intimidating phone calls or e-mails
- communication that is demeaning, insulting, humiliating, mocking

#### **5. Bullying**

Bullying can be defined as persistent actions, criticism or personal abuse, either in public

or private, which humiliates, denigrates, undermines, intimidates or injures the recipient. Bullying includes cyberbullying.

## **6. What Harassment does not include**

The term harassment is often used incorrectly. It does not include:

- reasonable and appropriate direction, evaluation or discipline by a manager or supervisor
- reasonable action taken by management relating to the management and direction of workers
- stressful events associated with the performance of legitimate job duties
- differences of opinion or minor disagreements between co-workers
- good-natured jesting and bantering which is mutually acceptable
- friendly or romantic behaviour which is welcome and mutual

## **Appendix B: Workplace Harassment Complaint Form**

Note: Whether the worker uses the complaint form or not, the employer is still obligated to ensure an investigation appropriate in the circumstances is conducted into an incident of workplace harassment.

**Name and contact information of worker who has allegedly experienced workplace harassment (your name):**

**Name of alleged harasser(s) and contact information, if available:**

**Details of the Complaint of Workplace Harassment:** Please describe in as much detail as possible the bullying and harassment incident(s), including: (a) the names of the parties involved; (b) any witnesses to the incident(s); (c) the location, date and time of the incident(s); (d) details about the incident(s) (behaviour and/or words used); (e) any additional details. (Attach additional pages if required)

**Relevant Documents/Evidence:** Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix C: Workplace Harassment Investigation Template

**This template may be used for guidance in investigating workplace harassment incidents or complaints.** It may not be appropriate for complex workplace harassment investigations. The person conducting the investigation must not have been involved in the incident or complaint of workplace harassment and must not be under the direct control of the alleged harasser.

Name of investigator: \_\_\_\_\_

Date of investigation: \_\_\_\_\_

### A. Background Information:

Who are the people involved? Are they workers as defined by *OHSA*? Who reported and when? (Attach more pages if necessary)

1. Name of person who reported workplace harassment:
  
2. If not the same person as above, name of person who allegedly experienced workplace harassment:
  
3. Date complaint/concern raised and how:
  
4. Name of worker(s) (complaining or possibly exposed to workplace harassment); Position/Department:
  
5. Name of respondent(s) (alleged harasser); Position/ Department: If not a worker – provide details:



**B. Investigation Plan:**

Plan and **conduct** the investigation (Attach more pages if necessary):

1. Obtain the worker(s) concerns of harassment in writing, if possible. Assistance should be provided in completing the form where necessary.
2. An investigator needs to interview the worker who allegedly experienced workplace harassment and the alleged harasser (if a worker of the employer). If the alleged harasser is not a worker of the employer, the investigator should make reasonable efforts interview him or her.
3. Make a list of possible relevant witnesses. The worker who allegedly experienced workplace harassment and the alleged harasser should be asked for names of any relevant witnesses.
4. Interview relevant witnesses. Ask specific questions about what they have observed, are aware of or have personally experienced. If the witnesses are not workers of the employer, the investigator should make reasonable efforts to interview those witnesses.
5. Collect and review relevant documents from the worker, alleged harasser, witnesses and the employer.
6. Take detailed notes.
7. Keep the investigation confidential. Instruct the worker who allegedly experienced workplace harassment, the alleged harasser and witnesses not to talk to others about the investigation unless it is necessary, for instance, to obtain advice or counselling.

**C. Worker(s) Concerns / Workplace Harassment Allegations:**

When did the incident(s) occur? Confirm date of first incident and any subsequent behaviours or conduct. Note that recalling events of harassment can be stressful for the complainant. (Attach more pages if necessary)

Date of first incident:

Date of last incident:

Date of other incident(s):

**D. Alleged Harasser(s) Response:**

The alleged harasser(s) will likely need details of the allegation of harassment to be able to respond. (Attach more pages if necessary)

# Workplace Violence Prevention (DRAFT)

## 1. Purpose

The Kingston Frontenac Public Library is committed to the prevention of workplace violence and is ultimately responsible for worker health and safety. The Library will take whatever steps are reasonable to protect workers from workplace violence from all sources.

## 2. Scope

This policy applies to all library workers including those of part-time, temporary or casual status, as well as to all Library Board appointees, and all elected officials, appointees or employees acting on behalf of the City of Kingston, the County of Frontenac, and the Townships of North Frontenac, Central Frontenac, South Frontenac and Frontenac Islands. The policy also applies to students, student interns, volunteers, contractors, members of the public and patrons.

## 3. Definitions

### **Workplace violence means:**

1. the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
2. an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
3. a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker or other workers, in a workplace, that could cause physical injury to the worker or other workers.

### **The workplace:**

Workplace violence can occur in any library location, not just library buildings. The workplace may include: meeting rooms, vehicles, locker rooms, cafeterias, or any other location where library business is conducted.

## 4. Guiding Principles

The Library is committed to a workplace free from violence.

## 5. Policy

The Kingston Frontenac Public Library, as the employer, will ensure that this policy and the

supporting program are implemented and maintained and that all workers, supervisors and managers have the appropriate information and instruction to protect them from violence in the workplace.

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning assistance and a process for workers to report incidents or raise concerns.

Managers and supervisors will adhere to this policy and the supporting program. Managers and supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information that they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents and/or threats. This includes the threat of domestic violence that would likely expose a worker or workers to physical injury in the workplace.

The employer pledges to investigate and deal with all incidents and complaints of workplace violence in a timely and fair manner, respecting the privacy of all concerned to the extent possible. The investigation process is attached as [Appendix A](#). Failure to uphold and abide by this policy may result in discipline, legal action and/or such other sanction as set out in Library policy.

This policy will be reviewed annually by the Board of the Kingston Frontenac Public Library and will be posted in each branch of the Library.

## **6. Appendices**

- a) Investigation Process

## **7. Authorities**

*Occupational Health and Safety Act*, R.S.O. 1990, Chapter 0.1

## **8. Document Control**

Original policy date:	2010
Last Reviewed:	2023 May
Changes made:	no changes
Next Review:	2024 May

**9. Signatures:**

Signed / date: \_\_\_\_\_  
Chief Librarian / CEO

Signed / date: \_\_\_\_\_  
Chair, KFPL Board

Signed / date: \_\_\_\_\_  
Joint Health and Safety Committee – Union Representative

## **Appendix A: Investigation Process**

The Kingston Frontenac Public Library will investigate any incident or threat of violence in the workplace. The principle that the Library will operate under is to communicate as much information as possible to workers, subject to the limitations of privacy legislation.

### **Patron or External Party Violence**

Any worker who observes or is made aware of an act or threat of violence by an external party (i.e., not a worker) shall call the police immediately, and then contact a person in charge (e.g., Branch Supervisor, Librarian-in-Charge, Manager or Director). Where the worker is uncertain of the threat, they are required to contact the person in charge for direction. Where security is on-site, the guard should also be notified of the act or threat of violence.

An Incident Report is to be used for documenting threats and/or acts of violence in the workplace. The designated Manager and/or Director will investigate any incident or threat of violence in the workplace. Police and/or security may be involved depending on the circumstances. Remedial action may include banning patrons and/or criminal prosecution. Workers will be informed of the results of any investigation using the Incident Report and Banning Notification process. The Joint Health and Safety Committee will review all Incident Reports.

### **Worker Violence**

It is the responsibility of every worker to report threats or acts of violence made by any worker in the workplace. The designated Manager and/or Director will investigate any incident or threat of violence in the workplace. The Union, police and/or security may be involved depending on the circumstances.

An Incident Report is to be used for documenting threats and/or acts of violence in the workplace. For worker violence incidents, the Incident Report published on the Library staff intranet will be treated as confidential.

### **Domestic Violence**

Where the Library becomes aware or ought reasonably to be aware that domestic violence would likely expose a worker or workers to physical injury, the Director, Human Resources in conjunction with other relevant staff and/or security will develop a safety plan for the identified worker and those workers that would reasonably be exposed to the violence. Where appropriate, the police will be contacted to assist with the safety plan.

The nature and circumstances of the incident and/or threat of violence will determine the level and content of communication to workers including any remedial action taken by the Library.

## KFPL Report to the Board

**Subject:** Procurement of Goods and Services Policy

**Prepared by:** N. Charles, Director, Facilities and Technology

**Date of meeting:** May 10, 2023

### Background:

The Procurement of Goods and Services Policy is reviewed and approved by the Library Board once per term. Major changes were made to the policy in 2019. Since then, the City of Kingston's Procurement Policy has been updated and approved by Council in September 2022. Updates to the Library's Procurement of Goods and Services Policy provide flexibility while still maintaining accountability.

### Analysis:

A review of policies from other libraries and the City of Kingston's Procurement Policy have yielded the following updates:

- Aligned the Library's policy with the City of Kingston's Procurement Policy, to ensure consistency for shared projects or procurements.
- Updated terminology from vendor to supplier. Supplier defines more of the business-to-business relationship. This terminology is also in line with other policies that were reviewed.
- Raised spending limits to align with the increased cost of goods and services.
- Added a Supplier Code of Conduct so that the suppliers understand the Library's expectations regarding honesty and integrity,
- Added, deleted, and improved definitions included in the policy.
- Removed and updated references to external documents to reflect the current practice and/or naming convention.
- After consultation with the City of Kingston's Procurement Department, the language in Section 7 of the Library's policy has been updated to align with City of Kingston's policy.
- After consultation with the City of Kingston's Procurement Department, the maximum expenditure limit for an emergency has been removed. This allows the Chief Librarian/CEO to act immediately in the best interest of the Library and then

report to the Board as soon as is practical.

- Added Co-operative Purchasing which is a process that allows the Library to partner with other organizations to improve purchasing power.

### **Markup Explanation:**

Proposed changes to the policy are indicated in the draft as follows:

- ~~Red strikethrough~~ indicates text that staff propose be removed from the policy.
- **Blue** indicates text that staff propose be added to the policy.
- ~~Green strikethrough~~ indicates text that staff propose be moved to a different location in the policy. Green underlined style indicates the proposed new location for this text in the policy.

### **Recommendations:**

That the Board approve the revised Procurement of Goods and Services Policy.



# Procurement of Goods and Services (DRAFT)

## 1. Purpose

The purpose of this policy is to:

- Protect the interests of the Library, the public and any persons participating in the procurement process by providing a clear statement of how goods and services will be acquired.
- Maintain the integrity of the Procurement process by ensuring that, whenever possible, competitive methods of Procurement will be used to obtain the Best Value for the Library.
- Clearly define circumstances in which non-competitive Procurements may be awarded.
- Ensure that Procurement is conducted in a manner that enables the Library to operate efficiently and effectively.
- Clearly define the roles and responsibilities of those persons involved in the Procurement process.
- Outline the process for Co-operative Purchasing.
- Establish a Supplier Code of Conduct ([see Schedule C](#)) and Library employee ethical Procurement standards.

## 2. Scope

This policy covers the Procurement of all goods and services by the Kingston Frontenac Public Library Board, Chief Librarian/CEO and all employees of the Kingston Frontenac Public Library, on behalf of the Library, excluding expenditures listed in [Schedule A](#).

## 3. Definitions

**Agreement** means a bargain made between the Library and any Supplier upon an acceptance of an Offer to Procure entered into by the Library evidenced by a Contract, Purchase Order or as otherwise authorized hereunder.

**Alternative Procurement Process** is a specialized or exceptional process that allows for deviation from the Procurement process that the value or nature of the goods, services or construction would normally require. This could include a non-competitive procurement in the place of a competitive process, and a limited competition in the place of an open competition.

**Approval Authority or Authority Threshold** means the authority Delegated by this policy to a Library employee to initiate a Procurement, conduct a Procurement process, approve the award of a Contract, issue a Purchase Order, or approve a Contract amendment, subject to the terms and conditions specified in this policy.

**Best Value** is the optimal balance of performance and cost determined in accordance with pre-determined evaluation criteria which may include features, long-term functionality, life-cycle costs, sustainability, and required services.

**Board or Library Board** means Kingston Frontenac Public Library Board.

**Bid** is any written response from a bidder to any type of Procurement process issued by the Library, containing all information submitted in response to the requirements of the process.

**Buyer** is a KFPL employee, who in the normal course of their duties, is authorized to procure goods, services and construction for the Library.

**Chief Librarian/CEO** is the person appointed pursuant to the *Public Libraries Act*, responsible for exercising general control and management of the affairs of the Library to ensure the efficient and effective operation of the Library and includes their Delegate.

**Co-operative Purchasing** is a competitive Procurement process that is conducted by one public body or buying group on behalf of one or more public bodies in order to obtain the benefits of volume purchases and administrative efficiency.

**Contract** means any formal or deliberate authorized and executed Agreement for the purchase of goods, Professional Consulting Services, construction and facility services, and fleet equipment.

**Construction** means the construction, reconstruction, demolition, repair, or renovation of a building, structure, road, or other engineering or architectural work, excluding professional consulting services related to the construction contract unless they are included in the procurement (e.g., Design-Build).

**Delegate** means a person Delegated by a person identified in this policy as having certain Approval Authority.

**Deliverable(s)** means any goods, services or construction, or a combination thereof.

**Emergency** means a situation where serious delay may affect the life and health of the public, prevention of serious damage, and the restoring of essential service levels to a minimum level.

**Expanded Works** means a change, including a change order, to an Agreement in

which an unexpected requirement arises, which does not expand the scope of the project but is a necessary addition to the work in order to deliver the original approved work.

**Library** means Kingston Frontenac Public Library.

**Offer to Procure** means any solicitation which is issued by the Library to Prospective Suppliers to provide goods and/or services to the Library.

**P-Card** means a corporate credit card, issued to a Buyer, administered through the City of Kingston Finance Department, and authorized by the Chief Librarian.

**Procurement** means the acquisition of goods and/or services required to execute operations and provide the services of the Library.

**Professional Consulting Services** means the provision of an opinion, advice or services, including custom computer programming design services and professional arts, communications and cultural activities, which is intended to be relied upon by the Library and is supportable by errors and omissions insurance or similarly recognized as a profession, distinct from the concurrent provision of a good or service.

**Prospective Supplier** means any person under law that responds to an Offer to Procure but has yet to be, or was not, selected to be the Supplier.

**Purchase Order** means a written Contract to acquire goods or services issued by the Library.

**Qualified Supplier Roster** means a list of Suppliers that have been pre-qualified to perform discrete work assignments involving the supply of a particular type of Deliverable and will be eligible to participate in Roster Competitions, as and when the Deliverables are required by the Library.

**Request for Information (RFI)** means an open enquiry sent to Prospective Suppliers for the purpose of gathering information to help decide what step to take next. An RFI may include a detailed list of products/services for which pricing is requested, however the pricing should be used for comparative purposes, not as the basis for buying decisions.

**Request for Proposal (RFP)** means a solicitation sent to Prospective Suppliers with whom a creative relationship or partnership is being considered. Typically, the RFP leaves all or part of the precise structure and format of the response to the discretion of the Suppliers. The creativity and innovation that Suppliers choose to build into their proposals may be used to distinguish one from another.

**Request for Quotation (RFQ)** means a solicitation sent to Prospective Suppliers containing in exacting detail a list or description of all relevant parameters of the intended purchase. An RFQ is an opportunity for Prospective Suppliers to competitively cost the product or service; the price per item or per unit of service is the deciding factor.

**Request for Tender (RFT)** means a solicitation that is generally issued in order to obtain irrevocable competitive bids for standard Construction services where the Library has pre-determined the required scope of work including quantity and/or quality requirements, and the evaluation criteria to determine the Best Value is generally the lowest cost Bid meeting technical specifications without any material Contract negotiations.

**Roster Competition** means a competition between Suppliers that have been included on a Qualified Supplier Roster for the selection of a Supplier to perform a discrete work assignment involving the supply of a particular type of Deliverable.

**Single Source** means either:

- there is more than one source in the open market but for reasons of function, service, unique technology or proprietary interest only one Supplier is recommended for consideration of the particular goods and/or services; or
- there is only one known source of supply of particular goods or services.

**Standing Purchase Order** means an approved Procurement, which establishes prices or methods for determining prices, terms and conditions and the period of time during which a Supplier agrees to provide specified goods or services to the Library upon demand.

**Supplier** means any individual or organization providing goods or services to the Library including but not limited to contractors, consultants, vendors, service organizations, etc.

#### **4. Guiding Principles**

The Library will make Procurement decisions using an open, accountable, objective, fair, effective and efficient process and by adopting standing approaches to:

- Selecting the appropriate type of Procurement process to be used;
- Conducting the Procurement process including the structure, format and general content of Procurement documents;
- Communicating with Bidders throughout the process;

- Evaluating submissions;
- Dealing with Bidders' queries and complaints;
- Providing unsuccessful Bidders with feedback, upon request;
- Awarding the Contract;
- Maintaining records of the Procurement process; and
- Maintaining records on the successful Bidder's performance under Contracts.

## **5. Ethical Conduct and Conflicts of Interest**

- The Library's Procurement activities will be conducted with integrity and all individuals involved in the Library's Procurement activities, including any outside consultants or other service providers participating on behalf of the Library, shall comply with this policy and act in a manner consistent with the purposes, goals and objectives of this policy, and in accordance with the Library's Standards of Conduct for KFPL Employees, Board Code of Conduct, and the Supplier Code of Conduct (see [Schedule C](#)).
- All participants in a Procurement process, including any outside consultants or other service providers participating on behalf of the Library, shall declare in writing any perceived, possible or actual Conflicts of Interest to the Chief Librarian/CEO.
- Conflict of Interest when applied to the activities of the Library and its consultants or service providers, means a conflict or tension between one's private interests and one's public or fiduciary duties.
- The Library will not procure personal items of direct benefit to officers or employees of the Library or any member of the Board except where permitted by policy or under the auspices of a Library-sponsored employee program.
- The Library will not procure Deliverables from an employee or Board member of the Library, or any associate or family member of an employee or Board member, unless the extent of the interest has been fully disclosed to and approved by the Chief Librarian/CEO.

## **6. Budget Control**

A list of Authority Thresholds (see [Schedule B](#)) will be maintained by the Budget/HR Analyst and updated annually.

Formal approval of the annual budget constitutes financial approval to proceed with purchases subject to any scheduling or priority considerations as may be deemed

necessary by the Chief Librarian/CEO or Delegate.

If the annual budget has not been approved by the Board and the Municipal Councils at the time the expenditure is required, up to 25% of the previous year's approved budget may be expended, until the current year's budget is approved.

## **7. Responsibilities**

### **7.1. Library Board**

- Empowers the Chief Librarian/CEO to establish Procurement procedures required to enact the policy and processes.
- Authorizes the Chief Librarian/CEO to execute formal Agreements and Contracts on behalf of the Library and permits this authority to be Delegated according to [Schedule B: Authority Thresholds and Purchasing Methods](#).

### **7.2. Chief Librarian/CEO**

- Is accountable and responsible for all purchasing activities within the Library and compliance with this policy including the determination of the appropriate level of Approval Authority of Library employees.
- Is Delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$250,000.
- Will provide written authorization for any Alternative Procurement Process valued between \$50,001 and \$250,000, confirming that the Procurement meets the required criteria.
- Will approve Expanded Works where permitted under this policy.
- Has the authority to issue P-Cards to Library employees.
- Recommends Procurement policy changes to the Board for approval as needed.

### **7.3. Directors**

- Are accountable and responsible for all purchasing activities within their department and compliance with this policy including the determination of the appropriate level of Approval Authority of employees within their department.
- Are Delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$100,000.
- Will provide written authorization for any Alternative Procurement Process valued between \$15,001 and \$50,000, confirming that the Procurement meets the required

criteria.

- Will approve Expanded Works where permitted under this policy.
- Have the authority to issue P-Cards to employees in their departments.

#### **7.4. Managers**

- Are accountable and responsible for all purchasing activities within their department and compliance with this policy including the determination of the appropriate level of Approval Authority of employees within their department.
- Are Delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$50,000.
- Will provide written authorization for any Alternative Procurement Process valued between \$15,001 and \$50,000, confirming that the Procurement meets the required criteria.
- Will approve Expanded Works where permitted under this policy.

#### **7.5. Budget/HR Analyst**

- Is Delegated with the authority to issue Offers to Procure and authorize payments valued up to and including \$15,000.
- Maintains a list of Authority Thresholds and purchasing methods (see [Schedule B](#)) for the Library and reviews this list on an annual basis.

#### **7.6. Systems Specialist**

- Is Delegated with the authority to issue Offers to Procure and authorize invoices valued up to and including \$15,000.

#### **7.7. Maintenance Supervisor**

- Is Delegated with the authority to issue Offers to Procure and authorize invoices valued up to and including \$5,000.

#### **7.8. Buyers**

- Are Delegated with Approval Authority to purchase and/or to allocate and approve expenditures in compliance with this Policy.

### **8. Policy**

All purchases will be made in compliance with all relevant statutes and regulations. Library Procurement policies, processes and procedures will be developed and

implemented under the authority of the *Municipal Act, Municipal Conflict of Interest Act, Accessibility* (as defined by KFPL's *Accessibility Policy*) criteria and features will be considered when procuring or acquiring any goods or services.

Prices and authority levels as stated herein are before tax amounts.

## **8.1. Offer to Procure**

The Library shall issue an Offer to Procure as follows:

### **8.1.1. Up to and including \$15,000**

By obtaining prices from more than one Supplier, or by purchasing directly from catalogues, suppliers' lists, or through negotiations, assuming that all prices offered are fair and equitable.

- The Procurement shall be evidenced by receipt, invoice or P-Card documentation.

### **8.1.2. \$15,001 up to and including \$50,000**

By Request for Quotes from at least three Prospective Suppliers.

### **8.1.3. Over \$50,000**

By RFP, RFQ, RFT, Qualified Supplier Roster, or Roster Competition.

- Shall include a weighting form of evaluation which includes price evaluation between 20% and 75%, with scoring methodology for each element.
- Be publicly advertised.
- Where any Prospective Supplier requests a clarification, response shall only be made in the form of a written addendum. When it becomes necessary to revise, delete, substitute or add to specifications for a Request for Proposal to a substantial degree, the responsible Director shall coordinate the issuance of an addendum or cancel the Request for Proposal if deemed necessary. Every addendum shall include the question to which the addendum is a response, shall not identify the party which raised the question, shall be circulated to all Prospective Suppliers, and, where necessary, be advertised.
- Purchases and Procurements over \$50,000 shall be coordinated by a Director to ensure:
  - completeness of documentation;
  - that invitations to bid and advertisements are arranged;
  - closing dates and tender openings are scheduled, and
  - a single source contact for information is provided.



**8.1.4. Professional Consultant Services:**

Up to and including \$50,000

By direct appointment by obtaining prices from more than one consultant.

- The following weighting criteria shall be used to select Professional Consultant Services:
  - ability,
  - experience in similar type projects,
  - personnel available for the project,
  - reputation and prior experience with the Library,
  - price,
  - familiarity with the project, and
  - such other weighting requirements established by the Library

Over \$50,000

By Request for Proposals.

**8.1.5. Expanded Works**

- No Offer to Procure by Expanded Works Procurement shall be issued without the prior specific written authorization, which shall include confirmation that the Expanded Work remains within the scope of the original Offer to Procure.
- No Offer to Procure by Expanded Works Procurement shall be issued unless:
  - there is more than one source in the open market but for reasons of function or service only one Supplier is recommended for consideration of the particular goods and/or services, including the continuity with the scope of the original Offer to Procure;
  - there is only one known source of supply of particular goods or services; or
  - time restrictions in relation to the Procurement require that the additional Procurement not proceed by way of separate Offer to Procure.
- Where possible, any written authorization permission provided for under this section will specify the means of making the Expanded Works Procurement as well as the good or service to be obtained as well as the budget.

**8.1.6. Alternative Procurement Process**

An Alternative Procurement Process shall only be used if one or more of the following conditions apply and a process of negotiation is undertaken to obtain the Best Value in the circumstances for the Library:

- Sole Source

The goods and services are only available from one source or Supplier by reason of:

- a statutory or market based monopoly;
- a scarcity of supply in the market;
- existence of exclusive rights (patents, copyright or license);
- need for compatibility with good and services previously acquired and there are no reasonable alternatives, substitutes or accommodations; or
- need to avoid violating warranties and guarantees where service is required.

- Competitive Method Failed

An attempt to purchase the required goods and services has been made in good faith using a competitive method and has failed to identify a successful Supplier.

- Emergency

The goods and services are required as a result of an Emergency, which would not permit the use of the other methods permitted.

Where in the opinion of the Chief Librarian/CEO, or Delegate, an Emergency has occurred, the Chief Librarian/CEO or Delegate may initiate a requisition/purchase order in excess of the preauthorized expenditure limit. Any Purchase Order issued under such circumstances together with a source of financing shall be reported to the Library Board as soon as practical and not later than the second regular meeting of the Board after entering the Contract.

- Single Source

The required goods and services are to be supplied by a particular Supplier having special knowledge, skills, expertise or experience that cannot be provided by any other Supplier.

- Supplier of Record

Goods and services can be acquired with access to economy-of-scale pricing and with minimal staff time through the use of the Supplier of Record lists as compiled by the Library's funding municipalities and the provincial government.

## **8.2. Awarding of Procurement**

Evaluation of submissions will be conducted by the responsible Director/Manager and any additional staff members with relevant experience and knowledge. The size of the evaluation team shall reflect the complexity and dollar value of the assignment.

- The Library reserves the right to reject any and all submissions in a Procurement process.

- The exercise of authority to award a Contract is subject to the identification and availability of sufficient funds within the approved Library budget.
- Tender, Quote and Proposal awards shall be made to the Bidder as set out in the Offer to Procure goods and services.
- The Library is not bound by the price provided the top ranked Supplier has satisfied the evaluation criteria set out in the Offer to Procure.
- The Library shall establish a procedure for resolving mathematical errors and tied Bids for all competitive solicitations.

#### **8.2.1. Standing Purchase Orders**

Standing Purchase Orders may be established for the purchase of items, services or inventory management.

#### **8.2.2. Petty Cash Control**

Purchases of less than an amount determined periodically by the Budget/HR Analyst may be made through petty cash providing that supervisor approval is indicated. All petty cash payments are to be reviewed by the Budget/HR Analyst at the time of petty cash replenishment.

#### **8.2.3. Insurance**

All contractors performing work on Library property must provide evidence of appropriate liability insurance, active Workplace Safety Insurance Board status, or any other forms of insurance requested by the Library.

### **8.3. Access to Information**

All submissions and related materials provided to the Library pursuant to any Offer to Procure shall be retained by the Library and subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* or any otherwise applicable or successor legislation.

### **8.4. Unsolicited Proposals**

Any Procurement activity resulting from the receipt of the unsolicited proposal must be referred to the responsible Manager or Director and must comply with the provisions of this Policy.

## **9. Compliance and Consequences for Breach**

Buyers should exercise their “best effort” to adhere to this policy. However, there may be instances when following the policy could involve substantial additional expense for

the Library. In those instances, excluding Emergencies, the Alternative Procurement Process should be followed.

Employees authorized to purchase for the Library as Buyers should review Ethical Conduct and Conflicts of Interest to understand the expectations of a Buyer.

Failure to comply with this Policy is a matter of internal discipline. Observed or reported behaviours in violation of this Policy will be addressed immediately.

Failure to comply with this Policy may also result in external legal consequences.

In addition, Buyers may be personally subject to criminal prosecution and civil claims arising from:

- Willful failure to follow purchasing standards for personal gain; colluding with any Prospective Supplier or Supplier to compromise the integrity of the Procurement process;
- Accepting bribes or other personal incentives in the course of advertising, evaluating or selecting goods or services for purchase; and
- Any other form of corruption, fraudulent action or personal gain in carrying out Procurement.

## **10. Schedules**

Schedule A: KFPL Expenditures Not Applicable to the Procurement Policy

Schedule B: Authority Thresholds and Purchasing Methods

Schedule C: Supplier Code of Conduct

## **11. Authorities**

All Procurement undertaken by Library employees shall be in accordance with this policy, and in accordance with the following legislation:

### **Federal Government**

*Criminal Code*

*The Competition Act*

*Canadian Free Trade Agreement (CFTA)*

*Comprehensive Economic and Trade Agreement (CETA)*

### **Provincial Government**

*Accessibility for Ontarians with Disabilities Act, S.O. 2005, c. 11*

*Occupational Health & Safety Act, R.S.O. 1990, c. O.1*

*Human Rights Code, R.S.O. 1990, c. H.19*

*The Discriminatory Business Practices Act, R.S.O., 1990, c.D.12*

*The Municipal Act, 2001, S.O. 2001, c. 25*

*The Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*

*The Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*

*The Sale of Goods Act, R.S.O. 1990, c. S.1*

*Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A*

### **Library Policies**

*KFPL Board Constitution*

*Standards of Conduct for KFPL Employees*

*Accessibility for Users with Disabilities Policy*

*Asset Disposal Policy*

*Collection Development Policy*

*Records Management Policy*

*Travel and Expenses Policy*

## **12. Document Control**

Original Policy Date: 2005 December

Last Reviewed: 2023 May

Changes Made: see report to Board dated May 10, 2023

Next Review: 2026 October

## **Schedule A: Expenditures Not Subject to KFPL Procurement Policy**

The acquisition methods described in the Library's Procurement Policy do not apply to the following items, however where possible, staff should issue a Purchase Order or use a P-Card to complete the Procurement.

1. Library materials
  - Books, DVDs, etc.
2. Training and education
  - Conferences, courses, seminars
3. Refundable employee and Board expenses
  - Meal allowances
  - Travel
  - Accommodation
4. General expenses
  - Payroll deduction remittances such as income tax, Employment Insurance premiums, Employer Health Tax
  - Workers Safety Insurance Board payments
  - Medical Fees
  - Debenture payments
  - HST remittances
  - Grants to agencies
  - Damage claims
  - Legal settlements
  - Arbitration awards
  - Petty cash replenishment
  - Tax remittances
  - Charges to and from other government bodies
  - Payments for employment
5. Professional and special services
  - Honorariums
  - Medical professional services
  - Municipal Property Assessment Corporation as approved in annual budgets
6. Purchases from other levels of government
7. Federal/Provincial/Municipal mandate programs and payments
8. The lease or purchase of real property
9. Events supporting local non-profit organizations

10. Entertainers for theater or special events
11. Refunds
12. Sponsorship and naming rights
13. Co-operative Purchasing

**Schedule B: Authority Thresholds and Purchasing Methods**

**Delegation of Authority**

A staff member with purchasing authority under this Schedule may Delegate authority for an amount up to their purchasing authority to another staff member. This Delegation must be made in writing and must be approved by the Chief Librarian/CEO.

Purchasing Threshold	Authority	Types of Procurement	Method
<b>Up to and including \$15,000</b>	<ul style="list-style-type: none"> <li>- Chief Librarian/CEO</li> <li>- Directors</li> <li>- Managers</li> <li>- Budget/HR Analyst and others as Delegated</li> </ul>	<ul style="list-style-type: none"> <li>- cheque</li> <li>- petty cash</li> <li>- P-card</li> <li>- invoiced accounts</li> </ul>	<ul style="list-style-type: none"> <li>- Documented by the Buyer with receipts.</li> <li>- A Purchase Order may be used but is not required.</li> </ul>
<b>\$15,001 up to and including \$50,000</b>	<ul style="list-style-type: none"> <li>- Chief Librarian/CEO</li> <li>- Directors</li> <li>- Managers</li> </ul>	<ul style="list-style-type: none"> <li>- RFP</li> <li>- RFQ</li> <li>- RFT</li> </ul>	<ul style="list-style-type: none"> <li>- The Buyer solicits pricing from at least three Suppliers (when applicable).</li> <li>- A Purchase Order is issued.</li> <li>- A formal Contract may be required.</li> <li>- Director or Chief Librarian/CEO approval is required when an Alternative Procurement Method is used.</li> <li>- Director or Chief Librarian/CEO approval is required for Expanded Works.</li> </ul>
<b>\$50,001 up to and including \$100,000</b>	<ul style="list-style-type: none"> <li>- Chief Librarian/CEO</li> <li>- Directors</li> </ul>	<ul style="list-style-type: none"> <li>- RFP</li> <li>- RFT</li> <li>- RFI</li> <li>- Qualified Supplier Roster</li> </ul>	<ul style="list-style-type: none"> <li>- Advertised publicly to solicit pricing from at least three Suppliers (when applicable).</li> <li>- A formal Contract is required.</li> <li>- Chief Librarian/CEO approval is required when an Alternative Procurement Method is used.</li> <li>- Chief Librarian/CEO approval is required for Expanded Works.</li> </ul>



Purchasing Threshold	Authority	Types of Procurement	Method
<p><b>\$100,001 up to and including \$250,000</b></p>	<p>- Chief Librarian/CEO</p>	<ul style="list-style-type: none"> <li>- RFP</li> <li>- RFT</li> <li>- RFI</li> <li>- Qualified Supplier Roster</li> </ul>	<ul style="list-style-type: none"> <li>- Advertised publicly to solicit pricing from at least 3 Suppliers (when applicable).</li> <li>- A formal Contract is required.</li> <li>- Chief Librarian/CEO approval is required when an Alternative Procurement Method is used (except for Emergency Procurements).</li> <li>- Chief Librarian/CEO approval is required for Expanded Works.</li> </ul>
<p><b>Over \$250,000</b></p>	<p>- Library Board</p>	<ul style="list-style-type: none"> <li>- RFP</li> <li>- RFT</li> <li>- RFI</li> <li>- Qualified Supplier Roster</li> </ul>	<ul style="list-style-type: none"> <li>- Advertised publicly to solicit pricing from at least 3 Suppliers (when applicable).</li> <li>- A formal Contract is required.</li> </ul>

## **Schedule C: Supplier Code of Conduct**

The Library requires its Suppliers to act with integrity and conduct business in an ethical manner. The Library may refuse to do business with any Supplier that has engaged in illegal or unethical Bidding practices, has an actual or potential Conflict of Interest or an unfair advantage or fails to adhere to ethical business practices.

Suppliers are responsible for ensuring that any employees, representatives, agents or subcontractors acting on their behalf conduct themselves in accordance with this Code of Conduct. The Library may require the immediate removal and replacement of any individual or entity acting on behalf of a Supplier that conducts themselves in a manner inconsistent with this Code of Conduct. The Library may refuse to do business with any Supplier that is unwilling or unable to comply with such requirement.

### **Illegal or Unethical Bidding Practices**

Illegal or unethical bidding practices include:

- bid-rigging, price-fixing, bribery, collusion, or other behaviours or practices prohibited by federal or provincial statutes;
- offering gifts or favours to Library employees, board members, or any other representative of the Library;
- engaging in any prohibited communications during a Procurement process;
- receiving advice or assistance in the preparation of its Bid from any individual or entity that was involved in the development of the Offer to Procure;
- submitting inaccurate or misleading information in a Procurement process; and
- engaging in any other activity that compromises the Library's ability to run a fair Procurement process.

The Library may report any suspected cases of collusion, bid-rigging or other offenses under the *Competition Act*, R.S.C., 1985, c. C-34, to the Competition Bureau or to other relevant authorities.

### **Conflicts of Interest**

All Suppliers participating in a Procurement process shall declare any perceived, possible or actual Conflicts of Interest. The term "Conflict of Interest," when applied to Suppliers, includes any situation or circumstance where:

- in the context of a Procurement process, the Supplier has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to:

- having, or having access to, confidential information of the Library that is not available to other Suppliers;
  - having been involved in the development of the Offer to Procure, including having provided advice or assistance in the development of the Offer to Procure;
  - receiving advice or assistance in the preparation of its Bid from any individual or entity that was involved in the development of the Offer to Procure;
  - communicating with any person with a view to influencing preferred treatment in the Procurement process (including but not limited to the lobbying of decision-makers involved in the Procurement process); or
  - engaging in conduct that compromises, or could be seen to compromise, the integrity of an open and competitive Procurement process or render that process non-competitive or unfair; or
- in the context of performance under a potential Contract, the Supplier's other commitments, relationships or financial interests;
    - could, or could be seen to, exercise improper influence over the objective, unbiased and impartial exercise of its independent judgment; or
    - could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations.

Where a Supplier is retained to participate in the development of an Offer to Procure or the specifications for inclusion in an Offer to Procure, that Supplier will not be allowed to respond, directly or indirectly, to that Offer to Procure.

### **Ethical Business Practices**

In providing Deliverables to the Library, Suppliers shall adhere to ethical business practices, including but not limited to:

- performing all Contracts in a professional and competent manner and in accordance with the terms and conditions of the Contract and the duty of honest performance;
- complying with all applicable laws, including safety and labour codes (both domestic and international, as may be applicable); and
- providing workplaces that are free from harassment and discrimination.