



# Association of Yukon Policies

December 1, 2018

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## **Purpose and Definition of Policies (Policy 1.1)**

Adopted: May 2014

Reviewed:

Retired:

### **Purpose**

To explain the purpose and organization of AYC policies.

### **Policies**

AYC policy must be approved by the AYC Board at a Board meeting or by the General Membership at an AGM.

Policies will be periodically reviewed by the Board.

Policies may be retired by the Board or by the General Membership at an AGM

There are four types of AYC policies:

- General Policies
- Administrative
- Operational (Procedural)
- Public (Position Statements)

**General policies** explain the purpose and organization of AYC policies.

**Administrative policies** detail the personnel and financial policies and procedures.

**Operational policies** detail the procedures to be followed by members of the AYC board and staff in the conduct of business.

**Public Policy (Position Statements)** are formulated and approved by the Board from time to time, usually in response to topical subjects of common interest to the members.

## **Terms of the AYC Discretionary Travel Fund (Policy 2.1)**

Adopted:

Reviewed: May, 2005

Revised: May 2014

Retired:

### **Purpose**

To describe the terms of the AYC Travel Fund

### **Policies**

The total eligible travel fund budget will be established and approved by the AYC Board at the prior year's AYC December Board meeting as part of the AYC budgeting process.

The total available amount of travel funds will be divided into two equal allocations – the first being for AYC working group/government meeting travel and the remaining equal portion being utilized for external meeting travel for Federation of Canadian Municipality (FCM) events. The FCM event portion of the fund will equally divided among the respective members and will be accessible to the eligible users of the fund as defined within this specific policy. Unspent funds from either allocation can be transferred between allocations to address travel expenditures before year end.

Eligible users of the fund are elected officials and staff of AYC full membership communities (i.e., incorporated municipalities).

This will be a fixed fund whereby once the total budgeted amount has been depleted no additional funds will be added to the budget during the current fiscal year.

If upon the end of the fiscal year there is a surplus of funds remaining in the travel fund, then the surplus will be applied to the overall general operating budget of AYC at fiscal year-end.

All travel must be pre-approved by the Board of Directors. Therefore, anyone wishing to use this travel fund should plan ahead so their request can be put on the AYC Board of Directors meeting before their trip.

The travel should be to enhance the objectives and purposes of the Association and its mandate. (e.g., attending FCM events and meetings, attending a conference of another municipal association to learn new ideas for use in Yukon communities, attending working group meetings, or to lobby on a National issue of specific importance to Yukon communities).

Anyone using this fund for traveling should submit:

A report to AYC (that AYC will distribute to all its members) outlining information and contacts that will be useful for AYC member communities.

Anyone using this fund for traveling must submit:

An AYC travel claim with original receipts attached up to the amount pre-approved by the Board. All AYC rates apply.

Upon AYC receiving the completed and approved travel claim, the applicant will receive a cheque for the amounts of actual original receipts, up to the amount pre-approved by the Board.

Airfare must be economy fare at the lowest fare available at the time the Board approves the travel.

## **Executive Director Qualification and Position Description (Policy 2.2)**

Adopted: September, 2003

Reviewed: May, 2005

Retired:

### **Purpose**

To describe the qualifications and responsibilities of an Executive Director.

### **Qualifications:**

Must possess the skills and knowledge acquired through post secondary education and experience in municipal administration and financial management. Will be self motivated with the ability to work with and under the direction of an elected President, Executive and Board of Directors. Has the ability to effectively communicate with member communities, various government departments and agencies, other organizations, and general public, both orally and in writing. Able to conduct research and prepare written reports. Possesses strong interpersonal skills, tact and diplomacy, a sensitivity to political environments and the ability to deal confidentially on a broad range of issues.

### **Reporting:**

Reports to the President and through the President to the Executive, the Board of Directors and the general membership.

### **Functions:**

Acts on the Association's policies and resolutions as passed by the Board of Directors or the general membership at General Meetings and directs and supervises all staff members.

### **Responsibilities:**

To promote membership in the Association and provide service to the membership, within the constraints imposed by other duties.

Provide advice, support and assistance to Association members within the Objectives of the Association and the constraints of the budget.

Provide policy advice to the Board of Directors. Ensuring that the policies, as adopted either by the Board of Directors or the general membership, are implemented.

Prepare, co-ordinate and organize the Annual and Special General Meetings, Board of Directors and Committee Meetings and other meetings and conferences.

Organize and prepare all meeting agendas and supporting documentation for Board, Committee and General Meetings. Prepare, for the President's signature, all correspondence to elected officials of other orders of government.

Periodically review the Associations' programs and services to ensure that they continue to meet the goals and objectives of the Association.

Monitor the general and group insurance programs to ensure that they continue to meet the needs of the membership.

Provide other related assistance to the membership, Board of Directors, Executive and the President as required.

Work closely with the President, Board of Directors and committees of the Association and keep the President and Board informed of all-important developments falling within their mandates and provide support and advice, as required.

Oversee the financial management of the Association, ensuring that the budgets duly adopted and/or amended by the Board are followed and that the Board is advised of any anticipated variance in the budget.

Prepare, in consultation with the Chair of the Finance Committee, the annual budget and quarterly financial statements.

Oversee the maintenance of the accounts and is accountable for the receipt, deposit, investment and disbursement of Association funds.

Ensure prompt payment for goods and services received by the Association.

Ensure accounts receivable and invoicing are maintained in a timely manner.

Provide direction and supervision for other employees. Employ and terminate all employees. With the approval of the Board of Directors, set salaries within the approved salary ranges and budget limitations.

Supervise the administration of pay and benefits in accordance with government regulation and employee employment policies.

Maintain effective communication between the Association, its members and related governments, organizations, agencies associations and individuals.

In accordance with approved policy, serve as the Association's representative, attending various meetings with other boards, committees, government representatives, study groups, council meetings, conferences and conventions

Liaise with and attend meetings of other municipal associations, subject to financial considerations as approved in the budget.

Co-ordinate the Association's lobbying activities related to territorial and federal government departments and agencies, and recommend options to the Board of Directors.

Organize and, where appropriate, participate in training programs, seminars and workshops for municipal employees and elected officials.

### **Staff Administration and Benefits (Policy 2.3)**

Adopted:

Reviewed: December, 2018

Retired:

#### **Purpose**

To detail policies concerning staff administration and benefits.

#### **Definitions:**

"Regular Full-Time Employees" means an employee who satisfactorily completed his/her probation period and is employed on a full-time basis of 35 hours per week consisting of five consecutive days, Monday to Friday inclusive.

"Probationary Employee" means an employee during the first three to six months of his/her employment by the Association of Yukon Communities unless otherwise specifically agreed to in writing by the Executive Director.

"Regular Part-Time Employee" means an employee who has satisfactorily completed his/her probation period and is employed on a regular part-time basis and works less than 35 hours per week but consisting of five consecutive days per week, Monday to Friday inclusive.

"Casual Employee" means an employee who may be employed from time to time for less than a one-month period or less than fifteen hours per week.

Executive and Board of Directors means the Board of Directors of the Association of Yukon Communities.

"Executive Director" means the Chief Administrator of the Association of Yukon Communities.

#### **Appointment:**

When a staff vacancy occurs or a new position is authorized, the duties and responsibilities and the salary range shall be recommended by the Executive Director and approved by the Executive.

**Probation:**

All new employees shall complete a mandatory probationary period of 3 months or up to six months of service, but in no event shall the probationary period be reduced to less than 3 months or extended beyond a maximum period of 6 months.

**Staffing:**

Executive Director has overall responsibility to the President and the Board of Directors for all functions performed by the Association of Yukon Communities staff and implements the policies and instructions laid down by the Board.

The Executive Director has the complete authority over the day-to-day operation of the office and work of the staff; subject only to such directions as may be given by the President or the Executive. He/she may fire and dismiss without approval of the Board.

**Hours of Work:** (Excluding Executive Director)

The standard workweek for full-time employees shall be Monday to Friday inclusive. The standard workday shall be from 8:30 a.m. to 4:30 p.m., including one hour for lunch. Employees shall be entitled to a twenty-minute rest period during the morning hours of a standard workday and a further twenty-minute rest during the afternoon hours of the day.

The standard workweek for regular part-time employees shall be Monday to Friday inclusive. The standard workweek shall be from 9:00 a.m. to 12:00 noon or 1:00 p.m. to 4:00 p.m. Employees shall be entitled to a twenty-minute rest period during the work period.

**Overtime:**

All regular full-time non-supervisory staff shall be paid overtime in accordance with the applicable Sections of the Yukon Employment Standards Act so long as the overtime has the prior approval of the Executive Director or his/her designate.

**Annual Vacations:**

Paid annual vacations for employees shall be based on 6% of gross wages. Vacation time allowed for regular full-time and regular part-time employees shall be as follows:

- First 3 years - 3 weeks
- After 3 years - 4 weeks

Executive Director – as negotiated and approved by the Board of Directors

Compensatory days will be given in lieu of overtime the staff may work. The Executive Director shall approve in writing any holidays taken.

The Executive Director and staff will be eligible to carry vacation leave credits for a maximum of 2 years. At December 31<sup>st</sup> of each year, AYC shall pay the Executive Director and staff all accumulated annual or compensatory leave credits accumulated in excess of the annual entitlement of the previous two years.

**Statutory Holidays:**

All employees are entitled to a holiday with pay on the following public holidays:

- New Years Day
- Good Friday
- Easter Monday
- Victoria Day
- National Aboriginal Day
- Canada Day
- Discovery Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

and any other day designated by the Government of Yukon.

**Sick Leave:**

The Executive Director and staff are entitled to one day per month sick time and accumulate up to a maximum of 28 days. The sick leave portion is insurance, not a benefit, and shall not be payable if not used.

It is the employee's responsibility to notify the office daily for absenteeism due to illness. A doctor's certificate may be required for any absence.

A deduction from accumulated sick leave shall be made for all days absent on sick leave with pay.

Payment of accumulated leave will be made in each of the following circumstances:

- on normal retirement
- death in service
- on termination after completion of then (10) years' service

**Compassionate Leave:**

At the discretion of the Executive Director, a permanent employee may be granted leave of absence with pay in case of death of a relative up to a maximum of five days.

At the discretion of the Executive Director, a permanent employee may be granted one day without loss of salary to attend a funeral.

### **Maternity Leave**

Maternity leave will be granted, without pay, in accordance with the provisions of government regulations in this regard. During the period of such leave, seniority and earned sick benefits will be carried forward, but no additional benefits will accrue. Earned vacation time must be given prior to the commencement of such leave.

### **Jury Duty**

An employee summoned to appear in court as a member of a jury or as a witness, will be reimbursed for the difference between the pay received for jury duty and the employee's regular salary.

### **Income Tax/Canada Pension Plan/Unemployment Insurance:**

It is compulsory that employees contribute to Income Tax, the Canada Pension Plan and Unemployment Insurance at the rates established by the Federal Government.

### **Workers' Compensation:**

It is compulsory that the Association contribute and provide coverage according to the Yukon's Workers' Compensation Act.

### **Special/Extended Leave:**

The Board of Directors may, upon request, grant to regular full-time employees special or extended leave, with or without pay, for purposes such as attending educational semesters or for other reasons. In granting special or extended leave, the Board shall take into consideration the recommendations of the Executive Director and the effect on the operation of the Association.

### **RRSP Contributions:**

In lieu of a Registered Pension Plan, the Association shall provide an annual contribution to a Registered Retirement Savings Plan (RRSP) in the name of an employee(s) in the amount of 6% of base salary, provided a probationary period is successfully completed.

### **Group Insurance:**

All Regular Full-Time and Regular Part-Time employees shall participate in the Association's Group Insurance Plan Benefit for:

- Group Life
- Accidental Death and Dismemberment
- Weekly Indemnity
- Long Term Disability
- Dental
- Extended Health Benefits

Premiums shall be paid by the Association and cost sharing of premiums if any, shall be recommended by the Executive Director and approved by the Board of Directors.

**Salaries:**

Salaries and wages rates shall be set annually by the Board of Directors.

**Travel Allowance:**

The Executive Director and staff shall be paid a travel allowance of \$2000.00 per annum on the 31<sup>st</sup> of December to assist with the cost of vacation travel.

**Vehicle Expense Allowance:**

A monthly vehicle expense allowance shall be paid to the Executive Director or staff for use of his/her personal vehicle for travel in the City of Whitehorse in an amount as shall be determined by the Board of Directors.

**Travel Expenses:**

When on business away from the office, the Executive Director and Staff will be reimbursed for travel, accommodation, meals and other incidentals and allowances as provided by the Association's Travel and Expense Allowance Policy.

Staff travel expenses shall be submitted on the form "Approval for Travel Claims".

Travel costs and other expenses for staff under the direction of the Executive Director, shall be approved for payment by the Executive Director and such costs incurred by the Executive Director shall be approved for payment by the President.

**Travel Expense Policy and Allowances (Policy 2.4)**

Adopted: (Amended) August 2008

Reviewed: March 25, 2006

Retired:

**Purpose**

To establish a policy for travel expense for both Executive and Directors and employees of the Association.

**Policies**

**Definitions:**

Travel expense will be paid to: Executive and Directors or employees for the purpose of attending meetings, conferences or any other business of the Association.

Honoraria are paid to elected officials in recognition of their contribution during the conduct of Association business. An honorarium is not a salary.

**Authorizations:**

All travel must be authorized in advance as follows:

- 1) For the President and the Executive Director to attend meetings of the Federation of Canadian Municipalities: approval authorized by election or appointment
- 2) For Executive members of the Board to attend Board of Directors Meetings of the Association and the Annual General Meeting: approval authorized by election or appointment. (Travel for the AYC Executive is the responsibility of AYC. Travel for members of the Board appointed by member communities is the responsibility of those communities.)
- 3) For Executive or Directors to attend conferences, seminars or Special Meetings called by the President and held in the Yukon: to be approved by the President.
- 4) For Executive or Directors to attend conferences, seminars or Special Meetings out of the Territory: to be approved by the President and confirmed by resolution of the Board of directors prior to attendance, or at the next duly convened meeting.
- 5) For Executive Director or other employees of the Association to attend meetings, seminars or conferences held in the Yukon: to be approved by the President.
- 6) For Executive Director or other employees of the Association to attend conferences, seminars or Special Meetings outside the Yukon: to be approved by the President and confirmed by resolution of the Board of Directors prior to attendance or at the next duly convened meeting.
- 7) For Officers or employees of member municipalities invited to attend meetings, seminars or conferences for specific purposes or reasons: to be approved by the President.
- 8) For other elected officials of member municipalities to work on AYC committees: to be approved by appointment to committee.

Officers or employees of member municipalities may attend Board of Directors Meetings or other meetings without authorization from the Association at their own expense.

**Travel Arrangements**

Wherever possible travel arrangements are to be made by the AYC office and paid for by AYC. Any personal expenses incurred will be billed back to the traveller or deducted from their daily allowances.

**Schedule of Allowances:**

**A) Transportation**

Cost of Public Transportation such as airfare or, where air travel is not available, travel may be by bus or train or vehicle.

Whenever possible, arrangement for air travel are to be made far enough in advance to take advantage of any discount available on economy class air travel.

For the use of a private vehicle for travel within the Yukon, equivalent to YTG Management Board #13/84, Appendix "B", updated annually.

For the use of a private vehicle for travel within the City of Whitehorse for designated persons or employees, a monthly allowance of \$ 100.00.

Taxi fares to and from airports may be claimed if receipts are submitted.

Where possible, to reduce expenditures for travel, the use of one vehicle for attending Executive or Board of Directors Meetings or Special Meetings is preferable.

**B) Accommodations: (Revised September, 1994)**

Cost of accommodations supported by receipts.

Private accommodations: Equivalent to YTG Management Board #13/84, Appendix "B", updated annually.

**C) Daily Expenses:** Equivalent to YTG Management Board #13/84, Appendix "B", updated annually.

- (1) Breakfast
- (2) Lunch
- (3) Dinner
- (4) Incidental Expenses

Charges for meals included in airfare or provided by the event being attended should not be claimed in the daily allowance expense claim.

**Honoraria:** (Adopted by Board of Directors August 2008 to be effective January 2009)

Honoraria are paid to elected officials and municipal staff for providing particular service to the Association. This does not include occasions such as Board meetings where Directors represent their communities.

Members of the Executive will be paid honoraria by the Association to attend meetings of the Association including the AYC AGM.

Elected officials and staff having been authorized by election or motion of the Board to represent the Association at meetings, conferences or training events will be paid honoraria.

Honoraria are paid at the rate of \$210/day (more than 4 hours) or \$105/half day (less than 4 hours). Rates will be adjusted from time to time by the Board.

Honoraria are not considered a tax-free allowance for incidental expenses during travel as the Association reimburses members separately for incidentals as well as meals. Honoraria will be reported as taxable income by T4A to Revenue Canada.

Claims for honoraria may be made in conjunction with other travel expenses or separately.

**Claims:**

All expense claims must be submitted on an approved "Expense Claim" form - Appendix "A"

Expense claims are to be submitted to the Association office within thirty (30) days of travel. Any claims submitted beyond this time frame will become the responsibility of the claimant and will not be reimbursed by the Association.

Unusual expenditures which may be incurred should be brought to the attention of the Association prior to claim.

All travel claims are available for members review at the AYC office.

Association of Yukon Communities  
Travel Expense Claim Form  
 Appendix "A"

Name: \_\_\_\_\_

Meeting Type: \_\_\_\_\_

Meeting Location: \_\_\_\_\_

Meeting Dates: \_\_\_\_\_ to \_\_\_\_\_

	Number of Days on Travel	Total Amount **	Paid by Claimant	Pre-Paid by AYC
Air Fare (attach receipt/copy)			\$	\$
Hotel Accommodations (attach receipt)			\$	\$
Private Accommodations	days @		\$	\$

Per Diems				
Breakfast	@		\$	\$
Lunch	@		\$	\$
Supper	@		\$	\$
Incidentals	@		\$	\$
Full Days on Travel Status	days		\$	\$
Only those meals not provided for during the conference will be paid for.				
Private Vehicle	km @		\$	\$
Taxi/Miscellaneous (attach receipts)			\$	\$
Other (specify and attach receipt)			\$	\$
Honorarium	days @		\$	\$
		SUBTOTAL	\$	\$
		<i>Less Advance</i>	\$	\$
		<b>AMOUNT CLAIMED</b>	\$	\$

Claimant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approval Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\* All amounts are in Canadian dollars. Travel outside of Canada will be calculated in the local currency and paid out in Canadian dollars.

+ Approximate Amount.

NB: Travel Expenses Revised December 2001, Board Meeting Motion #24. To remain the same as YG Travel Expense amounts.

#### STANDARD DISTANCE CHART

Whitehorse to:	KM RETURN		
Beaver Creek	914	*Haines Junction	318
Burwash Landing	568	Keno	934
Carcross	148	*Mayo	820
*Carmacks	354	Pelly Crossing	570
*Dawson City	1076	Ross River	820
Destruction Bay	534	*Teslin	366
Elsa	904	*Watson Lake	908
*Faro	714	* Member Community	

## **Policy Concerning Harassment (Policy 2.5)**

Adopted: 12 December, 2009

Reviewed:

Retired:

### **Purpose**

To describe the AYC Policy and procedures concerning harassment in the workplace.

### **Policies**

All individuals have a right to be treated with respect in the workplace.

AYC, in exercising its responsibility as the employer and service provider, will endeavour at all times to provide a safe and healthy work environment which is supportive of both productivity and the dignity of every person, including employees, customers, volunteers, Board members and Executive.

AYC will not tolerate, nor should employees allow discrimination, including harassment, that is illegal under the Yukon Human Rights Act, and likely to interfere with employees' ability to do their work and may harm or compromise their health and safety.

#### ***Who does the policy cover?***

Harassment can occur at all levels of the organization, not just between manager and subordinate. This includes employees, customers, AYC members and Executive, contractors, volunteers and anyone else who might have contact with the organization. AYC members are individuals who are participating in AYC business or representing AYC and would include volunteers, board members and the executive.

#### ***How is the workplace defined?***

Harassment can take place in the workplace itself or outside of the regular workplace, but in a situation that is connected to work. For example, at conferences or meetings sponsored by the Association or during travel undertaken for the Association.

### **The Law**

*NOTE: Certain forms of harassment are against the law. Listed below are the protections against harassment in Yukon Human Rights law.*

Everyone has a right to live and work without being harassed, and if harassed, can do something about it.

The Yukon Human Rights Act protects us from harassment based on the personal characteristics protected under the Act. The Criminal Code protects everyone from physical and sexual assault and from criminal harassment such as stalking or phone threats.

Under section 14(1) of the Yukon Human Rights Act, “no person shall harass any individual or group by reference to a prohibited ground of discrimination”.

Harassment is considered “... a course of ‘vexatious’ conduct or to make a demand or a sexual solicitation or advance that one knows or ought reasonably to know is unwelcome”. (Yukon Human Rights Act, Section 14, (2).

Under section 7 of the Yukon Human Rights Act, it is discrimination to treat any individual or group unfavourably on any of the following grounds:

- a) ancestry, including colour and race;
- b) national origin;
- c) ethnic or linguistic background or origin;
- d) religion or creed, or religious belief, religious association, or religious activity;
- e) age;
- f) sex, including pregnancy, and pregnancy related conditions;
- g) sexual orientation;
- h) physical or mental disability;
- i) criminal charges or criminal record;
- j) political belief, political association, or political activity;
- k) marital or family status;
- l) source of income;
- m) actual or presumed association with other individuals or groups whose identity or membership is determined by any of the grounds listed in paragraphs (a) to (l).

### **What is Harassment? - Definitions**

#### ***Discrimination***

Discrimination is harassing or treating a person or a group of people unfavourably (unequally or unfairly) or not allowing a person access to services, housing or employment or other opportunities based on a personal characteristic such as sex, age, race, or disability as covered by the Yukon Human Rights Act.

#### ***Harassment***

Harassment is a particular kind of discrimination and targets an individual or group because of their sex, race, disability, sexual orientation or any of the prohibited grounds of discrimination set out in the Human Rights Act. (see previous section).

Harassment refers to behaviour that demeans, humiliates or embarrasses a person and that a reasonable person ought to have known would be unwelcome. Harassment is as a “course of conduct” usually involves more than one incident over a period of time; however, a single incident may be considered harassment if it is extremely serious.

Examples of harassment

- Includes written or verbal abuse or threats,

- Unwelcome remarks, jokes, slurs, taunting about a person's body, race, national or ethnic origin, sexual orientation or any of the other grounds of discrimination
- Practical jokes that embarrass or insult someone
- Ignoring, isolating or segregating a person or group because of their sex, race, etc.
- Materials that are racist, sexist, anti-gay or anti-lesbian, or insulting because of any of the grounds of discrimination and that are displayed publicly, circulated in the workplace, or put in someone's work space or belongings, or on a computer or fax machine.
- Unwanted physical contact ranging from touching, grabbing, and pinching to assault.

### ***Sexual Harassment***

Sexual harassment is unwanted sexual advances, unwanted requests for sexual favours and other unwanted verbal, physical or written conduct. It can also include comments, conduct or display of materials that create a “poisoned” or “unwelcoming” environment where the person(s) feels psychologically or emotionally harmed, offended or intimidated on the basis of his or her sex.

Sexual harassment may include one or more of the following behaviours:

- Unwelcome sexual flirtation, advances, propositions or gestures,
- Verbal harassment such as sexist jokes and innuendos,
- Graphic, verbal comments about an individual’s body,
- Unwelcome display of sexual pictures or materials,
- Intentional, unwanted physical contact,
- Sexual assault (an offence under the Criminal Code),
- Retaliation (negative work consequence) or threat of retaliation for rejection of a sexual solicitation or advance.

### ***Who is covered in the definition of Sexual Harassment?***

Although sexual harassment most commonly occurs when a man harasses a woman, both men and women can be sexually harassed by members of the opposite sex or by members of the same sex.

### ***Personal or General Harassment***

Like harassment and sexual harassment, personal or general harassment demeans its victims, is generally abusive, insulting and degrading conduct for which there is no legitimate purpose. Personal or general harassment is covered under this policy.

*NOTE: ‘Personal harassment’ does not meet the criteria for a human rights complaint under human rights law because it is not based on one of the protected personal characteristics such as sex, age, sexual orientation, religion, etc.*

### ***Abuse of Authority***

Abuse of authority occurs when a person in a position of authority, but usually a supervisor or manager, uses his/her authority to interfere with an employee/member or his/her job or duties. It includes

humiliation, intimidation, threats, and coercion, and is not part of normal management activities such as performance reviews or discipline.

*NOTE: Abuse of authority unrelated to any of the grounds such as race and sex protected by the Yukon Human Rights Act, is not 'harassment as recognized in human rights law'; however, abuse of authority for any reason will not be tolerated, because it too can interfere with productivity, work performance, and health and safety.*

#### **Responsibilities and Rights of Employees, Members or Others in the organization:**

- right to a harassment-free workplace
- right to be treated with respect by employees, members, customers and contractors
- right to be listened to and have concerns dealt with promptly
- right to file a harassment complaint at Yukon Human Rights Commission
- right to a complaint process that is as confidential as possible in keeping with the law and the requirements on any investigation
- responsibility to treat other employees, customers, and members with respect
- responsibility to speak up when harassment occurs
- responsibility to report harassment to the appropriate person
- responsibility to check for harassment policy and procedures

#### **Responsibilities of AYC Executive and Managers**

- Set a good example by treating all employees, members, customers and contractors with respect
- Refuse to tolerate harassment and put a stop to it if it occurs
- Report or investigate all complaints – correct situations promptly
- Discipline appropriately anyone found guilty of harassment
- Post the harassment-free workplace policy and educate employees and members.
- Provide a clear procedure for reporting harassment, including the name and position of the person to whom complaints will be made and timelines for the steps in the procedure
- Maintain confidentiality of employee and member records concerning the investigation of complaints
- Monitor the workplace for signs of harassment and create a work environment where it is safe to come forward and discuss harassment

#### **Complaint Procedure**

##### ***Direct Action by the Person Experiencing Harassment***

As someone who may be experiencing harassment, you may be able to stop the harasser by speaking up or writing to the harasser, indicating that the behaviour is unwelcome and offensive and needs to stop. You should keep a copy of the letter or record the date when you took action. Tell someone you trust what is going on. Also, record all unwelcome or harassing behaviours and include what happened, when, where, how often, who else was present, and how you felt about it.

If the harassing behaviour occurs again, or if you are unable to deal with the person who is harassing you, report it to the person designated to receive complaints. See the section on “Formal Complaints”.

### ***Informal complaint***

You may want to ask the designated person to help you to communicate with the other person, or to speak to them on your behalf, without going through mediation or a formal complaint.

An individual who believes that he/she has been harassed should ask for help from the Executive Director. If the Executive Director is the subject of the complaint the complainant should seek help from a member of the Executive that he/she trusts.

The Executive Director or the member of the Executive who is approached may seek advice from a person trained in dealing with harassment situations on how to proceed. It may be possible:

- To help the complainant write a letter or start a conversation with the alleged harasser; or
- To approach the person accused of harassment to communicate the concerns about the harassing behaviour.

In an informal complaint no investigation, report or official decision is provided. **We encourage you to choose an informal approach first.**

The designated person will help you as soon as possible and within 5 working days of contacting that person for help. The designated person will follow up with the alleged harasser and you within 10 working days to determine if the matter has been resolved or if further action is required.

*NOTE: During this stage, the person handling the informal complaint should retain the notes from their discussions with both parties in case the informal complaint procedure is not effective. These should be kept in a separate confidential file.*

### ***Mediation***

Mediation is a voluntary process in which the parties (the person making the complaint and the person accused of harassment) meet with a neutral third party (mediator) who is trained to help them find a solution that they can agree upon.

In order for mediation to occur, it must meet the following conditions:

- Both parties agree to the mediation;
- It is conducted by a trained mediator
- The mediator is acceptable to both parties
- Both parties have been informed of their right to bring someone with them to the mediation
- The mediator should NOT be involved in investigating the complaint, and should not be asked to represent the company at any stage of any proceedings related to the complaint.

Mediation is not appropriate:

- If one party feels at an extreme disadvantage
- When corrective action such as dismissal is likely to occur
- When no trained mediator is available

### **Formal Complaints**

If the informal or mediation route does not resolve the harassing situation or is not appropriate for the situation, the Association supports AYC employees, members or customers to file a formal complaint.

A consultant may be engaged to investigate the complaint.

### **Filing a Complaint**

A formal complaint can be made in person or in writing to the Executive Director or to a member of the Executive. An oral complaint should be documented in writing by the person taking the complaint.

### **Investigating the Complaint**

The investigator will interview the complainant, the alleged harasser, and any witnesses and gather relevant documents or other information. Everyone involved has a responsibility to cooperate in the investigation and to maintain the confidentiality of the information regarding the investigation.

The complaint will be investigated as soon as possible and normally within seven working days.

An investigation will involve:

- Gathering all relevant information from the complainant
- Informing the alleged harasser of the details of the complaint, and getting his/her response
- Interviewing any witnesses and review any documents such as emails, letters, pictures, etc.
- Deciding whether the harassment took place
- Recommending appropriate remedies, penalties or other action

### **Reporting the Findings**

*NOTE: The investigator will report whether there is evidence that harassment occurred. The investigator will recommend resolutions to the situation. Both the person making the complaint and the alleged harasser, have the right to review and comment on the findings.*

Normally the findings of the investigation will be reported in writing within 10 working days of the completion of the investigation.

Findings will be provided to:

- The person who made the complain
- The person who the complaint is against
- The Executive Director or a member of the Executive
- The police (where there is evidence of physical or sexual assault or criminal harassment)

- Any other parties to the complaint, as agreed to by the employer and the complainant

### ***Decision Making***

Normally final decisions regarding a complaint will be made by the Executive Committee as soon as possible and usually within 20 working days.

### ***The Appeal Process***

Complainants who are unhappy with the results of a formal complaint can put forward their reasons and have them reviewed.

Appeals should be made in writing to the AYC Board of Directors within 30 working days of the decision.

A formal complaint can be made to:

- Yukon Human Rights Commission within 6 months of the last incident (not for personal harassment)
- The R.C.M.P. (in cases of physical or sexual assault or criminal harassment.)

### **Corrective Action**

If the investigation reveals evidence to support the complaint of harassment, appropriate action will be taken. Any corrective action will be determined and carried out by the Executive Director or, if the Executive Director is the subject of the complaint, by the AYC Executive within 10 working days of the finding of responsibility for harassment, unless an appeal is filed.

*NOTE: Corrective action is meant to be corrective, not punitive. It should be progressive and consistent with the severity of the harassment.*

Corrective action may include, but not be limited to:

- Oral or written reprimand
- Suspension, with or without pay
- Requirement to provide a written apology
- Requirement to take anti-harassment training, and any other training deemed necessary to correct the situation
- Loss of employment

### **Safeguards**

The Association will not tolerate retaliation against employees who complain of harassment, or who provide information in an investigation.

### **Confidentiality**

A complainant's or alleged harasser's name, or any circumstances related to the complaint will not be disclosed to anyone, except as necessary to investigate the complaint or take disciplinary action related to a complaint, or as required by law. Individuals involved in a complaint are reminded to keep all information confidential, except in the above circumstances.

### **Remedies**

Remedies will be provided to the victim by the Executive Director or the AYC Executive

Such remedies might include, but not be limited to:

- Repayment of loss of wages including salary, and benefits
- Re-crediting of holidays, sick leave and any other leave entitlement
- A formal apology
- A job or promotion that was denied
- Counselling services if desired

No record of the complaint, investigation or decision will be placed on the personnel file of the employee that made the complaint, if the complaint was made in good faith.

If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint kept or placed in the file of the alleged harasser. If harassment was found to occur, the incident and the discipline imposed on the harasser will be recorded in the harasser's file.

If the investigation finds that the complainant did not act in good faith and fabricated the complaint, this will result in disciplinary action against the complainant.

### **Communication of the Policy**

The AYC Harassment Policy will be provided to all current and new employees and AYC members and Executive. It will be posted on the web site and brought to the attention of the Board on a yearly basis.

### **Acting Status Pay Policy (Policy 2.6)**

Adopted: March 20/2010

Reviewed:

Retired:

### **Purpose**

To ensure that employees who are asked to fill in for the Executive Director (ED) are compensated adequately and fairly.

## Policies

Acting Status will be assigned to a subordinate employee when the ED is absent. Acting status will only be necessary if the ED is both absent and not able or expected to remain in touch with the AYC office. For example, if the ED is ill, on leave, or out of the Territory attending meetings.

Salary increases on acting assignments will be paid at 10% above the acting employee's regular salary or at the ED salary level, whichever is higher, for those days when the employee is eligible for acting pay.

## **Attendance by Members of the Legislative Assembly at AYC Annual General Meetings (Policy 3.1)**

Adopted: 27 January 1985

Reviewed: May 2005

Retired:

### Purpose

To ensure that all members of the Legislative Assembly are aware of AYC's concerns, as well as the rationale behind resolutions.

### Policies

The following resolution was adopted by the membership at the Annual General Meeting held January 26 and 27, 1985, in Whitehorse:

**WHEREAS** it has been suggested that the attendance of Members of the Legislative Assembly at the Annual General Meeting could improve communications between both levels of government;

**BE IT RESOLVED THAT** invitations be issued to each Member of the Legislative Assembly, to attend as an observer, prior to the Association's Annual General Meeting.

### Responsibilities

It is a responsibility of the Executive Director to ensure that invitations are issued, signed by the President, to all Members of the Legislative Assembly prior to the Association's Annual General Meeting, each year.

## **AYC Representation at Yukon Chamber of Commerce Meetings (Policy 3.2)**

Adopted: May 4, 1985

Reviewed: May, 2005

Retired:

### **Purpose**

To ensure that the Association is represented at Yukon Chamber of Commerce meetings in each municipality.

### **Responsibilities and Procedures**

It is the responsibility of the Executive Director, upon receipt of notification of the date and venue of a Yukon Chamber of Commerce meeting, to contact the AYC Director in that municipality, and have her/him attend on the Association's behalf.

## **Board and Executive – Definition, Duties and Responsibilities (Policy 3.3)**

Adopted:

Reviewed: May 2005

Retired:

### **Purpose**

In addition to the Bylaws of the Association, which defines to some extent, the role and operating procedures of the Association, it may be useful to provide, particularly for new members of the Board, a better understanding of their role, duties and responsibilities. In law, Directors are acting as guardians or trustees serving on behalf of the members who have elected or appointed them, and of paramount importance, in satisfying the needs of the members.

### **Role**

In general terms, Directors are responsible for managing the affairs of an organization and applying its bylaws and policies; and, perhaps more importantly, to provide leadership and to ensure the organization has:

- clear and valid goals
- relevant programs and services for its members
- measurable objectives

The following guidelines have been prepared to assist the Board of Directors in carrying out their mandate in providing effective management of the affairs of the Association.

### **The Executive and Board:**

Only duly elected councillors of a municipality, in good standing with the Association, shall be eligible to serve as an officer on the Board of Directors.

The officers of the Association shall be the President, the First Vice-President, the Second Vice-President and the Past-President and the Directors appointed from every member community in accordance with Articles 3 and 4 of the Association's Bylaws. Together the officers shall be the Board of Directors of the Association.

The President, the First Vice-President, the Second Vice-President and the Past-President shall form the Executive of the Association.

Notwithstanding paragraphs two and three, if a member of the Association ceases to be an elected municipal official, he/she shall also cease to hold office in the Association.

The terms of the office and appointments to fill vacancies on the Board of Directors shall be in accordance with Article 3 of the bylaws of the Association.

Meetings of the Board of Directors of the Executive may be called by the President as required to carry on the business of the Association in accordance with the general direction provided by the members.

The quorum at any meeting of the Board of Directors or the Executive shall be a majority of the Board of Directors or the Executive.

The President, or in his/her absence, the First Vice-President shall preside at all meetings of the Board or of the Executive. In the absence of both the President and First Vice-President, the Second Vice-President shall preside.

At meetings of the Board of Directors or of the Executive, each officer present shall have one vote.

At meetings of the Board of Directors or of the Executive, the Chairman shall be entitled to vote.

At meetings of the Board of Directors or of the Executive, all questions arising shall be decided by a majority vote of all members present, In case of an equality of votes, the motion shall be declared lost, and the Chairman shall not have a tie-breaking vote.

Directors elected or appointed to the Board are entitled to expenses and per diems consistent with Policy 2.4 Travel and Expenses.

**Duties and Responsibilities:**

Through the President, provide leadership and direction in achieving the goals and objectives of the Association.

Adopt policies and guidelines consistent with the aims of the Association.

Oversee the management of the business and affairs of the Association and report to the membership at the Annual General Meeting or other special meetings.

Appoint, from time to time, an Executive Director and to set the Terms of Reference and Conditions of Employment.

Undertake annually, an appraisal of the performance of the Executive Director and a recommendation on remuneration for the subsequent year.

Understand and consider the obligations undertaken in order to effectively serve the Association and to avoid personal liability. Know the nature and extent of the Association's Objectives and By-laws.

Attend all Board meetings possible.

Read, prior to meetings, all correspondence, documents and reports on which voting is anticipated.

Review minutes of meetings.

Become acquainted with all aspects of the Association's business and policies.

Comply with the duty of confidentiality of the business of the Association.

Attend, when delegated, various meetings with government Ministers, officials, municipalities, groups or other organizations.

Represent, when delegated, the Association at Conferences and Conventions both within and out of the Territory.

Recognize the value of the Association's membership and participation on the Board of Directors of the Federation of Canadian Municipalities through continued financial support of the President's attendance at Board meetings and annual conventions.

In consultation with the Executive Director, reviews, approves and recommends to the membership adoption of budgets, financial statements, or other financial considerations that come before the Board.

Through the President, be the spokesperson of the Association bearing in mind the importance of maintaining, wherever possible, a positive public profile.

Initiate press releases or other media contacts on issues or topics that are relevant to the purposes of public relations of the Association.

Appoint Standing Committees such as the Resolutions' Committee, Nominations' Committee or any other Committee that may, from time to time, be necessary for the conduct of the affairs of the Association.

Seek legal or professional opinions, where necessary, on any important matters that may come before the Board.

### **Conference Bidding (Policy 3.4)**

Adopted:

Reviewed: May 2005

Retired:

#### **Purpose**

To outline the procedure for bidding to hold an AYC AGM in a community.

#### **Policies**

Any community, with sufficient accommodations, may bid for any AYC GM/Conference and any number of consecutive conferences.

Bids may include any proposal of benefits they will provide to AYC or the delegates. Bids may refer to why a certain year is of particular importance to their community.

Anyone wishing to compete for an AYC Annual Conference/AGM may make a presentation at the AGM. After viewing presentations from all bidders, voting delegates will select the winning bid. Those eligible to vote will be those that are eligible for all votes at the AGM, that is, every Mayor and Councillor of an AYC Member Community.

### **Procedures for the Election of Officers (Policy 3.5)**

Adopted: 11 May 2002

Reviewed: March 2018

Retired:

#### **Purpose**

To define the procedures for the election of officers of the Association of Yukon Communities.

#### **Policies**

#### **Procedures for the Election of Officers**

It shall be the duty of the Nominating Committee to select and have prepared for the Annual General Meeting a recommended nomination(s) of a qualified person(s) for each of the offices of President, First Vice-President, Second Vice-President, and, when required, a Vice-President at Large.

During the Elections portion of the Annual General Meeting, the Chair of the Nominating Committee shall conduct the election of the Officers of the Association.

In the case of a nomination placed before the membership by the Nominating Committee, when the person(s) being nominated is absent from the meeting, they must have provided their written consent to the President or Chair of the Annual General Meeting. A faxed written acceptance of a nomination is acceptable.

In the case of nominations being received from the floor, the nominator must ensure that the person nominated is qualified, must have the consent of the person being nominated, and that person must be present at the meeting or, if unable to attend, have signified in writing, assent to their nomination for the specific position. A faxed written acceptance of a nomination is acceptable.

The Election of the President shall be followed by the election of the First Vice-President, which shall be followed by the position of Second Vice-President, and, when required, a Vice-President at Large.

Any person having been nominated for the office of President and who fails to be elected shall be eligible for nomination to the office of First Vice-President, Second Vice-President or Vice-President at Large. Any person who has been nominated to the office of First Vice-President and fails to be elected shall be eligible for nomination to the office of Second Vice-President or Vice-President at Large.

The Chair of the Nominating Committee shall place before the membership, the name of the person recommended by the Committee for the office of President. This nomination shall be moved and seconded by members of the Nominating Committee.

The Chair shall then call for nominations from the floor for the position of President. This call must be made three times before nominations for the position of President can be declared. The process will be repeated for each of the Executive positions.

### **Media Relations (Policy 3.6)**

Adopted:

Reviewed: May 2005

Retired:

#### **Purpose**

It is important for the public profile of the Association to develop and maintain whenever possible positive media relations with media reporters and interviewers.

#### **Policies**

## **Spokesperson**

As the Chief Executive officer of the Association, the President is spokesperson for the Association and in his/her absence the Vice-President.

Directors or members may comment on issues or matters that may be of particular interest to their communities or on matters related to their area of endeavour or expertise.

The Executive Director may respond to media enquiries provided that where and when possible he/she will refer enquiries to the President and/or appropriate Executive or Board members.

## **General Guidelines**

Press releases and/or any other media contact initiated by the Association are initiated at the discretion of the President, Vice-President, Board of Directors or Members-in-Convention.

In general, any media contact, initiated or responsive, should be confined to matters of policy decided by the Board of Directors and/or Members-in-Convention.

It is generally not wise to speculate or respond to hypothetical questions posed by interviewers.

When asked to comment on issues for which the Association does not have a developed policy, spokespersons are generally well advised to refer the matter to the President or other person with particular expertise.

The Executive Director will not comment on matters where no policy exists. The Executive Director's primary role in media relations is to provide accurate information on current Association policies or programs.

## **Resolutions – Preparation and Presentation (Policy 3.7)**

Adopted:

Reviewed: December 2018

Retired:

### **Purpose**

To detail a procedure to be followed by member communities in presenting resolutions for consideration at general meetings.

### **Policies**

#### **Preparation of Resolutions**

Resolutions are formal presentations of a call for action on the part of the organization passing the resolution or on some other body, organization or government. They are, in their simplest form, written motions that are placed before a deliberative body.

In the accepted style of resolutions, there are two types of clauses. The first type of clause is a preamble that begins with the word "WHEREAS". These clauses are not required but they are frequently used because they can be helpful in describing why a particular action is being sought. They are factual statements that are not subject to debate and are not voted on.

The second type of clause is the operative clause. It contains the specific action being called for and identifies who is being called upon to act. This type of clause is preceded by the words "THEREFORE BE IT RESOLVED THAT". Occasionally, there is an additional request for action within the same resolution and these are preceded by the words "BE IT FURTHER RESOLVED THAT".

The operative clause is subject to debate, may be amended and is the only portion of a resolution that is voted on.

#### **Preamble:**

It is usually not advisable when submitting a written motion to attempt to include reasons for a motion's adoption within the motion itself. To do so may encumber the motion and weigh against its adoption; since some members who approve of the proposed action may disagree with any or all of the written reasons.

A preamble permits the resolution to contain information that supports the action being called for without requiring those voting on the matter to be in support of the rationale.

When circumstances require some statement of the background of a motion, it should be cast in the form of a resolution with the background or reasons incorporated in a preamble.

A preamble consists of one or more clauses beginning "WHEREAS." To avoid detracting from the force of the resolution itself, a preamble generally should contain no more clauses than are strictly necessary. The preamble provides the opportunity to highlight the present situation and any inadequacies that exist, and that logically lead to understanding and support for the action called for in the operative clause(s).

Where complexity requires more background than can be reasonably contained in a preamble, a brief memo outlining the background of the issue shall be submitted with the resolution, for distribution to the members prior to the meeting.

#### **Operative Clause(s):**

The operative clause(s) of a resolution begins with the words "THEREFORE BE IT RESOLVED THAT" and identifies a specific action that follows from any preamble. This clause should be as short as possible but, most important, it must clearly describe what specific action is being requested and the person or body being requested to act.

Subsequent operative clauses would begin with "BE IT FURTHER RESOLVED THAT" and must be equally specific in the request or demand and the person or body being called upon to act. Any additional clauses must be related to the original operative clause and the drafters should ask themselves if the requested action is best presented as a separate resolution or as an addition to the current one.

### **Drafting of a Resolution:**

The language of a resolution should be simple, clear, direct and free of ambiguous terms. A resolution that contains well-chosen words will provide the greatest understanding, be more likely to be adopted and to succeed in achieving its goal.

Each resolution should address one specific subject. Since the author seeks to influence attitudes and actions, the resolution should directly state the desired action. Persuasive communication is unlikely if the audience does not have a common notion of what is to be supported or opposed.

Resolutions should be accompanied by factual information in the form of a briefing note. Even the most perfectly constructed resolution may fail to clearly indicate the rationale for the action being requested. Any supporting information that was used at the time that the resolution was recommended for submission to the Association may be included with the resolution in the form of a briefing note (format available from AYC office). This will assist the Resolutions Committee (and later the membership) in understanding the problem, but it, like any preamble, will not be subject to the final vote. Resolutions should be properly titled. A resolution is never quite complete, no matter how well constructed, without giving it the final touch – the inclusion of an appropriate short title. A title will assist in identifying the intent of the resolution and reduce the possibility of misinterpretation. A title is usually determined from the operative clause of the resolution.

Resolutions should contain accurate references. The author of the resolution should ensure that the jurisdictional responsibility has been correctly identified (e.g. ministry or department within the Federal or Territorial Governments). When references are made within the resolution to particular legislation, the correct Act and Section(s) must be identified.

### **Procedure for Submitting Resolutions**

It is the practice of the Association that a call for resolutions is issued prior to the Annual General Meeting. A municipality sponsoring a resolution must ensure that the following criteria are met:

1. Resolutions must address a topic of concern to municipalities throughout the Yukon. Specific local concerns may be addressed by the Board of Directors;
2. Resolutions may only be submitted by a member municipality, the AYC Executive, or AYC Staff and each resolution must bear the official endorsement of the sponsoring municipality's Council;
3. Resolutions must be forwarded to the Executive Director no later than 30 calendar days prior to the date of the General Meeting or other such date as may be directed by the Executive Director; and

4. Proposed resolutions must be distributed by the Executive Director to all member municipalities no later than 21 calendar days prior to the General meeting.

### **Late Resolutions**

Resolutions dealing with matters of urgent concern that have come to light following the deadline for receipt of resolutions may be accepted as late resolutions 30 days prior to the start of the AGM, provided they are accompanied by supporting documentation that demonstrate both the importance of the issue or concern and the reason why it could not have been submitted prior to the deadline and the official endorsement of the sponsoring municipality's Council.

Late resolutions will be processed by the Resolutions Committee as time permits but all late resolutions must be approved, as late resolutions, by the membership at the Annual General Meeting before they can be placed on the agenda for debate.

### **Disposition of Resolutions**

The Executive Director on behalf of the Resolutions Committee may return any submitted resolutions, including late resolutions, to have deficiencies corrected. Deficiencies may include:

1. The lack of a clear description of the rationale for the specific solution being sought;
2. The lack of a specific remedy or responsible party to take the requested action; and
3. Ambiguous or contradictory language in the supportive or operative clause(s).

The Resolutions Committee shall review all resolutions intended for submission to each Annual General Meeting and shall refer back to the originator any resolutions deemed inappropriate, with reasons why, for redrafting, resubmission or withdrawal of the resolutions.

In conducting its review, the Resolutions Committee may:

1. Amend the grammar or format of a resolution;
2. Consolidate resolutions of similar intent or subject matter;
3. Provide comments on each resolution with regard to its background; and
4. Recommend refinements to make the resolution actionable; and
5. Inform the sponsoring municipality when the resolution is deemed to be inappropriate.

The Resolutions Committee shall categorize all appropriate resolutions as A, B or C Resolutions with recommendations from Councils as follows:

Category A describes resolutions dealing with issues of major concern to many of the member municipalities. They will be presented for debate;

Category B describes those resolutions with a narrower focus, impacting some member municipalities. These resolutions will be presented for debate if time permits;

Category C includes resolutions of a technical or housekeeping nature and may be debated if time permits or referred to the Board of Directors for action without debate at a General Meeting;

A second level of identification describes the organization or body that is called upon to act on the resolution and includes the following categories.

- Federal Government- F
- Federal/Territorial- FT
- Territorial Government- T
- Association- A
- First Nations- FN

Late resolutions shall be categorized by the Resolutions Committee.

Resolutions which are not debated at a General Meeting may be presented to the next meeting of the Board of Directors or a Special Meeting at the discretion of the membership.

### **Recommended Procedure for the Resolutions Committee**

The Chair of the Annual General Meeting will turn the meeting over to the Resolutions Committee. The Committee Chair shall be the Chair of the Resolutions portion of the Annual General Meeting.

The Chair will, beginning with 'A' resolutions, introduce each resolution by number, title and sponsoring member and will read the operative clause. The members will move and second each resolution to simply put the resolution on the floor as a motion for debate.

The Chair or a designated Committee member may report on the resolution and may provide a recommendation.

The Chair will then call for a representative from the sponsor to speak to the resolution and open the debate. The opening speaker will close debate when they speak to the motion a second time.

The opening speaker will be allowed two minutes for the opening comments and one minute for a closing statement. All other speakers to the motion will be limited to two minutes and shall not speak more than once on any motion unless and until all other delegates have had an opportunity to speak.

Duly moved and seconded friendly amendments will be accepted from the floor but must be submitted in writing when requested to do so by the Chair. The Chair is the final arbiter of 'friendly'. Debate on the amendment to the motion will be governed by the procedures outlined above.

Voting shall be by a show of hands, or when necessary, by a standing vote.

Motions to refer or table a resolution will be in order at any time. Motions to refer are not debatable and must be put to a vote immediately.

## **Expiration of Resolutions**

All AYC Resolutions shall expire within three years of being accepted by the membership. New resolutions on the same topic may be brought forward after consideration of any progress made and the current status of the issues.

## **AYC Financial Policy (Policy 3.8)**

Adopted: September 2005

Reviewed: December 2018

Retired:

### **Purpose**

To ensure that the fiscal assets of the Association are adequately maintained, protected and not subject to unnecessary risk. The basic tenets of the Association's financial policy are found in the Procedural Bylaw Article 10.

### **Policies**

**Financial Planning.** The Association will engage in annual fiscal planning in the form of a budget, which will project the annual revenues and expenses for the operations of the association.

The Executive Director shall prepare a draft budget in coordination with the Finance Sub-committee for approval by the Board of Directors.

The Budget will be approved by the Board of Directors prior to the start of the fiscal year that it covers

The Board of Directors shall adopt the budget and require quarterly variance reports on the financial condition of the Association.

The financial statements prepared by the professional accountant shall be signed by two (2) directors of the Association and filed with Registrar of Societies within thirty (30) days after the Annual General Meeting at which the financial statements are presented to the members.

**Financial Conditions.** The Executive Director shall not:

Expend more funds than have been received in the fiscal year to date.

Incur debt for budgeted items that cannot be repaid within 60 days.

Fail to settle payroll and debts in a timely manner.

Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.

**Banking.** The Association shall maintain an account or accounts in the name of the Association at such chartered bank or banks as the Board of Directors may direct.

All cheques, drafts, orders for payment of money, notes of acceptances, bills of exchange, contracts, documents or any instruments in writing requiring the signature of the Association shall be signed jointly by the President or one of the Vice Presidents and by the Executive Director. The Membership shall have the power by resolution to appoint any other officer or officers on behalf of the Association to sign specific contracts, documents or instruments in writing generally.

The Board of Directors may, by ordinary resolution, authorize and empower the Executive Committee to borrow, raise or secure the payment of money in such a manner as it shall deem fit and may authorize the Board of Directors, or any number of them, for or on behalf of the Association to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange or transferable instruments.

The fiscal period of the Association shall run from February 1<sup>st</sup> to January 31<sup>st</sup> of each year.

The Association shall insure against (a) theft and casualty to at least 80% replacement value and (b) liability losses to staff, organization and board members to at least \$1,000,000.00

Officers and employees of the Association, having access to material amounts of funds, shall be insured through a fidelity bond under the AYC general insurance crime policy.

The Executive Director shall put in place sufficient controls to receive, process, and disburse funds to meet the standards of the Board-appointed auditor.

The Board shall not invest or hold operating capital in insecure instruments, including bonds of less than AA rating and uninsured checking accounts, or in non-interest-bearing accounts, except where necessary to facilitate ease in operations.

### **AYC Financial Reserves Policy (Policy 3.9)**

Adopted: September 2006

Reviewed: March 3, 2018

Retired:

#### **Purpose**

To describe the background and purpose of AYC appropriated reserves and In-Trust funds. Annual financial statements will reflect the expenditures, growth and balance of reserves and In-Trust funds.

#### **Reserves**

**AYC Permanent Fund.** Created in May 1995 (Board motion 95-14) as a start towards AYC becoming self-sufficient through a return on investments from this fund. AYC may access the principal in this fund for a lump-sum payment on the mortgage.

**Contingency Reserve.** Created to meet any unforeseen operational expenditures in any given year. AYC will allocate at least 20% of any operating surplus at the end of each year to the contingency reserve.

**Fixed Asset Replacement Reserve.** Created to permit replacement of existing assets as needed. This fund is maintained at a minimum balance equaling the estimated replacement cost of all AYC fixed assets (as of December 2006 this was (\$48,207) through an annual transfer from operating capital.

**Training Reserve.** Created for any training identified for subsidy.

### **Policies**

The Board of Directors shall review the status of reserves annually in conjunction with the annual budgeting process.

The Board of Directors may, by ordinary resolution, authorize the expenditure of funds from the appropriate reserve fund for purposes appropriate to the reserve fund.

The Board of Directors may, by ordinary resolution, authorize the movement of funds from general revenue into a reserve fund and/or authorize the movement of funds from one AYC reserve fund into another.

### **Chairs of Standing Committees (Policy 3.10)**

Adopted: 12 December, 2009

Reviewed: December 2018

Retired:

### **Purpose**

To define the chairmanships of AYC Standing Committees.

### **Background**

After some discussion, based on the practice of other municipal associations including the Federation of Canadian Municipalities, a motion was passed at the September 2009 AYC Board meeting to assign members of the executive as Chairs to the AYC Standing Committees.

### **Standing Committees**

The following Standing Committees are specified in Article 8 of the Procedural Bylaw of the Association:

The Executive Committee  
The Resolutions Committee

The Nominating Committee

Ad hoc Committees may be established. Normally these will include:

The Finance Committee

The Procedural Bylaw Committee

### **AYC President Monthly Cell/Smart Phone Allowance (Policy 3.11)**

Adopted: March 2, 2013

Reviewed: March 2, 2013

Retired:

#### **Purpose**

During the course of conducting official Association of Yukon Communities (Association) business as the President of the Association, monthly and annual costs may be incurred through the use of a cell/smart phone. In order to address this expenditure a monthly cell/smart phone allowance should be provided to cover the costs of such business expenditures.

#### **Policies**

As the Chief Executive Officer (CEO) of the Association, the President of the Association is required to communicate with Association Staff, Members, the Yukon Government, the Federation of Canadian Municipalities and other recognized stakeholders the President may use a cell/smart phone to conduct such business.

In order to address such recognized and approved expenditures incurred during the course of conducting official Association business the President shall be entitled to a monthly cell/smart phone allowance.

This allowance shall cover the costs of phone calls and data charges up to a maximum amount of seventy-five dollars (\$75) per month. This allowance amount will be payable, as directed by the President, to the President's municipal office or directly to the President.

### **Distribution of Assets (Policy 3.12)**

Adopted: May, 2014

Reviewed:

Retired:

Should the AYC be dissolved, all assets of the AYC, including all funds and real or personal property, after all debts are paid, shall be divided amongst the AYC incorporated communities by taking the average proportional membership contribution of each incorporated community over the five years prior to the dissolution.

## **Support Letters (Policy 4.1)**

Adopted: December 5, 2015

Reviewed:

Retired:

### **Purpose**

AYC believes that taking a position on issues and policies and promoting those positions are important ways in which it serves its membership. AYC endorses only initiatives, actions or campaigns that relate to its purpose. AYC must not only serve its communities, it must advocate for its communities. AYC will use its voice strategically and thoughtfully.

### **Policies**

The following outlines the principles by which the Board will consider taking a position on issues or providing letters of support, and the process to follow when making such a decision.

A position statement or support letter will be considered if it meets the following criteria:

- The issue directly or indirectly affects our organization or the members it serves.
- The issue draws on our expertise and knowledge as an organization.
- The support letter does not constitute a political endorsement.

1. A position statement or a letter of support can be requested by any member or by an organization of which AYC is a member. In addition, at its discretion, the Board will consider requests and suggestions from other organizations, groups, or individuals. Request for support letters should be sent in writing to the President of AYC, and should provide the following information:

- The initiative or issue AYC is being asked to support.
- Why the support of the AYC is being sought.
- What AYC's endorsement will add to the efforts.
- Which other organizations have been asked for support.

2. The President will refer the request to Advocacy & Partnerships Committee to study and make recommendation to the Board. This may occur by email if it is time sensitive.

3. The AYC board, by a majority vote, will decide to provide a position statement or letter of support.

4. Once approved, the President or the President's designee will sign off on the requested support letter, and it will be sent directly to the intended party.
5. Public policy positions expire after one year from adoption unless the Board acts to extend the period. The expiration date will be clearly stated to the receivers and on the official communication. At its discretion, the Board may designate a position statement as permanent. Such a position statement will remain in effect unless rescinded by the Board.
6. Position statements are separate and distinct from partnership agreements and in no way imply a formal or informal relationship with any other group, organization or business.
7. Nothing in this policy requires that the Board provide a position statement or letter of support on any issue.

### **AYC Document Retention and Destruction Policy (Policy 4.2)**

Adopted: September 10, 2016

Reviewed:

Retired:

#### **Purpose**

This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to ensure compliance with federal and territorial laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the operation of the Association by promoting efficiency and freeing up valuable storage space.

#### **Definitions**

**Record:** Any information contained in any physical medium which is capable of preserving such information. Includes any information contained in the original and in any copy of correspondence, memoranda, forms, directives, reports, drawings, diagrams, cartographic and architectural items, pictorial and graphic works, photographs, films, microforms, sound recordings, videotapes, videodisks, and video cassettes, punched, magnetic and other cards, paper and magnetic tapes, magnetic disks and drums, holographs, working papers, subject files and any other documentary material or electro-magnetic medium - including electronic mail, regardless of physical form and characteristics.

**Active Record:** A paper or electronic record that is usually less than three years old and to which reference is sufficiently frequent that it must be held in close proximity for operational purposes.

**Dormant Record:** A record that is usually more than three years old and to which access is neither frequent nor urgent enough to warrant maintenance in relatively expensive office space.

**Electronic Files:** Any electronic record stored either on a personal computer, central computing facility or electronic device. Online storage is usually considered to be records that are located on an active disk or memory device. Offline storage can be any storage medium such as diskette, tape, CD, DVD, etc. or a remote storage facility. If an employee has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an “archive” computer file folder.

**Non-Records:** (also: “Working”, “Unofficial” or “Transitory” records): Records created incidental to performance of the mission. They are "operational", "support", and "service" type records which are considered to be of temporary value to the AYC (e.g. duplicate copies of correspondence, duplicate copies of records used for short term reference purposes, blank forms, and transitory messages used primarily for the informal communication of information, etc.). Transitory messages do not set policy, establish guidelines or procedure, certify a transaction, or become a receipt. Transitory messages may include but are not limited to e-mail messages with short-lived or no administrative value, voice mail, self-sticking notes, document drafts, meeting notes, and telephone messages. Non-records and transitory messages should be maintained for as long as administratively needed, and the retention schedules do not apply. Non-records should be discarded when their business use has ended.

**Yukon Archives.** The Yukon Archives acquires, preserves, and provides access to the Yukon's documentary heritage. AYC has records on file with Archives.

### **Responsibilities and Procedures**

All records created, received, and/or maintained by AYC employees and those acting as agents in the course of their duties on behalf of AYC, regardless of physical form or characteristic (including paper, electronic, audiovisual, microform), are considered AYC property and subject to its control.

The policy therefore applies to all staff members of the AYC and covers all records regardless of format, medium or age and impacts upon those who:

- create records, including electronic files (e.g. email);
- have access to active records and non-records;
- have any other responsibilities for records, for example storage, maintenance of dormant files, and preservation with Yukon Archives;
- have management responsibility for staff engaged in any of these activities.

### **Administration of the Policy**

The Association's Record Retention Schedule is set forth in Appendix A. The Manager of Operations shall administer this Policy, and is authorized to:

- make modifications to the Record Retention Schedule from time to time to ensure that it complies with local, territorial and federal laws and includes the appropriate document and record categories for the Association;
- monitor local, territorial and federal laws affecting record retention;
- annually review the record retention and disposal program;
- and monitor compliance with this policy

The Manager of Operations should ensure that:

- The appropriate records are reviewed and disposed of / transferred to storage each year in accordance with this policy;
- Relevant documents are donated to Yukon Archives in accordance with their procedures a minimum of every ten years;
- Documentation of the disposal/transfer of records is completed and retained;
- When authorized, destruction of records must be completed securely, either by using an on-site shredder or through a company specializing in secure document destruction.
- Special care should be taken when disposing electronic documents or media that contain electronic documents. An approved data destruction tool must be used to destroy any electronic data on any device or media prior to disposal of the device/media. A typical “reformat” is not sufficient as it does not overwrite the old data.
- Documents and financial files that are essential to keeping AYC operating in an emergency will be duplicated or backed up at least every week and maintained off-site.

**Suspension of Record Disposal in the Event of Litigation or Claims**

Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

**Appendix “A”  
AYC Records Retention Schedule**

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
<b>Corporate Records</b>	Bylaws and Articles of Incorporation	Permanent
	Corporate resolutions	Permanent
	Policy document	Permanent
	AGM and Board agendas and minutes	Permanent
	Conflict-of-interest disclosure forms	3 years
	Licenses and permits	Permanent
<b>Finance</b>	Financial statements (audited)	Permanent
	Auditor reports and management letters	7 years
	Accounts payable/receivable	7 years
	Payroll records	7 years
	Check register and checks	7 years
	Bank deposits, statements and reconciliations	7 years
	Chart of accounts	7 years
	General ledgers and journals	7 years
	Investment performance reports	7 years
	Equipment files and maintenance records	2 years after disposition
	Credit card records	7 years
	Contracts, grants and agreements	7 years after obligations
	<b>Legal Matters</b>	Court orders
Litigation files		Permanent
Legal opinions		Permanent
<b>Correspondence</b>	Letters and internal documents (ie. relating to a contract)	Same period as document it supports
	Routine letters that require no follow up	Within 2 years
	Form letters that require no follow up	Within 2 years
	Letters of inconsequential subject matter	Within 2 years
	Travel files-non financial	1 year
	Matters of lasting consequence	Permanent
	Formal AYC letters	Permanent
<b>Meetings</b>	Subject files, reports, studies and statistics	3 years
<b>Electronic Mail</b>	All Email (pertinent info printed and filed)	12 months
<b>Insurance Records</b>	Policies — occurrence type	Permanent
	Policies — claims-made type	Permanent
	Accident reports	7 years
	Claims (after settlement)	7 years
	Group disability records	7 years after expiration
	Releases and settlements	25 years
<b>Real Estate</b>	Deeds	Permanent
	Leases (expired)	7 years after obligations
	Mortgages, security agreements	7 years after obligations

<b>Tax</b>	CRA files and related correspondence	7 years
	GST files	7 years
<b>Human Resources</b>	Employee personnel files after departure	7 years
	Retirement plan benefits	7 years
	Employee handbooks	Permanent
	Workers comp claims (after settlement)	7 years
	Employee orientation and training materials	7 years after use ends
	Employment applications	3 years
	Withholding tax statements	7 years
<b>Technology</b>	Software licenses and support agreements	7 years after all obligations end