

002 - OPLB Delegation of Authority

Background and Principles

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

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

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

Policy Interpretation and Details

2.1 Secondary Delegation of Authority

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

2.2 Emergency or Special Circumstances

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

2.3 Resolution of Conflicts

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

Delegation of Authority Framework

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

Table 1: Delegation of Authority

Approval / Decision	Board	CEO ¹
Purchase and Finance		
1. Transfer budget funds to, or from, the City of Ottawa.	X	
2. Approve and recommend annual Budget Estimates to City Council and receive capital forecasts. ²	X	
3. Set new or modify purchasing and contracting policies.	X	

¹ Includes the CEO or the CEO's designate.

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

Approval / Decision	Board	CEO ³
4. Approve general competitive and non-competitive operational expenditures as per the City of Ottawa Purchasing By-Law No. 50 of 2000 (as amended from time to time) including, but not limited to: <ul style="list-style-type: none"> • Operational expenses; • Leases (single or multi-year with total expenditure within financial authority); • Single or multi-year tenders or contracts (including any contingencies) per vendor; • Settlement and lawsuit payments; or • Software license agreements. 	≥\$500,000 ⁴	<\$500,000
5. Exercise approved spending authority for all OPL collections ⁵ up to the annual approved operating budgets.		X
6. Approve the Development Charges (DC) project listing.	X	
7. Exercise approved spending authority for all capital projects up to the annual approved capital budget.		X
8. Approve additional expenditures to amend previously approved projects based on the deviation from the originally approved amount.	> 10%	≤ 10%
9. Approve capital budget transfers provided that (a) increases in the existing capital projects are offset by corresponding decreases in other capital projects; (b) transfers of debt authority are within the same fiscal year; and, (c) transfers are of like sources of funding.	≥\$250,000	<\$250,000
10. Apply for grants and other funding.		X
11. Approve, amend, extend, and execute agreements with the federal, provincial, and international governments and agencies.		X
12. Approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements.		X

³ Includes the CEO or the CEO's designate.

⁴ For administrative purposes, the CEO's authority in the financial system will be "unlimited". The CEO is required to secure Board approval for amounts exceeding the delegated authority as indicated in this item. This limit excludes GST / HST and other taxes as appropriate. Spending authority for Deputy CEO \$250,000; Division Managers \$100,000; Managers \$35,000.

⁵ Includes collections and materials in all formats.

Approval / Decision	Board	CEO⁶
13. Approve, amend, extend, and execute individual sponsorship agreements for up to ten years ⁷	≥\$500,000 ⁸	<\$500,000
14. Negotiate and sign contracts for capital projects once required Board approval is obtained.		X
15. Approve trustee attendance at conferences and conventions.	X	
16. Set or change fees for services.	X	
17. Set or change fees for merchandise. ⁹		X
18. Approve charitable donations through fund development activities, assuring due diligence in gift acceptance.		X
19. Approve cash or near-cash prizes.	>\$300 ¹⁰	≤\$300 ¹¹
Policies and plans		
20. Approve OPL Board policies and position statements. ¹²	X	
21. Approve OPL Strategic Directions and Priorities.	X	
22. Approve key strategic components of the OPL Service Delivery Framework (SDF) and other frameworks. ¹³	X	
23. Implement and manage Board-approved position statements, strategic directions, priorities, and frameworks.		X
24. Set or modify administrative and operational policies. ¹⁴		X
25. Approve facility naming rights.	X	

⁶ Includes the CEO or the CEO's designate.

⁷ Agreements must align with OPLB 022 - Sponsorship Policy

⁸ Excludes GST / HST and other taxes as appropriate. Spending authority for Deputy CEO \$250,000; Division Managers \$100,000; Managers \$35,000.

⁹ Formula to be set at cost + up to 10%.

¹⁰ Per individual prize

¹¹ Per individual prize

¹² Policies to support governance will be defined by Board policy. This would include a policy determining CEO reporting requirements as per the delegation of authority.

¹³ The SDF comprises three Frameworks: Facility, Mobile, and Virtual, and five Strategies: Collections, Expertise, Programs, Spaces, and Tools. Other examples of frameworks include but are not limited to the Financial Framework and the Facilities Framework.

¹⁴ Administrative and operational policies include, but are not limited to: hours of operation, borrowing rules, loan periods.

Approval / Decision	Board	CEO¹⁵
26. Permanently close branches, modify bookmobile stops, or modify kiosk services.	X	
27. Temporarily close or relocate branches in keeping with the branch closure policy; temporarily modify bookmobile stops, or temporarily modify kiosk services.		X
28. Approve sites for new branches, buildings, bookmobile stops, or kiosk services.	X	
29. Approve architectural designs for new buildings.		X
30. Approve OPL corporate brand and visual identity. ¹⁶	X	
Human Resources		
31. Recruit, compensate, dismiss the CEO; monitor and evaluate the performance of the CEO.	X	
32. Set general compensation policies and salary levels for the organization, including substantive changes to the Management and Professional Exempt Terms and Conditions	X	
33. Set the organizational structure for the organization, including the structure of departments and the number of staff, including Senior Staff.		X
34. Assess the performance of, and set salaries for, individual staff.		X
35. Hire, appoint, promote, suspend, dismiss, and manage the performance of individual staff. ¹⁷		X
36. Set bargaining mandates and ratify negotiated collective agreements.	X	
37. Negotiate collective agreements.		X

Policy Review

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

Effective Date: June 11, 2024	Last Review Date: February 13, 2024
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¹⁵ Includes the CEO or the CEO’s designate.

¹⁶ Specifically, the OPL logo and colour scheme.

¹⁷ The CEO shall advise the Board of any hiring and/or dismissal of senior staff (Deputy CEO, Division Managers).