

# BPL Library Board

## Agenda

Thursday, February 22, 2024

Frank Rose Room, 6:30 p.m.

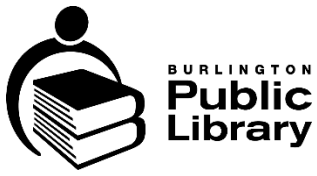
*Burlington Public Library is located on the Treaty Lands and Territory of the Mississaugas of the Credit.*

A light dinner will be served at 6:00 p.m.

1. Call to Order
2. Approval of the Agenda
3. Declarations of Interest
4. Board Development Presentation – Readers Services
5. Open Minutes of January 25, 2024
6. Decision Items
  - 6.1 Human Rights & Respectful Workplace Policy
7. Discussion Items
  - 7.1
8. Information Items
  - 8.1 CEO Report
  - 8.2 Endowment Fund Statements

## Closed Session

- 9.1. HR Matter Compensation
- 9.2. Legal Matter



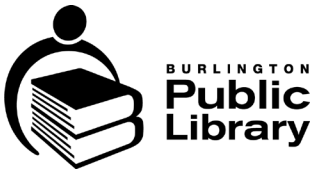
10. Approval of Motions from Closed Session

11. Other Business

11.1.

12. Next Meeting:

Thursday, March 28, 2024, 6:30 p.m., Frank Rose Room



# BPL Board Minutes | January 25, 2024

## Attendance

Board: Jennifer Tarnawski, Jason Manayathu, Ashley Cameron, Akindayomi Odedeyi, Lindsay Zalot

Staff: Lita Barrie, Nicole Tewkesbury, Meg Uttangi Matsos, Elise Copps, Cindy Tchorz

Regrets: Councillor Lisa Kearns, Shayne Lemieux

Guests: Cody Vanderslot

## Minutes

A meeting of the Board was held on Thursday, January 25, 2024, in the Frank Rose Room at Central Branch.

### 1. Call to Order

Lita Barrie, Chief Executive Officer, called the meeting to order at 6:33 p.m.

### 2. Approval of the Agenda

The agenda was approved as presented.

#### **Motion 24-01, Approval of the Agenda**

**MOVED by Lindsay Zalot, SECONDED by Akindayomi Odedeyi, that the agenda be approved as presented.**

**CARRIED.**

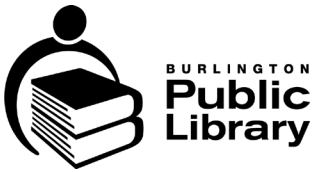
### 3. Declarations of Interest

None.

### 4. Election of Chair and Vice Chair

#### 4.1. Report of the Nominating Committee

Lindsay Zalot provided a brief overview of the report in the Board package.



#### 4.2. Election for the 2024 Chair Position

Lita Barrie called for nominations from the floor three times as parliamentary procedure.

Lita declared the nominations closed.

Lita declared that Jennifer Tarnawski was elected by acclamation to the position of Board Chair for 2024.

Lita invited Jennifer to assume her position of Chair for the remainder of the meeting.

#### 4.3. Election for the 2024 Vice Chair Position

Jennifer Tarnawski called for nominations from the floor three times as per parliamentary procedure.

Jennifer declared the nominations closed.

Jennifer declared that Jason Manayathu was elected by acclamation to the position of Board Vice Chair for 2024.

### 5. Board Development Presentation – Digital Resources and Collections

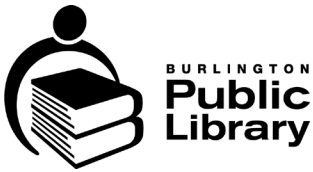
Cody Vanderslot, Manager, Digital Resources and Collections came to the Board meeting to provide a presentation about BPL's collection that included statistical information.

### 6. Open Minutes of November 23, 2023

#### **Motion 24-02, Open Minutes of November 23, 2023**

**MOVED by Lindsay Zalot, SECONDED Jason Manayathu, that the Burlington Public Library Board approve the Open Minutes of November 23, 2023 as presented.**

**CARRIED.**



## 7. Decision Items

### 7.1 Annual Approval of the Health & Safety Policy

The Health and Safety policy comes to the Board annually for sharing updated information. The Library Board approved of the policy with few edits.

#### **Motion 24-03, Annual Approval of the Health & Safety Policy**

**MOVED by Akindayomi Odedeyi, SECONDED by Ashley Cameron, that the Burlington Public Library approve the update to the Health & Safety Policy as amended.**

**AND That the Burlington Public Library Board approve the annual signing of the Health & Safety Policy.**

**CARRIED.**

### 7.2 2024 Board Work Plan

The Library Board reviewed the 2024 Board work plan. Previous discussion regarding September 30<sup>th</sup> Truth and Reconciliation Day, it was noted that discussions with the city is ongoing for what their plans are for this year and library staff will be bringing a report to the Board in the coming months for further discussion. The Board also noted an edit around the accountability for reporting accounting practices around any audit matters for the Audit Committee Terms of Reference.

#### **Motion 24-04, 2024 Board Work Plan**

**MOVED by Lindsay Zalot, SECONDED by Ashley Cameron, that the Burlington Public Library Board approve the 2024 Board Governance Calendar & Workplan.**

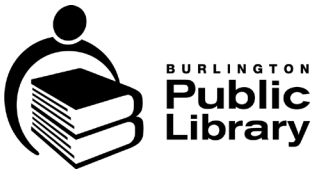
**CARRIED.**

### 7.3 Q4 2023 Financial Statements

Nicole Tewkesbury, Director of Finance and Infrastructure, walked through addendum 7.3 that provided an update for the Q4 Capital Statement. The updated report will be included with the January Board meeting minutes at the February Board meeting.

#### **Motion 24-05, Q4 Financial Statements**

**MOVED by Akindayomi Odedeyi, SECONDED by Ashley Cameron, THAT the Library Board approve the 4th Quarter Capital and Operating Financial Statements for the period ending December 31, 2023.**



**MOVED by Lindsay Zalot, SECONDED by Jason Manayathu, THAT the Burlington Public Library Board approve allocation of the 2023 operating surplus of \$134,682 as detailed below.**

**CARRIED.**

- **\$50 to Operating Reserve Fund for Preserve Our History**
- **\$2,641 to Operating Reserve Fund for Kids Learning Fund**
- **\$131,991 to Capital Reserve Fund for Central Infrastructure Project**

**MOVED by Akindayomi Odedeji, SECONDED by Ashely Cameron, THAT the Burlington Public Library Board allocate any interest earned on the capital reserve fund in 2023 to the Central Infrastructure Project.**

**CARRIED.**

#### **7.4 Audit Committee Minutes of January 11, 2024**

Jennifer provided an update from the AC meeting. A few additions and edits were suggested and library staff will revise the following and will bring this back to the Audit Committee meeting for approval at the April/May Audit.

- Specify membership for the Chair and Vice Chair who sit on this committee to align with the 4-year term for the Audit Committee and not based on the current practice of appointing new Board Executives annually. Library staff will continue to investigate proper procedures with other library systems and will have something when the committee meets in April/May.
- Establish procedures for receipts and treatment of complaints regarding accounting controls and auditing matters
- Review succession planning for finance and accounting personnel.

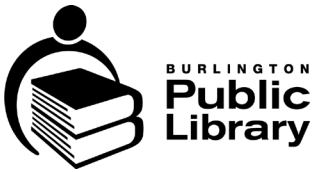
#### **Motion 24-06, Audit Committee Minutes of January 11, 2024**

**MOVED by Jason Manayathu, SECONDED by Ashley Cameron, that the Burlington Public Library Board approve the Audit Committee Minutes of January 11, 2024 as presented.**

**CARRIED.**

#### **7.5 Appointment of the CEO Performance Review Committee**

**Motion 24-07, Appointment of the CEO Performance Review Committee**



**MOVED by Ashley Cameron, SECONDED by Jason Manayathu, THAT the Burlington Public Library Board appoint Lindsay Zalot to the CEO Performance Review Committee.**

**CARRIED.**

7.6 Southeast Expansion Branch Naming

The Library Board agreed and approved of retaining the existing name of New Appleby for when the branch is relocated.

**Motion 24-08, Southeast Expansion Branch Naming**

**MOVED by Akindayomi Odedeyi, SECONDED by Jason Manayathu, THAT the Burlington Public Library Board approve retaining the existing branch name for the relocation of New Appleby Branch to 5151 New St in 2025.**

**CARRIED.**

## 8. Discussion Items

8.1. Board Evaluation Summary

Library staff noted the results of the survey. The Library Board is encouraged to reach out to the Board Chair to discuss any concerns or issues.

8.2. Southeast Expansion Community Consultations

Library staff discussed the report in the Board package and answered questions from the Board.

## 9. Information Items

The following items were received by the Board

9.1. CEO Report

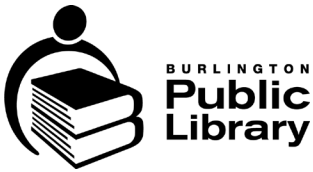
9.2. Annual Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) Report

9.3. 2023 Q4 Performance Metrics Report

9.4. Digital Equity Plan

9.5. Endowment Fund Statements

**Motion 24-09, Move into Closed Session**



**MOVED by Lindsay Zalot, SECONDED by Ashley Cameron, that the Burlington Public Library Board move into Closed Session.**

**CARRIED.**

The Library Board moved into Closed Session at 9:04 p.m.

#### **Motion 24-10, Move out of Closed Session**

**MOVED by Lindsay Zalot, SECONDED by Ashley Cameron, that the Burlington Public Library Board moved out of Closed Session.**

**CARRIED.**

The Library Board moved out of Closed Session at 9:05 p.m.

## 10. Approval of Motions from Closed Session

#### **Motion 24-11, Closed Minutes of November 23, 2023**

**MOVED by Lindsay Zalot, SECONDED by Jason Manayathu, THAT the Burlington Public Library Board approve the Closed Minutes of November 23, 2023 as presented.**

**CARRIED.**

## 11. Other Business

### 11.1.

The meeting is adjourned at 9:06 p.m. Motion by Jason Manayathu.

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Chair

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Secretary-Treasurer

## Next Meeting

Thursday, February 22, 2024, Frank Rose Room



**Burlington Public Library  
Capital Reporting  
December 31, 2023**

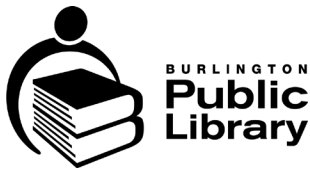
Description	2023 Opening Balance	2023 Funding	Q1	Q2	Q3	Q4	2023 YTD Spending	LTD Remaining Funding	Year of O/S Funding
<b>CAPITAL RESERVE FUND</b>	\$ 3,900,009	\$ (1,164,900)					\$ (1,032,909)	\$ 2,867,100	n/a
<b>TECHNOLOGY RENEWAL</b>	\$ 471,962	\$ 272,300	\$ 21,712	\$ 170,421	\$ 42,299	\$ 57,158	\$ 291,590	\$ 452,672	2022: \$181K 2023: \$272K
<b>STRATEGIC INITIATIVES</b>	\$ 45,026	\$ -	\$ 8,688	\$ 6,511	\$ 6,292	\$ 7,132	\$ 28,624	\$ 16,402	2020: \$16K
<b>FACILITY RENEWAL*</b>	\$ 1,310,065	\$ (909,700)	\$ 4,092	\$ 12,308	\$ 8,770	\$ 10,580	\$ 35,749	\$ 364,616	2022: \$276K 2023: \$90K
<b>SOUTHEAST EXPANSION**</b>	\$ -	\$ 2,350,000	\$ -	\$ -	\$ -	\$ 456,453	\$ 456,453	\$ 1,893,547	n/a
	<b>\$ 1,827,053</b>	<b>\$ 1,712,600</b>	<b>\$ 34,492</b>	<b>\$ 189,241</b>	<b>\$ 57,361</b>	<b>\$ 531,323</b>	<b>\$ 812,416</b>	<b>\$ 2,727,236</b>	
							<b>TOTAL CAPITAL FUNDING AVAILABLE</b>	<b>\$ 5,594,336</b>	

Funding Sources	
COB (IRRF, CFC)	547,700
BPL Reserve Fund	2,164,900
Infrastructure project - to reserve	(1,000,000)
<b>Total per Budget</b>	<b>1,712,600</b>

Capital Reserve Fund - Restrictions	
Balance	2,867,100
Central Infrastructure Project	(1,549,017)
Southeast Expansion	(650,000)
<b>Unrestricted Balance</b>	<b>668,083</b>

\* COB staff chargebacks (\$1,345) for Central Infrastructure project work received after Board package

\*\*After further consultation with COB finance, we can obtain spending details to share with Board but asset recognition will be on COB financials



## 6. Decision Items: 6.1 Policy Review Report

### Recommendations

**THAT** the Burlington Public Library Board approve the revised Human Rights and Respectful Workplace Policy effective March 1, 2024, as presented.

### Purpose

To seek the Board's approval of the updated Human Rights and Respectful Workplace Policy.

### Background

This policy has been reviewed and updated for the Board's consideration as per the policy review cycle.

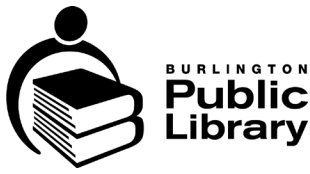
Policies set the framework for the governance and operations of the Library and provide direction to the Library Board and employees. Policies are the tool for achieving the library's purpose and advancing the Library's mission.

The Library Board undertakes a regular review process to ensure that policies are up to date, consistent with the current legislative environment and aligned with the Library's vision, mission, values, and strategic plan.

BPL's policy template has been updated to improve accessibility. As the Board reviews policy, the revised policies will be moved into the new format. In the attachments, the new revised policy is provided first, followed by the existing policy. Due to the migration of the policies into the new accessible template, tracking changes is not an option for this review cycle.

### Discussion

In reviewing policies, staff want to ensure that policy language is aligned with the Library's values, current practice, and legislation. In addition, staff are revising the policies to ensure they are clear, concise, and aligned with the Library's commitment to equity, diversity, and inclusion.



This policy was streamlined to minimize repetition and improve clarity. Procedural elements that differentiated between an informal and formal investigation were modified as the specifics of a complaint would guide the course of action.

Management and staff will be notified of the changes in the policy once approved by the Board. The approved policies will be posted on BPL's website.

## Financial Considerations

There are no direct financial impacts related to these proposed policy revisions.

## Strategic Implications

This work aligns with all three goals within the current strategic plan under:

- Strategic Goal 1: Enhance community well-being, strengthening relations with community partners to support community needs through programming and other library services.
- Strategic Goal 2: Inspire discovery with diverse collections, services, and spaces.
- Strategic Goal 3: Create a workforce culture driven by our organizational values.

## Equity, Diversity & Inclusion Considerations

Strong governance positions the Library Board to ensure that BPL provides equitable service to our customers identifying ways we work to make a positive impact advancing equity, diversity, inclusion, and access within our workforce and in the provision of library services to the community.

## Risk Management

It is important that BPL policies remain aligned with Board decision-making.

## Report Author(s)

Respectfully submitted: Lita Barrie, CEO



# Human Rights and Respectful Workplace Policy

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## Purpose

Burlington Public Library (BPL) is committed to ensuring a respectful and safe work environment in which all individuals are:

- treated with mutual respect and dignity
- able to contribute fully to the Library’s mission, and
- valued for their unique contributions.

Employees have the right to work in an environment free from harassment and discrimination as prohibited by the *Ontario Human Rights Code* (OHRC) and the workplace harassment provisions of the *Ontario Occupational Health & Safety Act* (OHSa). BPL will enforce these rights and responsibilities as outlined.

This Policy is to ensure a respectful workplace, prevent disrespectful behaviour, and outline how disrespectful workplace behaviour is addressed, should it occur.

This Policy informs the Library's guidelines and procedures and supports our responsibilities under the OHRC and OHSa. This includes promoting a respectful workplace, preventing disrespectful behaviour, and addressing disrespectful workplace behaviour, should it occur by reporting, investigating, and resolving of complaints of harassment, bullying, and disrespectful behaviour. All issues will be dealt with in as timely and as confidential a manner as possible.

## Scope

This Policy applies to all employees and volunteers including but not limited to regular, on call, and contract employees, students, including co-op placements, and Board members (all classifications will be referred to hereafter as "employees").

Workplace relationships are not confined solely to BPL's buildings and virtual environments. This Policy also applies to library social functions, business travel and library business functions such as conferences, and ongoing development courses that are held outside of BPL facilities. It may also apply if harassment or discrimination occurs outside the workplace but can be demonstrated to have a direct link to employee relationships in the workplace.

## Policy Statement

Every person has a right to:

1. Equal treatment with respect to employment without discrimination
2. Freedom from a poisoned environment
3. A right to freedom from harassment and discrimination in the workplace by the employer and by another employee.

A Respectful Workplace is a work environment where individuals always treat each other with respect which includes:

- inclusion of people with different backgrounds, strengths, and opinions;

- safety from disrespectful, bullying, or intimidating behaviours;
- individual accountability for effective workplace relationships and respectful resolution of differences

## Definitions

**Complainant:** a person or persons filing a complaint against another person or persons.

**Discrimination:** unfair or unequal treatment of a person because of a prohibited ground.

**Disrespectful behaviour:**

- is considered offensive, humiliating or intimidating by most reasonable people;
- has a clear negative effect on the complainant;
- Includes written or verbal comments, actions, gestures, jokes or other behaviours which can consist of a single incident or number of incidents;

**Harassment:** Burlington Public Library follows the definition of harassment outlined in the OHSA: engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. The definition of workplace harassment is broad and includes harassment prohibited under the OHRC, as well as psychological harassment and personal harassment.

**Poisoned Environment:** a workplace that is objectively hostile or unwelcoming to an employee because of insulting or degrading comments or actions based on a prohibited ground as defined by the OHRC, or psychological or personal harassment that influences how the complainant is treated or perceived. A poisoned environment exists when these circumstances result in unfair work conditions for the complainant. There must be facts that show the comments or conduct result in unequal or unfair terms and conditions.

**Workplace Sexual Harassment:** Burlington Public Library follows the definition of workplace sexual harassment outlined in the OHSA.

**Respondent:** a person or persons who have a complaint filed against them.

## Roles and responsibilities

### Burlington Public Library:

- develop and maintain a policy statement to address workplace bullying and harassment in the workplace;
- prevent and minimize workplace bullying and harassment;
- develop, implement, and maintain procedures for reporting and investigation of incidents or complaints of bullying and harassment;
- inform workers of policies and procedures;
- train supervisors and workers on all policies and procedures;
- ensure annual review of policies, procedures and training;
- not engaging in bullying and harassment of workers and supervisors and applying and complying with the employer policies and procedures.

### Managers and Supervisors:

- foster a harassment and discrimination-free work environment and set an example of appropriate workplace behaviour;
- ensure no employees are subjected to harassment or discrimination and staff is provided with information about and access to policies and procedures related to harassment;
- apply and comply with the employer's policies and procedures;
- intervene promptly and appropriately when they know or have good reason to believe harassment, bullying, or disrespectful behaviour is occurring.

### Employees:

- take personal responsibility to maintain respectful working relationships and constructively resolve conflict;
- do not engage in bullying and harassment of other workers, supervisors, the employer, or persons acting on behalf of the employer;
- report any observed or experienced bullying and harassment in the workplace;
- apply and comply with the policies and procedures.

### Human Resources:

- ensure a fair, prompt, and equitable process is followed;
- champion respectful workplace behaviours and practices;

- protect the privacy and confidentiality of all individuals involved;
- work with appropriate management staff to determine corrective action.

### Chief Executive Officer (CEO):

- establishes and maintains an environment free from discrimination and harassment;
- authorizes action for complaints after discussion with Human Resources;
- authorizes the remedy and, if necessary, the discipline if discrimination or harassment has occurred.

## Complaint Process

If harassment or discrimination is suspected or reported:

1. A complainant, witness, or supervisor informs Human Resources of the issue.
2. Human Resources assesses whether the complaint falls under this policy and discusses possible courses of action.
3. Human Resources, with authorization from the CEO, recommends corrective action, which may include:
  - mediation, behavioural guidelines or agreements, apologies
  - a formal complaint investigation conducted by Human Resources staff or an external third party. This is an impartial, fact-finding process where investigators do not advocate on behalf of, or represent, any party involved in a complaint.
  - other measures agreed to between the parties and the CEO or their delegate.
4. Corrective action occurs.

Concerns about harassment should be raised as soon as reasonably possible. The time limit for filing a Complaint under this policy is six months from the time of the last alleged incident of discrimination or harassment. Exceptions may be made in extenuating circumstances.

BPL's procedures for addressing harassment complaints are designed to be flexible, timely and accessible. BPL provides both an informal resolution and formal process to resolve harassment. Human Resources may suggest interim measures to be taken during either the informal resolution or formal processes.





Formal complaint investigations cannot be carried out anonymously. The identity of the complainant and the allegations must be made known to the respondent, who will be given a full and fair opportunity to respond to the allegations. In addition, it is often necessary for the identity of the complainant to be identified to third parties for the successful completion of an investigation. The complainant will be provided with the response and will have an opportunity to reply. Once a formal complaint investigation is complete, the complainant, respondent, and CEO or their delegate will be notified in writing of the findings of the investigation.

## Consequences of Harassment

Engaging in harassment or retaliation is serious misconduct and may result in disciplinary action up to and including termination of employment.

## Retaliation

BPL employees, including witnesses, should not face retaliation or threats of retaliation. Employees who engage in retaliation or threats of retaliation will be subject to disciplinary action, up to and including termination of employment.

## Malicious Complaints

If an employee is discovered to have made an unfounded complaint of malicious intent, they will be subject to disciplinary action up to and including termination of employment.

## Competing Rights

BPL values the diversity of our organization and the community we serve and strives for equality in employment practices and service delivery. We recognize that sometimes rights may conflict with one another. All employees will receive training to recognize and address competing rights in our workplace and service delivery.

## Confidentiality

A complaint may only be discussed with people that must be aware or involved. This protects the privacy and confidentiality of all parties, as well as the integrity of the process.

Information collected and retained by Human Resources during an investigation is confidential. During the investigation, Human Resources will only share investigation-related information that is necessary to resolve the complaint. Information collected and retained by Human Resources may be required by law to be released, including in court proceedings or other legal proceedings.

Files related to an investigation under this policy will be kept separately from employee personnel files. Files will be retained based on the Library's records retention schedule.

## Legal Fees

Should an employee decide to retain legal counsel, they are solely responsible for the payment of any legal fees.

## Criminal Actions

This policy cannot address criminal actions such as assault etc. These actions will be addressed by law enforcement.

## Ontario Human Rights Commission

Burlington Public Library will attempt to solve all human rights issues through our internal procedure, however if a complaint cannot be settled, the employee has every right to file a complaint with the Ontario Human Rights Commission within one year of the incident.

## Interpretation of Policy

If a matter requires interpretation or violation of this policy, it must be referred to Human Resources, the CEO, or their authorized delegate. Matters related to this policy where the CEO's actions are in question must be referred to the Chair of the Library Board.

## Legislation

If any portion of this policy is inconsistent with the most up to date, relevant federal or provincial legislation, that portion and only that portion shall be overridden by legislation to the extent of that inconsistency. All other portions of the policy shall

continue in full force and effect.

## References

- [Occupational Health and Safety Act Part III.0.1 Workplace violence and workplace harassment](#)
- <https://www.ohrc.on.ca/en/ontario-human-rights-code>

Date:

- Amended Dates:
- Associated Documents:

## **Purpose**

The Burlington Public Library (BPL) is committed to providing a work environment in which all individuals are treated with mutual respect and dignity.

BPL recognizes that employees have the right to work in an environment that is free from harassment and discrimination as prohibited by the Ontario Human Rights Code. [Ontario Human Rights Code \(http://www.ohrc.on.ca/en\)](http://www.ohrc.on.ca/en).

This Policy is to ensure a respectful workplace, prevent disrespectful behaviour and outline guidelines to address disrespectful workplace behaviour should it occur. In our diverse and equitable workplace, the Library endeavours to ensure all employees have the opportunity to contribute fully to the Library's mission, and that each employee's unique contribution is respected.

This Policy sets out guidelines for the reporting, investigating and resolving of Complaints of harassment, bullying and disrespectful behaviour in an effort to ensure a respectful workplace for everyone. All issues will be dealt with immediately and in as confidential a manner as possible.

## **Scope:**

This Code of Conduct Policy applies to all employees and volunteers including but not limited to regular, on call, contract, and students, including co-op placements and Board members (all classifications will be referred to hereafter as "employees" referred to hereafter as "employees").

Workplace relationships are not confined solely to the offices or buildings of BPL. It also includes, but is not limited to library social functions, business travel and library business functions such as conferences, ongoing development courses funded by BPL and in the broader Burlington Community.

## **Policy:**

Every person has a right to:

1. Equal treatment with respect to employment without discrimination
2. Freedom from a poisoned environment
3. A right to freedom from harassment and discrimination in the workplace by the employer and by another employee based on the prohibited grounds and social areas as outlined in the Ontario Human Rights Code

## **Definitions:**

### **Complainant:**

Complainant refers to a person or persons filing a complaint against another person or persons.

**Respondent:**

Respondent refers to a person or persons who have a complaint filed against them.

**Discrimination:**

Discrimination is unfair or unequal treatment of a person because of a prohibited ground.

**Disrespectful behaviour** is behaviour that:

- ought reasonably to be known or expected to be offensive, humiliating or intimidating;
- has a clear and demonstrably negative effect on the complainant;
- includes either words or actions and can consist of a single incident or a number of incidents;

**Harassment:**

Workplace harassment is defined in the Occupational Health & Safety Act as "engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome".

The comments or conduct typically happen more than once. They may occur over a relatively short period of time (for example, during the course of one day) or over a longer period of time (weeks, months or years). However, there may be a situation where the conduct happens only once.

Workplace harassment can include unwelcome and/or repeated words or actions that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers. It can also include behaviour that intimidates, isolates or even discriminates against a worker or group of workers in the workplace that are unwelcome.

The definition of workplace harassment is broad and include harassment prohibited under Ontario's Human Rights Code, as well as what is often called "psychological harassment" or "personal harassment."

**Poisoned Environment**

An employee may feel that the workplace is hostile or unwelcoming because of insulting or degrading comments or actions that have been made about them and/or others based on a prohibited ground. When comments or conduct of this kind have an influence on others and how they are treated, this is known as a "poisoned environment." A poisoned environment cannot be based on subjective views. There must be facts that show that the comments or conduct result in unequal or unfair terms and conditions and is an infringement of the Code.

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**Respectful Workplace** is a work environment where individuals always treat each other with respect which includes:

- inclusion of people with different backgrounds, strengths and opinions;
- safety from disrespectful, bullying or intimidating behaviours;
- individual accountability for effective workplace relationships involving the constructive resolution of differences

### **Sexual Harassment:**

Workplace sexual harassment is defined in the Occupational Health & Safety Act as:

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

### **Competing Rights**

BPL recognizes and values the diversity our organization and the community of Burlington that we serve. BPL strives for equality in employment practices and delivery of services. We recognize that sometimes rights may come into conflict with one another. Therefore, we will equip management and all employees with knowledge and skills to recognize and address competing rights in our workplace and service delivery.

### **Roles & Responsibilities:**

#### **Burlington Public Library**

BPL has the primary responsibility to establish and maintain a work environment free of harassment as defined in this Policy. Employer responsibilities include:

- developing and maintaining a policy statement with respect to workplace bullying and harassment and policies to address bullying and harassment in the workplace;
- taking steps to prevent and minimize workplace bullying and harassment;
- developing and implementing procedures for the reporting of incidents or complaints of bullying and harassment;
- developing and implementing procedures for investigating and dealing with incidents and complaints;
- informing workers of policies and procedures;
- training supervisors and workers on all policies and procedures;
- ensuring there is an annual review of policies, procedures and training;
- not engaging in bullying and harassment of workers and supervisors and applying and complying with the employer policies and procedures.

### **Managers and Supervisors are responsible for:**

All staff responsible for supervision have an essential role in preventing and resolving harassment issues. Their primary responsibilities with respect to harassment are:

- ensuring staff is provided with information about and access to policies and procedures related to harassment;
- not engaging in bullying and harassment of workers, other supervisors, the employer or persons acting on behalf of the employer;
- applying and complying with the employer's policies and procedures;
- modeling appropriate behaviour and monitoring the workplace for incidents of harassment;
- intervening promptly and appropriately when they know, or ought reasonably to know, that harassment, bullying or disrespectful behaviour is occurring.

### **Human Resources**

The responsibilities of Human Resources include to:

- ensure a fair, prompt and equitable process is followed;
- champion respectful workplace behaviours and practices;
- protect the privacy and confidentiality of all individuals involved;
- work with appropriate management staff to determine corrective action;

### **Employees are responsible for:**

All employees are part of creating a harassment free workplace and have a responsibility to refrain from harassment as defined in this Policy by:

- taking personal responsibility to maintain respectful working relationships and constructively resolve conflict;
- not engaging in bullying and harassment of other workers, supervisors, the employer or persons acting on behalf of the employer;
- reporting any observed or experienced bullying and harassment in the workplace;
- applying and complying with the policies and procedures.

### **Chief Executive Officer is responsible for:**

- Establishing and maintaining an environment that is free from discrimination and harassment;
- Authorizing the course of action for complaints after discussion with Human Resources;
- Authorizing the remedy and, if necessary, the discipline if discrimination or harassment has occurred.

### **Complaint Procedures**

Complaints related directly to bullying and harassment based wholly or in part on a prohibited ground as identified in the Ontario Human Rights Code will be dealt with under this policy. Complaints related to bullying and harassment which are not wholly or

in part based on a prohibited ground as identified in the Ontario Human Rights code will also be dealt with under this policy.

BPL's procedures for addressing harassment Complaints are designed to be flexible, timely and accessible. BPL provides both an informal and formal process to resolve harassment Complaints.

An individual who believes they are being harassed (the "Complainant") may consult Human Resources, who can assess whether the Complaint falls under this Policy and discuss possible courses of action.

Concerns about harassment should be raised as soon as reasonably possible. The time limit for filing a Complaint under this Policy is 6 (six) months from the time of the last alleged incident of discrimination or harassment. Exceptions may be made in extenuating circumstances.

Some of the options available may include:

- the Complainant discussing their concerns directly with those involved;
- having an appropriate party assist the Complainant in discussing concerns with those involved. An appropriate party could include a manager, director, and human resource;
- initiating an "informal" or "formal" resolution process through Human Resources as outlined.

Human Resources may suggest interim measures to be taken during either the informal or formal processes.

### **Informal Complaint Resolution**

BPL strives to provide a wide range of options to resolve Complaints. Informal Complaint resolution may include, but is not limited to mediation, behavioural guidelines or agreements, apologies or other measures agreed to between the parties and the Chief Executive Officer or their delegate.

### **Formal Complaint Resolution**

If a Complaint is not resolved informally, or if an individual who believes they are experiencing harassment chooses, they may make a formal Complaint through Human Resources. Formal Complaints shall be made in writing to management or Human Resources. Human Resources will ensure that assistance in completing a written Complaint is provided, as required.

Formal Complaint investigations are conducted by Human Resources staff. A formal Complaint investigation is an impartial, fact-finding process. The investigators do not advocate on behalf of, or represent, any party involved in a Complaint.



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Formal Complaint investigations cannot be carried out anonymously. The identity of the Complainant and the allegations contained in the Complaint shall be made known to the individual(s) alleged to have engaged in harassment (the “Respondent”). The Respondent shall be provided a full and fair opportunity to respond to the allegations contained in the Complaint. Likewise, the Complainant shall be provided with the response and shall have an opportunity to reply.

At any time during the course of the investigation, the matter may be resolved, so long as the resolution is agreed to by each of the parties and the Chief Executive Officer or their delegate.

Once the formal Complaint investigation is complete, the Complainant, Respondent and the Chief Executive Officer or their delegate shall be notified in writing of the findings of the investigation.

### **Retaliation**

Burlington Public Library employees, including witnesses, should not face retaliation or threats of retaliation. Employees who engage in retaliation or threats of retaliation will be subject to disciplinary action, up to and including termination of employment.

### **Consequences of Harassment**

Engaging in harassment or retaliation is serious misconduct and may result in disciplinary action up to and including termination of employment.

### **Malicious Complaints**

If an employee is discovered to have made an unfounded complaint of malicious intent, or malicious allegation, they will be subject to disciplinary action up to and including termination of employment.

### **Confidentiality**

Information collected and retained by Human Resources during the course of an investigation process is treated as confidential. During the investigation process, Human Resources will limit disclosure of investigation-related information to that which is necessary to resolve the complaint.

Files related to an investigation under this policy will be maintained separately from employee personnel files. Files will be retained in accordance with the Library’s records retention schedule.

Information collected and retained by Human Resources may be required to be released by law including release required in court proceedings or other legal proceedings.

### **Legal Fees**

Should an employee decide to retain legal counsel, they are sole responsible for the payment of any legal fees.

**Criminal Actions**

This policy cannot address criminal actions such as assault etc., these actions will be addressed by law enforcement.

**Ontario Human Rights Commission**

Burlington Public Library will endeavor to solve all Human Rights issues however if a complaint cannot be settled through our internal procedure, the employee has every right to file a complaint with the Ontario Human Rights Commission within 1 year of the incident.

**Interpretation of Policy**

Matters requiring interpretation or violation of the Policy are to be made to the Human Resources, the CEO, or their authorized delegate. Matters requiring interpretation of the Policy where the CEO's actions are in question are to be referred to the Chair of the Library Board.

**Legislation**

In the event that any portion of this Policy is inconsistent with relevant federal or provincial legislation, that portion and only that portion of the Policy shall have no application to the extent of that inconsistency. All other portions of the Policy shall continue in full force and effect.

Effective Date:	Projected Review Date: December 2023
Motion #/Date: #19-81, Dec. 2019 #20-99, Dec. 2020 #22-63, Oct. 2022	Amended Dates: December 21, 2010 December 20, 2019 December 17, 2020 October 27, 2022
Associated Procedures:	

## 8. Information Items: 8.1 CEO Report - February Update

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Create a Workforce Culture Driven by our Organizational Values.....	2

### Purpose

The CEO report for February 2024 summarizes key activities that support the priorities outlined in BPL’s [2021-2025 Strategic plan](#). This report covers items that are not part of the Board package.

### Enhance Community Well-being



### Bookmark Contest

BPL’s annual Burlington Bookmarks Contest is back. Every year, BPL invites local residents to break out the crayons and markers and design a bookmark based on a literary theme. This year’s the theme is to create a design inspired by your favourite book. Check out [last year's winning bookmarks](#). Entry deadline: February 25, 2024.

## Women's Centre of Halton - Drop in Services

In February, the [Women's Centre of Halton](#) began offering office hours at the Central Library as part of [BPL's Drop in Services](#). Women's Centre of Halton staff will offer drop-in office hours on the 2<sup>nd</sup> and 4<sup>th</sup> Friday of each month from 10 am – 1 pm on a first-come-first-served basis.

## Inspire Discovery with Diverse Collections, Services and Spaces



### Black History Month

Throughout the month of February, BPL recognizes and honours the history, heritage, and important contributions of Black Canadians and the Black community. BPL is offering [programs](#) for all ages, engaging booklists, and displays at all our branches.



### Battle of the Books

This yearly event, a BPL tradition since 1986, is back in action after a COVID break. [Battle of the Books](#) helps boost children's literacy skills, excites them about reading, and introduces them to new books and authors. It also helps build essential life skills

such as good sportsmanship, fair play, and cooperation. Burlington schools form teams, who will compete for the title of BPL Battle of the Books champions in April. Whether teams win or lose, BPL aims to make sure all participants have a fun and positive experience.

## Create a Workforce Culture Driven by our Organizational Values

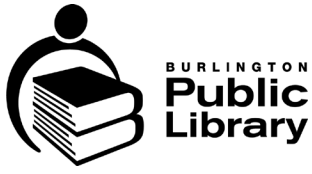
### OLA Super Conference

In January, a number of BPL staff attended the 2024 OLA Super Conference. Sessions covered a wide range of topics. Key themes were inclusion, intellectual freedom, and artificial intelligence. As always, the sessions were a showcase of the incredible breath of work happening in public, school, and academic libraries in Ontario and across the country.



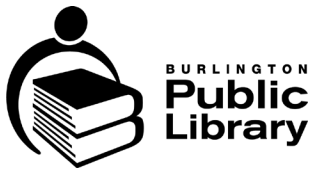
### Central Library Roof Access

In February, the access ladder to Central Library's 3<sup>rd</sup> floor roof was replaced with stairs. The stairs improve health and safety for BPL Facilities staff and will be helpful as BPL prepares for the replacement of the Central Library roof and HVAC systems.



Report Author

Respectfully submitted: Lita Barrie, Chief Executive Officer



## 8. Information Items: 8.2 Endowment Fund December 31, 2023 Statements

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Strategic Implications.....	2
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Risk Management.....	3

### Purpose

To inform the Board of the performance of the endowment funds held by the Burlington Foundation for the period ending December 31, 2023.

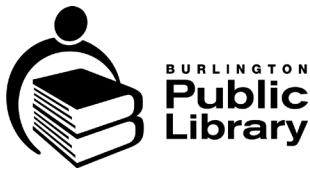
### Background

Burlington Public Library is the beneficiary of investment earnings on the following endowment funds held by the Burlington Foundation:

**BPL Permanent Endowment Purpose:** Established in 2008 to provide an ongoing source of revenue to support and enhance library services. The Burlington Public Library provides services, relevant resources, cultural, social, and educational programming that will benefit the community at large.

**Wendy Schick Fund Purpose:** Established in 2010 upon the retirement of CEO/Chief Librarian Wendy Schick to provide scholarships for BPL staff studying librarianship.

**Millicent McEwen Purpose:** Established in 2003 to be used to enhance library services and collections for people in our community with low or no vision through the purchase appropriate technology, equipment, collections, and resources.



**Mae Beatrice Broadbent Purpose:** Established in 2015 to be used for the purchase of large print books.

**Margaret Clay Purpose:** Established in 2019 to the benefit of BPL’s media collections.

## Discussion

On an annual basis, the Burlington Foundation issues grant direction forms for each of the endowment funds based on March 31st year end results. When there are funds available to grant, the forms provide the opportunity for Burlington Public Library to:

- Hold the earned income and add it to the next disbursement
- Re-invest the earned income back into capital to grow the fund
- Disburse the earned income for use as outlined for each fund

For the period ending December 31, 2023, the endowment funds have unrealized net investment returns of \$19,949.

## Financial Considerations

The table below shows the YTD balance for each fund:

<b>Fund</b>	<b>Capital Fund Balance 03/31/2023</b>	<b>2023-2024 Unearned Investment Income (loss) &amp; Fees</b>	<b>Fund Balance 12/31/2023</b>
BPL Permanent	\$70,897	\$2,774	\$73,671
Wendy Schick	\$14,127	\$553	\$14,680
Millicent McEwen	\$250,290	\$9,792	\$260,082
Mae Beatrice Broadbent	\$118,224	\$4,625	\$122,849
Margaret Clay	\$56,371	\$2,206	\$58,577

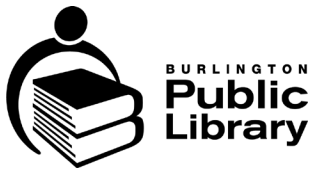
## Strategic Implications

The funding made available through these endowment funds supports investment in each of the Strategic Goals in the current strategic plan.

## Equity, Diversity, and Inclusion Considerations

Two endowment funds stipulate that funding is specifically for collections and equipment that support customers with low or no vision.





## Risk Management

The Burlington Foundation manages the investment of these endowment funds as part of a much larger portfolio. The Investment Policy Statement for Burlington Foundation outlines the measures taken to manage risk and ensure compliance with legal and regulatory requirements as found on their website at:

<https://burlingtonfoundation.org/wp-content/uploads/2021/02/burlington-community-foundation-ips.pdf>

Respectfully submitted by Nicole Tewkesbury, Director, Finance & Infrastructure



Fundholders Statement as at

Dec 31, 2023

<b>Burlington Public Library Endowed Funds</b>			
<b>Capital Component</b>		<b>Wendy Schick</b>	<b>Public Library</b>
Beginning Balance April 1, 2023	Capital Contributions - Note 1	\$ 14,087	\$ 70,482
2023-2024 Transactions	Capital Additions	\$ -	\$ -
	Reinvest in Capital	\$ -	\$ -
Ending Balance		<b>\$ 14,087</b>	<b>\$ 70,482</b>
<b>Grant Component</b>			
Beginning Balance April 1, 2023	Undistributed Income	\$ 40	\$ 415
2023-2024 Transactions	Investment Income - Note 2	713	3,578
	Management Fee - Note 3	(160)	(804)
	Grants Paid		-
	Reinvest in Capital		\$ -
Ending Balance		<b>\$ 593</b>	<b>\$ 3,189</b>
Amount Available to Grant - Note 4		<b>\$ 40</b>	<b>\$ 415</b>
<b>Total Fund Balance at Dec 31, 2023</b>		<b>\$ 14,680</b>	<b>\$ 73,671</b>



**Fundholders Statement as at**

**Dec 31, 2023**

<b>Millicent McEwen Fund</b>		
<b>Capital Component</b>		
Beginning Balance April 1, 2023	Capital Contributions - Note 1	\$ 249,575
2023-2024 Transactions	Capital Additions	\$ -
Ending Balance		<b>\$ 249,575</b>
<b>Grant Component</b>		
Beginning Balance April 1, 2023	Undistributed Income	\$ 714
2023-2024 Transactions	Investment Income - Note 2	12,632
	Management Fee - Note 3	(2,840)
	Grants Paid	-
Ending Balance		<b>\$ 10,507</b>
Amount Available to Grant - Note 4		<b>\$ 714</b>
<b>Total Fund Balance at</b>	<b>Dec 31, 2023</b>	<b>\$ 260,082</b>



**Fundholders Statement as at**

**Dec 31, 2023**

<b>Mae Beatrice Broadbent Fund</b>		
<b>Capital Component</b>		
Beginning Balance April 1, 2023	Capital Contributions - Note 1	\$ 117,887
2023-2024 Transactions	Capital Additions	\$ -
	Reinvest in Capital	\$ -
Ending Balance		<b>\$ 117,887</b>
<b>Grant Component</b>		
Beginning Balance April 1, 2023	Undistributed Income	\$ 337
2023-2024 Transactions	Investment Income Note 2	5,967
	Management Fee - Note 3	(1,341)
	Grants Paid	-
	Reinvest in Capital	\$ -
Ending Balance		<b>\$ 4,962</b>
Amount Available to Grant - Note 4		<b>\$ 337</b>
<b>Total Fund Balance at</b>	<b>Dec 31, 2023</b>	<b><u>\$ 122,849</u></b>



**Fundholders Statement as at**

**Dec 31, 2023**

<b>Margaret Clay Fund</b>		
<b>Capital Component</b>		
Beginning Balance April 1, 2023	Capital Contributions - Note 1	\$ 56,210
2023-2024 Transactions	Capital Additions	\$ -
Ending Balance		<b>\$ 56,210</b>
<b>Grant Component</b>		
Beginning Balance April 1, 2023	Undistributed Income	\$ 161
2023-2024 Transactions	Investment Income - Note 2	2,845
	Management Fee - Note 3	(640)
	Grants Paid	-
Ending Balance		<b>\$ 2,367</b>
Amount Available to Grant - Note 4		<b>\$ 161</b>
<b>Total Fund Balance at Dec 31, 2023</b>		<b><u>\$ 58,577</u></b>

## Notes to Fund Statements

**Note 1**      **Capital:** Includes contributions to the capital of the Fund plus inflation adjustment.

**Note 2**      **Investment Income:** Foundation staff and Board work with Guardian Partners Inc., a highly regarded third party investment manager. The current target asset mix established by the Board of Directors is as follows:

- 55% in Canadian, U.S. and International Equities
- 15% in Fixed Income Securities including government/corporate bonds, treasuries and cash
- 30% in Alternative Investments

Each of the above noted targets has an acceptable range of +/-10% of the target mix, apart from Alternative Investments which has an acceptable range of 10-35%, at the discretion of the third-party manager and is monitored by the Investment Committee of the Board. The performance of the endowed funds is monitored utilizing established benchmarks for each asset class and geographic allocation. Burlington Foundation will continue to monitor the performance of the endowed funds diligently and looks for every opportunity to maximize returns, within our risk profile as a Community Foundation, and as governed by our Investment Policy Statement.

**Note 3**      **Management Fee:** A management fee is administered to each Fund to recover the investment counsel and custodial fees, administration, financial management and grantmaking cost of the Fund. The management fee, as per your agreement, is set as a percentage of the market value of the Fund at the beginning of each fee period.

**Note 4**      **Granting:** Net earnings available for distribution.