



STAFF REPORT ACTION REQUIRED

Policy Review Cycle and Rescinding Policies

Date: June 24, 2024
To: Toronto Public Library Board
From: City Librarian

SUMMARY

The purpose of this report is to recommend the rescinding of three policies – the Benefit Plan for Non-Union Employees Policy (Attachment 1), Communications Policy (Attachment 2), and Canada’s Anti-Spam Legislation Policy (Attachment 3) - which are operationally no longer required.

Toronto Public Library’s (TPL’s) Policy Development Framework, approved by the Library Board in 2021, articulates a decision making structure, tools and consistent practices for policy development, approval, implementation and review. The ongoing implementation of this framework has strengthened organizational capacity and process improvement to enhance policy accountability and good governance.

Through a standardized cycle of policy review, established as part of this framework implementation, these three policies were identified as no longer operationally relevant and are being recommended to the Board to be rescinded.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. approve the rescinding of the Benefit Plan for Non-Union Employees Policy, Communications Policy, and Canada's Anti-Spam Legislation Policy, which are operationally no longer required.

FINANCIAL IMPACT

There is no financial impact associated with this report.

The Director, Finance & Treasurer has reviewed this financial impact statement and agrees with it.

ALIGNMENT WITH STRATEGIC PLAN

Establishing regular cycles of policy review as part of the Policy Development Framework is aligned with the Strategic Plan enabler of evaluation and accountability, and contributes to a strong foundation of good governance.

EQUITY IMPACT STATEMENT

The Policy Development Framework commits TPL to applying an equity, inclusion, and accessibility lens as one of the overarching principles of policy development, ensuring that equity-deserving groups benefit from policy initiatives and that policies do not create unnecessary barriers for them.

DECISION HISTORY

At its meeting on May 13, 2002, the Board approved the [Benefit Plan for Non-Union Employees Policy](#).

At its meeting on January 27, 2003, the Board approved the [Communications Policy](#).

At its meeting on October 26, 2015, the Board approved [the Canada's Anti-Spam Legislation Policy](#).

At its meeting on April 25, 2022, the Board approved [TPL's Policy Development Framework](#), which is intended to support the Board's role in good governance, openness, transparency, and oversight by codifying and improving existing processes and practices used for making policy decisions at TPL.

COMMENTS

TPL's Policy Development Framework, approved by the Board in 2022, articulates a decision making structure, tools and consistent practices for policy development, approval, implementation and review. The ongoing implementation of this framework has strengthened organizational capacity and process improvement to enhance policy accountability and good governance.

Through a standardized cycle of policy review, established as part of this framework implementation, these three policies were identified as no longer operationally relevant and are being recommended to the Board to be rescinded.

Non-Union Benefits Policy

This policy was established in 2002 at the time of amalgamation. The purpose of the policy at that time was to integrate previously-separate benefit plans from former library systems. Benefit plan provisions are now documented and communicated in the plan documents for each of the benefit plans. These benefit plan documents are the official legal documents that describe the provisions of each benefit plan. There is no longer any reason to maintain a separate policy and eliminating a duplicative document reduces the risk of misaligned language between documents.

Communications Policy

This policy was created in 2003 shortly after amalgamation to rationalize the different communications practices and guidelines that existed in the former library systems.

From the Background section of the 2003 Board Report requesting approval of the policy:

“Prior to amalgamation, communications were managed in a variety of ways by various departments, relying on historical practice and guidelines. None of the former library systems had a documented communications policy in place. Each system had a somewhat different approach to external communications depending on factors such as the level of interaction they had with the media, the number and nature of the publications they produced and distributed and various other factors. The practice of internal communications depended on factors such as the size and organization of the system, change management practices, and the issues that affected customer service.”

With a well established, centralized Communications, Programming and Customer Engagement division in place for more than twenty years, the communication practices articulated in the policy are now standard processes for the organization and the policy is no longer required.

Canada’s Anti-Spam Legislation (CASL) Policy

This policy was created in 2015 to clarify TPL’s position on compliance with the CASL legislation when it first became law. When the CASL legislation was first passed, it was unclear whether or not it should apply to libraries, which are publicly funded, non-commercial institutions, and the CASL applies exclusively to “commercial activity”. At that time, TPL decided that it would comply with the legislation, based on the rationale that some electronic messages issued by the Library could be within scope of the concept of “commercial activity” for the purposes of the legislation.

The policy was intended to provide clarity and remove any ambiguity about whether or not TPL would comply with the legislation. Given that compliance is now best practice, and standard business process for TPL and other library systems, the policy is no longer necessary. There are no impacts to the retirement of this policy. The practices and guidelines outlined in the policy will continue, are best practice for organizations and have been standard practice for TPL.

Next Steps

TPL maintains an electronic Policy Manual, available to all staff, that includes a comprehensive index of all active policies. Upon rescinding, these three policies will be removed from the manual and the change communicated accordingly.

TPL staff will continue to conduct a standard cycle of policy review to ensure all active policies remain up to date and reflect the current legislative, operating and service context. TPL will continue to build on the foundation provided by the Policy Development Framework to improve processes and strengthen organizational capacity for effective policy accountability and good governance.

CONTACT

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SIGNATURE

Vickery Bowles
City Librarian

ATTACHMENTS

- | | |
|---------------|--|
| Attachment 1: | Benefit Plan for Non-Union Employees Policy, Communications Policy |
| Attachment 2: | Communications Policy |
| Attachment 3: | Canada's Anti-Spam Legislation Policy |

POLICY: BENEFITS PLAN FOR NON-UNION EMPLOYEES

SECTION: II – General Policies – Human Resources

MOTION#/DATE: 02 – 95 – May 13, 2002

Policy Statement

The Toronto Public Library provides a comprehensive benefits plan for all non-union employees who meet the eligibility requirements.

Eligibility

All active full-time non-union employees are eligible for these benefits from their first day of employment. The cost of the benefits is paid for in full by the Library.

All temporary non-union employees are eligible for benefits after the completion of six (6) months of continuous service. The cost of the benefits is paid for in full by the Library.

All part-time non-union employees are eligible for benefits after the completion of six (6) months of aggregate service. Part-time employees are required to pay fifty percent (50%) of the benefit premium.

Benefits Plan

The benefits plan for active non-union employees provides a harmonized level of benefit for Life Insurance, Accidental Death and Dismemberment, Optional Life Insurance, Long Term Disability, Health Insurance and Dental Insurance.

All of the benefits provided, with the exception of optional life insurance, are paid for by the Library. Employees who elect to purchase optional life insurance coverage, in addition to the basic coverage provided by the plan, must pay for this benefit.

Retiree Benefits

In addition to being eligible for benefits as an active non-union employee, full-time employees are also eligible to receive benefits when they retire up to the age 65. The benefit plan for retirees provides a harmonized level of benefit for Life Insurance, Health Insurance and Dental Insurance. The criteria for a full-time employee to be eligible to receive retiree benefits is to retire on an immediate pension. Part-time and temporary employees who do not meet the grandparenting provisions outlined below are not eligible to receive retiree benefits.

Grandparenting provisions for retiree benefits are available for employees who are within five years of being eligible to retire or have 10 years of credited service (as defined under OMERS) with the Toronto Public Library, at the time of implementation, to the employees' former retiree benefits if more generous. The retiree benefits are applicable from the first date of retirement.

The current OMERS regulation provides the following criteria for all employees:

- age 50; or
- age 50 and 82 points (age plus credited service plus eligible service); or
- age 50 and 30 years of credited service and eligible service.

If a retired employee dies prior to his/her sixty-fifth (65th) birthday, the employee's spouse and eligible dependants, if any, shall continue to be covered by the applicable benefits (except life insurance) up to the date on which the retired employee would have reached age 65.

The same applies to active employees, if they were eligible to elect early retirement at the time of their death.

When a retired employee reaches age 65, all benefit coverage ceases, with the exception of life insurance coverage. A \$5,000 policy will be maintained for life. This also applies to employees who retire at age 65. The cost of the benefits is paid for by the Library.

Benefits Plan Detail

1. Active Employee Benefits

BENEFIT	DETAILS
Life Insurance	2 x annual salary
Optional Life Insurance	Coverage: In units of \$10,000 to a maximum of \$500,000 for employee & \$200,000 for spouse
Dependant Life Insurance	Nil
AD&D	2 x annual salary
Optional AD&D	Nil
LTD	
Coverage	75% of earnings
Maximum	\$7500/month
Tax Status of Disability Income	Taxable
Inflation Adjustment	Nil
HEALTH	
Reimbursement of Eligible Expenses	100%
Deductible	Nil
Drug Coverage	Generic Prescription (Benefit Card, Legally require a prescription)
Paramedical	Yes. Physiotherapy unlimited. The services of a psychologist, chiropractor, osteopath, podiatrist and masseur to a maximum of \$500 per person, per benefit year, per specialist (after OHIP if applicable)
Hospital	Semi-Private
Vision Care	\$225/24 months
Out of Country	Yes (Emergency Coverage Only)
Private Duty Nursing	Maximum \$25,000 every 3 years
DENTAL	All reimbursement is based on the Ontario Dental Association Fee Guide for General Practitioners
Basic Coverage	100% Unlimited
Major Restorative Coverage	80% (\$5,000 per year limit)
Orthodontic Coverage	50% (\$5,000 per lifetime limit)

2. Early Retiree Benefits – To Age 65

BENEFIT	DETAILS
Life Insurance	2 x annual salary
Optional Life Insurance	Nil
Dependant Life Insurance	Nil
AD&D	Nil
Optional AD&D	Nil
LTD	
Coverage	Nil
Tax Status	N/A
HEALTH	
Reimbursement	100%
Deductible	Nil
Drug Coverage	Generic Prescription (Benefit Card, Legally require a prescription)
Paramedical	Yes. Physiotherapy unlimited. The services of a psychologist, chiropractor, osteopath, podiatrist and masseur to a maximum of \$500 per person, per benefit year, per specialist (after OHIP if applicable)
Hospital	Semi-Private
Vision Care	\$225/24 months
Out of Country	Yes (Emergency Coverage Only)
DENTAL	All reimbursement is based on the Ontario Dental Association Fee Guide for General Practitioners
Basic Coverage	100% Unlimited
Major Restorative Coverage	80% (\$5,000 per year limit)
Orthodontic Coverage	50% (\$5,000 per lifetime limit)

3. Retiree Benefits – Post Age 65

Benefit	Details
Life Insurance	\$5,000 Flat Amount

POLICY: COMMUNICATIONS**SECTION: II – General Policies – Miscellaneous****MOTION#/DATE: 03 - 26 – January 27, 2003**

Effective Date

January 27, 2003

Policy Objective

The objective of this policy is to ensure that Toronto Public Library (TPL) external and internal communications are effectively managed and responsive to the diverse information needs of the public.

Background

Consistent, well-organized external communication of information is essential in order that the public may understand, respond to and use the TPL's policies, products, programs and services. The same principle applies to internal communication to ensure that staff have a clear understanding of their roles and responsibilities as employees and are able to serve the public in a knowledgeable and efficient manner. Communications is both a management function and an integral part of organizational activity that is fundamental to the achievement of TPL objectives.

Policy Statement

The Toronto Public Library will:

- provide information to the public about TPL's policies, products, programs and services, that is accurate, complete, objective, timely, relevant and understandable;
- take into account the concerns and views of the public in establishing priorities, developing policies and implementing programs;
- ensure that the communications vehicles TPL uses are effective in reaching the target audiences;

- ensure that the most cost-effective means are used to achieve communications objectives;
- pursue fair communications practices to ensure that communication materials depict the diverse nature of the community in a fair, representative and inclusive manner.

Scope

This policy refers to the following communications functions:

- **planning:** communications planning develops corporate and program communications plans that respond to public interests;
- **management:** communications management applies the principles and practices of good management to the coordination of research and analysis, advice and planning, and to the implementation of communications programs and activities;
- **advice:** communications advice provides counsel to Library management on policy development, program planning and implementation, and public issues;
- **research and analysis:** communications research and analysis examines the public environment to assess public wants, needs, perceptions and understandings with respect to policies and programs, and evaluates communications programs and projects against planned objectives and professional standards.

Application

This policy applies to all Toronto Public Library regions and departments. This policy must be read and applied in conjunction with related TPL policies, as noted in Appendix 1.

Specific Directives/Conditions

The following activities that support the policy will be designated to staff:

- supporting an appropriate distribution of resources for corporate and program communications planning and delivery;
- ensuring that communications planning forms an integral part of program and policy initiatives;
- ensuring that accountability is assigned for the approval of all communications projects;
- preparing an annual operational communications plan that integrates planning priorities of Library departments, regions and committees;

- monitoring and evaluating the effectiveness of communications activities in relation to the objectives stated in communications plans;
- designating a single focus of responsibility for communications with the public when developing contingency plans or crisis management;
- anticipating, to the extent possible, major issues or crises through the development of contingency communications plans;
- establishing and implementing clear media relations protocols and standards, and annual evaluation on the effectiveness of the media relations strategy;
- managing all creative services contracts in compliance with the Library's policies on acquisition of creative consulting and technical services;
- ensuring that work undertaken in communications, public opinion research and advertising demonstrates the Library's commitment to fiscal responsibility;
- maintaining an index of publications;
- ensuring information in all formats is well-identified as being from the Toronto Public Library, according to the requirements of the *Visual Identity Program*;
- using plain language and proper grammar in all communications with the public to ensure clarity and consistency of information.

Accountability

The City Librarian is responsible for ensuring that communications priorities and requirements are met; and that they fully reflect Library policies, themes and priorities; and that institutional communications are fully integrated into the development, planning and implementation of policies and programs.

The Director, Marketing and Communications is accountable to the City Librarian for managing the communications function and meeting all communications priorities and requirements and adhering to policy directives.

The Directors are accountable for ensuring compliance with the communications policy in their respective areas.

Appendices

- Appendix 1: References
- Appendix 2: Enquiries
- Appendix 3: Related Policies
- Appendix 4: Definitions
- Appendix 5: Procedures and Guidelines

Appendix 1

References

Government of Canada, Communications Policy, April 2002

City of Toronto, Access/Equity Documents 2000

City of Toronto Advertising Policy, May 2001

Toronto Public Library, Translation Policy, May 2003

Toronto Public Library, DRAFT, Publishing Guidelines 2001

Toronto Public Library, Visual Identity Policy and Manual, October 2001

Appendix 2

Enquiries

Director, Marketing & Communications
Tel: 416-393-7214
Fax: 416-393-7083

Appendix 3

Related Policies

This policy must be read and applied in conjunction with the following administrative policies of the Toronto Public Library, and where applicable, the City of Toronto. Policies noted with an asterisk (*) indicate forthcoming TPL policy.

Toronto Public Library, Advertising Policy*
Toronto Public Library, Publications Policy*
Toronto Public Library, Media Relations Policy*
Toronto Public Library, Purchasing Policy
Toronto Public Library, Displaying and Distributing Information Policy
Toronto Public Library, Merchandising Policy*
Toronto Public Library, Public Consultation Policy*
Toronto Public Library, Translation Policy
City of Toronto, Multilingual Services Policy

Appendix 4

Definitions

Advertising - refers to activities involved in the purchase, by or on behalf of the Library, of space or time in print or broadcast media, or in other mass media such as outdoor and transit advertising; it also includes any creative work associated with the production of an advertisement, any advertising research such as pre-testing, evaluating and recommending general advertising strategies, and post-evaluation of advertising campaigns.

Audio-visual - refers to activities involved in selecting, commissioning, editing and preparing information for dissemination to the public by means of an audio-visual production such as motion picture film, videotape, videodisc and sound-slide presentation; the term also refers to the subsequent promotion and distribution to the public of such items.

Editing - is the activity of improving the presentation and the quality of manuscripts by correcting errors in grammar, sentence structure and format, and by revising or rewriting portions of text to improve clarity, organization, conciseness, consistency and accuracy.

Director of communications - is the senior official designated by the TPL Board to coordinate and direct the implementation of this policy.

Marketing - the act or process of buying or selling in a market; the exchange of goods for an agreed sum of money.

Media monitoring - refers to activities involved in assessing coverage of particular topics in print, broadcast or other mass media.

Media relations - is the activity of developing and maintaining effective communications with representatives of print and electronic media to facilitate the flow of information between Library and public.

Public opinion research - refers to activities involved in soliciting the views of Toronto Public Library users and potential users.

Public relations contract - refers to activities involved in contracting with the private sector for communications services not otherwise defined in this appendix.

Publishing - refers to activities involved in selecting, commissioning and preparing information for distribution to the public by means of products such as books, periodicals, brochures, microfilms, microfiches, discs, video-cassettes and audio tapes; it also includes the subsequent promotion, distribution or sale to the public, of these products.

Writing - is the activity of gathering and synthesizing information and composing written material, usually for publication and distribution, to convey particular messages to intended target audiences in a readily understandable manner.

Appendix 5

Procedures and Guidelines

Procedures and guidelines are, or will be, developed in the following areas in support of the policy and its requirements. (* denotes already in place)

Advertising Guidelines
Communications Planning *
Crisis and Issues Management
Distribution *
Evaluation
Events and Announcements *
Media Relations *(Nov 02 under development)
Multiple Format and Translation
Plain Language
Publishing *(Nov 02 draft in circulation)

POLICY: CANADA'S ANTI-SPAM LEGISLATION

SECTION: II - General Policies

MOTION#/DATE: 15 - 181 – October 26, 2015

Effective Date

October 26, 2015

Policy Objective

This policy has been developed as part of Toronto Public Library's corporate program for compliance with "Canada's Anti-Spam Legislation" or "CASL". CASL is intended to regulate electronic messages that have, as at least one of their purposes, the promotion of participation in commercial activity, even if there is no expectation of profit. Although the Toronto Public Library is a publicly funded, non-commercial institution, the application of CASL and the concept of "commercial activity" might include some electronic messages issued by the Library within the scope of CASL and subject to its requirements. As a result, in light of the possibility that Toronto Public Library electronic messages could be considered to be for the promotion of "commercial activity" for the purposes of CASL, this policy is designed to ensure that these messages comply with CASL requirements. These requirements require ensuring that the consent of the recipients for the receipt of such messages is properly obtained and that, when obtaining consent, recipients are also provided with an unsubscribe mechanism and relevant Library staff contact information.

Underlying Principles

The Toronto Public Library believes that its customers should not be sent unsolicited commercial electronic messages without their prior authorization and supports the goal of CASL which is "to promote electronic commerce by increasing confidence in the use of the Internet to carry out business transactions."

CASL regulates "commercial electronic messages" and the installation of computer programs "in the course of commercial activity".

Policy Statement

Toronto Public Library is a non-commercial, not-for-profit, publicly funded corporation that communicates with members of the public through several mediums, including electronic messages, such as email, in order to promote certain activities. With the understanding that these messages may be considered commercial under CASL:

1. The Library will only send unsolicited electronic messages promoting activities to electronic addresses belonging to members of the public in accordance with CASL and with:
 - a) the express consent of recipients, obtained in accordance with CASL;
 - b) the contact information of the relevant Library staff included in the message seeking consent; and
 - c) an unsubscribe mechanism included in the message seeking consent .

The Library will maintain subscriber lists for its electronic addresses and a record of when each subscriber provided express consent to receive unsolicited electronic messages from the Library.

2. All Library staff will receive the appropriate training on the Library's obligations under CASL and the requirements of this policy.
3. The Library will continue to ensure that, in the course of any commercial activity, it will not install, or cause to be installed, a computer program on any other person's computer system unless it has obtained the express consent of the owner or an authorized user of the computer system.

Definitions

"Canada's Anti-Spam Legislation" or "CASL" is formally known as *An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act*, S.C. 2010, c. 23,

"Commercial" is defined in *the Dictionary of Canadian Law*, 4th ed., as "connected with trade and commerce in general". In turn, "commerce" is defined in the *Dictionary of Canadian Law*, 4th ed. as "trade; exchange of goods or property" and in the *Canadian Oxford Dictionary*, 2nd ed., as "financial transactions, especially the buying and selling of merchandise".

"Commercial activity" is defined in CASL as any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, whether or not the person who carries it out does so in the expectation of profit, other than any transaction, act or conduct that is carried out for the purposes of law enforcement, public safety, the protection of Canada, the conduct of international affairs or the defence of Canada.

"Commercial electronic message" is undefined in CASL, but the CRTC provides the following examples:

- offers to purchase, sell, barter or lease a product, goods, a service, land or an interest or right in land;
- offers to provide a business, investment or gaming opportunity;
- promoting a person, including the public image of a person, as being a person who does anything referred to above, or who intends to do so.

“Electronic address” is defined in CASL as an address used in connection with the transmission of an electronic message to (a) an electronic mail account; (b) an instant messaging account; (c) a telephone account; or (d) any similar account.

“Electronic message” is defined in CASL as a message sent by any means of telecommunication, including a text, sound, voice or image message.

Accountability

The Communications, Programming and Customer Engagement department will be responsible for a) communicating with, and training, staff, and b) monitoring the Library's electronic messages, to ensure compliance with this policy.