



Exhibition Place

FOR INFORMATION

Item No. 17

October 24, 2011

To: The Board of Governors of Exhibition Place

From: Dianne Young, Chief Executive Officer

Subject: **Amendments to Exhibition Place Polices - Fraud
& Other Similar Irregularities; Police Reference Check;
Short Term Disability; and Uniform and Dress Code**

Summary:

This report provides information on recent amendments made to four Exhibition Place policies that were previously approved by the Board.

Financial Impact:

The amended policies will have no financial impact beyond what has already been approved in the 2011 Operating Budget.

Decision History:

As part of the 2009 Strategic Plan, Exhibition Place has a Goal of *Sustaining a high-performing organization through alignment of people, processes and systems and through the recognition of our dedicated and excellent staff* and pursuant to that Goal will *continuously improve governance mechanisms including auditing City Council meetings* and amend by-laws and policies, if required, in keeping with City Council and other municipal agencies.

The existing policies noted in subject report were approved by the Board as follows:

- (a) Fraud and Other and Similar Irregularities – March 1, 2002;
- (b) Police Reference Check – February 27, 2009;
- (c) Short Term Disability – September 21, 2006; and
- (d) Uniform and Dress Code – October 16, 2006.

Issue Background:

At its meeting of November 3, 2006, the Board approved of a consolidated Personnel Manual for Exhibition Place employees, wherein the noted policies were included.

Comments:

The revised policies Appendix “A”, “B”, “C” and “D” are attached to this report and a summary of each policy is noted below:

(A) Fraud and Other Similar Irregularities Policy:

Section 9, Whistle-Blower Protection, has been amended to include the reporting method for both management and /or employees who believe that they are subject or witness to reprisal as a result of reporting wrong doing.

(B) Police Reference Check Policy:

Re-titled from “Police Background Check” to “Police Reference Check”. Every instance in which the policy referred to itself as Police Background was amended to reflect the change. Setting aside summer staff, those employees subject to providing a Police Reference Check now have 60 days from the start of their employment to provide Exhibition Place with an original Police Reference Check, a condition upon employment.

(C) Short Term Disability Policy:

Amended to include who under the policy falls under the definition of dependent.

(D) Uniform and Dress Code Policy:

Amended to update the language and requirements of staff; included in this revision is Exhibition Place’s stance on a scent free work environment.

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Submitted by:

Dianne Young, Chief Executive Officer

**Fraud and Other Similar Irregularities
Appendix "A"**

FORMERLY CALLED:	As Above
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DATE OF ISSUANCE		
Nov	4	2011

SUPERCEDES POLICY DATED		
Oct	16	2006

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Exhibition Place is committed to protecting its revenue, property, information and other assets from any attempt, either by members of the public, contractors, sub contractors, agents, intermediaries or its own employees, to gain by deceit, financial or other benefits.

This policy sets out specific guidelines and responsibilities regarding appropriate actions that must be followed for the investigation of fraud and other similar irregularities.

Definitions

Fraud and other similar irregularities include, but are not limited to:

1. Forgery or alteration of cheques, drafts, promissory notes and securities
2. Any misappropriation of funds, securities, supplies or any other asset
3. Any irregularity in the handling or reporting of money transactions
4. Misappropriation of furniture, fixtures and equipment
5. Seeking or accepting anything of material value from vendors, consultants or contractors doing business with Exhibition Place in violation of Exhibition Place’s Conflict of Interest policy
6. Unauthorized use or misuse of Exhibition Place property, equipment, materials or records
7. Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Exhibition Place-owned software.
8. Any claim for reimbursement of expenses that are not made for the exclusive benefit of Exhibition Place.
9. Any similar or related irregularity

General Policy and Responsibilities

1. It is the Exhibition Place’s intent to fully investigate any suspected acts of fraud, misappropriation or other similar irregularity. An objective and impartial investigation will be conducted regardless of the position, title, length of service or relationship with Exhibition Place of any party who might be or becomes involved in or becomes / is the subject of such investigation.
2. Senior Management is responsible for instituting and maintaining a system of internal control to provide reasonable assurance for the prevention and detection of fraud, misappropriations and other irregularities. Management should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indications of such conduct.
3. The City Auditor, in consultation with the City Solicitor, has the primary responsibility for the investigation of all activity as defined in this policy.
4. The City Auditor will notify the Chair of the Board of Governors of Exhibition Place of a reported allegation of fraudulent or irregular conduct upon the commencement of the investigation to the extent practical. Throughout the investigation these officials should be informed of pertinent investigative findings.
5. In all circumstances, where there are reasonable grounds to indicate that a fraud may have occurred, the City Auditor, subject to the advice of the City Solicitor, will contact the Toronto Police Service.
6. Upon conclusion of the investigation, the results will be reported to the Chair of the Board of Governors of Exhibition Place and City Council, if necessary.
7. Senior Management will pursue every reasonable effort, including court ordered restitution, to obtain recovery of Exhibition Place’s losses from the offender, or other appropriate source(s).

Procedures

1. **All Employees**
 Any employee who has knowledge of an occurrence of irregular conduct, or has reason to suspect that a fraud has occurred, shall immediately notify their supervisor. If the employee has reason to believe that the employee's supervisor may be involved, the employee shall immediately notify the Chief Executive Officer and the City Auditor.
 The employee shall not discuss the matter with anyone other than their supervisor, the Chief Executive Officer, the City Auditor and Toronto Police Services. Employees who knowingly make false allegations will be subject to discipline up to and including dismissal.

2. **Managers**
 Upon notification from an employee of suspected fraud, or if the Manager has reason to suspect that a fraud has occurred, the Manager shall immediately notify their Director and the Chief Executive Officer and the City Auditor.
 The Chief Executive Officer shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the person to whom the fraud was reported, the City Auditor, and Toronto Police Services.

3. **Directors**
 Upon notification from any employee or Manager of suspected fraud, or if the Senior Manager has reason to suspect that a fraud has occurred, the Director shall immediately contact the Chief Executive Officer and the City Auditor. The Director shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the Chief Executive Officer, the City Auditor, City Solicitor and Toronto Police Services.

4. **Chief Executive Officer**
 Upon notification of discovery of a suspected fraud, or if the Chief Executive Officer has reason to suspect that a fraud has occurred; Chief Executive Officer will immediately contact the City Auditor. Chief Executive Officer shall not attempt to investigate the suspected fraud or to discuss the matter with anyone other than the City Auditor, City Solicitor and Toronto Police Services.

 Upon notification or discovery of a suspected fraud, the Auditor General, City of Toronto will promptly investigate the fraud. In all circumstances where there appears to be reasonable grounds for suspecting that a fraud has taken place, the Auditor General, City of Toronto, in consultation with the City Solicitor, will contact Toronto Police Service.

5. **Contacts / Protocols**
 After an initial review and a determination that the suspected fraud warrants additional investigation, the Auditor General, City of Toronto will notify the Chief Executive Officer, the Chair of the Board of Governors of Exhibition Place and the City Solicitor of the allegations. The City Auditor shall coordinate the investigation with the appropriate law enforcement officials.

6. **Security of Evidence**
 Once a suspected fraud is reported, the City Auditor, in consultation with the City Solicitor, shall take immediate action to prevent the theft, alteration, or destruction of relevant records. Such actions include, but are not necessarily limited to, removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing the individual suspected of committing the fraud from having access to the records. The records must be adequately secured until the City Auditor obtains the records to begin the audit investigation.

7. **Confidentiality**
 All participants in a fraud investigation shall keep the details and results of the investigation confidential. However, the City Auditor, in consultation with the Freedom of Information Coordinator for Exhibition Place and the Toronto Police Service, may disclose particulars of the investigation with potential witnesses if such disclosure would further the investigation.

8. Personnel Actions

If a suspicion of fraud is substantiated by the investigation, disciplinary action, up to and including dismissal, shall be taken by the appropriate level of management, in consultation with the Human Resources, the Chief Executive Officer and the City Solicitor, in conformance with Exhibition Place's Human Resources policies and procedures.

Unless exceptional circumstances exist, a person under investigation for fraud shall be given notice in writing of the essential particulars of the allegations following the conclusion of the audit investigation and prior to final disciplinary action being taken. Where notice is given, the person against whom allegations are being made may submit a written explanation to the Chief Executive Officer no later than seven calendar days after the notice is received. This requirement is subject to any Collective Agreement provisions respecting the rights of employees during disciplinary proceedings.

9. Whistle-Blower Protection

The Fraud and Other Similar Irregularities Policy provides guidance and mechanisms for Exhibition Place employees to report suspected misuses or misappropriation of Exhibition Place resources and assets. The effectiveness of any Fraud Prevention Program is dependent on employees being able to report suspected cases of wrongdoing without fear of reprisal for doing so.

No employer or person acting on behalf of an employer shall:

- Dismiss or threaten to dismiss an employee;
- Discipline or suspend or threaten to discipline or suspend an employee;
- Impose any penalty upon an employee; or
- Intimidate or coerce an employee.

An Exhibition Place employee who believes that they are the subject of a reprisal, related to their reporting of wrongdoing, shall notify the Director of Human Resources or the Chief Executive Officer of the alleged reprisal for investigation.

Where a manager or supervisor is informed of, or becomes aware of, reprisals against an employee, as a result of a report of wrongdoing, the manager or supervisor will inform the Director of Human Resources or the Chief Executive Officer.

Because the employee has acted in accordance with the requirements of the policy, the violation of this section will result in discipline up to and including dismissal.

10. Media Issues

If the media becomes aware of an audit investigation, Senior Management and any other person contacted by the media shall refer the media to the Chief Executive Officer. The alleged fraud and audit investigation shall not be discussed with the media other than through the Chief Executive Officer or the City Auditor.

11. Documentation

At the conclusion of the investigation, the City Auditor will document the results in a confidential memorandum report to the Chair of the Board of Governors of Exhibition Place with a copy to the Chief Executive Officer. If the report concludes that the allegations are founded, the report will be forwarded to Toronto Police Services.

The City Auditor will also be required to make recommendations to the Chief Executive Officer which will assist in the prevention of future similar occurrences.

12. **Completion of Investigation**
Upon completion of the investigation including all legal and personnel actions, any records, documents and other evidentiary material will be returned by the City Auditor to Exhibition Place.

13. **Reporting to External Auditors**
The City Auditor will report to the external auditors of the City all information relating to investigations.



Exhibition Place

**Police Reference Check
Appendix "B"**

FORMERLY CALLED:	Police Background Checks
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DATE OF ISSUANCE		
Nov	4	2011

SUPERCEDES POLICY DATED		
Feb	27	2009

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Exhibition Place has the responsibility to ensure a safe and secure environment for its employees and visitors to the site.

Exhibition Place has identified a number of positions including but not limited to: Found Children Attendants who are required to care for unsupervised children, Exhibitor Services Representatives and Ticket Sellers / cash handlers that require incumbents to handle cash related transactions and / or electronic cash related transfers and transactions.

Effective March 1, 2009, the criteria for these positions as it relates to newly hired employees only will be amended to include the requirement of a police reference check. The requirement of a police reference check will be duly noted on job postings where applicable.

The purpose of the check is to determine the suitability of the candidate with respect to their honesty and integrity. The police reference check forms part of Exhibition Place's screening process that includes other methods of assessing appropriateness such as interviews and reference checks.

A police reference check will not be requested until the employer has decided that the candidate is suitable for the position and an offer of employment has been made. The offer of employment is conditional until a satisfactory police reference check has been provided.

Setting aside summer staff, those positions identified will be required to provide, at their own expense and within 60 days of their start date, an original police reference check. Exhibition Place shall retain the original police reference check and will ensure documentation is filed in a secure location.

Received By: The Board of Governors of Exhibition Place – November 4, 2011



Exhibition Place

**Short-Term Disability Plan
Appendix "C"**

FORMERLY CALLED: Sick Leave for Non-Bargaining unit Employees

DATE OF ISSUANCE		
Nov	4	2011

SUPERCEDES POLICY DATED		
Feb	1	2008

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The Board provides a Short-Term Disability plan which provides protection against financial loss to employees who are absent from work due to short-term illnesses or non-compensable injuries for up to 6 months. This plan is a supplement to the Board's long-term disability plan which provides protection against long-term disability claims.

All new permanent employees will be eligible for this benefit from their first day of permanent employment. Full time contract employees (expected to work a minimum of 35 hours per week) will also be eligible for this benefit after the completion of 6 months of continuous service. Existing employees changing to full-time permanent status will qualify for this benefit based on their benefit eligibility date.

Unionized Employees

Employees, who are members of a recognized Union which has a Collective Agreement with Exhibition Place, are entitled to receive benefits as prescribed in their respective Collective Agreements only.

Temporary, Seasonal and Casual Status Employees

Temporary, Seasonal and Casual status employees are not eligible for this benefit.

Eligible employees will be entitled to use up to 6 days of leave per year to provide for ill dependents.

Dependent: For the purpose of this policy dependents are:

- The employee's spouse
- A parent, step-parent or foster parent of the employee or the employee's spouse
- A child, step-child or foster child of the employee or the employee's spouse
- A grandparent, step-grandparent, grandchild or step-grandchild of the employee or of the employee's spouse
- The spouse of a child of the employee
- The employee's brother or sister
- A relative of the employee who is dependent on the employee for care or assistance

Payment will be based on the income protection schedule listed below.

Definition: Benefit eligibility date is defined as the first date the employee is entitled to receive benefits.

The short-term disability plan provides salary protection at 100 percent or 75 percent based on an employee's benefit eligibility date for up to 26 weeks per illness or per calendar year. The salary protection is outlined as follows:

BENEFIT ELIGIBILITY DATE	MAXIMUM NUMBER OF WEEKS COVERAGE AT 100% SALARY PER CALENDAR YEAR	MAXIMUM NUMBER OF WEEKS COVERAGE AT 75% SALARY PER CALENDAR YEAR

Less than 6 months	0	0
6 months to less than 1 year	0	26
1 year to less than 2 years	2	24
2 years to less than 3 years	4	22
3 years to less than 4 years	6	20
4 years to less than 5 years	8	18
5 years to less than 6 years	10	16
6 years to less than 7 years	12	14
7 years to less than 8 years	16	10
8 years to less than 9 years	20	6
9 years to less than 10 years	24	2
10 years or more	26	0

Employees may not move up to the next level of entitlement during an absence. Should an employee qualify for the next level of entitlement during an absence, the new level of entitlement will become effective after the employee has returned to active employment for at least 1 day.

Employees will receive a ‘fresh’ bank of 130 days each January 1. Unused days will not be carried over from year to year and there is no payout of these days upon termination. Employees must be actively at work to receive their new bank. If an employee is not actively at work on January 1, their bank will be refreshed once they have returned to work for a period of 2 consecutive weeks.

The benefits outlined above are applicable to an overall maximum of 26 weeks for each period of disability. Absences greater than 26 weeks duration are intended to be covered under the Board’s Long-Term Disability plan and are subject to approval by the Board’s insurer. In no case shall the Short-Term Disability plan provide a greater period of protection than 26 weeks per calendar year.

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Exhibition Place

Uniform and Dress Code Appendix "D"

FORMERLY CALLED:	Dress Code Policy
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SUPERCEDES POLICY DATED		
Oct	16	2006

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Exhibition Place is committed to Delivering Great Experiences Every Day for our external and internal clients. All employees of Exhibition Place are expected to portray a professional, well groomed appearance at work and treat their uniforms with respect. All personnel should be clothed and groomed in a manner that contributes to a positive impression of Exhibition Place, while maintaining the safety standards as outlined in the Exhibition Place Health & Safety Manual. The manager/supervisor will discuss the uniform and dress code policy with new employees at the time of hire. Managers, supervisors, coordinators, and forepersons are responsible for monitoring and reinforcing the Uniform and Dress Code Policy.

Uniform & Dress Code Procedure

General Dress Code

1. Exhibition Place photo identification badges are to be worn by all employees. All employees must wear their photo ID at all times in a visible location either on an Exhibition Place lanyard or attached with a clasp. Employees who have been issued metal Exhibition Place name badges can wear these in place of the photo ID when appropriate.
2. Clothing of all staff should be clean and presentable at all times. Employees are responsible for laundering and maintaining their uniforms.
3. Employees who are issued a uniform, and/or protective clothing or equipment, shall maintain them in a clean and presentable condition. Substitution of uniform items is not permitted.
4. C.S.A/ANSI approved hardhat and CSA/ANSI approved "Green and Omega Patch" safety footwear must be worn in specific locations identified on the project i.e. Personnel Protective Equipment (hard hats and safety footwear) are mandatory for all show move ins and show move outs.) Note: Exhibition Place will reimburse employees for the purchase of Green patch footwear only.
5. Uniforms are to be worn only while on duty or when traveling between an employee's residence and the workplace except when expressly authorized.
6. Casual apparel, i.e. "business casual" is permitted at the discretion of management (by building, by date); however, a professional image should always be maintained. In determining the guidelines for business casual, the following are examples of items that are not acceptable at any time; halter tops, tank tops, low cut tops either front or back, , shorts, pants with very low rise, tights/leggings, sweatshirts, sweatpants, hoodies, work-out apparel, crocs, flip flops and running shoes. In addition, clothing or accessories that demonstrate a personal point of view or that have illicit, profane, suggestive, biased, sexually related, alcohol related or tobacco related text graphics or logos are not permitted. Jeans, if approved for wear in a department, must be clean and in good repair.
7. Personal hygiene must be maintained.
8. Exhibition Place reserves the right to ask any improperly dressed employee to go home, change clothing and return to work with loss of pay for time absent from work, if applicable.
9. All employees must conform to the uniform regulations of their departments and wear their designated uniforms.

Scented Products

Use of scented products in an indoor environment can have a serious impact on health. Scented products such as cosmetics, fragrances, hair sprays, deodorants, shampoos, lotions, body gels, laundry detergents and fabric softeners have become increasingly prevalent in modern life. These products can contain, in low concentrations, from ten to several hundred different types of chemicals at high concentrations.

As an employer, Exhibition Place is required to take every precaution reasonable in the circumstances for the protection of worker health and safety. Similarly, employees are obligated to take measures to protect themselves and their co-workers. These duties are recognized and reinforced in Exhibition Place's Occupational Health and Safety Manual. Exhibition Place also has a duty, under the Human Rights Code, to accommodate disability. This requirement is recognized and reinforced in Exhibition Place's Employment Accommodation Policy.

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