

Contractual Agreements

Purpose *To define the conditions and procedures for ASC contractual agreements.*

Policy Statement *ASC maintains contractual agreements with the following:*

- a) Clients*
- b) Employees*
- c) Parents/Guardians*
- d) Various Government levels*
- e) Business operations*
- f) Insurance*
- g) Other service providers*

It is understood that Contractual Agreements may be struck with other identified parties as necessary. Procedures for handling the Contractual Agreement will be specific to the type of contract.

All Contractual Agreements in excess of \$10,000.00 must be signed by the designated Board Members, with the exception of Offers of Employment which may be signed by the Executive Director/Specific Designate.

It is required that all Contractual Agreements must include the legal name therefore the wording on all Contractual Agreements will read as follows:

Accredited Supports to the Community (ASC) Association

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Contractual Agreements

1. Clients/Parents/Guardians

- a) ASC enters into a variety of agreements with clients/parents/guardians. It is understood that the responsibility of legal guardians is defined through the Adult Guardian and Trusteeship Act and is determined through the judicial system. This provides direction to ASC regarding the authorization and consent for legal documents.
- b) Children (under age 18): It is understood that parents of children carry the usual parental legal responsibilities, unless otherwise directed by an authority for Children or the Courts. This provides direction to ASC regarding the authorization and consent for legal agreements.
- c) Agreements may include, but are not limited to:
 - Placement Agreements;
 - Service Contracts;
 - Consents/Releases;
 - Individual Service Agreements and Agreements for Children; and
 - Correspondence/Letter of Agreement.
- d) Those having the authority to sign on behalf of ASC, must be designated employees of ASC and/or Board members.
- e) All Contractual Agreements made between parties must reflect the legal name Accredited Supports to the Community (ASC) Association.

2. Employees – Offer of Employment

- a) Conditions for offer of employment are established by the Executive Director/Program Director(s). The information is given to Administration for preparation of the offer of employment letter. The letter constitutes a Contractual Agreement between the employee and ASC, and must be signed by the Executive Director, or specific designate in the absence of the Executive Director. The letter will outline the following conditions and information and attachments:
 - Employee’s name and address;
 - Position;
 - Employee obligations regarding business insurance, criminal record searches, etc.
 - Duties;
 - Term of Employment (including ending for term positions);
 - Hours of work;
 - Remuneration;
 - Overtime eligibility (if applicable);

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- Vacation entitlements;
- Probationary period;
- Benefits entitlements (if applicable);
- Termination by the employer;
- Termination by the employee;
- Confidentiality;
- Other Terms and Conditions;
- Invalid or unenforceable terms;
- Entire Agreement;
- Independent or other professional advice;
- Employee signature; and
- Executive/Director specific designate signature.

All offers must include schedules:

- “A” copy of s56 of the Employment Standards code;
- “B” copy of the Conflict of Interest Agreement; and
- “C” Non- solicitation clause.

In addition, dependent on the position, schedules that may be included are:

- “D” Personal Vehicle Insurance Coverage Form;
- “E” Copy of Position Description.

3. Government

ASC may enter into Contractual Agreements with municipal, provincial and federal government agencies as required to conduct Association business and services.

- a) Requirements for negotiating and entering into a Contractual Agreement come to the Executive Director who is responsible to coordinate a process for handling the contract, including legal and Board consultation as required.
- b) The bylaws and policies of the Association, including the requirement for authorized Board member signatures on contractual agreements in excess of \$10,000.00, and the expectations of the government department/authority will determine who signs the contracts

4. Business Services

- a) ASC enters into Contractual Agreements with private businesses/individuals to either acquire goods/services or to sell goods/services. This may also include rental or leasing of equipment.
- b) Requirements for negotiating and entering into a Contractual Agreement come to the Executive Director, who is responsible to coordinate a process for handling the contract. Others may be involved in recommending terms of the contract.

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5. Conflict of interest

a) When decisions are being made about a Contractual Agreement, any involved person(s) shall declare if there is a potential conflict of interest situation for themselves. Conflict of interest may include but not be limited to:

- Potential to derive personal gain
- Perception of position to influence decisions with competitors
- Related party transactions

b) If it is determined that there could be a potential conflict of interest situation, those who have the potential conflict will refrain from decisions or actions around the matter.

c) Conflict of interest situations and actions will be documented.

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