

# Executive Director Limitation Policies

Quadrant 3 of 4

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## Definitions

Council refers to the governing Council as a whole

Council members refers to the individual governor-appointed members who are part of the Council

Staff refers to the employees of MCD, either individually or as a whole

Agency refers to the entire organization of MCD as a whole

## Policy 3.0 Global Executive Director Limitation Policy

The Executive Director will not cause or allow any practices, activities, or decisions that are illegal, unethical, imprudent, or in violation of the agency’s mission and values. This includes the values and laws relating to Affirmative Action and Equal Opportunity.

## Policy 3.1 Treatment of External Organizations, Agencies, and Community Groups

The Executive Director will not cause or allow relationship situations with the Council’s community partners and stakeholders to be disrespectful or uncollaborative. Accordingly:

### 3.1.1 Requests for Support

The Executive Director will not operate without a system for receiving, evaluating, referring, and addressing community needs and barriers brought to the Council’s attention.

### 3.1.2 Clear Expectations

The Executive Director will not allow community stakeholders to be without a clear understanding of the role, responsibilities, and scope of authority of the Council.

### 3.1.3: Grievance Opportunity

The Executive Director will not allow community stakeholders to be without an opportunity to be heard if they believe they have been treated disrespectfully.

## Policy 3.2 Treatment of Staff

The Executive Director will not allow staff to be unclear about their individual and collective roles, responsibilities, and performance expectations. Accordingly:

### 3.2.1 Health and Safety

The Executive Director will not allow staff to be unprepared or without the appropriate equipment, resources, and training to properly protect themselves in situations that are physically unsafe or unhealthy.

### 3.2.2 Training

The Executive Director will not inadequately or inconsistently support and monitor the professional activities and development of all staff.

### 3.2.3 Data Confidentiality and Cyber Security

The Executive Director will not provide inadequate, inconsistent, or outdated staff training and insufficient oversight of data confidentiality, cyber security practices, and organizational procedures. Additionally,

#### 3.2.3.1 Reporting Requirement

The Executive Director will not allow any potential data or cyber security breach incidents to go unreported to the appropriate authority.

### 3.2.4 Performance Evaluations

The Executive Director will not allow any staff to work without an annual performance evaluation, following various union requirements. As a result, the annual performance evaluation will not exclude the following:

#### 3.2.4.1 Opportunity to Appeal

Providing an opportunity to appeal their annual performance review.

#### 3.2.4.2 Employee Discipline

Issuing disciplinary action without engaging Human Resources and completing a formal investigation.

#### 3.2.4.3 Executive Director Evaluation

Allowing staff to operate without an annual opportunity to provide feedback on the Executive Director’s performance.

## Policy 3.3 Respectful Workplace

The Executive Director will not allow for a disrespectful environment from the lack of awareness of standards for professional behavior and will not allow the lack of a working internal office procedure for addressing informal or formal complaints.

### 3.3.1 Employee Grievances

The Executive Director will not allow staff grievances and their resolution to be ignored or prevent staff from filing a grievance following the collective bargaining agreement for that staff and HR rules and policies. Accordingly:

#### 3.3.1.1 Grievance Retaliation

The Executive Director will not behave in a way that could be perceived as retaliation if an employee uses their grievance rights.

#### 3.3.1.2 Report Misconduct

The Executive Director will not leave staff who report any serious action or improper conduct (such as inaccurate financial reports, illegal behaviour, or behaviour that is against policies) in the agency to be unprotected from retaliation.

### 3.3.2 Conflicts of Interest

The Executive Director will not employ or contract with any person without following a conflict of interest policy and reporting on any violations of the policy.

### 3.3.3 Diversity, Equity, and Inclusion

The Executive Director will not allow the agency to operate without agency policies to advance its diversity and plans to increase the diversity of its staff and Council Members.

## Policy 3.4 Ongoing Council Financial Health

With respect to the actual, ongoing financial health of the Council and its financial activities, the Executive Director will not cause or allow the development of irresponsible financial risk or a significant difference of actual spending from Council priorities established in the End Results policies or use Council funds for personal gain. Accordingly:

### 3.4.1 Accounting Controls

The Executive Director will not operate without a system of accounting and controls to receive, process, or pay out funds without appropriate controls to meet generally accepted accounting practices.

### 3.4.2 Unbudgeted Purchases

The Executive Director will not make an unbudgeted purchase or commitment of greater than [$X] without Council approval. Splitting purchases to avoid this limit is not acceptable.

### 3.4.3 Uncompromised Audit

The Executive Director will not compromise the independence of any form of Council audit.

### 3.4.4 Financial Communication

The Executive Director will not allow the Council to be uninformed, on a quarterly basis, on the financial health of the organization compared to its budgeted expenses.

## Policy 3.5 Financial Planning: Operating Budget and Legislative Requests

The Executive Director will not cause or allow financial planning for any fiscal year, or the remaining part of any fiscal year, to significantly change from the Council’s **Ends Policy** priorities, risk the financial health of the agency, or fail to be in line with a multi-year plan. As a result,

### 3.5.1 Risk

The Executive Director will not create a budget that risks incurring those situations or conditions described as unacceptable in the Council’s “Ongoing Council Financial Health”.

### 3.5.2 Required Budgeting Detail

The Executive Director will not submit a preliminary budget or a final budget (based on actual budget allocation) that does not include a reasonable projection of revenues and expenses, separation operational items, cash flow, costs required to meet statutorily required program expectations, and disclosure of budget planning assumptions.

### 3.5.3 Consistency

The Executive Director will not allow the budget submitted to the Council to be inconsistent with the budget established in the state’s accounting system.

### 3.5.4 Legislative Requests

The Executive Director will not prepare a budget that does not include any potential budgetary changes from legislative requests or other bills that may impact the agency’s budget.

## Policy 3.6 Asset Protection

The Executive Director will not cause or allow agency assets to be unprotected, inadequately maintained, or unnecessarily risked. As a result,

### 3.6.1 Physical Assets

The Executive Director will not allow facilities and equipment to have unnecessary wear and tear, insufficient maintenance, or unsafe and disorganized storage.

### 3.6.2 Liability of the Agency

The Executive Director will not unnecessarily expose the agency, its Council, or its staff to claims of liability.

### 3.6.3 Procurement

The Executive Director will not operate without a procurement evaluation policy for equipment, or other goods or services that are necessary to the agency.

### 3.6.4 “Needs” Re-evaluation

The Executive Director will not allow for ongoing commitments for services that are no longer needed.

### 3.6.5 Information Protection

The Executive Director will not allow intellectual property, information, and written and electronic files to be unprotected from loss, theft, or significant damage or operate without policies and procedures that meet relevant state and federal statutes and regulations regarding records retention.

### 3.6.6 Public Image

The Executive Director will not personally endanger the agency's public image, its credibility, or its ability to accomplish its Ends Planning policies.

## Policy 3.7 Emergency Executive Director Succession

The Executive Director will not operate without making sure that at least one other staff member is prepared to temporarily assume their responsibilities in a competent manner, including crisis management, in event of sudden loss of the Executive Director’s services.

## Policy 3.8 Communication and Support to the Council

The Executive Director will not allow the Council to be uninformed or unsupported in its work. Accordingly:

### Monitoring

#### 3.8.1 Monitoring Data

The Executive Director will not neglect to submit monitoring data required by the Council in a timely, accurate, thorough, and understandable fashion (see “Monitoring Executive Director Performance” policy in the Council-Management Delegation Quadrant).

#### 3.8.2 Significant Noncompliance Communication

The Executive Director will not allow Council members to be without a timely alert to any significant actual or anticipated noncompliance with any Executive Limitation policy (see “Policy Violation Communication” policy in the Council-Executive Director Delegation Quadrant).

#### 3.8.3 Council Members’ Policy Compliance

The Executive Director will not allow Council members to be uninformed of their failure to comply with Governance Process and Council-Executive Director Delegation policies, particularly in the case of Council behavior that is detrimental to the working relationship between the Council and the Executive Director.

### Information

#### 3.8.4 Incidental Information[[1]](#footnote-1)

The Executive Director will not let the Council be unaware of any significant incidental information, including anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.

#### 3.8.5 Adequate Information

The Executive Director will not allow an environment in which the Council is without the information it needs to make reasonably informed decisions.

### Communication

#### 3.8.6 Communication Methods

The Executive Director will not provide inadequate administrative support and communication platforms for use by the Council, Council committees, or officers.

**Communication to the Full Council.** The Executive Director will not work with individual Council members instead of the full Council on official Council business except when

* fulfilling reasonable individual requests for information;
* working with a Council member on in an area of policy expertise; or
* working with officers or committees as properly assigned by the Council.

1. **Incidental information** is any information that is not needed for a Council decision or a monitoring report but is still important information for the Council’s awareness. [↑](#footnote-ref-1)