



Policy and Procedures of Council

Index

Number	Topic	Date
	2005	
01	<u>Discrimination / Harassment Policy</u>	Dec - 2005
02	<u>Respect in the Workplace</u>	Dec - 2005
03	<u>Employment Equity and Duty to Reasonably Accommodate</u>	Dec - 2005
	2006	
07	<u>FCSCS Council Governance</u>	Oct - 2009



Policy and Procedures of Council

2005-01	Discrimination / Harassment Policy	Approved: Dec - 2005
---------	---	----------------------

POLICY STATEMENT

The Funeral and Cremation Services Council of Saskatchewan (FCSCS) believes that all workers should be provided a work environment free from all forms of harassment. FCSCS is committed to the development of a harassment free workplace and strongly believes that each and every worker has a right to be treated with dignity and respect.

DEFINITION OF DISCRIMINATION / HARASSMENT

A) *Legal Framework*

In accordance with The Saskatchewan Human Rights Code and/or *The Saskatchewan Occupational Health and Safety Act 1993*, this policy prohibits discrimination / harassment on the basis of a person's:

◆ Race	◆ Mental and Physical Disability
◆ Creed	◆ Physical Size or Weight
◆ Religion	◆ Age
◆ Colour	◆ Nationality
◆ Sex	◆ Ancestry or Place of Origin
◆ Marital Status	◆ Receipt of Public Assistance
◆ Sexual Orientation	◆ Family Status

In *The Saskatchewan Occupational Health & Safety Act*, harassment is defined as any objectionable conduct, comment or display by a person that:

-
- ◆ Is directed at a worker
 - ◆ Is made on the basis of the aforementioned grounds
 - ◆ Constitutes a threat to the health and safety of the worker.

Harassment may also be defined as any unwanted conduct, based on the aforementioned grounds, that offends or humiliates.

Harassment may be verbal, physical, visual or psychological. It can include but is not limited to:

- ◆ Jokes that cause awkwardness or embarrassment
- ◆ Insulting comments and/or slurs
- ◆ Display of racist, sexist or other offensive material
- ◆ Sexually suggestive or obscene comments or gestures
- ◆ Offensive sexual advances or propositions
- ◆ Unwanted physical contact such as touching, patting or pinching
- ◆ Verbal abuse, threats or intimidation
- ◆ Physical assault, including sexual assault.

B) General Harassment

Harassment may also occur in the workplace that is not based on the list of protected characteristics (race, sex, religion, disability, etc.) outlined above. For example, two employees may dislike each other and this may result in behavior that is unacceptable and likely to undermine work relationships and productivity.

Examples of unacceptable behavior affecting work performance may include:

- ◆ Refusing to work / communicate with, or otherwise excluding / isolating someone
- ◆ Demonstrating a hostile attitude towards someone
- ◆ Persistently bullying or berating someone.

This type of behavior can be referred to as general or personal harassment.

FCSCS *cannot* and *will not* and employees and Members of Council *should not* condone this type of behavior, as it may have a negative impact on work related performance and general FCSCS operations.

COVERAGE

This policy covers all FCSCS employees and Members of Council during the performance of their duties for FCSCS.

Harassment will not be tolerated in any work-related setting such as the office, meetings, conferences and seminars and including work-related travel and social events.

RESPONSIBILITIES OF EMPLOYEES, MANAGEMENT AND COUNCIL

Employees

Employees must refrain from harassing other employees or Members of Council in the workplace, which includes any actions, behaviors, or comments that could be offensive or demeaning to others. Employees are encouraged to immediately report any incident of harassment to the Registrar of the FCSCS (or the Chairperson of Council should the Registrar be implicated).

Members of Council must refrain from harassing other Members of Council or employees in the workplace, which includes any actions, behavior, or comments that could be offensive or demeaning to others. Members of Council are encouraged to immediately report any incident of harassment to the Chairperson of Council (or the Registrar should the Chairperson of Council be implicated).

All information provided to the Registrar or the Chairperson of Council will remain confidential and will only be used as required in conducting an investigation.

Harassment is a serious offense and where harassment has been substantiated, disciplinary action will be taken against the offending party. This may include termination for cause. Where harassment has not been substantiated, no action will be taken against an individual who has made a complaint in good faith. However, any employee knowingly falsely accusing another employee or Member of Council will be subject to disciplinary action.

Supervisors, Management and Council

Supervisors, Managers and Council must ensure a harassment-free work environment and will make every reasonably practicable effort to ensure that no worker is subjected to harassment. Supervisors, Managers and Council also have the responsibility to immediately deal with issues of harassment when they become aware of an incident.

DISCRIMINATION / HARASSMENT COMPLAINT PROCEDURES

INFORMAL OPTIONS

An employee or Member of Council is encouraged to consider the following informal options when he or she believes a fellow employee or Councilor is behaving in a manner which he or she deems to be harassment or when he or she observes an incident of harassment that is not being dealt with:

- ◆ Raise the issue directly with the person whose behavior is a problem and tell that person that the behavior is unwelcome and ask that it be stopped
- ◆ If the behavior persists, the individual may inform the Registrar (or Chairperson of Council if appropriate) and ask him or her to informally discuss the situation with the alleged harasser.

FORMAL OPTIONS

If informal options are inappropriate or unsuccessful, an employee or Member of Council can file a formal written complaint with the Registrar (or the Chairperson of Council if appropriate).

FORMAL COMPLAINT INVESTIGATION GUIDELINES

Once a complaint has been originated, it is important that it be quickly addressed. The person responsible for undertaking the investigation should take immediate action as outlined below.

For an employee complaint, the individual responsible for addressing the complaint or for undertaking an investigation is the Registrar, (or the Chairperson of Council if the Registrar is implicated).

For a Member of Council complaint, the individual responsible for addressing the complaint or for undertaking an investigation is the Chairperson of Council, (or the Registrar if the Chairperson of Council is implicated).

The Chairperson of Council (or Registrar) may delegate responsibility to or seek assistance from the Chairperson of the Personnel Committee of Council.

Confidentiality

Any complaint of harassment will be kept in confidence, except as necessary to investigate and resolve the situation.

Investigation Procedures

Stage One

The Registrar (or the Chairperson of Council) should / will:

- ◆ Assure the person making the complaint that the matter will be dealt with quickly and fairly
 - ◆ Assure the individual that their complaint is being taken seriously
 - ◆ Assure the person of the confidentiality of your discussion, subject to the necessary disclosures to effectively initiate an investigation
 - ◆ If the person is uncomfortable discussing the incident with you, ask them to suggest an alternative or additional person who they may wish to have present. If the incident is very serious, you may also wish to have an additional person present. Ensure this additional person is acceptable to the complainant
 - ◆ Listen attentively to the complaint, asking any questions that may help you understand exactly the events leading to the origin of the complaint. Make note, in writing, of the details
 - ◆ Make sure the person identifies all relevant information such as witnesses, time and place of the incident, what was said and done by each party, and any other details deemed to be relevant. This will help you in your subsequent review of the incident and also help you in your investigation
 - ◆ Show the person your notes and seek confirmation of your understanding of the events
 - ◆ Let the person know what the subsequent steps of the investigation will be and that you will be promptly notifying the alleged harasser of the complaint
 - ◆ Assure the person of the confidentiality of the discussion and advise him or her that it may be necessary to disclose some of the information during the course of your investigation.
-

Stage Two

The Registrar (or the Chairperson of Council) should / will:

- ◆ If the Registrar is not the supervisor of the complainant, or if the supervisor of the complainant is not the alleged harasser, inform the complainant's supervisor that an investigation is underway
- ◆ Inform the supervisor of the alleged harasser of the complaint and that an investigation of the incident is underway. Ask him / her for any assistance that may be required in the investigation
- ◆ Contact the alleged harasser and let him / her know that a complaint has been filed and provide him / her with a copy of the nature of the complaint. Review the FCSCS Harassment Policy and Complaint Procedures with the alleged harasser
- ◆ Provide the alleged harasser with an opportunity to respond to the formal written statement and to prepare a written response if he / she wishes. Advise that person where he / she may obtain assistance in this regard.
- ◆ Encourage the person to tell their supervisor about the complaint so that the supervisor may be able to assist in the investigation
- ◆ Witnesses should also be interviewed at this stage. Once again, assure confidentiality as much as possible.

Stage Three

The Registrar (or the Chairperson of Council) should / will:

- ◆ After speaking with the alleged harasser, apprise the complainant of the alleged harasser's response
- ◆ If a meeting between the complainant and the alleged harasser is appropriate and, if the complainant and the alleged harasser agree, set up a meeting to discuss the complaint and try to achieve an understanding that will stop the offending behavior
- ◆ If this is successful, prepare a complete report outlining the details of the understanding, and provide a copy to both parties.

Stage Four

The Registrar (or the Chairperson of Council) should / will:

- ◆ If a meeting at stage three does not occur or, if it does occur and an understanding is not achieved, undertake a complete review of the case, including a review of pertinent information provided by the affected parties, witnesses, and supervisors
-

-
- ◆ Based on factual information and to the best of his / her ability, make an objective determination of the incident and decide what additional actions, if any, including disciplinary action, may be necessary
 - ◆ Communicate the decision to the complainant and the respondent
 - ◆ If either the complainant or respondent is not in agreement with the outcome of the investigation, advise them of their right to appeal the decision to the Chairperson of Council if the Registrar handled the investigation (or the Vice-Chairperson of Council if the Chairperson of Council handled the investigation)
 - ◆ If the Chairperson of Council (or Vice-Chairperson if appropriate) becomes involved through appeal, objectively review the case information and decide what additional actions might be required, if any, and communicate the appeal decision to the complainant and the respondent
 - ◆ Advise the complainant and the respondent they are free to seek additional assistance from the Department of Labour or the Human Rights Commission.

Note To Employees

These policies and complaint procedures are meant to provide an effective internal harassment redress mechanism. However, these policies and procedures are not intended to discourage or prevent a complainant from exercising any other legal rights pursuant to any other law.

Every worker can seek additional assistance through the Saskatchewan Human Rights Commission or the Occupational Health and Safety Division of The Department of Labour.



Policy and Procedures of Council

2005-02	Respect in the Workplace	Approved: Dec - 2005
---------	---------------------------------	----------------------

RESPECT IN THE WORKPLACE

BACKGROUND

Employees and Members of Council have the right to work in a positive, professional, respectful and harassment free workplace environment. The Funeral and Cremation Services Council of Saskatchewan (FCSCS) believes this is right and appropriate and is committed to providing a work environment which:

- ◆ Respects individual rights, personal dignity and integrity
- ◆ Promotes equal opportunity and mutual respect
- ◆ Prohibits all forms of discriminatory practices.

FCSCS will not, and employees and Members of Council must not condone behavior in the workplace that is likely to undermine personal dignity, work relationships or productivity. Harassment will not be tolerated at FCSCS.

All employees and Members of Council are expected to recognize and demonstrate respectful behavior towards fellow employees and Councilors. All employees and Councilors are expected to recognize and refrain from actions that offend, harass, embarrass or humiliate others, whether deliberate or unintentional. Any employee or Councilor found to have engaged in conduct demonstrating inappropriate behavior will be subject to appropriate discipline.

In Saskatchewan, *The Occupational Health and Safety Act, 1993* and *The Saskatchewan Human Rights Code* require that employers ensure that their workers are not exposed to harassment.

GUIDELINES

Behavior is a choice and the FCSCS policy provides the parameters on which all FCSCS employees and Members of Council are to base their work-related verbal and non-verbal behavior decisions.

The policy is intended to support a respectful work environment by outlining what is NOT acceptable behavior. FCSCS has a continuing responsibility to train and educate employees at all levels as well as Members of Council on the subject of a respectful workplace and to stop any forms of harassment and discrimination. In turn, employees and Councilors have a responsibility to ensure their workplace behavior supports this policy.

This policy is in addition to, and not in substitution for, such rights as an individual may have under the applicable Human Rights and Occupational Health and Safety legislation or the policies and procedures of FCSCS.

The policy is not intended to constrain normal healthy social interaction between employees and / or Councilors or to affect the ordinary and proper evaluation of the performance of a person's duties. It is intended to foster a working environment in which employees and / or Councilors treat each other with mutual respect.

DEFINITIONS

The following definitions are important in relation to this policy:

1. **Workplace** - The office location of FCSCS, as well as any other location employees and Members of Council are required to be situated in as their role as agents of FCSCS (e.g. work related conferences or training sessions, work related social functions, in the course of work assignments outside the office, during work, related travel, over the phone, by e-mail, etc.)
2. **Discrimination** - An act toward, intentional or not, or treatment of a group or an individual as a member of a group which usually creates a disadvantage for that individual or group.

The Saskatchewan Human Rights Code (the Code) states it is against the law to discriminate against a person on the grounds of age, sex, pregnancy, ancestry, race, colour, nationality or place of origin, physical or mental disability, religion, marital or family status, sexual orientation, sexual harassment, and receipt of public assistance.

-
3. **Harassment** - In accordance with definition Section 2 (1) (1) of *The Occupational Health and Safety Act, 1993*, harassment is any objectionable conduct, comment or display by a person that is:

- ◆ Directed at a worker
- ◆ Is made on the basis of race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry, or place of origin
- ◆ Constitutes a threat to the health of the worker.

Harassment is any conduct - verbal, written, visual, physical or by innuendo - that might reasonably be expected to cause offence or humiliation to another person and encompasses workplace and sexual harassment (as per the examples outlined below). It is any behavior the victim perceives as offensive.

4. **Workplace Harassment** - Abusive or unwelcome conduct or comment that is demeaning or causes offence. Such behavior may be verbal or physical. The behavior may or may not be deliberate, it may be unsolicited, and it may be one incident or a series of incidents.

Workplace harassment includes, but is not limited to, behavior that:

- ◆ Might reasonably be expected to cause embarrassment, insecurity, discomfort, offence, humiliation (see examples below for clarification)
- ◆ Is implicitly or explicitly a condition of employment or advancement
- ◆ Is used as a basis for any employment decision
- ◆ Interferes with work performance or creates a hostile work environment.

Examples of behavior which constitute workplace harassment include:

- ◆ Violent or threatening physical or verbal outbursts or abuse
 - ◆ Sarcastic or derogatory comments or actions which demean, belittle or humiliate an individual or group or their ability or intelligence
 - ◆ Yelling, screaming, swearing or similar behavior aimed at intimidating, frightening, coercing or offending those at whom it is directed
 - ◆ Racial slurs.
-

-
5. **Sexual Harassment** - Any unwelcome behavior that is sexual in nature (unwanted sexual advances, unwanted requests for sexual favors and other unwanted verbal or physical conduct of a sexual nature).

Sexual harassment may be verbal, physical, or visual and includes, but is not limited to, behavior that:

- ◆ Might reasonably be expected to cause embarrassment, insecurity, discomfort, offence, humiliation (see examples below for clarification)
- ◆ Is implicitly or explicitly a condition of employment or advancement
- ◆ Is used as a basis for any employment decision
- ◆ Interferes with work performance or creates a hostile work environment.

The behavior may be men towards women, women towards men, between men or between women. Examples of types of behavior that constitutes sexual harassment include:

- ◆ Sexist remarks, comments or jokes causing embarrassment or offence, told or carried out after the joker has been advised that they are embarrassing or offensive, or that are by their nature clearly embarrassing or offensive
 - ◆ Leering
 - ◆ Displaying of offensive material of a sexual nature
 - ◆ Sexually degrading words used to describe a person
 - ◆ Drawing attention to a person's sex and having the effect of undermining the person's role in a professional and business environment
 - ◆ Derogatory or degrading remarks directed towards members of one sex or one sexual orientation
 - ◆ Sexually suggestive or obscene comments or gestures
 - ◆ Unwelcome sexual flirtations, advances, invitations, or propositions
 - ◆ Unwelcome inquiries or comments about a person's sex life
 - ◆ Persistent unwanted contact or attention after the end of a consensual relationship
 - ◆ Requests for sexual favors
-

-
- ◆ Unwanted physical contact like touching, patting, pinching or brushing against
 - ◆ Verbal abuse or threats
 - ◆ Any other inappropriate conduct based on one of the prohibited grounds of discrimination
 - ◆ Sexual or physical assault.

The Code's provisions against sexual harassment do not rule out office romance, flirtation or good-natured jesting that is accepted by both parties. Sexual harassment refers only to unwelcome behavior, which the harasser knew, or should have known, would be unwanted.

FCSCS management is responsible for making every effort to be aware of and address the impact of such behavior that may be mutually acceptable to the parties directly involved but which may not be reasonably acceptable to others in the workplace.

**RESPONSIBILITY OF THE
EMPLOYEES AND MEMBERS OF
COUNCIL**

All employees and Members of Council are responsible for doing their part in ensuring a respectful work environment for their fellow employees and Councilors that is free from discrimination, sexual harassment and workplace harassment. All employees and Councilors are responsible for behaving in a manner that is respectful to all people.

If any employee or Councilor believes an incident of any form of harassment has occurred, he or she should make his or her disapproval and / or discomfort known to the offending party immediately and tell them to stop. This includes harassment by fellow employees and / or Councilors and non-employees at the workplace.

An employee or Councilor who believes he or she has been harassed should promptly contact the Registrar or Chairperson of the Council, in confidence, to request informal advice or to file a complaint. Should this be unworkable because the Registrar or Chairperson of Council may be implicated in the harassment, the employee should contact the Vice Chairperson of Council. Complaints should be documented and filed in writing.

An employee or Members of Council can also contact an occupational health officer with the Occupational Health and Safety Division (under *The Occupational Health and Safety Act, 1993*) or the Saskatchewan Human Rights Commission to file a complaint of discrimination or harassment, and if circumstances warrant it, the police to file a charge.

RESPONSIBILITY OF FCSCS

It is the responsibility of the FCSCS to:

- ◆ Be a role model for respectful behavior
 - ◆ Discourage harassment
 - ◆ Ensure all employees and Members of Council are provided with the information contained in the FCSCS Discrimination / Harassment Policy as well as the policies and procedures for dealing with harassment
 - ◆ Work to ensure that the workplace is free from harassment by addressing any behavior that potentially could be deemed to be harassment and by immediately investigating any complaints
 - ◆ Treat each complaint in a serious and confidential fashion including not disclosing the name of a person complaining or an alleged harasser or the circumstances of the complaint unless required by law
 - ◆ Maintain appropriate confidential records of each reported incident
 - ◆ Provide advice and support to persons subjected to harassment by a person who is not an employee of FCSCS
 - ◆ Impose the appropriate disciplinary measures when a complaint of harassment is substantiated.
-



FCSCS

Policy and Procedures of Council

2005-03	Employment Equity and Duty to Reasonably Accommodate	Approved: Dec - 2005
---------	---	----------------------

Employment Equity and Duty To Reasonably Accommodate

POLICY STATEMENT

The Funeral and Cremation Services Council of Saskatchewan (FCSCS) believes in and supports Employment Equity for the four groups identified by the Human Rights Commission including Aboriginal people, visible minorities, women in management, non-traditional occupations and people with disabilities. As well, FCSCS will reasonably accommodate characteristics identified in *The Saskatchewan Human Rights Code* unless doing so creates an undue hardship. This duty applies to family status, disabilities, ancestry, religion and other categories identified in the *Code*.

Due to the relatively small size of the Council Office, support will be of a Policy Statement and informal in nature. That is, the Council Office will not file a formal Equity Plan regarding the above groups as a Designated Equity Group under *The Saskatchewan Human Rights Code*.

The FCSCS is particularly concerned with accommodating persons with disabilities.

DEFINITION OF PERSONS WITH DISABILITIES

Persons with disabilities are persons who have a disability within the meaning of section 2(1)(d.1) of *The Saskatchewan Human Rights Code*. In addition, persons with disabilities:

- a.) Have persistent physical, intellectual, mental, psychiatric, sensory or learning conditions that:
- i. Require a technical device and / or personal support or service which enables such persons to perform the essential functions of a job; and / or
 - ii. Require some form of accommodation such as extra rest breaks, or time off / leave to obtain treatment as necessary, or modifications to job responsibility, job site, or work hours;
- b.) Consider themselves, and believe an employer or a potential employer would consider them disadvantaged in finding, retaining or advancing in employment because of their condition.

Disability means:

Any degree of physical disability, infirmity, malformation or disfigurement and, without limiting the generality of the foregoing, includes:

- ◆ Epilepsy
 - ◆ Any degree of paralysis or amputation
 - ◆ Lack of physical co-ordination
 - ◆ Blindness or visual impediment
 - ◆ Deafness or hearing impediment
 - ◆ Muteness or speech impediment
 - ◆ Physical reliance on a service animal, wheelchair or other remedial appliance or device
 - ◆ An intellectual disability or impairment
 - ◆ A learning disability or a dysfunction in one or more of the processes involved in the comprehension or use of symbols or spoken language
-

-
- ◆ A mental disorder.

FCSCS Goals

The FCSCS will attempt to accommodate persons with disabilities where reasonable. This accommodation may include the following.

- ◆ Generally speaking, granting a leave of absence, gradual return to work, altering work conditions, approving transfer to another job, or re-arranging shifts or bundling meaningful job duties to allow the employee to continue working
 - ◆ For persons with communication disabilities, accommodation can include the use of sign language interpretation, telewriter (TTY), braille, audiotapes, computer diskettes, or other methods of communicating
 - ◆ For persons with mobility disabilities, accommodation can include providing accessibility to buildings and facilities, and modifying washrooms
 - ◆ For persons with intellectual disabilities, accommodation can include job coaching or individualized on-the-job training.
-



Council Governance

2006-07	Governance Policies	Revised: Oct 2009
---------	----------------------------	-------------------

Table of Contents

Preface – What Does It Mean To Be a Self-governing Regulated Profession?
Written by Robert Schultze

Policy CG-1 Governance Principles

Policy CG-2 Council Job Description

Policy CG-3 Chair of Council Job Description

Policy CG-4 Vice Chair of Council Job Description

Policy CG-5 Past Chair of Council Job Description

Policy CG-6 Principles for Council Committees

Policy CG-7 Council Committee Structure

Policy CG-8 Code of Conduct for Council Members

Policy CG-9 Conflict of Interest

Policy CG-10 Implementation of Council's Code of Conduct

Policy CG-11 Council Planning Process

Policy CG-12 Role of the Registrar

Policy CG-13 Registrar's Performance and Compensation

Policy CG-1 Governance Principles

POLICY TYPE: COUNCIL GOVERNANCE

1. The purpose of the Funeral and Cremation Services Council of Saskatchewan (hereinafter called FCSCS) is defined in *The Funeral and Cremation Services Act*, (hereinafter called the Act) and the Funeral and Cremation Services Council Regulations (hereinafter called the Regulations) and the Funeral and Cremation Services Council Bylaws (hereinafter called the Bylaws). *The Act* takes precedence over the Regulations and the Bylaws.
 2. Other relevant legislation governing the FCSCS is *The Interpretation Act, 1995* that outlines the duties of all members of Council and officials of the FCSCS. These include the duty of care, diligence and skill, the fiduciary duty and the duty to comply with *The Act*.
 3. Council is established as a Corporation through *The Funeral and Cremation Services Act*, and Council members are directors of the Corporation. The job of Council is to manage the business and affairs of the Corporation.
 4. Licensees of the funeral services and cremation industry have been granted the privilege of self-regulation of their professions in the Public interest. In return for this privilege, licensees of the industry are given an exclusive right to practice their profession. The FCSCS is expected to cover all the costs of self-regulation.
 5. The role of Council is to provide the trusteeship and leadership of the funeral services and cremation professions through the initial licensing of new applicants and re-licensing of existing applicants. Further, Council will ensure the ongoing competency and ethical behavior of funeral homes, funeral directors, cremation services, embalmers, transfer services and sales of prepaid funeral services for today's and tomorrow's needs.
 6. Council is accountable to the public via the Superintendent of Funeral and Cremation Services, the licensees of the FCSCS for governance, management and operation of the FCSCS, as specified in *The Act*, Regulations and Bylaws.
 7. The licensees elect six members of Council at their annual meeting and the Lieutenant Governor in Council appoints four members of Council. The members of Council will elect a Chairperson of Council (hereinafter called the Chair) and Vice Chairperson of Council (hereinafter called the Vice Chair), as specified in *The Act*.
-

-
8. The Registrar of the FCSCS operates within a prescribed code of conduct, and is accountable to Council for:
 - a. Administration of *The Act*, Regulations and Bylaws;
 - b. Management and operation of the FCSCS;
 - c. Keeping Council well informed on issues requiring Council's decision; and
 - d. Keeping Council informed of policy development trends and specifics in the self-regulating, not for profit, volunteer, private and Government sectors.
 9. Council is responsible for determining and approving all policies of the FCSCS. The details of Governance Policies are the responsibility of Council. The details of Administrative Policies are the responsibility of the Registrar. Policies put forward as Bylaws are subject to the approval of the Superintendent of Funeral and Cremation Services and ratification by licensees at the annual meeting of licensees.
 10. Council structures committees and their reporting relationships in a way that best serve the FCSCS in carrying out its mandate. Council committees are used for policy development and governance. In general, Council delegates work to:
 - a. Council committees for policy matters; and
 - b. The Registrar for operational matters.
 11. It is Council's responsibility to conduct annual performance reviews of itself, the Registrar, all committees as well as an annual review of their effectiveness.
 12. Council management of Governance Policies:
 - a. The Legislative Committee is responsible for an annual review of all governance policies, which will cover all routine changes to policy. These changes will require ratification by Council with a copy of the final document being provided to the Superintendent of Funeral and Cremation Services.
 - b. In an exceptional case Council may suspend a governance policy for a limited period of time, if supported by a two-thirds vote of Council. Council will immediately ask the Legislative Committee to review the issue and recommend changes to the relevant policy. This is consistent with Roberts Rules for suspending a rule.
-

Policy CG-2 Council Job Description

POLICY TYPE: COUNCIL GOVERNANCE

1. Council, as defined in *The Act*, consists of elected members, government appointees and, if required, Council appointees as well as the Registrar in an ex-officio capacity (non-voting). Council is required under *The Act* to govern, control and administer the affairs of the FCSCS and to exercise all rights and powers vested in it by *The Act*, Regulations and Bylaws.
2. Council also represents the FCSCS to the public. Under *The Act*, Council hires a Registrar. Council can delegate actions to committees or the Registrar, but cannot delegate responsibility. It is the responsibility of the Council to:
 3. **Understand and Fulfill Responsibilities**
 - a. It is sound practice for the Council to understand its responsibilities and evaluate objectively, on a regular basis, its effectiveness in fulfilling those responsibilities.
 4. **Exercise Independent Judgment**
 - a. It is sound practice for Council to exercise independent judgment in directing and overseeing the operations of the FCSCS.
 5. **Delegation of Responsibility, Authority and Accountability to Council Committees and the Registrar**
 - a. It is sound practice for Council to:
 - i. Establish the responsibilities and authority of the Council;
 - ii. Establish the responsibilities and authority of Council committees including their accountability requirements;
 - iii. Establish the responsibilities, authority and accountability requirements of the Registrar; and
 - iv. Understand the responsibilities, authorities and accountability requirements delegated to the Registrar.
 6. **Selection, Evaluation, Compensation and Succession of the Registrar**
 - a. It is sound practice for Council to:
 - i. Appoint a Registrar who is qualified and capable of managing the operations of the FCSCS;

-
- ii. Evaluate, on a regular basis, the effectiveness of the Registrar in managing the operations of the FCSCS in accordance with the strategic and business objectives and managing the risks to which the FCSCS is exposed;
 - iii. Satisfy itself, on a regular basis, compensation plans are competitive and assist in providing proper incentives to the Registrar and employees in order for them to act in the best interests of the FCSCS in achieving its objectives and to provide prudent management of its operations;
 - iv. Plan for the succession of the Registrar; and
 - v. Require the Registrar to provide assurance there is succession plans in place for employee positions.

7. Establish Standards of Conduct and Ethical Behavior

- a. It is sound practice for Council to:
 - i. Establish standards of conduct and ethical behavior for the Council members, senior management and other personnel, and obtain, on a regular basis, reasonable assurance that the FCSCS has an ongoing, appropriate and effective process for ensuring adherence to those standards; and
 - ii. Have a policy and process in place and communicated to all personnel, that provides for confidential access to Council or committees of Council to report matters of serious concern regarding the operations of the FCSCS.

8. Oversee Strategic Management

- a. It is sound practice for Council to:
 - i. Establish the objectives of the FCSCS, and consider and approve the strategic and business plans for significant operations, and review those plans at least once a year to ensure that they remain appropriate and prudent in light of current, and anticipated, business and economic environment, and available FCSCS resources;
 - ii. Regularly evaluate actual operating and financial results against forecast results, in light of the FCSCS objectives, business strategy and business plans; and
 - iii. Obtain, on a regular basis, reasonable assurance that there is an ongoing, appropriate and effective strategic management process.
-

9. Oversee Risk Management

- a. It is sound practice for Council to:
 - i. Develop and adopt a Risk Management Policy;
 - ii. Understand significant risks to which the FCSCS is exposed;
 - iii. Understand and assess the FCSCS ability to accept risk;
 - iv. Establish appropriate and prudent risk management policies for those risks;
 - v. Review those policies once a year to ensure that they remain appropriate and prudent; and
 - vi. Obtain, on a regular basis, reasonable assurance that there is an ongoing, appropriate and effective risk management process and that the policies for significant risks are being adhered to.

10. Oversee Financial Management and Independent Audit Function

- a. It is sound practice for Council to:
 - i. Understand the capital, liquidity and funding needs of the FCSCS;
 - ii. Establish appropriate and prudent financial management policies, taking into account significant operations;
 - iii. Review those policies at least once a year to ensure that they remain appropriate and prudent;
 - iv. Obtain, on a regular basis, reasonable assurance that the FCSCS has ongoing, appropriate and effective processes and that the financial management policies are being adhered to;
 - v. Establish the mandate, responsibilities, duties and authorities of the Audit/Finance Committee;
 - vi. Establish the mandate of the independent audit function, including direct access to the Audit/Finance Committee;
 - vii. Ensure sufficient resources are allocated to the independent audit function, approve its plan and review its effectiveness each year; and
-

-
- viii. Seek from the independent audit function, on a regular basis, validations that the FCSCS processes, policies, procedures and controls are being monitored and adhered to, and that appropriate action is being taken to address any significant weaknesses or breakdowns that have been identified.

11. It is a sound practice for Council to review all contractual obligations every three years.

Policy CG-3 Chair of Council Job Description

POLICY TYPE: COUNCIL GOVERNANCE

1. The Chair of Council assures the integrity of the Council's processes and policies and represents Council to outside parties. The Chair is the only Council member authorized to speak on behalf of the Council. This ensures one spokesperson and one consistent set of messages.
 2. The Chair ensures that the Council's behavior is consistent with *The Act*, the Regulations and the Bylaws, the Code of Ethics, its own policies, and rules legitimately imposed upon it from outside the FCSCS. This includes ensuring the Council Code of Conduct is adhered to as well as dealing with any issues that arise should a Council member be in breach of any of the above mentioned.
 3. Council meeting discussion content will be limited to those issues, which, according to Council policy, clearly belong to the Council to decide.
 4. Deliberation will be timely, fair, orderly, and thorough, but also efficient and to the point.
 5. Council meetings will be conducted in accordance with Robert's Rules of Order except where there is a specification in *The Act*, Regulations, Bylaws or Council Policy overrides them.
 6. As the Chair of Council meetings, the Chair has all the commonly accepted authority of that position (e.g. ruling, recognizing).
 7. The Registrar reports to the Council.
 8. The Chair may represent Council to outside parties (including media) for the purpose of announcing Council-stated positions and stating the Chairperson's decisions and interpretations within the area delegated to the Chair.
-

Policy CG-4 Vice Chair of Council Job Description

POLICY TYPE: COUNCIL GOVERNANCE

1. Under *The Act*, the Vice Chair is designated by Council to have all the powers and rights of the Chair during the absence or vacancy of the Chair.

Policy CG-5 Past Chair of Council Job Description

POLICY TYPE: COUNCIL GOVERNANCE

1. The immediate Past Chair, if not an elected member, may be invited by Council to be a member of the Council in an ex-officio, non-voting capacity.
2. This serves to provide consistency in Council membership, deliberations and management of issues.
3. This also serves to provide Council with a corporate memory in addition to the Registrar.

Policy CG-6 Principles for Council Committees

POLICY TYPE: COUNCIL GOVERNANCE

1. Council committees are groups that are assigned to assist Council in performing its job.
 2. Council committees serve at the pleasure of Council and can be created or stood down by Council at any time. Council committees shall not interfere with the delegation from Council to the Registrar.
 3. There is a separate Administrative Policy for committees formed by the Council.
 4. Council committees are established to help Council do its job. Council committees can assist Council by preparing policy alternatives and implications for Council deliberation. Council committees can also be set-up to supervise key areas of Council responsibility.
 5. Council committees may not speak or act for Council except when formally given such authority for specific and / or time-limited purposes.
 6. Council committees will have well-defined mandates, including purpose, composition and working procedures, as well as a termination and / or a review date. These will be set out in the Terms of Reference. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Registrar.
-

-
7. The Registrar will be required to obtain approval from Council for a Council committee's administrative action, except where the committee has been delegated specific authority by Council to act on behalf of Council.
 8. A Council committee that has helped the Council create policy on a topic will not normally be used to monitor organizational performance on that same subject. The Council retains responsibility and authority to monitor organizational performance.
 9. All committee members shall abide by the same Code of Conduct that governs the Council (as well as the FCSCS Code of Ethics for licensees).
 10. Except as specifically defined in written Terms of Reference, no committee has authority to commit the funds or resources of the FCSCS.
 11. Council will approve all Terms of Reference to ensure the FCSCS's Directors and Officers Insurance covers same.
 12. Committee expenses will be reimbursed in accordance with the FCSCS bylaws.
 13. **Procedure When Accepting/Declining a Recommendation from a Committee of Council.** From time to time Council may not accept a Committee's recommendation for a variety of reasons. Prior to giving written reason(s) for not accepting the committee's recommendation(s), Council will request a meeting with the committee's Chairperson to discuss Council's rationale. On occasion Council may request a meeting with the full committee.

Council respects and appreciates the commitment and work committees perform, however it is Council's responsibility to make decisions concerning policy, programs and finances, etc.

Policy CG-7 Council Committee Structure

POLICY TYPE: COUNCIL GOVERNANCE

1. Committees established by Council that it considers necessary include:
 - a. Investigation Committee responsible for considering a complaint alleging that a licensee is guilty of professional misconduct or professional incompetence.
 - b. Discipline Committee responsible to hear a formal complaint against a licensee and determine whether or not the licensee is guilty of professional misconduct or professional incompetence. Where the Committee finds a licensee guilty of professional misconduct or professional incompetence, it may make an order that it deems will rectify the issue.
-

-
- c. Education Committee is responsible for:
- setting standards for licensee continuing education;
 - establishing and /or approving continuing educational programs;
 - overseeing all aspects of the Embalmer and/or Funeral Director Internship Program including:
 - Mentoring;
 - Monitoring Interns Journal;
 - Select and approve licensing examinations;
 - Correction of licensing examinations and administering the practical embalming examination.
- d. Governance Committee along with the Chair of Council is responsible for the governance of the Council on an ongoing basis. It is also their responsibility to review the performance of Council as a whole and that of individual Council members.
- e. Legislative Committee will facilitate Council in establishing, monitoring, and drafting governance policies, procedures and bylaws.
- f. Audit/Finance Committee is responsible for:
- banking and financial duties of the FCSCS including receipt and management of revenues, budgeting, forecasting and controlling expenditures;
 - independent review and safeguarding of FCSCS physical and monetary assets.
- g. Personnel Committee is responsible for:
- the human resources environment for staff of the FCSCS;
 - annual performance review and compensation of the Registrar.

On notice of vacancy of Registrar position, the Personnel Committee will initiate action to recruit a replacement.

- h. Licensing Committee is responsible for policies and procedures involved in the FCSCS licensing of new and existing applicants.
- i. Communications Committee, after the approval of the Chair is responsible for consistently disseminating Council messages to the public and monitoring news regarding FCSCS issues in the media. Communications Committee is mandated by the FCSCS communication strategy.
- j. Nominating Committee is responsible for approaching licensees who potentially may wish to let their name stand for election to Council. They also ensure all licensees who stand for election are aware of the Council Governance Policy and are willing to abide by these policies if elected.
-

-
- k. Pandemic Planning Committee is responsible for development and maintenance of policy and procedures for managing issues arising from potential or actual pandemic concerns affecting funeral and cremation operations.

Policy CG-8 Code of Conduct for Council Members

POLICY TYPE: COUNCIL GOVERNANCE

1. Council members and the FCSCS as a whole are expected to behave in an ethical, businesslike and lawful manner. This includes fiduciary responsibility, proper use of authority, respect for confidentiality and appropriate decorum.
 2. Council members will treat one another and employees with respect, co-operation and a willingness to deal openly on all matters. The following Code of Conduct will bind Council members, including elected, appointed and ex-officio members and all Council members will sign a copy of the Code of Conduct at the beginning of their term on Council.
 3. Council members must always act in the Public interest.
 4. Council members must represent un-conflicted loyalty to the interests of the funeral and cremation services industry licensees as a whole, unless that conflicts with the Public interest.
 5. Council members may present the views of a particular segment of the industry licensees as part of the discussion of an issue, but will not advocate on behalf of a particular segment of industry licensees.
 6. When voting on an issue, Council members must vote in the best interests of the industry as a whole, unless that conflicts with the Public interest.
 7. Council members will exercise the degree of care, diligence and skill a reasonably prudent person would exercise in comparable circumstances.
 8. Council and committee members shall disclose any potential conflicts of interest on an annual basis. In this respect, conflict of interest statements will be forwarded by Council administration to each individual Council and committee member to be completed and signed after the Annual General Meeting has taken place.
 9. Council members may not attempt to exercise individual authority over the organization except as explicitly set forth in Council policies:
 - a. Individual Council members or subsets of Council do not have authority to direct the Registrar or employees of the FCSCS.
 - b. Council members have no authority to speak on behalf of Council to the public, media or other entities, other than to report on Council decisions.
-

-
10. Council members will not make any judgments of the Registrar or employees performance except through the Chair of the Personnel Committee.
 11. Council members may not use Council information for their own direct benefit or advantage.
 12. Information discussed at Council must be kept confidential, in keeping with the best interests of the FCSCS.
 13. That part of a meeting where financial information, negotiation strategies, or personnel matters are discussed shall be kept confidential. The proceedings of any meeting of the Council or any part of a meeting of the Council or any committee that is conducted in camera or is defined as Closed, including the minutes or any records, shall be kept in confidence by all attendees.
 14. Council members will deal with outside entities or individuals, with employees, and with each other in a manner reflecting fair play, respect, and straightforward communication.
 15. A Council member suspected of breaching the provisions of Council's Governance Policies may immediately be suspended from Council as well as all committees until the Complaint is resolved.
 16. A Council member who is found guilty in a Discipline hearing will be suspended from Council as well as all committees until the penalty has been discharged.

Policy CG-9 Conflict of Interest

POLICY TYPE: COUNCIL GOVERNANCE

1. Each Council member must avoid any actual and/or the perceived Conflict of Interest. Council members must disclose potential conflicts. If there is any doubt as to whether there is a conflict, it is better to disclose the potential, then discuss and agree upon the appropriate action for Council.
 2. There must be no conduct of private business or personal services between any Council member and the FCSCS except as procedurally controlled to assure openness, competitive opportunity and equal access to information.
 3. When Council must decide upon an issue, about which a Council member has an unavoidable conflict of interest, that member shall declare the conflict, and then absent him / herself, without comment, from the deliberation and the vote.
 4. Council members must not use their position to obtain for themselves or for their family members, employment within FCSCS.
-

-
5. Should a Council member be considered for employment in FCSCS, he / she must withdraw temporarily from Council deliberation, voting, and access to applicable Council information.
 6. Members of Council will disclose, on an annual basis, their involvement with other organizations, vendors, or any other organizations that might produce a conflict of interest.

Policy CG-10 Implementation of Council's Code of Conduct

POLICY TYPE: COUNCIL GOVERNANCE

1. Council members must carry out duties in good faith and with a reasonable degree of diligence, care and skill. If a Council member is deemed by the Chair and Vice Chair of Council to be negligent in carrying out his / her duties:
 - a. The Council will verbally discuss the offence with the offending Council member. No record will be kept of this discussion.
 - b. After a second occurrence of the same offence, a letter will be sent from the Chair of Council to the Council member outlining the circumstances and expected corrective actions.
 - c. The continuation of the offence will result in a motion of censure being brought to the Council. After such a motion, the Council member may voluntarily resign or, upon a vote of a two-thirds majority of Council, the member shall be removed from all committee membership.

Policy CG-11 Council Planning Process

POLICY TYPE: COUNCIL GOVERNANCE

1. Strategic Plan

Council is responsible to prepare the Strategic Plan for approval of Council. It should have a three to five year view, consistent with the slow rate of change and conservative nature of regulatory bodies. The Strategic Plan should be reviewed and updated every three years or if a significant event happens. The Strategic Plan will be published on the FCSCS website.

2. Annual Budget

It is the responsibility of the Audit/Finance Committee to prepare the FCSCS Annual Budget for approval by Council. It should include components of the implementation of the strategic plan. It will be used to assess FCSCS performance at the end of the fiscal year. It will also be used as context for creating the Registrar's Annual Objectives.

3. Council Performance Review

It is the responsibility of the Chair of Council and the Chair of the Governance Committee to review the performance of Council as a whole and that of individual Council Members. Once each year the Council will set aside reasonable and sufficient time to discuss Council's performance.

4. Council Orientation

The purpose of the orientation is to acquaint new Council members with *The Funeral and Cremation Services Act*, Regulations, Bylaws, Governance Policies, policies, processes and individual and group responsibilities. The initial orientation should take place prior to the first Council meeting. A Council manual will be prepared by the Chair of the Governance Committee and kept up-to-date by this committee for this purpose. While orientation will be an ongoing process, there are critical areas that will be highlighted which fall into three major headings:

a. Orientation to the FCSCS

- i. The legislative framework, including *The Funeral and Cremation Services Act*, and Bylaws as well as other relevant legislation.
- ii. Broad general scope of the FCSCS, including the strategic plan, budget, history, demographics and key issues of the FCSCS.
- iii. FCSCS Governance Policies.
- iv. Roles, relationships, and structure of the FCSCS, including committees and organizational units or major organizational functions.

b. Orientation to the Council

- i. The role of the Council as a governance unit.
 - ii. The importance of the Council and its contribution to the FCSCS.
 - iii. The role of the Registrar and employees of the FCSCS.
-

-
- iv. A review of the Council governance model and governance polices and the basic values underlying the work of the Council.
 - v. An introduction to Council's calendar of events.
 - vi. The Council's relationship with other organizations.

c. Orientation to the individual role of the Council member

- i. Specific responsibilities, expectations and benefits of the Council members' job.
- ii. Level of authority and accountability of individual Council members.
- iii. Role of committees and resources available to committee members.
- iv. Methods of reporting and communicating performance expectations for individual Council members.

Policy CG-12 Role of the Registrar

POLICY TYPE: COUNCIL GOVERNANCE

1. The Registrar is the senior management officer of the FCSCS and is also a member of the Council (non-voting).
2. The Registrar is responsible for the implementation and administration of *The Funeral and Cremation Services Act*, as well as management of employees. The Registrar shall:
 - a. Ensure the FCSCS is compliant to Federal and Provincial legal requirements.
 - b. Keep Council sufficiently briefed of all options and background information in order that Council is able to make informed decisions, including:
 - i. Keep Council informed of emerging policy issues.
 - ii. Submit regular monitoring data to Council in a timely, accurate, and understandable fashion, including but not limited to the demographics of licensees, a summary of licensing results, the results of Discipline cases, as well as any trends Council should be aware of.
 - iii. Keep Council informed of media coverage (good and bad).

-
- iv. Keep Council informed of material external and internal changes, particularly changes in assumptions upon which any Council policy has previously been established.
 - v. Advise Council if, in the Registrar's opinion, Council is not in compliance with its own policies.
- c. Manage the FCSCS's assets to ensure financial stability including:
- i. Having comprehensive liability and property insurance coverage to meet any liability, property, and casualty claims against the Council, employees, and the FCSCS.
 - ii. Protecting intellectual property, information, and files from loss or damage of any kind.
- d. Provide background research, guidance and support to key Council committees including:
- i. Legislative Committee.
 - ii. Governance Committee.
 - iii. Audit/Finance Committee.
 - iv. Personnel Committee.
 - v. Continuing Education Committee.
 - vi. Investigation Committee.
 - vii. Discipline Committee.
 - viii. Licensing committee.
 - ix. Communications Committee.
 - x. Nominating Committee.
 - xi. Pandemic Planning Committee.
- e. Manage the implementation of the budget; prepare a regular forecast for Council and keep Council informed of any significant deviations from the budget.
-

-
- f. Develop and implement written administration policies and procedures including personnel policies and procedures that clarify personnel rules for employees, provide for effective handling of grievances, and protect against wrongful conditions.
 - g. Hire and terminate, if necessary with the assistance of the Chair of Personnel Committee, employees of the FCSCS.
 - h. Establish and maintain a Council approved plan for the development and succession of employees.
 - i. Develop and maintain good working relationships with:
 - i. The Superintendent of Funeral and Cremation Services;
 - ii. Other relevant professional organizations in Saskatchewan;
 - iii. The funeral and cremation regulatory authorities in other jurisdictions.

Policy CG-13 Registrar's Performance and Compensation

POLICY TYPE: COUNCIL GOVERNANCE

1. Each year the Chair of the Personnel Committee, will conduct a formal performance review of the activities and accomplishments of the Registrar.
 2. Prior to the Council review, the Chair of the Personnel Committee will meet with the Registrar to discuss performance against predefined and agreed upon objectives, as well as any other feedback.
 3. The Chair of the Personnel Committee will write a formal report to Council on the results of the review.
 4. If there is a disagreement on the content of the report, the Registrar may write formal comments to Council. The final report, including any comments from the Registrar shall be submitted to the Council for ratification by motion.
 5. This report shall become part of the personnel file for the Registrar and a signed, written copy shall be provided to the Registrar.
 6. Immediately after the ratification of the annual performance review by Council, the Chair and members of the Personnel Committee will meet to review compensation data and to make a recommendation on salary/benefits for the Registrar covering the upcoming year.
-

-
7. Compensation/benefits will reflect geographic and relevant market data. The Chair of the Personnel Committee, after Council approval, will provide written confirmation of any agreements on salary/benefits to the Registrar.
 8. Council may also recognize and reward extraordinary performance on the part of the Registrar.